

Mainstream and Non-Elderly Disabled (NED) Vouchers

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Administering Agency: HUD's Office of Housing Choice Vouchers (HCV) within the Office of Public and Indian Housing (PIH)

Number of Persons/Households Served: Non-elderly persons with disabilities (NED) vouchers serve almost 55,000 households under the combined Mainstream and NED programs. Once the FY18 appropriation of \$385 million for new vouchers is fully allocated to local public housing agencies, it is estimated that an additional 46,000 non-elderly disabled households will be served, for a total of over 100,000 households served.

Year Started: Since 1997, Housing Choice Vouchers (HCVs) have been awarded under different special purpose voucher program types to serve NED.

Population Targeted: A household composed of one or more non-elderly persons with disabilities, which may include additional household members who are not non-elderly persons with disabilities. Non-elderly persons are defined as persons between ages 18 and 61. Whether the qualifying person with a disability must be the head of household or spouse depends on the particular program/Notice of Funding Availability (NOFA).

Funding: FY18 funding for the Mainstream Program was \$505 million of which \$385 million was for new vouchers and the remaining \$120 was for renewals. As of the time this goes to print, all housing programs have been operating under a Continuing Resolution (CR) at the FY18 level.

HISTORY

Prior to 1992, federal housing statutes defined "elderly" to include people with disabilities.

As a result, many (but not all) properties built primarily to serve elders, such as the Section 202 program, also had requirements to serve people with disabilities. Depending on the HUD program and NOFA under which a property was funded, the occupancy policy might have included a requirement to set-aside 10% of their units for people with mobility impairments (including younger people with disabilities), a set-aside to serve non-elderly people with disabilities, or the policy might have provided non-elders with equal access to all the units.

The occupancy policies that resulted in elder and non-elders living together became controversial in the late 1980s and early 1990s. In response to this controversy, Congress passed Title VI of the "Housing and Community Development Act of 1992," which allowed public housing agencies and certain types of HUD-assisted properties to change their occupancy policies. The law allowed public housing agencies to designate buildings or parts of buildings as elderly-only or disabled-only; PHAs had to develop and receive HUD approval for a Designated Housing Plan before such a designation could be made. The law also allowed some HUD-assisted housing providers to house only elders and others to reduce the number of non-elderly applicants admitted.

Between 1996 and 2009, Congress appropriated voucher funding to compensate for the housing lost to younger people with disabilities as a result of the 1992 law. An estimated 55,000 households currently exist in the community that utilize these vouchers. It is unlikely that this number fully makes amends for the loss of access to affordable housing. These funds were appropriated through a variety of programs; the specific programs are described in the next section of this article. Note that many of these NED vouchers are called Frelinghuysen vouchers because then House Appropriations Chair Rodney Frelinghuysen (NJ) advocated for their funding.

One of these programs is the Mainstream Voucher Program. Between 1996 and 2002, Congress allowed HUD to reallocate up to 25% of funding for the development of new supportive housing units for non-elderly people with disabilities toward tenant-based rental assistance. During this period, approximately 15,000 incremental vouchers were given out to public housing agencies (PHAs) for this targeted population under the 811 Mainstream Program.

In FY18, for the first time in many years, Congress appropriated \$385 million for new Mainstream Vouchers. In April 2018, HUD issued a NOFA for \$100 million in new Mainstream Housing Vouchers for non-elderly people with disabilities; this NOFA included a portion of the FY18 appropriation and a small amount from HUD's FY17 appropriation. Only PHAs that administer Housing Choice Voucher (HCV) assistance and non-profits that already administer HCV Mainstream assistance were eligible to apply. HUD provided points for applications that included partnerships between housing and services/disability organizations, especially those that targeted housing assistance to assist people with disabilities who are transitioning out of institutional or other segregated settings, at risk of institutionalization, homeless, or at risk of becoming homeless. Awards were made in September 2018.

HUD has an additional \$300 million in FY18 funding available to award. One or more additional NOFAs are expected to be issued in winter 2019.

PROGRAM SUMMARY

The Mainstream and NED Voucher Programs are a component of the Housing Choice Voucher program (HCV). Congress appropriated NED vouchers under a variety of different appropriations and HUD allocated funds under differing program NOFAs. Although different programs have differing target sub-populations, all target non-elderly people with disabilities and all operate under the HCV regulation 24 CFR Part 982, with slight modifications as provided in the original NOFA or subsequent Notices. Upon

turnover, these vouchers must be issued to non-elderly disabled families from the PHA's HCV waiting list.

The following describes the specific NED programs administered by PHAs:

- NED Category 1 vouchers enable non-elderly persons or families with disabilities to access affordable housing on the private market.
- NED Category 2 vouchers enable non-elderly persons with disabilities currently residing in nursing homes or other healthcare institutions to transition into the community.
- Designated Housing Vouchers enable non-elderly disabled families, who would have been eligible for a public housing unit if occupancy of the unit or entire project had not been restricted to elderly families only through an approved Designated Housing Plan, to receive rental assistance. These vouchers may also assist non-elderly disabled families living in a designated unit/project/building to move from that project if they so choose. The family does not have to be listed on the PHA's voucher waiting list. Instead, they may be admitted to the program as a special admission. Once the impacted families have been served, the PHA may begin issuing these vouchers to non-elderly disabled families from their HCV waiting list.
- Certain Developments Vouchers enable non-elderly families having a person with disabilities who do not currently receive housing assistance in certain developments where owners establish preferences for, or restrict occupancy to, elderly families to obtain affordable housing; these are HUD assisted private properties funded such as those funded under the Section 8 new construction or Section 202 programs. Once the impacted families have been served, the PHA may begin issuing these vouchers to non-elderly disabled families from their HCV waiting list.
- Mainstream Housing Opportunities for Persons with Disabilities Vouchers enable non-elderly disabled families on the PHA's waiting list to receive a voucher.

- Project Access Pilot Program (formerly Access Housing 2000) provides vouchers to selected PHAs that partnered with State Medicaid agencies in order to assist non-elderly disabled persons transition from nursing homes and other institutions into the community.

FUNDING

FY18 funding for the Mainstream Program was \$505 million of which \$385 million was for new vouchers and the remaining \$120 was for renewals. Final FY19 funding for the Mainstream Program was \$225 million; this could leave as much as \$114 million for new vouchers.

FORECAST FOR 2019

Final FY19 funding for the Mainstream Program was \$225 million; this could leave as much as \$114 million for new vouchers; this new funding is in addition to the \$300 million in new funding from the FY18 appropriation that HUD had not yet allocated (as of when this went to print). In spring 2019, HUD is expected to issue a NOFA for at least some of these new funds.

WHAT TO SAY TO LEGISLATORS

Advocates are encouraged to contact their Members of Congress with the message that people with disabilities continue to be the poorest people in the nation. TAC's 2017 publication *Priced Out* found that nearly five million non-elderly adults with significant and long-term disabilities have Supplemental Security Income levels equal to only 20% of AMI and cannot afford housing in the community without housing assistance. Because of this housing crisis, many of the most vulnerable people with disabilities live unnecessarily in costly nursing homes, in seriously substandard facilities that may violate the ADA, or are homeless. Mainstream and other NED vouchers can help the government reach its goals of ending homelessness and minimizing the number of persons living in costly institutions. Advocates should encourage their Members of Congress to continue to increase funding for

NED vouchers in order to address these critical public policy issues. In order to achieve this goal, advocates will also want to encourage their members to lift the spending caps with parity for defense and non-defense programs.

FOR MORE INFORMATION

Technical Assistance Collaborative, 617-266-5657, www.tacinc.org. TAC's Mainstream and NED voucher database by state can be found at <http://www.tacinc.org/knowledge-resources/vouchers-database/>.

Consortium for Citizens with Disabilities (CCD) Housing Task Force http://www.c-c-d.org/rubriques.php?rub=taskforce.php&id_task=8.

HUD's NED web page https://www.hud.gov/program_offices/public_indian_housing/programs/hcv/ned.

HUD's Mainstream Voucher Program https://www.hud.gov/program_offices/public_indian_housing/programs/hcv/mainstream.