

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: Until 2018, non-elderly persons with disabilities (NED) vouchers served almost 55,000 households under the combined Mainstream and NED programs.

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 program and Notice of Funding Availability (NOFA).

Funding: The Consolidated Appropriations Acts of 2017-2019 made approximately \$500 million available for new Mainstream voucher assistance, the first funding for new Mainstream vouchers since 2005. In 2018 and 2019, HUD awarded a combined \$230 million for over 27,000 new vouchers to 435 PHAs. \$270 million remains to be awarded for new vouchers. The FY20 appropriation provides funds for renewals but not for any new vouchers (above what was provided in the FY18 and FY19 appropriation).

HISTORY

Before 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. 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 (R-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.

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HUD has an additional \$270 million available to award. One or more additional NOFAs are expected to be issued in 2020.

PROGRAM SUMMARY

The Mainstream and NED Voucher Programs are a component of the HCV program. 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 regulations and guidance, 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 with 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 as those under the Section 8 new construction or Section 202 programs. Once the impacted families have been served, the PHA may issue 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 to assist non-elderly disabled persons transition from nursing homes and other institutions into the community.

FUNDING

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FORECAST FOR 2020

The FY20 enacted appropriation is \$229 million which covers renewal of existing vouchers but does not include any funding for new vouchers. However, as noted above, funding from previous appropriations remains and is expected to be allocated via a Notice of Funding Availability (NOFA) process in the spring of 2020.

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 publication *Priced Out* reported 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 without housing assistance. Because of this housing crisis, many of the most marginalized people with disabilities live unnecessarily in costly nursing homes, in seriously substandard facilities that may violate the "Americans with Disabilities Act," 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.

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.