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Housing as a Platform for Vulnerable Populations

Quality, affordable housing is a platform to support the health and wellbeing of vulnerable populations:

- Homeless individuals and families
- Those at risk of homelessness
- People with disabilities
- Those leaving institutions

Combining Housing and Supports

- We need to break through silos in order to effectively combine housing and supports
 - HUD and HHS work very closely on Community Living initiatives
- Accessible and affordable housing plays an essential role for people who rely on Medicaid for long-term services and supports
- The combination of housing and supports makes it possible for many people to live and thrive in the community.

Ending Homelessness

The goals of *Opening Doors: The Federal Strategic Plan to End Homelessness*

- Finish the job of ending chronic homelessness by 2015
- Prevent and end Veterans homelessness by 2015
- Prevent and end homelessness for families, youth and children by 2020
- Set a path to end all types of homelessness

Ending Homelessness

On a single night in January 2011 there were 636,017 people homeless in the United States:

- 236,181 (37%) persons in families – a 2.4% reduction since 2010.
- 107,148 chronically homeless persons (16.8 percent of all homeless people)
 - Chronic homelessness on a single night has declined by 2.4 percent since January 2010.
- 67,495 veterans were homeless in the United States, about 14% of all homeless adults.
 - Homelessness among veterans has declined by nearly 12% (or 8,834 people) since January 2010.

Section 811 Supportive Housing for Persons with Disabilities Program

- HUD provides funding to create and support rental housing with the availability of supportive services for very low-income and extremely low-income adults with significant disabilities
- The housing must make support services available; however, services are elective and not mandatory for the tenant
- Section 811 Supportive Housing for Persons with Disabilities Program promotes and facilitates community integration for people with significant and long term disabilities

Section 811 PRA Demo

- New Project-Based Rental Assistance Approach
- Helps governments systematically and efficiently create integrated and highly cost-effective supportive housing units
- Requires structured state-level partnership linking affordable housing with community-based services and supports
 - Services are elective not mandatory for tenant
- Offers people with significant disabilities the opportunity to live in high quality rental housing alongside other tenants who do not have disabilities.
 - No more than 25% of the units in any property can be set-aside for people with disabilities (maximum, not a minimum)

Permanent Supportive Housing

- Permanent housing means community-based housing without a designated length of stay, and includes both permanent supportive housing and rapid rehousing.
- Permanent Supportive Housing (PSH) is permanent housing in which supportive services are provided to assist homeless persons with a disability live independently

Housing Options

- Public Housing Authorities (PHA) may offer local admission preferences for persons with disabilities in general, as well as more targeted preferences for persons with disabilities ready to exit institutions or for persons at risk of institutionalization
- In a June 2009 letter, Secretary Donovan urged PHAs to adopt such a preference in housing choice voucher programs:
<http://www.hud.gov/offices/pih/programs/ph/am/newsletter/doc015.pdf>

Housing Options

Housing Choice Voucher Program

- Key example of community-based residential option that may benefit persons transitioning
- PHA may offer local preferences for admission to persons exiting institutions or at serious risk of institutionalization

Other Activities within HCV Program (24 CFR 8.28)

- Maintain a current listing of known available accessible units, and assist in locating an accessible unit
- Encourage private landlords to make accessibility modifications to private units
- Identify or encourage private landlords with accessible units to participate in HCV programs

Housing Options

Other Activities within HCV Program

- Disseminate notices about the availability of the program to institutions, MFP agency, Medicaid agency
- If you have Special Purpose Vouchers, account for and reserve these vouchers for qualified disabled families, including upon turnover
- Adopt a policy that takes into account the challenges of locating accessible housing when considering requests for extensions of a HCV (See 24 CFR 8.28(a)(4))
- Allow extended time to find a unit
- Provide housing search assistance

Using HUD Resources to Meet Settlement Obligations

Remedial Actions for Past Segregation

- In response to *Olmstead*-related litigation resulting in a settlement agreement, court order or consent decree, or in response to private settlements; or
- In response to States that wish to take affirmative *Olmstead* planning and implementation efforts
- It may be necessary and appropriate to offer tenant selection preferences within certain programs to specific populations as a remedial measure to meet *Olmstead* obligations
- Requires HUD coordination and approval – Jeanine Worden, OGC, and Sara Pratt, FHEO

Section 504

- One of the main tenets of Section 504 is to ensure that housing programs and services are offered in the most integrated setting possible
- “Recipients shall administer programs and activities receiving Federal financial assistance in the most integrated setting appropriate to the needs of qualified individuals with handicaps.” 24 CFR § 8.4(d).
- Persons with disabilities, including those individuals transitioning from institutional to community-based settings, have the right to participate in HUD-funded programs and are entitled to equal opportunity in housing

Title II of the ADA

- Title II regulations require public entities to “administer services, programs, and activities in the most integrated setting appropriate to the needs of qualified individuals with disabilities” 28 CFR § 35.130(d)
- The “most integrated setting” is defined as “a setting that enables individuals with disabilities to interact with non-disabled persons to the fullest extent possible” 28 CFR Pt.35, App. A
- The “Integration Mandate” exists under both ADA & Section 504

Olmstead v. L.C.

- Supreme Court held that title II of the ADA prohibits the unjustified segregation of individuals with disabilities
- Public entities are required to provide community-based services to persons with disabilities when (a) such services are appropriate; (b) the affected persons do not oppose community-based treatment; and (c) community-based services can reasonably be accommodated taking into account the resources available to the entity and the needs of others who are receiving disability services from the entity

Integration Mandate

Integrated Settings:

- Mainstream society; access to community activities and opportunities; choice of daily life activities
- Scattered-site housing with availability of supportive services
- Not located in a building that is also a publicly or privately operated facility that provides institutional treatment or custodial care; must not be located in a building on the grounds of, or immediately adjacent to, a public institution
- Not a housing complex designed expressly around an individual's diagnosis or disability

Integration Mandate

Segregated Settings:

- “Qualities of an Institution”
- Regimented meal and sleep times
- Limitations on visitors
- Lack of privacy
- Limit individual’s ability to engage freely in community



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