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## **Recommendations to Ensure Access to Home Meets the Needs of People with Disabilities**

The New York Association on Independent Living (NYAIL) is a statewide membership organization of Independent Living Centers (ILCs), cross-disability, consumer-controlled, community-based not-for-profit providers of services and advocacy for New Yorkers with disabilities of all ages. NYAIL is dedicated to removing barriers to full community integration of people with disabilities. A significant portion of the ILCs' work is dedicated to transitioning and diverting individuals from nursing homes and other institutions back into the community. Through this work, ILCs have identified the lack of affordable, accessible, and integrated housing as the most significant barrier.

People with disabilities often cannot find housing that allows them to simply get in the front door, for example, if they use a wheelchair. There are few requirements to build apartments and homes that are accessible to people with mobility and sensory disabilities and what requirements there are have been poorly enforced. There are no access requirements for single family homes, duplexes, triplexes, and townhomes, which make up a significant percentage of housing in the State - particularly in regions of upstate where zoning does not allow for multifamily housing to be developed. As a result of this lack of accessible housing, people with disabilities and seniors are often forced to make costly home modifications in order to remain in the community.

Access to Home is an important program administered by NYS Homes and Community Renewal (HCR) that provides funding for home modifications to allow individuals with disabilities and older New Yorkers to stay in their homes and out of costly institutions. For many people, the addition of a ramp to their front door makes the difference between being able to leave the house and being homebound. The Independent Living community advocated vigorously for New York to create Access to Home to help alleviate the housing crisis for people with disabilities in New York by assisting low and middle income individuals and families to make home modifications.

### **Administrative Changes Needed to Increase Access to Access to Home**

In most parts of the State, Access to Home is only available to homeowners. However, most people with disabilities are renters. In fact, the home ownership rate for people with disabilities in NYS is 42.7%, resulting in a 12.2% gap between people with and without disabilities (*Disability Status ADA 25*, Center for Independence of the Disabled, New York, 2015). Furthermore, those renters cannot afford to modify an inaccessible apartment. According to the same study, 35.7% of people with disabilities in New York State are extremely rent burdened, spending more than one third of their income on rent. As such, for Access to Home to serve its target population, HCR needs to change some of its program rules to ensure tenants can benefit from Access to Home.

Given this concern, NYAIL is calling on HCR to make tenants a top priority for the Access to Home program. This could be achieved by awarding additional points to any applicants seeking to serve both tenants and home owners in their administration of the program. Alternatively, HCR could make it mandatory that applicants serve both home owners and tenants in order to receive the grant. Currently,

most of the agencies administering Access to Home do not serve tenants. HCR could remedy this by adopting a policy that all applicants in order to receive the grant must include tenants as eligible for assistance.

For those who do serve tenants, there is an additional barrier. HCR mandates that landlords agree to a five year lien against their property. Almost no landlord is going to agree to a lien against their property for a tenant, even one they like. Very often, landlords do not want their tenants to make modifications. While landlords cannot refuse to allow such modifications to be made, they are not legally obliged to agree to a lien against their homes. In meetings with HCR, we have heard that this is to protect the State's best interest. We maintain that it is in the State's best interest to increase the stock of accessible housing in NYS. We recommend the below solutions designed to be alternatives to the mandatory lien.

- HCR could mandate that the landlord agree to list their property on [www.nyhousingsearch.gov](http://www.nyhousingsearch.gov) should their modified unit go vacant prior to the five year time period.
- Independent Living Centers and the agencies administering Access to Home could partner with HCR to help market the vacant apartment to ensure another person with a disability can benefit from the accessible apartment. Independent Living Centers assist people with disabilities to locate accessible housing across the State. ILCs are natural partners for HCR and the agencies administering Access to Home to help locate appropriate tenants for accessible apartments.

Access to Home could serve people with disabilities much more effectively if the above policies were adopted by HCR. NYAIL calls on HCR to make tenants a priority for this program and to work with the Independent Living community to ensure people with disabilities are being served appropriately under Access to Home.

### **Increase State Funding for Access to Home**

In addition to making administrative changes to the program's implementation to increase access, HCR must commit additional state funding for Access to Home. Access to Home is one of the most important programs for people with disabilities and yet, it is one of the most underfunded. Prior to 2012, the program was typically funded at \$4 million, while the request for funding regularly exceeded \$12 million. In the 2012-13 SFY, the program was cut by 75% down to a mere \$1 million. As a result, Access to Home is not available in many parts of the State. In HCR's 2015 funding cycle, just six applicants were awarded funding at a meagre \$150,000 each, leaving many parts of the State completely unserved and the rest of the State severely underserved by the program. While additional funds have been committed to the program through the Medicaid Redesign Team's Supportive Housing workgroup and the JP Morgan Allocation Plan, they have been one-time funds and/or limited to specific populations, leaving the general population in dire need.

There is simply not enough accessible housing in New York State. Providing home modifications is an effective way for HCR to help keep people in the community and out of institutions. However, the State is not allocating the level of funds necessary to address the problem effectively. NYAIL calls on HCR to make the above administrative changes and to allocate additional funding to the Access to Home program as part of HCR's contribution to *Olmstead* implementation.

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