

February 5, 2019

Testimony to the Joint Legislative Housing Budget Hearing on the 2019-20 Executive Budget proposal and the Need to Address the Lack of Affordable, Accessible, and Integrated Housing for People with Disabilities

Thank you for the opportunity to submit testimony regarding housing priorities for people with disabilities. The New York Association on Independent Living (NYAIL) represents Independent Living Centers (ILCs) and the people with disabilities they serve. NYAIL leads statewide Independent Living Center efforts to eliminate physical, communications, attitudinal, and other barriers to all aspects of life. NYAIL advocates for the civil rights, independence, and full participation of all people with disabilities. This year marks six years since Governor Cuomo issued the State's *Olmstead* plan, which outlined how the State would advance the State's community integration efforts for people with disabilities. Yet, we have seen little commitment to *Olmstead* in recent years. True community integration cannot be advanced without addressing the lack of affordable, accessible, and integrated housing options for New Yorkers with physical disabilities. While there are some very good initiatives in the Executive budget proposal around housing, accessible housing goes largely ignored. We call on the legislature to address this crisis by allocating funding to make integrated housing options accessible to everyone, including people with disabilities and seniors.

- **Increase funding for Access to Home to \$10 million.**

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. Access to Home was cut by 75% several years ago. Ever since, Access to Home has been funded at a mere \$1 million Statewide, leaving many parts of the state without the program and resulting in years long waiting lists.

While the State has invested in programs designed to help people leave nursing facilities, such as Open Doors and the *Olmstead* Housing Subsidy, without adequate or associated funding for home modifications, many people still can't leave the nursing facility. The State must increase funding for Access to Home to \$10 million to help people to leave institutions and move back into the community.

- **Create a Visitability tax credit to help homeowners retrofit their homes to make them more accessible, or to incentivize including visitable features at the time of construction.**

Despite strong support from the legislature, Governor Cuomo vetoed legislation to create a visitability tax credit three years in a row. In the veto messages, the Governor indicated support for the program, but stated that such a proposal would need to be handled during budget negotiations. Despite his stated support for the program, Governor Cuomo has yet again failed to include this tax credit in his proposed executive budget. This is a priority for the disability community as a tax credit would help keep people in their homes and out of institutions by assisting people with the costs associated with making their homes more accessible. NYAIL urges the legislature to include the \$1 million pilot program in the state budget.

- **Make a person's lawful source of income a protected class in NYS Human Rights Law.**

NYAIL is extremely pleased that Governor Cuomo included legislation in his executive budget proposal to amend Human Rights Law to add lawful source of income as a protected class and to prohibit housing discrimination on the basis of lawful source of income! This has been a priority for the disability rights community for a decade. This is because there is a housing crisis in New York State for people with disabilities due to the lack of affordable and accessible housing. More than a third of people with disabilities are severely rent burdened, spending more than 50 percent of their income on housing. A modest one bedroom costs an average of 133 percent of a person's SSI in New York State. Avoiding institutionalization or homelessness depends on having a housing rental subsidy. Yet, landlords turn down prospective tenants who have rental subsidies. This results in a situation where even with a subsidy, people with disabilities are often unable to find housing.

NYAIL also applauds Governor Cuomo's proposal to cap security deposits at one month's rent. Charging excessive amounts for security deposits has also stopped New Yorkers with disabilities from obtaining housing which would otherwise meet their needs. New York can go a long way to addressing the crisis by supporting Governor Cuomo's proposals and passing them in the budget!

NYAIL calls on the legislature to help address the critical lack of accessible housing options for people with disabilities by funding Access To Home at \$10 million, creating a Visitability tax credit, and by supporting the Executive's proposals to make a person's lawful source of income a protected class in New York Human Rights Law.

Thank you,

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