

Center for Disability Rights, Inc.

CDR Policy Position: Housing

Housing is often cited as the primary barrier for community-based living by people with disabilities. Freedom from an institution is impossible without an affordable, accessible, integrated home. It is the same for people with disabilities as it is for their nondisabled peers: in a home, a person or their chosen representative, is in complete control of all decisions regarding the home; chooses who else resides in the home; is afforded privacy; can have a completely separate schedule from others in the home and schedules are allowed to change at will; and has full freedom of choice regarding activities while in and out of the home (i.e. bedtimes, meals, social activities, etc.).

Housing must be accessible, affordable, integrated.

In order for people with disabilities to live full, independent lives in the community, there must be sufficient accessible, affordable, integrated housing.

Accessible. A disability only manifests in the presence of an inaccessible environment. In other words, a wheelchair user has a disability, but mobility is only impaired when he or she is faced with stairs or narrow doorways. If we modify the physical space to make it accessible and usable by everyone, then the impact of disability diminishes or disappears. The fact remains that there is not enough accessible housing stock to meet the needs of seniors and people with disabilities and home modifications can be very costly. Building accessible homes is more cost-effective than rehabilitating a home to meet an individual's accessibility needs, so basic accessible features should be incorporated into all housing design. For buildings constructed with public funds, at a minimum, there must be compliance with existing accessibility standards set forth in the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, and Fair Housing Amendments Act, which all prohibit housing discrimination against people with disabilities.

Affordable. Many people with disabilities live on low, fixed incomes and cannot afford the current costs of housing that would allow them to live in the community and receive services. Existing subsidized housing is subject to long waiting lists, forcing many individuals into nursing facilities at far greater cost to the State. Supplemental Security Income (SSI) is a federal program designed to assist low income people with disabilities in meeting their basic needs for clothing, food, and shelter, yet SSI is not enough to cover housing in New York State. According to the most recent Technical Assistance Collaborative, Inc. (TAC) report, *Priced Out in 2008*, an average of 141.4% of SSI is needed to rent a one-bedroom unit and 129.4% of SSI is needed to rent a studio apartment in New York State.

Integrated. Segregation from the community is tied to historical biases regarding people with disabilities. Legislative history shows that people with disabilities have been viewed as everything from "unfit" to "dangerous" to a "detriment to normal society." Institutions have functioned as warehouses, isolating people away from society's eyes. Like people without disabilities, people

with disabilities want homes that are integrated into the community's fabric—close to recreation, shopping, public transportation, etc. Community-based congregate living is just another form of segregation. Integration should be considered during the construction phase of all single- and multi-family housing developments because accessible units should not be clustered together, but rather dispersed.

Housing must be able to accommodate all types of families.

Too often, accessible housing is limited to one bedroom apartments. People with disabilities have families too. The accessible, affordable, integrated housing stock should be available in a range of settings from one bedroom apartments to detached single family homes with multiple bedrooms.

Housing must be de-linked from mandatory services.

People with disabilities are often forced to accept unneeded and unwanted services because it is the only way to get housing. This is an injustice to the individual forced to accept the services to get housing, but it is also an injustice to the taxpayer funding the unneeded service. When an individual who could benefit from the service is edged out because another individual uses the housing solely to meet their housing needs, there is a problem with the system. Scarce housing funds should not be exhausted with services that are – or can be - funded in other ways. Housing funds should go to support the expansion of accessible, affordable, integrated housing, while support services should be optional to the consumer and provided separately and distinctly through human services providers.

Promote visitability.

The aging community has joined the disability community in advocating for accessible and visitable homes as part of the “age in place” movement, which emerged from research that found that the majority of people prefer to remain in their own homes to receive long term care. Visitable homes are homes that have enough access to make them usable, comfortable and safe for everyone—residents and visitors, with or without disabilities. There are three basic components to a visitable home: (1) a zero-step entrance off an accessible route, (2) 32 inches clear passage space on all doorways on the main floor, and (3) at least a half bathroom on the main floor. All homes that receive state funds should be visitable. In addition, the State should work with private developers—particularly those that build private homes on spec—to advance visitability efforts, which can actually increase a home's marketability.

Housing providers must not discriminate based on disability.

Federal and state law prohibits discrimination based on disability; however, enforcement of these laws at the local level is inconsistent. Housing must provide reasonable accommodations for individuals with specific accessibility needs due to disability. Because people with disabilities tend to live on fixed incomes, assistance through housing subsidies and vouchers are necessary to support them in the community, and there must be protections against discrimination based on source of income.

Information and marketing on available housing must be accessible to all people with disabilities.

A common fallacy is that developers are willing to build accessible, affordable, integrated units, but that there are no people with disabilities interested in occupying the residences. One problem is the lack of communication to the disability community. Information must be disseminated to relevant parties such as independent living centers and local social services districts. All marketing materials must be made available in alternative formats upon request, such as Braille and large print.

The Center for Disability Rights, Inc. (CDR) is a non-profit service and advocacy organization devoted to the full integration, independence and civil rights of people of all ages with all types of disabilities.