

Fact Sheet
500 Project Based Units for Non-Elderly Persons with Disabilities

September 10, 2009

Background:

On December 20, 2004, HABC entered into the “Bailey Consent Decree” with the U.S. Department of Justice and Maryland Disability Law Center in which it agreed to create 500 project based voucher units for non-elderly persons with disabilities (NEDs).

The term of the Project Based Vouchers Awarded: Fifteen years or the maximum period of time permitted by HUD. HABC is to make good faith efforts to enter into contracts with landlords for the longest possible period within the fifteen years or maximum period permitted by HUD, whichever is longer.

Occupancy of the Units: These units must be occupied by NEDs from HABC’s Housing Choice Voucher (Section 8) waiting list who have participated in the Enhanced Leasing Assistance Program (“ELA Program”). The Innovative Housing Institute (“IHI”) has been retained to operate the ELA Program, which assists NEDs in finding homes.

Non-Elderly Person with a Disability (NED): Refers to a family whose sole member, head of household, or head of household’s spouse is a person with a disability who is under the age of sixty-two (62), and which is eligible for a one-bedroom public housing unit or for a two-bedroom public housing unit because a second bedroom is needed for disability-related reasons; and who is on an HABC waiting list for public or Section 8 subsidized housing.

Projects Receiving Low Income Housing Tax Credits (“LIHTC”):

LIHTC Projects Supported by HABC and the City – For a period of 10 years, beginning with the first full application cycle after December 20, 2004 (the date the Court approved the Bailey Consent Decree), HABC is to support the award of LIHTC for those projects, otherwise determined to be viable, that will create a minimum of 15% of the total project LIHTC units as one bedroom units for NEDs.¹

Frequently Asked Questions:

¹ Note that in order for LIHTC units to be affordable to NEDs, the developer/owner must agree to subsidize the units with project based vouchers. In addition, in order for the unit to be treated as a housing opportunity under the Bailey Consent Decree, the developer/owner must agree to accept NEDs referred through the ELA Program.

What bedroom size are NEDs Units? NEDs units are typically one bedroom units. Two bedroom units are appropriate when a NED requires an attendant to live with him or her, has medical equipment that requires an extra room or, as a couple, cannot share a bedroom with his/her spouse for disability related reasons.

Do NEDs units need to be accessible? HABC agreed to make good faith efforts to create some NEDs units that are accessible. However, it is not mandated that NEDs units be accessible and the majority are not.

Do I have to modify a unit if the NED occupying it requests a reasonable modification to the unit because of his or her disability? If the NED occupying the unit participated in the ELA Program, the owner of the unit may contact IHI about making and funding reasonable modifications to the unit.

Where should NEDs units be located? If in a single building, the NEDs units should be dispersed throughout the building to the extent possible. If in a multi-building development or scattered site project, the units should be dispersed among the buildings or scattered site units. In other words, NED units should not be concentrated in one area of a building or development.

Can a fully accessible unit also be a NEDs unit? Yes. However, tenants must be both a NED and need the features of a fully accessible unit. These requirements may make it more difficult to occupy the unit.

What is the Enhanced Leasing Assistance Program? The Innovative Housing Institute (“IHI”) is currently under contract with HABC to implement the ELA Program. IHI refers NEDs from HABC’s HCV waiting list to the 500 project based voucher units. It also helps NEDs find landlords who accept tenant based vouchers. The following is a list of services provided by IHI through the ELA Program:

- Administers a fund to pay the cost of reasonable application fees, security deposits, utility and telephone hook-up fees or initial fees for the participants of the ELA Program;
- Provides housing search assistance, including provision of transportation for the participants to look at the available housing units, including accessible transportation as needed;
- Conducts activities to provide assistance or support as reasonably necessary to enable NEDs to lease a housing unit, including negotiating with landlords, assisting with paperwork, requesting reasonable accommodations and obtaining references;
- Administers funds provided by the City of Baltimore to be used for persons who need to make reasonable modifications to their private rental unit in order to accommodate their disabilities;

- Makes referrals to service providers and non-profit organizations to assist the voucher holder in obtaining long-term housing stabilization; and
- Follows up with NEDs for a period of 6 months after they have moved to assist with transition issues.

What are some of the characteristics of NEDs? The following are some of the characteristics of the NEDs participating in the ELA Program as of early 2008:

- 6.6% are employed either full-time or part-time
- 90% receive benefits that reflect a past work history (pension, SS, SSDI, SSI or unemployment)
- 78.7% rely on public transportation
- 8.5% own a car
- Only 3.9% have a criminal history
- 75.9% have a collections account (primarily because of medical bills)
- 48% are male and 52% are female
- 42% are between the ages of 51 and 62 and another 45% are between the ages of 36 and 50; less than 3% are under the age of 25.