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Disability Rights Maryland

House Environment & Transportation Committee

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HB 231

Position: Support

Disability Rights Maryland (DRM) is Maryland's Protection and Advocacy agency, and is mandated by state and federal law to advocate for the rights of Marylanders with disabilities. DRM works to increase opportunities for individuals with disabilities to be part of their communities and live in safe, decent, affordable and accessible housing. We urge you to support HB 231, which would prohibit discrimination in rental housing based on the source of a renter's income. DRM believes this bill would have far-reaching benefits for the citizens of Maryland with disabilities, particularly those who rely on a Housing Choice voucher to rent an apartment.

In DRM's experience representing low-income Marylanders with disabilities, many landlords refuse to rent to people who plan to pay a portion of their rent with a Housing Choice voucher, a VASH voucher (for veterans), or because they rely on T-DAP (temporary disability payments). People with disabilities are among the poorest of Maryland's residents. A person who receives Supplemental Security Income, or SSI, receives just \$750 per month, or \$9,000 per year, just 14% of Maryland's median income for a household of one. On a statewide basis, a person receiving SSI would be required to spend, on average, 149% of his or her monthly SSI check just to rent a modest efficiency apartment. (Source: Priced Out in 2016, by the Technical Assistance Collaborative, Inc., <http://www.tacinc.org/knowledge-resources/priced-out-v2/>).

Clearly a subsidy is required; unfortunately, a person with such a rental subsidy, such as a Housing Choice voucher, is often not able to use it to secure the housing they need. When they are fortunate enough to locate a landlord who will accept their voucher, it is often in areas of concentrated poverty with few amenities located nearby. This presents a significant hardship to people with disabilities.

To illustrate the scope of the problem, HABC's waiting list has been closed since 2014, when it was opened for two weeks; 75,000 households applied for a voucher and 25,000 were chosen by lottery to be on a waiting list for a voucher. Prior to 2014, HABC's waiting list had been closed for more than ten years. In the Baltimore area, for those lucky enough to get on the waiting list, the typical wait for a Housing Choice voucher is nine years. According to the Housing Authority of Baltimore City's (HABC's) FY2016 Moving to Work Annual Plan (the most recent year that HABC has provided this information), 63% of HABC's Housing Choice Voucher Program waiting list, 4389 people, were families that have a non-elderly person with a disability as either the head of household or spouse. Once a low-income person receives a voucher, he or she has a limited amount of time, typically 60 days, in which to use it. For persons with disabilities, it is often important to be near public transportation, family supports, medical providers, and amenities such as grocery stores, a bank, and a pharmacy. And like everyone else, many persons with disabilities want to be near job opportunities, good schools for their children, and in safe and vibrant

communities. If someone can't locate a landlord that will accept their voucher, the voucher returns unused to the housing authority to be reissued to another family. DRM has represented clients who have spent up to 4 to 5 months trying to locate a landlord to accept their voucher, and who will ultimately agree to rent from the first landlord who will to accept a voucher. This has resulted in clients leasing units that leave them without use of their bathroom, kitchen, ability to get upstairs to check on minor children, or independent ability to enter and exit the unit – all because the family was desperate for an apartment where they could use their voucher. Apartments that are accessible to people with physical disabilities are extremely difficult to find. Apartments constructed after March 13, 1991 are required to be accessible for persons with mobility impairments, as required by the federal Fair Housing amendments Act of 1988 (FHAA). The FHAA requires that all ground-floor or multifamily elevator buildings with greater than 4 units have a no-step accessible entrance, wider doors and hallways, accessible routes throughout the complex, lowered light switches and environmental controls, usable kitchens and bathrooms, and reinforced walls to accommodate the later addition of grab bars. Unfortunately for our clients, these newer units are almost always the developments that are seen as more desirable and are least likely to accept housing vouchers or disability income. Thus, wheelchair users are often not able to rent the accessible units they need, and these units are often filled by persons who do not need their accessible features. This has meant that landlords are able to find market renters in the more desirable areas and can therefore eschew housing voucher holders.

Anne Arundel, Baltimore County, Baltimore City, Frederick, Howard, Montgomery, and Prince George's County, and the Cities of Frederick and Annapolis have prohibited housing discrimination based on source of income, with many positive outcomes. The success rate of voucher holders in these counties is much, much higher than in jurisdictions without such a law. Even more, in these jurisdictions voucher holders are evenly spread out throughout the area, so there are fewer areas where rental vouchers are concentrated. In fact, Montgomery and Howard Counties go even further and require landlords to offer a minimum percentage of units as "affordable housing." As a result, advocates for people with disabilities report that they have little trouble finding housing for their clients in these counties, so long as the person has a housing voucher to assist them in paying the higher rents commanded in that jurisdiction.

HB 231 would be a very positive change for the State of Maryland and result in an increased quality of life for many Marylanders with disabilities. For all of these reasons, we urge a favorable report on HB 231. Thank you for considering our views.

For further information, please contact David Prater, Managing Attorney, at 410-727-6352 ext. 2500 or at davidp@disabilityrightsMD.org.