



## **SB 356: Land Use - Expedited Development Review Processes for Affordable Housing**

### **Testimony of Maryland Centers for Independent Living**

#### **SUPPORT**

Senate Education, Energy, and the Environment Committee, February 1, 2024

Centers for Independent Living (CIL) are created by federal law. CILs work to enhance the civil rights and quality of services for people with disabilities. There are seven CILs located throughout Maryland, operated by and for people with disabilities. At least 51% of CIL staff and Board are people with disabilities. CILs provide Information and Referral, Advocacy, Peer Support, Independent Living Skills training, and Transition Services to individuals with disabilities in their communities.

The Independent Living Network submits this written testimony in strong **support** of SB 356, with concerns noted below.

Housing Crisis for People with Disabilities: The need for affordable and accessible housing for people with disabilities is well documented. When the Americans with Disabilities Act was passed in 1990, Congress recognized that housing discrimination against individuals with disabilities was a serious and pervasive social problem.<sup>1</sup>

According to the National Low Income Housing Coalition (NLIHC), 26%, or approximately 19,000 households are extremely low income in Maryland. Among low-income renters, 86% are housing cost burdened and 74% are severely cost burdened. Consequently, a nearly 132,000 shortage exists of rental homes available to extremely low-income renters. Unfortunately, the reality is that an annual household income of \$59,480 is required to afford a two-bedroom rental home at the fair market value determined by HUD.

A 2016 Maryland Department of Health survey found that having a disability was more prevalent among lower income households, where more than one-half of persons living with a disability had a household income of less than \$15,000.<sup>2</sup> The survey also points out that

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<sup>1</sup> 42 U.S.C. §12101 (a).

<sup>2</sup> 2022 Maryland Housing Needs Assessment and 10-Year Strategic Plan, p. 30. Maryland Housing Needs Assessment & 10-Year Strategic Plan, A shared framework & toolbox for the Maryland Department of

Maryland's senior population is growing, as is the number of people living with a disability. Vulnerable populations such as seniors and the disabled make up a disproportionately high percentage of both categories. While cost-burdened and extremely cost-burdened households have increased across the board, a higher proportion of renters are extremely cost burdened. Such burdens are even greater among minority populations, especially African Americans.

The recent "State Disabilities Plan", by the Maryland Department of Disabilities identifies the need for "Improved availability of integrated, affordable, and accessible housing options for people with disabilities and their households."<sup>3</sup>

CILs know people with disabilities, who comprise a disproportionate share of those Marylanders with extremely low incomes, who must sacrifice food and healthcare to pay rent, or who live in substandard or overcrowded conditions or experience unstable housing and evictions.<sup>4</sup> Due to the lack of affordable, accessible housing in the community, many individuals are at risk of institutionalization, homelessness, or are stuck in nursing facilities.

Support for SB 356: The length of time involved in the permit approval process can constitute a significant barrier to the development of affordable housing. The process may add months or years to the development time. During this period, the developer often pays costs of funds borrowed to finance the development and loses projected occupancy revenues. To the extent SB 356 reduces our housing crisis, the CILs voice strong support. The CILs advise that there are some concerns about the implementation of SB 356, if enacted. The lack of standards or metrics applicable to local jurisdictions and the lack of enforcement mechanisms cause us some concern regarding the effectiveness of the legislation. The restriction of the bill to "charitable organizations" presents another concern as it is not clear that all non-profit housing developers are registered as charitable organizations, assuming the definition in MD. Business Regulation Code § 6-101 (2022).

We appreciate the consideration of these comments. Accordingly, the Maryland Independent Living Network strongly **supports** SB 356 and urges a **favorable** report.

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Housing and Community Development and local partners. Prepared by the National Center for Smart Growth and Enterprise Community Partners, Inc. p.30.

<sup>3</sup> Maryland Department of Disabilities, "STATE DISABILITIES PLAN 2020-2023". P 12 (available at [MDOD StateDisabilitiesPlan\\_062321\\_COPY \(1\).pdf \(maryland.gov\)](#)).

<sup>4</sup> "Housing Needs by State", National Low Income Housing Coalition, 2023 (available at: [Housing Needs By State | National Low Income Housing Coalition \(nlihc.org\)](#)).