



**HB 538: Land Use – Affordable Housing – Zoning Density and Permitting
(Housing Expansion and Affordability Act of 2024)**

Testimony of Maryland Centers for Independent Living

SUPPORT

House Environment and Transportation Committee, February 20, 2024

Centers for Independent Living (CIL) are created by federal law. CILs work to enhance civil rights and community services for people with disabilities. There are seven CILs 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 in their communities. Housing assistance is offered by CILs as housing services are critical to independent living.

HB 538 Impacts People with Disabilities: 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.¹ 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.”² More than half of all people with disabilities in Maryland had annual household incomes below \$15,000 in 2016.³ In 2023, the average monthly rent of a one-bedroom apartment in Maryland was \$1,111, while monthly Supplemental Security Income payments for individuals with disabilities were just \$841.⁴ Our affordable housing crisis disproportionately affects Marylanders with

¹ 42 U.S.C. §12101 (a).

² Maryland Department of Disabilities, “STATE DISABILITIES PLAN 2020-2023”. @ 12 (available at [MDOD StateDisabilitiesPlan_062321_COPY \(1\).pdf \(maryland.gov\)](https://www.maryland.gov/MDOD/StateDisabilitiesPlan_062321_COPY_(1).pdf)).

³ MD. DEP’T OF HEALTH, BRFSS BRIEF: DISABILITY AND HEALTH AMONG MARYLAND ADULTS (August 2018) (available at https://health.maryland.gov/bhm/DHIP/Documents/BRFSS_BRIEF_2018-08_Disability.pdf).

⁴ TECHNICAL ASSISTANCE COLLABORATIVE, PRICED OUT: THE HOUSING CRISIS FOR PEOPLE WITH DISABILITIES (2021), <http://www.tacinc.org/knowledge-resources/priced-out-v2/>

disabilities.⁵ The 2020 Maryland Housing Needs Assessment and 10-Year Strategic Plan, found that persons living with disabilities need to be better served by Maryland’s housing market.⁶

Individuals with physical disabilities are impacted by the housing crisis twofold: affordability and accessibility. The lack of accessible, affordable housing is well-documented. The increase in low-income renters and the rise in an aging demographic will ultimately lead to an even greater need for economical and navigable housing in the coming years.

CILs regularly engage people with disabilities who struggle to find housing. CIL consumer surveys identify housing as a top need. CILs assist individuals with housing modifications, and experience the frustrations of inaccessible and unaffordable housing, which contributes to adverse health outcomes, falls and instability.

Support. Passage of this bill could result in increased housing for people with disabilities. New development can readily include accessible housing and compensate for an older, inaccessible housing stock, which is costly to retrofit. We appreciate the intention of the bill to streamline processes for properties that are owned by 501(c)(3) organizations and will contain at least 50% affordable housing units. The bill identifies serious barriers to the development of affordable housing. While the bill *allows* practices to combat housing discrimination it appears toothless against those localities where NIMBYism and zoning barriers persist. The legislation does not tie critical provisions to funding penalties or enforceability. The bill identifies what *should* change but stops short of *requiring* changes that would result in fair housing and affordable opportunities. We wish provisions in this part of the bill were mandatory so as to realize the goals of our country’s Fair Housing Act and to ensure opportunities for people with disabilities.

Protecting the housing and civil rights of Marylanders with disabilities benefits all Marylanders.

We appreciate the consideration of these comments.

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⁵ “2022 Maryland Housing Needs Assessment and 10-Year Strategic Plan”, prepared by the National Center for Smart Growth and Enterprise Community Partners, Inc. Dec. 2020 @.30 (available at [Maryland Housing Needs Assessment.pdf \(mdahc.org\)](#); See, also, “Housing Needs by State”, National Low Income Housing Coalition, 2023 (available at: [Housing Needs By State | National Low Income Housing Coalition \(nlihc.org\)](#)).

⁶ Maryland Housing Needs Assessment & 10-Year Strategic Plan, (n 3) @ 1.