

Baltimore Regional Fair Housing Group

# Analysis of Impediments to Fair Housing Choice

JANUARY 9, 2019

PRESENTED BY

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# Agenda

- **Introductions and Feedback on Process So Far (15 min)**
- **Disability and Access**
  - Background, Prevalence, Demographics (40 min)
  - Present Housing Needs, Housing Choices and Barriers to Access (20 min)
- **Solutions Discussion (45 min)**



# Goals of Work Group

1. Help the jurisdictions, PHAs, BMC, and consultant review and interpret data provided by HUD for this assessment.
2. Help identify easily obtainable local data that would assist with this analysis.
3. Provide ongoing stakeholder input into:
  - Analysis of what this data means and its significance
  - Assessment of past fair housing progress and current fair housing enforcement and outreach capacity
  - Development of fair housing goals and priorities.

# Work Group Mtgs—Revised

## Meeting schedule:

- **Oct 23** – Overview and Initial data on segregation and R/ECAPs
- **Nov 8** – Disparities in Access to Opportunity Part 1 (employment and transportation)
- **Dec 13** – Disparities in Access to Opportunity Part 2 (education, community health)
- **Jan 9** – **Disability and Access**
- **Jan 30** – Disproportionate Housing Needs, Community Reinvestment, Publicly Supported Housing
- **Feb. 20** – Enforcement, Capacity, Resources
- **March 14** – Goals and Priorities
- **May 22** – Feedback on draft Regional AI

## Follows key topic areas of the Assessment of Fair Housing:

- ✓ **Demographic Summary**
- ✓ **Segregation/Integration**
- ✓ **R/ECAPs**
- ✓ **Disparities in Access to Opportunity**
- ✓ **Disproportionate Housing Needs**
- ✓ **Publicly Supported Housing Analysis**
- ✓ **Disability and Access Analysis**

# Introduction

# The Disability Civil Rights Movement

- Historically, persons with disabilities have had very limited housing protections. Persons with disabilities were cared for by families, institutionalized, and not integrated into communities
- Disability was not included as a protected classes in original 1968 Federal Fair Housing Act – added in 1988. Disability complaints are now the most common basis of fair housing complaints
- Major federal legislation expanding disability rights and access to housing and educational choices include: Rehabilitation Act of 1973; Education for All Handicapped Children Act of 1975; Fair Housing Act amendments of 1988; Americans with Disabilities Act in 1990

## Disability & the Federal Fair Housing Act, Important Distinctions

- Disability has been interpreted by the courts to include persons in recovery
- Reasonable modifications are physical changes; reasonable accommodations are “rules, policies, practices or services.” Modifications and accommodations must be made “when such accommodations may be necessary to afford such person full enjoyment of the premises”
- A landlord can require that reasonable modifications be removed when the property is vacated
- Service and companion animals fall under reasonable accommodations in the Fair Housing Act (ADA includes service dogs only)

# Fair Housing Design and Construction Requirements for Multifamily Dwellings built after 1991

1. Must have at least one accessible building entrance on an accessible route
2. Public and common use areas must be accessible
3. Doors must be usable/passable by a person in a wheelchair
4. There must be an accessible route to and through each covered unit
5. Light switches, electrical outlets, thermostats and other environmental controls must be in accessible locations
6. Bathrooms must have reinforced walls for grab bars
7. Kitchens and bathrooms must be usable, designed and constructed to be usable by a person in a wheelchair



# Prevalence of Disability in the Region

	Annapolis		Anne Arundel County		Baltimore City		Baltimore County		Harford County		Howard County	
<b>Residents with a Disability</b>	4,845	12%	58,028	10%	93,354	15%	92,385	11%	28,456	11%	24,709	8%
Under age 18	592	14%	5,451	9%	7,887	8%	6,027	6%	2,289	9%	2,141	9%
Ages 18 to 64	2,080	47%	28,740	50%	54,246	58%	45,303	48%	13,605	51%	10,082	44%
Ages 65+	1,711	39%	23,367	41%	30,920	33%	42,934	46%	10,982	41%	10,699	47%
<b>Type of Difficulty</b>												
Vision difficulty	956	20%	10,196	18%	10,196	11%	14,496	16%	4,717	17%	3,985	16%
Hearing difficulty	1,053	22%	14,764	25%	14,764	16%	21,361	23%	8,674	30%	5,864	24%
Ambulatory difficulty	2,325	48%	27,753	48%	27,753	30%	49,867	54%	13,146	46%	11,712	47%
Cognitive difficulty	1,829	38%	23,172	40%	23,172	25%	34,685	38%	11,416	40%	8,950	36%
Self-care difficulty	938	19%	10,898	19%	10,898	12%	19,585	21%	5,927	21%	5,471	22%
Independent living difficulty	1,867	39%	18,990	33%	18,990	20%	35,156	38%	10,226	36%	8,476	34%

**Prevalence of disability increases significantly with age. Regionally, 12% of 35 to 64 year olds have a disability, compared to 23% of 65 to 74 year olds and 48% of those age 75+.**

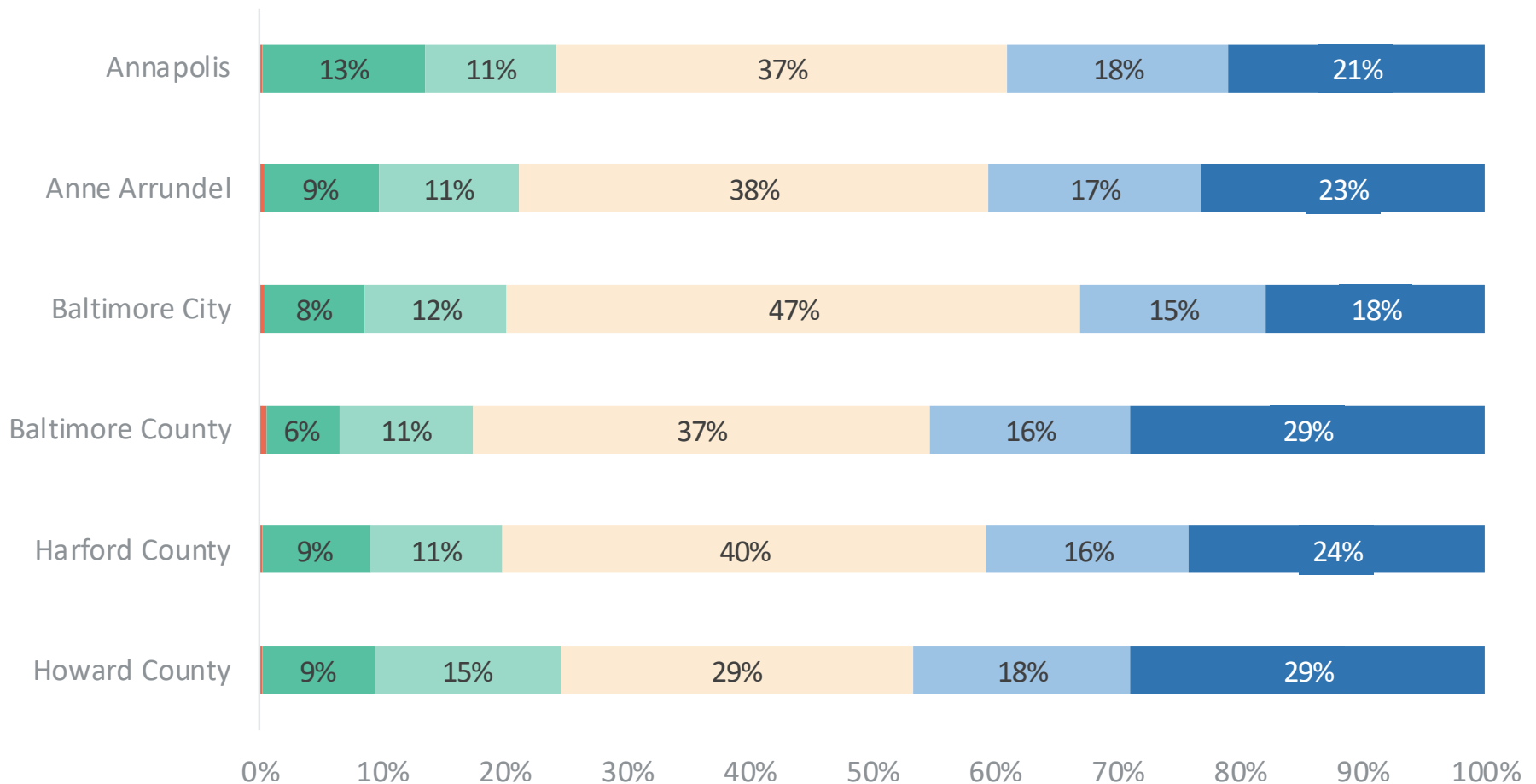
## Projections of Seniors with Disabilities

Growth in seniors living in Anne Arundel County, Baltimore City, Baltimore County, Harford County, and Howard County will exceed 150,000 by 2045.

1. If 23% of persons age 65-74 have a disability and 48% of persons 75 and older have a disability;
2. Assuming a 15% poverty rate among persons with disabilities (range among jurisdictions is 10-20%);
3. These areas should expect at least 70,000 more people with disabilities and at least 20,000 more people living in poverty. *This is a low estimate since it counts seniors only.*

# Prevalence of Disability in the Region

■ % Under Age 5 ■ % Age 5 to 17 ■ % Age 18 to 34 ■ % Age 35 to 64 ■ % age 65 to 74 ■ % Age 75+

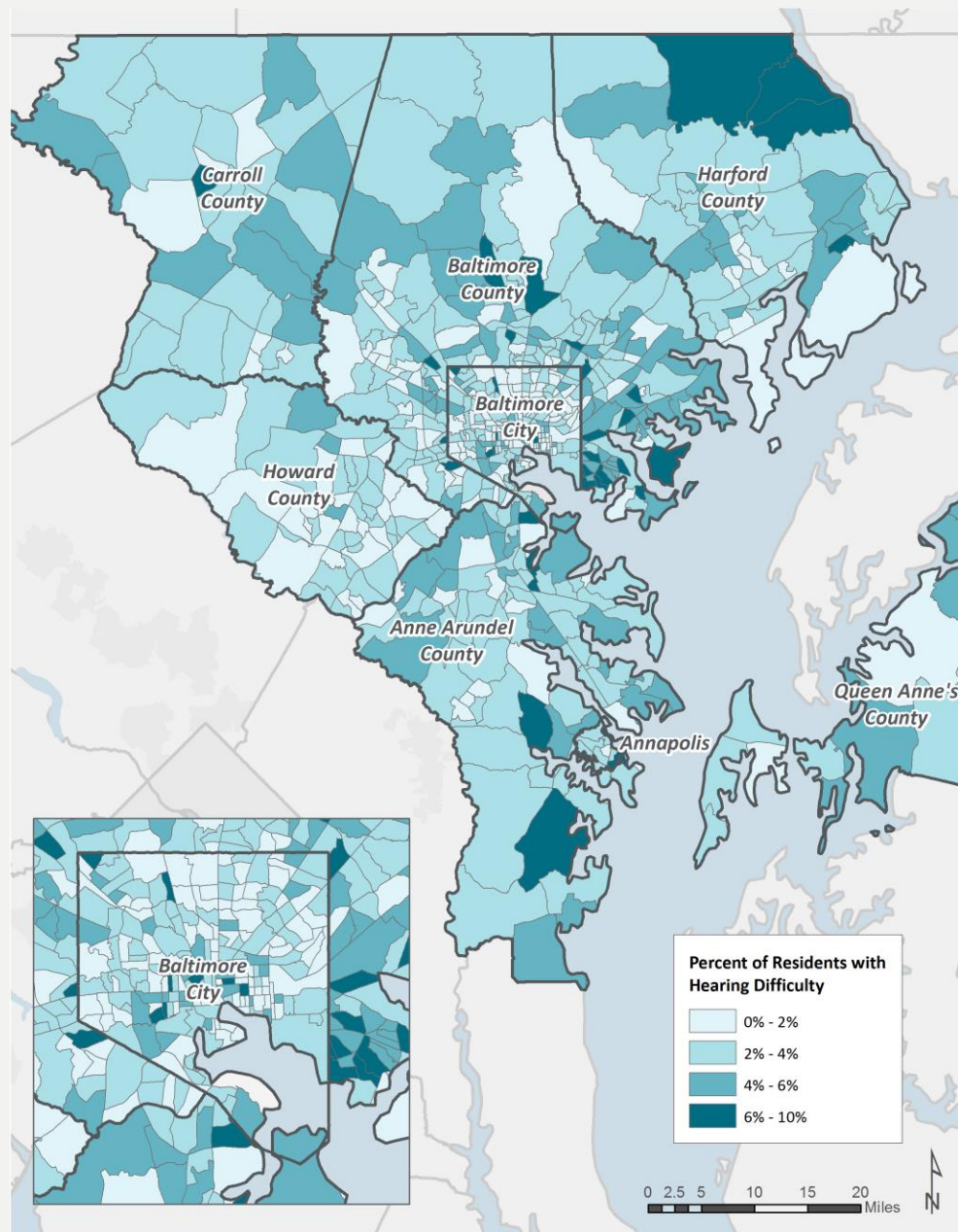


Source: 2017 ACS.

# Residents with Hearing Difficulties

*The ACS defines hearing difficulty as being deaf or having serious difficulty hearing.*

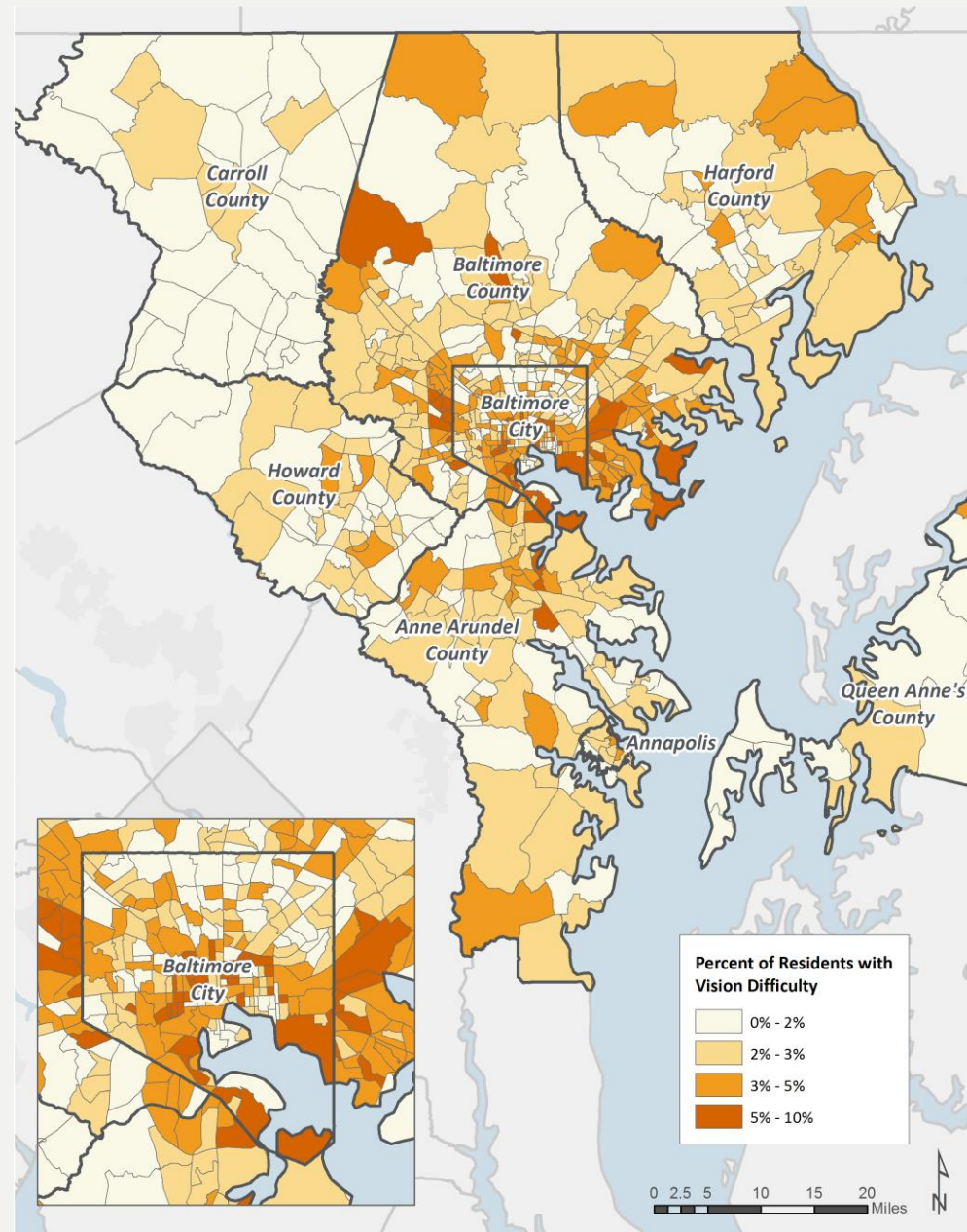
*Source: 2013-2017 ACS*



# Residents with Vision Difficulties

*The ACS defines vision difficulty as being blind or having serious difficulty seeing even when wearing glasses.*

*Source: 2013-2017 ACS*

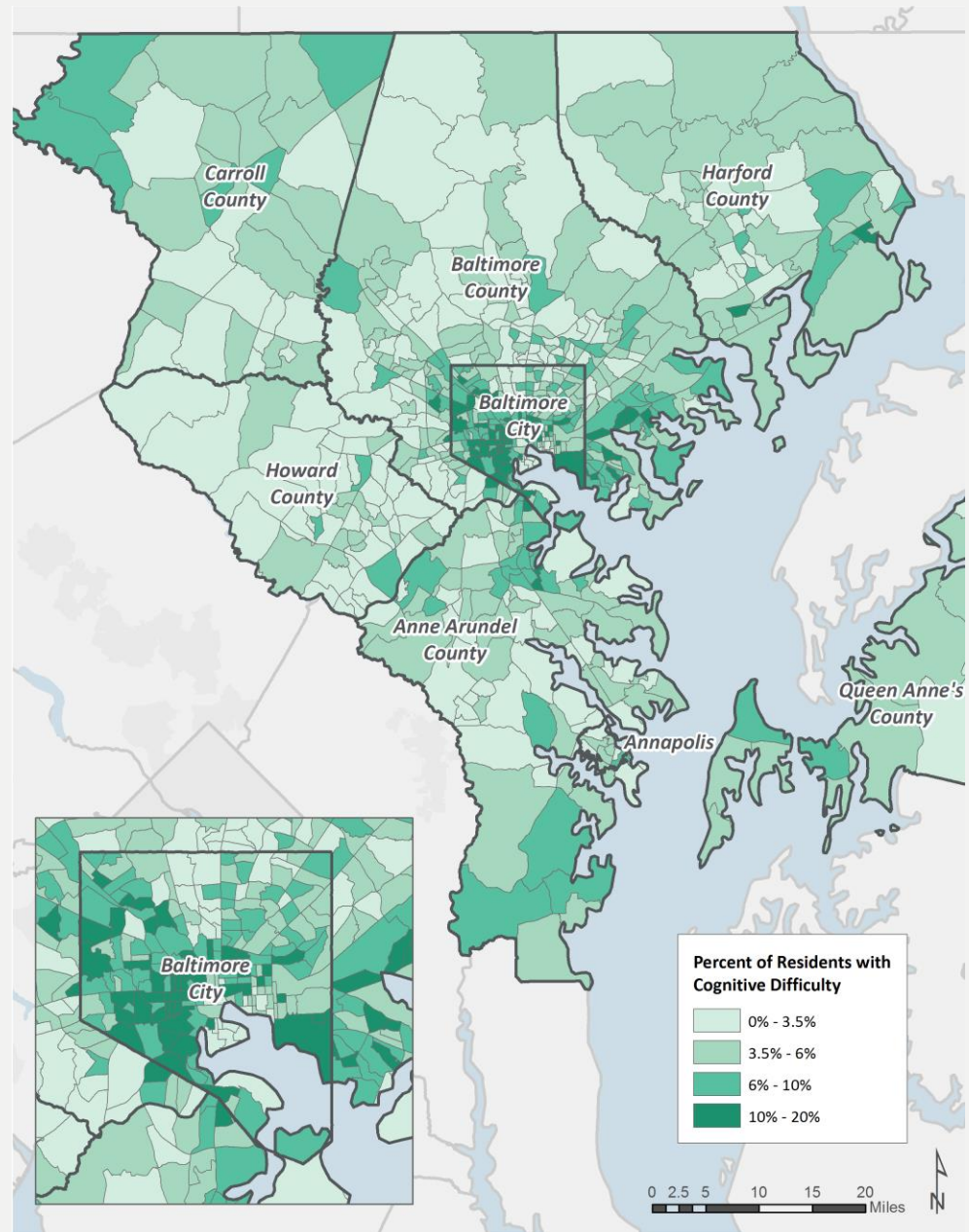




# Residents with Cognitive Difficulties

*The ACS cognitive difficulty as having serious difficulty concentrating, remembering, or making decisions due to a physical, mental or emotional condition.*

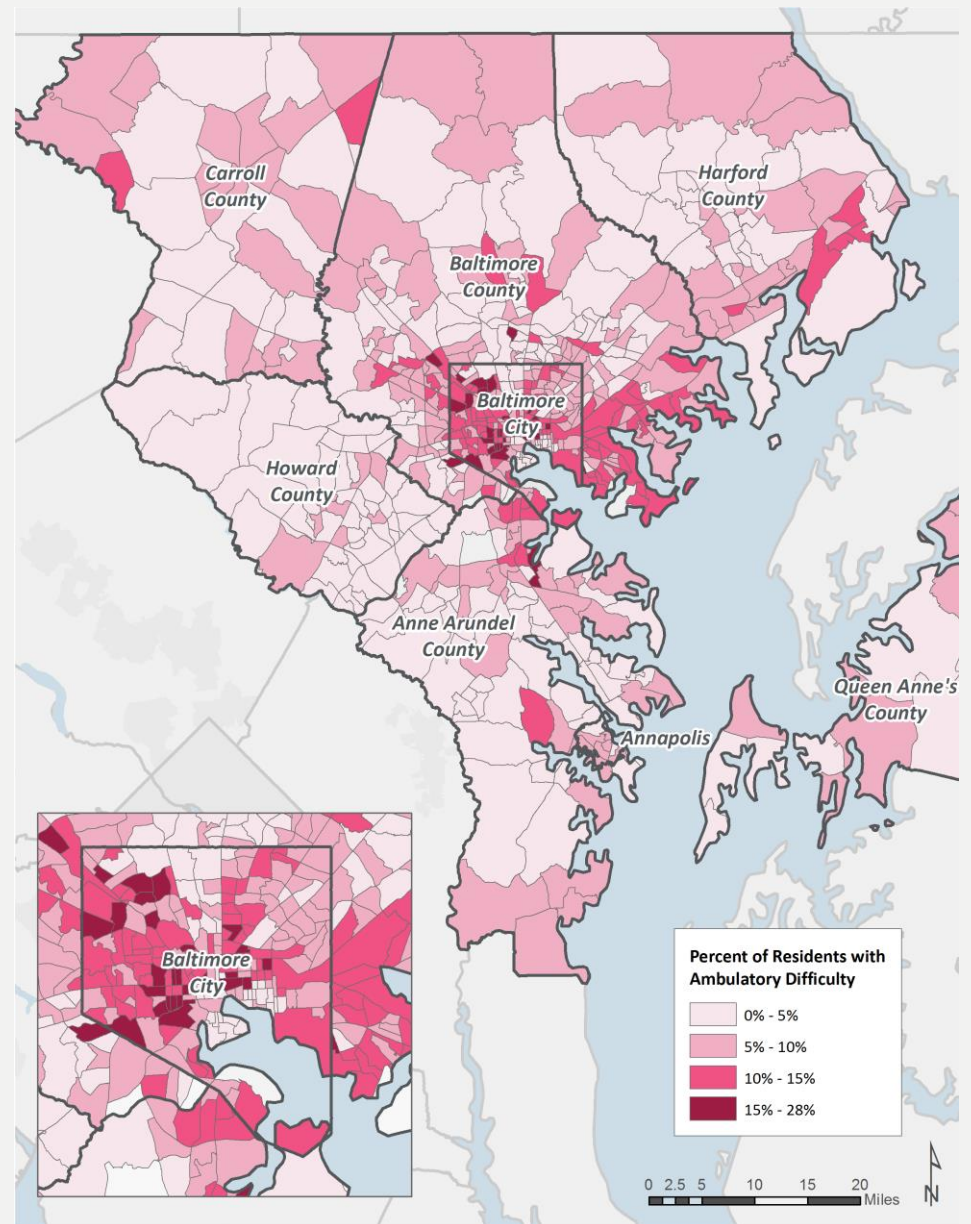
Source: 2013-2017 ACS



# Residents with Ambulatory Difficulties

*The ACS defines ambulatory difficulty as having serious difficulty walking or climbing stairs.*

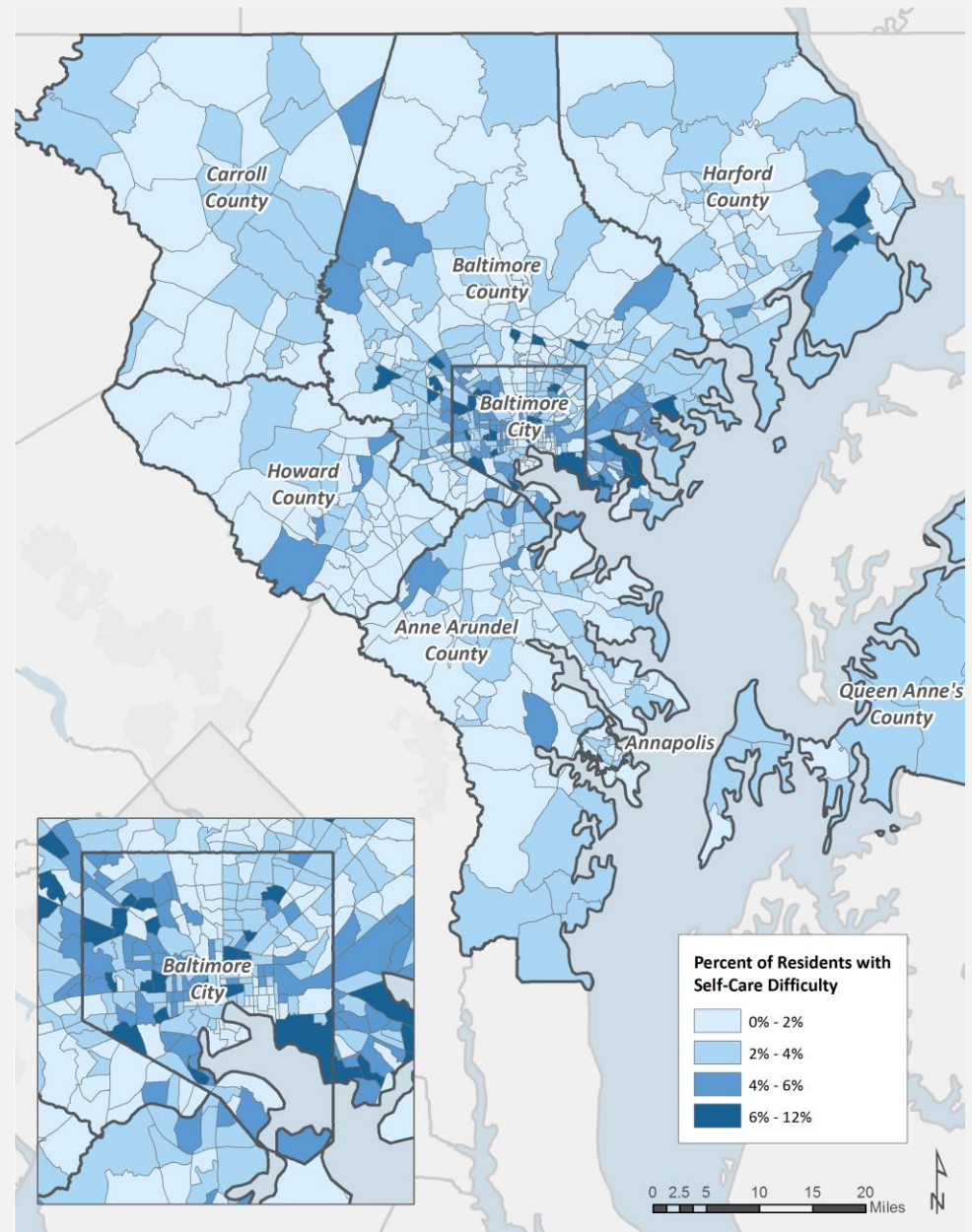
*Source: 2013-2017 ACS*



# Residents with a Self-Care Difficulty

*The ACS defines self-care difficulty as having difficulty dressing or bathing.*

*Source: 2013-2017 ACS*

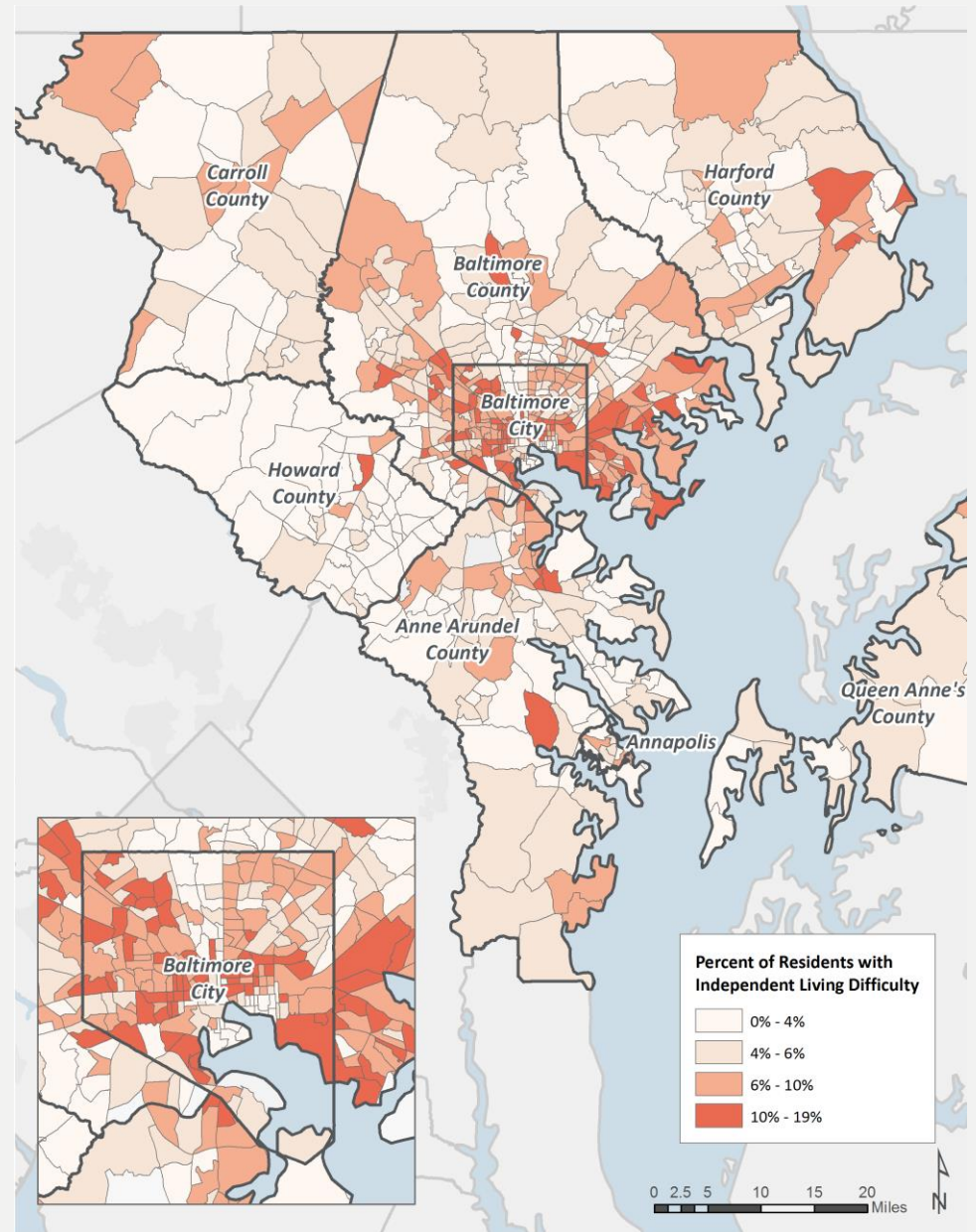




# Residents with a Independent Living Difficulty

*The ACS defines independent living difficulty as having difficulty doing errands alone, such as visiting a doctor's office or going shopping, due to a physical, mental, or emotional condition.*

*Source: 2013-2017 ACS*



# Differences in Median Earnings

Median Earnings					
	With a Disability		No Disability		Difference
Anne Arundel County	\$	35,443	\$	47,539	\$(12,096)
Baltimore City	\$	22,910	\$	34,890	\$(11,980)
Baltimore County	\$	26,692	\$	41,976	\$(15,284)
Harford County	\$	35,119	\$	44,752	\$ (9,633)
Howard County	\$	33,586	\$	58,992	\$(25,406)

Residents with disabilities with no countable income may receive up to \$771/month in SSI benefits or \$9260/year.

# Differences in Employment

	% in the Labor Force		% Employed	
	With a Disability	No Disability	With a Disability	No Disability
Anne Arundel County	34%	77%	29%	73%
Baltimore City	24%	71%	19%	64%
Baltimore County	28%	73%	25%	70%
Harford County	30%	75%	26%	71%
Howard County	32%	76%	29%	73%

Source: 2017 ACS. Earnings data for population age 16 and older with earnings. Labor force participation for ages 18 to 64. Data for Annapolis not available.

# Differences in Poverty

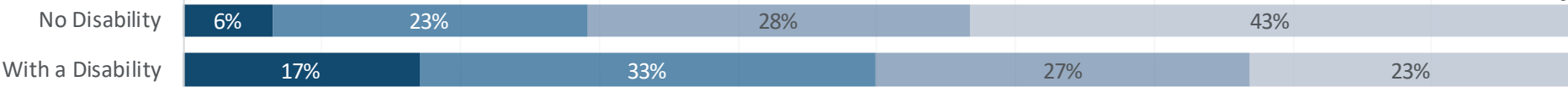
	Under Age 18		Ages 18 to 64		Age 65 and Older	
	% in Poverty		% in Poverty		% in Poverty	
	Disability	No Disability	Disability	No Disability	Disability	No Disability
Annapolis	6%	14%	25%	8%	10%	5%
Anne Arundel	14%	7%	14%	5%	8%	5%
Baltimore City	47%	32%	38%	17%	22%	14%
Baltimore County	25%	11%	18%	8%	11%	6%
Harford County	22%	9%	19%	6%	10%	5%
Howard County	10%	6%	15%	4%	7%	5%

Source: 2017 ACS except Annapolis (2013-2016 ACS).

# Differences in Educational Attainment

■ Less than High School    
 ■ High School Grad or GED    
 ■ Some College or Associate's degree    
 ■ Bachelor's or higher

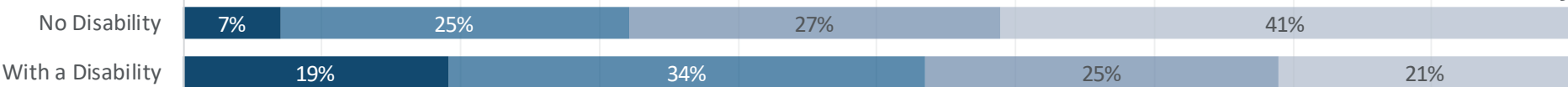
## Anne Arundel County



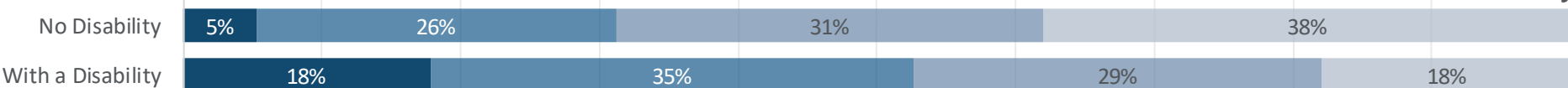
## Baltimore City



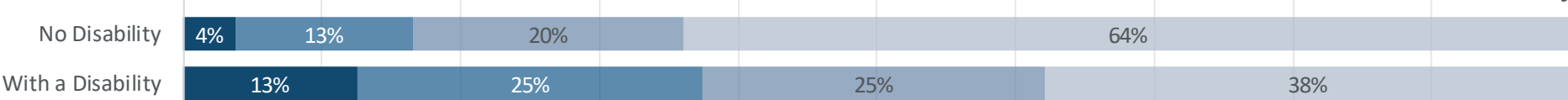
## Baltimore County



## Harford County



## Howard County



Source: 2017 ACS. For population age 25 and older. Data not available for Annapolis.

# Housing Needs and Choice

# Housing and Community Choice

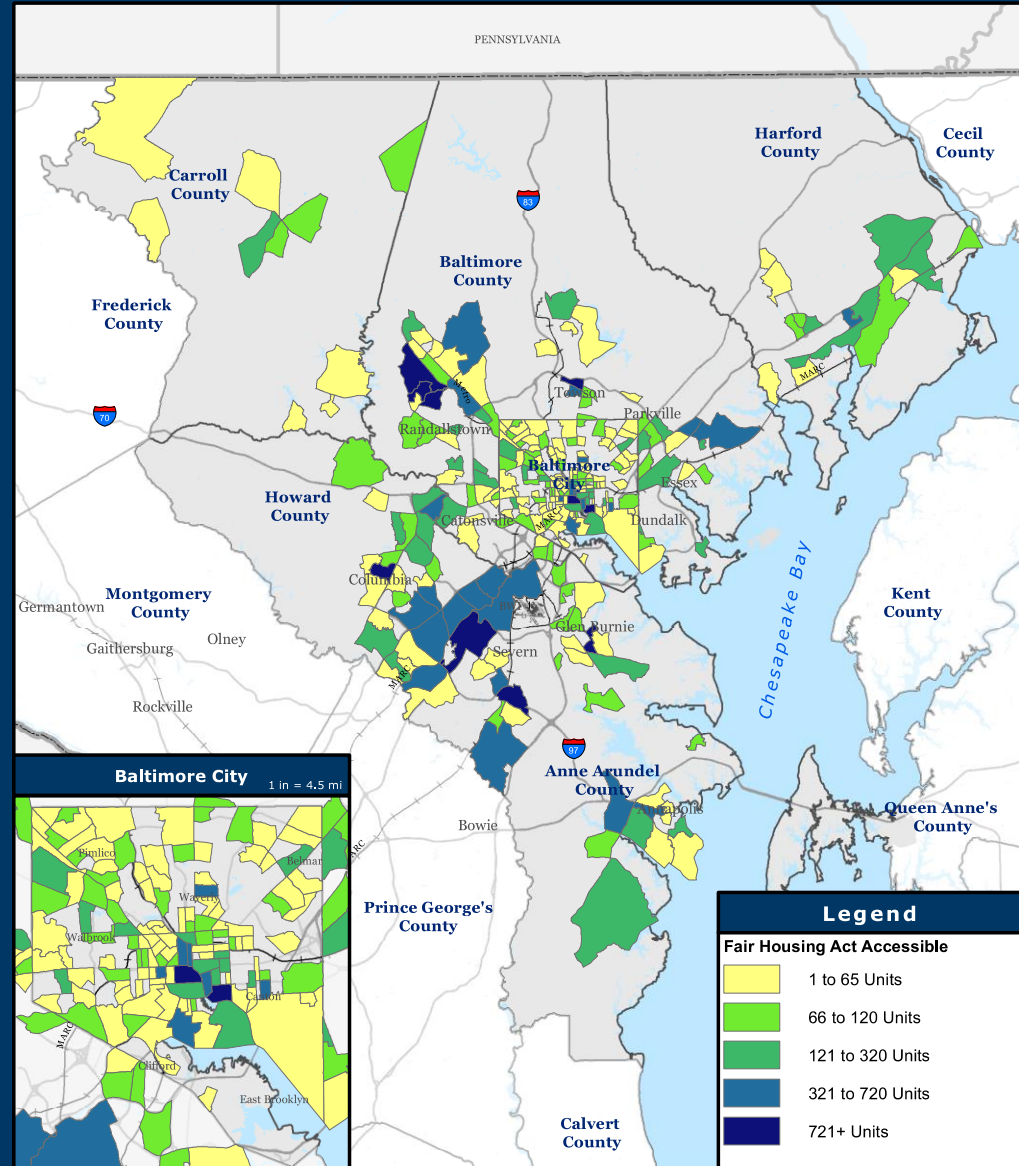
- Important to keep in mind: Not all people with disabilities want or need the same types of housing
- Most common needs include: 1) Affordable Accessible Rental Units in Good Locations (close to public transportation and in safe and walkable locations—often more expensive land); 2) Home modifications; 3) Integrated living
- What the region needs more of from the perspective of disability advocates

# Location of Accessible Units, both Market Rate and Subsidized

About 39,400 total

Source: BMC

## Fair Housing Act Accessible Units



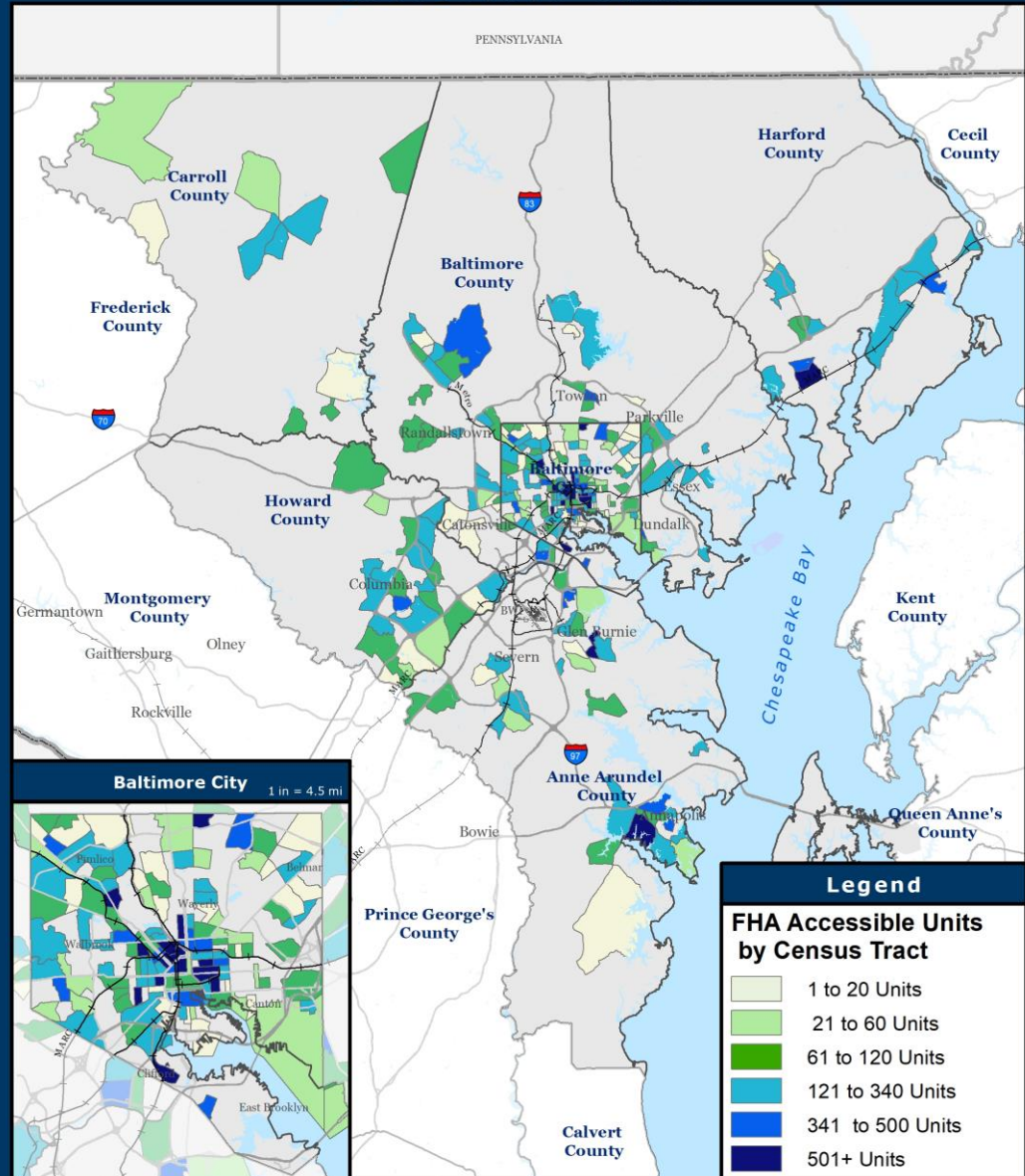


# Location of Accessible Subsidized Units

About 16,400 total

*Source: BMC*

## Subsidized Fair Housing Act (FHA) Accessible Units



Baltimore Metropolitan Council  
1500 Whetstone Way, Suite 300  
Baltimore, MD 21230  
www.BaltoMetro.org

Prepared by  
Transportation Planning Division  
Projected Coordinate System - NAD 1983 State Plane (ft)  
Data Source - BMC, © HERE 2018, TIGER/Line®, MTA  
Baltimore Region Preservation Database  
Printed - January 2019



1:595,901

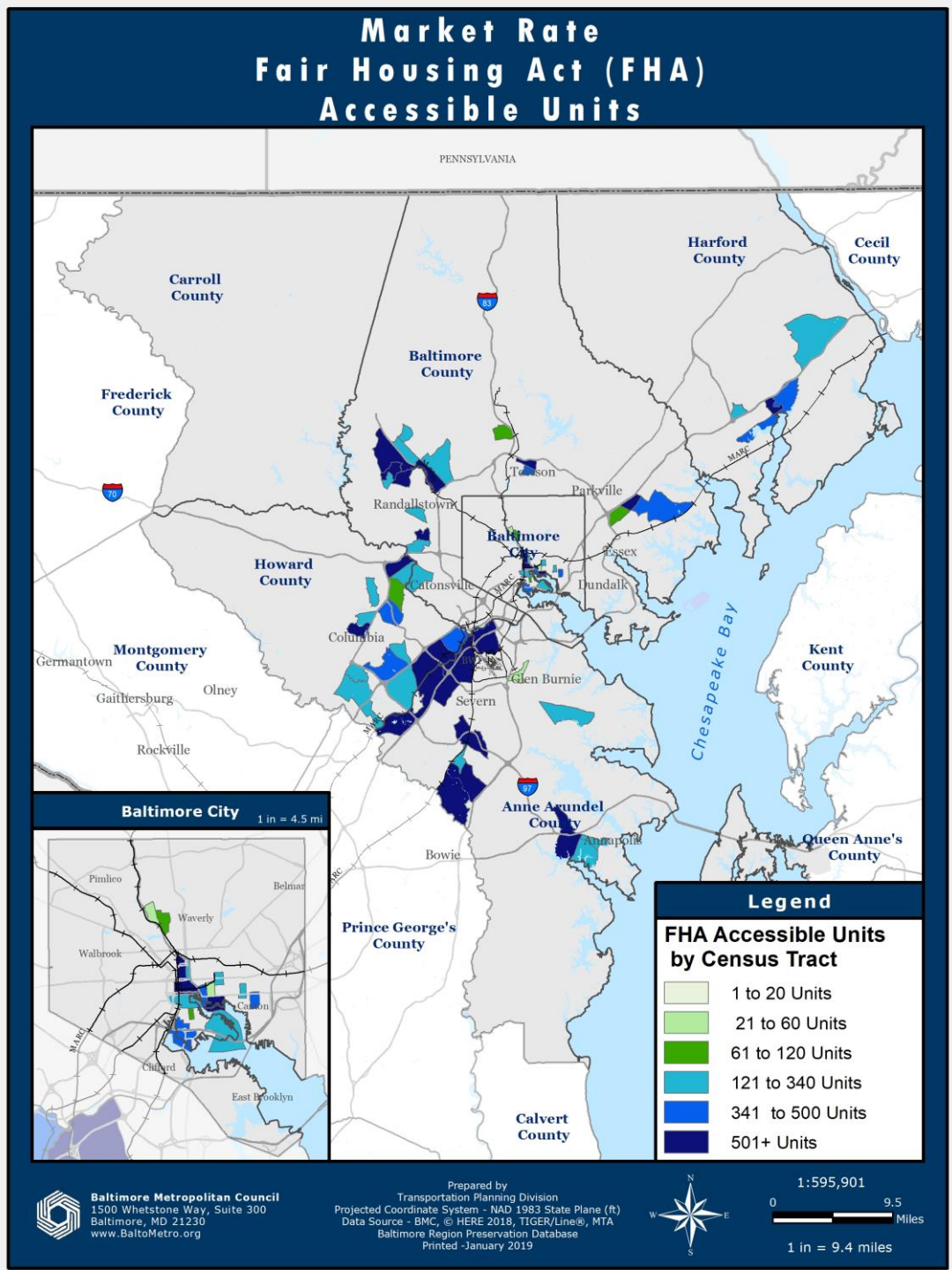
0 9.5 Miles

1 in = 9.4 miles

# Location of Accessible Market Rate Units

About 23,000 total

Source: BMC



**Where we've been—and  
where we can go**

# Past Challenges and Successful Initiatives

1. Challenges with loss of accessible and affordable units in the 1990s. Resolved through legal settlement (Bailey); added a significant number of affordable, accessible units to Baltimore City's housing stock
2. Today's largest tool to create affordable housing (LIHTC) creates units that are still unaffordable to people with disabilities (targets 60% of MFI and need is for much lower MFI levels); incentivizes developments in rural areas which lack services and transportation; and allows concentrations of special needs populations but limits % of accessible units, resulting in few standard accessible, affordable units
3. Homeownership programs for persons with disabilities are strong at the state level, yet the state home modification program is available only for seniors. Does not account for disability
4. Still large gap between supply and demand: wait lists longer for persons with disabilities than seniors

# Zoning Practices that Are Problematic (to Avoid)

1. Special permits for group homes
2. Reasonable accommodations requiring special approval
3. Boarding houses that operate as de facto group homes in unregulated environment
4. Little to no enforcement of actions that create barriers and/or could be illegal

# Discussion Questions

1. Which are the most significant barriers to address: 1) Increasing inventory of accessible units; 2) Lowering the cost of newly constructed units; 3) Broadening geographic options; 4) Addressing growing needs for home health care/aging in place; 5) Others?
2. What should local and state government's role be in increasing accessible, affordable housing?
3. How can local governments create more effective transportation options for persons with disabilities?
4. What are the three most important barriers to disability and access that need to be addressed in the next 1-3 years?
5. What program and policy changes should be prioritized?

**Next meeting Jan 30:  
Disproportionate Housing  
Needs & Publicly Supported  
Housing**