



Commemorating 40 Years  
Of Disability Advocacy  
1973-2013

June 12, 2013

The Honorable Shaun Donovan  
Secretary  
U.S. Department of Housing and Urban Development  
451 7th Street, SW  
Washington DC 20410

Dear Secretary Donovan:

On behalf of the Consortium for Citizens with Disabilities (CCD), we are writing to express our thanks for the Department's new *Statement of the Department of Housing and Urban Development on the Role of Housing in Accomplishing the Goals of Olmstead*. The CCD is the principal coalition of national organizations representing people with disabilities, their families, providers and advocates. We currently serve as Co-Chairs of the Housing Rights Task Forces within the CCD coalition that focus on both protecting civil and promoting access to decent, safe and affordable housing in the community. As a coalition, CCD applauds the release of this Guidance as a critically important step to increase integrated housing opportunities for people with disabilities who are transitioning from or at serious risk of entering institutional settings such as nursing homes, adult care facilities and other segregated settings.

As you know, the landmark United States Supreme Court *L.C. v. Olmstead* in 1999 has produced important changes in disability policy across the country as states have worked to comply with the community integration mandate in Title II of the Americans with Disabilities Act. Collectively, states have committed to tens of thousands of new units of supportive housing as part of Olmstead Settlement Agreements and other litigation. In addition, a larger number of states are proactively working to expand integrated supportive housing opportunities for people with disabilities as part of efforts to "rebalance" their Medicaid financed long term care systems.

We know that most people with disabilities who live in segregated settings, or who are at-risk of institutionalization, are extremely poor and dependent on means tested public benefits such as Supplemental Security Income (SSI). In the case of SSI, monthly cash assistance is equal to only 19 percent of average area median income across the country. In order to create affordable and supportive housing opportunities for these vulnerable individuals, permanent rental subsidies such as those funded through HUD are essential. It is also essential that these individuals have opportunities to live in mainstream housing with individuals without disabilities. The guidance's affirmation that Section 504 requires HUD and recipients of HUD funding to provide housing in the most integrated setting is welcome and important. So too is the guidance's description of integrated settings, such as scattered-site apartments providing permanent supportive housing, tenant-based rental assistance that enables individuals with disabilities to lease housing in integrated developments, and apartments for individuals with various disabilities scattered throughout public and multifamily housing developments).

The release of this HUD Olmstead guidance provides important advice and encouragement to Public Housing Agencies (PHAs) and other HUD subsidized housing providers to partner with state and local human service agencies – including state Medicaid agencies and state developmental disability and mental health authorities – to expand the supply of affordable and integrated supportive housing targeted to populations in Olmstead settlements. By helping to expand community-based housing opportunities for people with the most significant and long term disabilities, HUD and its network of housing providers will also help government health agencies shift to more cost-effective and evidence-based models of services.

The CCD Housing and Rights Task Forces look forward to continuing to work with you and your staff on disability housing policy issues, and to ongoing collaboration with federal officials responsible for civil rights enforcement, housing and health care policy to ensure this important HUD guidance stimulates a robust national expansion of integrated permanent supportive housing opportunities.

Sincerely,

CCD Housing and Rights Task Force Co-Chairs:

Curt Decker, National Disability Rights Network

Jennifer Mathis, Bazelon Center for the Mental Health Law

Mark Richert, American Foundation for the Blind

Andrew Sperling, National Alliance on Mental Illness

T.J. Sutcliffe, The Arc of the United States