



**CONSORTIUM FOR CITIZENS  
WITH DISABILITIES**

July 2, 2015

Regulations Division  
Office of General Counsel  
Rules Docket Clerk  
Department of Housing and Urban Development  
451 7<sup>th</sup> Street SW  
Room 10276  
Washington, DC 20410-0500

Via regulations.gov

Re: FR-58855-A-01, Establishing a More Effective Fair Market Rent (FMR) System; Using Small Area Fair Market Rents (SAFMRs) in Housing Choice Voucher Program Instead of the Current 50<sup>th</sup> Percentile FMRs; Advanced Notice of Proposed Rulemaking

To Whom It May Concern:

Thank you for the opportunity to comment on Establishing a More Effective Fair Market Rent (FMR) System; Using Small Area Fair Market Rents (SAFMRs) in Housing Choice Voucher Program Instead of the Current 50<sup>th</sup> Percentile FMRs; Advanced Notice of Proposed Rulemaking. See, 80 Fed. Reg. 105 (June 2, 2015). Please accept this letter as the comments of the Co-Chairs of the Consortium for Citizens with Disabilities (CCD) Housing Task Force. CCD is a working coalition of national consumer, advocacy, provider, and professional organizations working together with and on behalf of the 57 million children and adults with disabilities and their families living in the United States. CCD advocates for national public policy that ensures full equality, self-determination, independence, empowerment, integration and inclusion of children and adults with disabilities in all aspects of society.

The CCD Housing Task Force is supportive of the Department of Housing and Urban Development's (HUD) intent to move forward with Small Area FMRs (SAFMRs). The Housing Task Force concurs with the National Low Income Housing Coalition and other organizations that implementing a system of SAFMRs should result in a more effective and efficient Housing Choice Voucher (HCV) program that provides recipients with the range of housing choices and opportunities the program has long promised. SAFMRs will also help facilitate the goals of affirmatively furthering fair housing including *Olmstead* goals of choice and integration for people with disabilities.

Fair housing considerations are important to the success of a SAFMR program and are of significant concern to the Housing Task Force; merely offering a tenant a voucher able to meet higher market rate rents in areas of higher opportunity does not mean a tenant can successfully utilize the voucher. The Housing Task Force urges HUD to consider means of helping to lower the barriers to voucher utilization in higher-opportunity areas, such as:

- Include successful leasing in higher-opportunity areas as a factor in a PHA's SEMAP score.
- Adjust the administration fee formula for SAFMR PHAs that institute or augment opportunity counseling.
- Voucher households in areas with SAFMRs should have an automatic 90-day extension of the search period, and additional time if needed as a reasonable accommodation.
- Provide reasonable accommodations as needed by voucher holders who have disabilities. Examples include:
  - Allow up to 120% above the SAFMR if needed as an accommodation.
  - Provide a higher utility allowance for tenants who have large amounts of disability-related electric equipment.
  - Provide a larger unit size to accommodate a live-in aide or other overnight supports.
  - Allow voucher holders to rent from relatives if needed.

Although generally supportive of SAFMRs, the Housing Task Force is quite concerned about protecting current voucher holders from rent increases. As illustrated in *Priced Out in 2014* – a report recently released by the Technical Assistance Collaborative and the CCD Housing Task Force, persons with disabilities whose sole income source is Supplemental Security Income (SSI) have a national average income of \$8,995, equal to only 20% of the national median income. These households cannot accommodate rent increases without offsets in other essential items such as food or transportation and will have a higher risk of nonpayment as a result. HUD's current rule allows postponement of rent increases for voucher holders who remain in place for a one- to two-year hold harmless period. To protect existing voucher holders, the Housing Task Force strongly urges HUD to categorically exempt tenants from any reduction in the tenant payment standard for as long as the household remains in their existing unit if they have a Housing Assistance Payment contract on the date the SAFMR structure is implemented.

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Sincerely,  
Andrew Sperling, National Alliance on Mental Illness  
Co-Chair, CCD Housing Task Force

T.J. Sutcliffe, The Arc of the United States  
Co-Chair, CCD Housing Task Force