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SPEAKER:

Welcome to the ADA at 32, Achieving Accessible, Integrated, and Affordable Housing for People with Disabilities. I will give just a few more minutes for folks to come in, and then we will start.

GREG ROBINSON:

Welcome to the ADA at 32, Achieving Accessible, Integrated, and Affordable Housing for People with Disabilities. I will be your moderator today, my name is Greg Robinson, the deputy director of public policy for the Autistic Self Advocacy Network. I am one of the cochairs of the CCD Housing Task Force. A brief visual description: I am a man with brown skin and glasses, short black hair, and a goatee. I am wearing a light gray suit. And behind me is a background with the CCD logo.

I will be introducing our speakers shortly. But with us today are Allie Cannington, manager of advocacy and organizing at the Kelsey, Sandra Conley, and in turn with the American Association of People with Disabilities, Carlean Ponder, director of Disability Rights and Housing for The Arc of the United States, and Sarah Malaier, Senior advisor for Public Policy and Research for the American Foundation for the Blind.

A quick bit of housekeeping: we do have closed captioning available, you can click the closed caption button at the bottom of your screen and captions will appear at the bottom of your screen. We also have an ASL interpreter who will be spotlighted along with all of our speakers to assure they are always in view. Chat is disabled for the duration of the webinar, but you can ask a question using the Q&A feature at the bottom of the Zoom window, and to the question in the Q&A box -- type a question in the Q&A box. That's not accessible to you, use your reactions to raise your hand, and if time permits we will call on you and unmute your audio.

Again, thank you, and welcome to the ADA at 32, Achieving Accessible, Integrated, and Affordable Housing for People with Disabilities.

Today's briefing is cohosted by Senators Patty Murray of Washington, and Bob Casey of Pennsylvania, those Representative Maxine Waters, California. Thank you for your continuous leadership on advancing the rights over 61 million people living in the US with disability. Specifically, thank you to today's Senate cosponsors, as well as the other 34 sponsors for introducing last week's resolution, recognizing the importance of independent living for individuals with disabilities, made possible by the Americans with disabilities act of 1990, and calling for further action, in which you highlighted how, among other things, housing is critically important for furthering the action.

Today's Congressional Briefing is organized by the Consortium for Constituents with Disabilities, or

CCD, rights and Housing Task Force's. The Consortium for Constituents with Disabilities is the largest coalition of national organizations working together to advocate for federal public policy that ensures self-determination, independence, empowerment, integration, and inclusion of children and adults with disabilities in all aspects of society. CCD's work is carried out by its taskforces. The Rights Task Force's vision is driven by a commitment to diversity, equity, and inclusion, and social justice, as well as the four key goals for people with disabilities, set forth in the Americans with disabilities act.

Those are equality of opportunity, for participation, independent living, and economic self-sufficiency. In addition to the Rights Task Force, today's briefing is also organized by the Housing Task Force, which works to ensure that all people with disabilities have safe, stable, accessible, affordable integrated housing that enables people to live in the communities of their choosing, with full access to Home and Community-Based Services and supports.

Today, as we mark the 32nd anniversary of the ADA's passage, we reflect on all that led to that passage in 1990. The progress that's been made, and all the changes that have yet to ensure that all people with disabilities have equitable access to accessible, integrated, affordable, and safe housing within the United States. As we listen and attend to the continued unmet -- needs of disabled meat -- needs, which are the result of historic races, ableist policies, as well as other forms of oppression, which result in extreme lack of housing affordability, excess ability, inclusion, and inequality. We also acknowledge that the burden of these impacts is mostly on people who express multiple forms of marginalization, and therefore the solutions must center on those who have been most affected. As we hear from our panel today, please note that this is only the beginning. There is much unfinished business, and many critical issues we may not be able to broach in the session today.

That said, we invite all of you to ask questions, and follow-up to determine how we can work together to create policy change that lives up to the promise of the ADA and other key civil rights laws that can be filled by every disabled person and their loved ones. Let's turn to the panel. First we welcome Sandra Conley. She will ground is in her personal story. Then we will go to Allie Cannington, from The Kelsey, who will walk us through court tenants of housing affordability, accessibility, and inclusion, with a specific focus on the indications of title II of the ADA. Then Carlean Ponder from the ark will share current barriers that people experience, and accessing reasonable accommodations within federal housing programs, and last but not least, we will hear from Sarah Malaier, from the American Foundation for the Blind, the importance of web access for disabled people, to get the housing and services they need. Let's welcome Sandra.

**SANDRA CONLEY:**

Thank you. My name is Sandra Conley, I'm an intern with the AAPD. I am from Mobile Alabama. I'm an African American female, wearing glasses, a black top, and wearing earrings that say I am enough. My internship sponsor for the AAPD, and in sharing my story I will tell you about many things that have

impacted my life, and also influenced my housing decisions. I was born with a disability was never fully diagnosed. My feet were backward when I was born, I had limited range of motion in both elbows, and my left leg was significantly shorter than my right. The parents were told I would never walk, but my mother, who was a nurse, insisted I have whatever surgeries or treatments were available to prepare my body for the possibility of walking. By the age of four, I started walking and began preschool with my peers. I attended a Detroit public school for children with disabilities. The parents experienced the Great Depression, Jim Crow laws and redlining.

Result, they worked hard to purchase a nice home and a good school district so that my sister and I could get the best possible education. I witnessed them advocate for me to have access to educational opportunities. With the expectation that I would be able to take care of myself. Their determination to encourage me to strive for more was based on the fact that they had to overcome obstacles as well. This is crucial to know, since I was born in the 1960s, to slightly alter working-class people. They wanted to ensure that I can take care of myself, since they were aware of programs like SSI or SSDI. For instance, my father was on the way to becoming a teenage delinquent in the early 1940s, as he was smart but bored with school. I judge told him that he had two options: one, enlist in the military, or two, prepare for prison. My dad said that he joined the Army and saw that not all Black people were poor with limited opportunities. He completed his enlistment, and used his G.I. bill to get a bachelors degree, a Masters of social work, and despite racial exclusion, on his own accord he purchased the home once I was born. It was a typical, two-story brick home. As a result, my parents had to carry me for my first four years until I can walk, even when I wore a full body cast or long leg braces, like the ones in Forrest Gump. At the time, one-story ranch homes were not available to my parents, since those homes were in suburban Detroit, in areas where my kind, "Negroes", weren't welcome. My mother also understood the importance of education as well. She pursued a nursing degree in the mid-1940s, and although she grew up in the segregated South, she knew that an education would allow her to help others and herself. As a result, she received a bachelors of nursing from Tuskegee Institute in 1949. This made her an anomaly, because she was a Black RN, when most nurses have a certificate or associate's degree in nursing. In fact, years later I discovered that during the years that I was being treated at a well-known Children's Hospital in Detroit from 1963 to 1977, my own mother was not allowed to work there, despite her credentials. As I aged, my disabilities changed, resulting in my having to periodically leave the workforce as I recovered from the latest medical treatment or surgery. Although my disability was never clearly diagnosed, my feet were backwards and I had limited range of motion in both arms, and my left leg was significantly shorter than my right. I majored in occupational therapy at Tuskegee Institute, and graduated in 1987. I worked in that field until it was no longer physically feasible. In 1993, at 30 years of age, my disability worsened, and I went from working two jobs while living independently in an inherited home, receiving SNAP and Medicaid benefits. At this point in my life, is when I applied for Social Security disability insurance for the first time. I was informed that despite having 18 years of medical records verifying my disability, my degree in occupational therapy and 10 years of working negated my ability to obtain Social Security. It took me

one year and two denials to obtain Social Security benefits. This was very humiliating. I lost my home phone account, my brand-new Ford escort, and eventually my parents home due to nonpayment of taxes. Can you imagine having to break one dollar food stands at the corner store to get change to make phone calls and get rights to church? To get bus fare? To doctors appointments? In addition, I was informed by the Department of social services that I was only eligible for \$10 monthly and food stamps. There many times I had to appeal to my church or other nonprofits for help to avoid utility shutoff. This is how I had to function.

While waiting for Social Security disability approval, I had to rely on other programs as well, including public housing and Medicaid. In 1992, after the state foreclosed on my family home due to my inability to pay the taxes, I moved to the (unknown term), which is public housing. This was the best option, since I was too young and too poor for most affordable, accessible housing options. Also, my income decreased by 80% when I transition from SSDI – two SSDI from working full time. By then, I have had several surgeries. However, in the late 1990s in Detroit and other cities, federal lawmakers began decreasing monies allotted to public housing for repairs, while simultaneously tearing down public housing without replacing it. Furthermore, and rightly so, large institutions, mainly long-term care facilities for people with psychiatric and/or intellectual and develop mental disabilities, were being closed as well. As a result, more people, both with and without disabilities, were being forced into inadequate housing, or onto the street. At the time, I was unaware of the impact the ADA would have on my life. As of its passage, I was able to take advantage of the Ticket To Work program in 1999, and began to make plans to become independent again. A social worker acquaintance of mine helped me to find available units in suburban Detroit, and with stable housing I was able to obtain an AmeriCorps contract in 2008 to 2010, and eventually purchased a home. By 2013, my disability worsened once again. I can no longer handle Michigan's harsh winters and needed to live in a warmer climate. With my family support, I moved to Alabama. By then, I had been receiving SSDI for 20 years, and working under the Ticket To Work program for 14 years. When moving from Michigan to Alabama, it did not occur to me that Alabama's rules and laws regarding work and SSDI would be different from Michigan's. As a result, Alabama's Social Security office went back 10 years into my earnings history when determining my continued eligibility to receive SSDI. Despite the fact that my AmeriCorps earnings were supposed to be (indiscernible) full stop as a result, I lost my SSDI benefits from 2015 to 2018, had to work another job until I could re-obtain them....I had to secure assistance through an Alabama Department of rehabs services. Typically, the loss of income result in losing housing. In 2015, after losing my SSDI benefits, the boardinghouse that my then the -- then husband and I lived in closedown. We then had to move to separate shelters, since we did not have minor children living with us. In fact, the Alabama rehab counselor helped me to obtain an alternate job, a former landlady referred me to my -- her brother, my current landlord, into affordable housing. Although it wasn't set up for mobility access to the issues, it was the best option available to me. However, that's not what I would have chosen for myself. Many people with disability's, including myself, shouldn't have to settle for inaccessible yet affordable housing, and those who cannot live in accessible housing, it can mean

being institutionalized on the street. In December 2018, I was able to reestablish my SSDI eligibility. This was a blessing, since I was now needing major surgery on my right leg. This operation would require me to spend two months recovering in a nursing home, since there were no other affordable, accessible options available. This was frustrating, since I spent two years preparing for this particular medical treatment. Part of my prepping included applying for section 8 housing, which has at least a two-year waiting list, and a lottery selection system. In addition, because my state only admits those who are at least 62 years old into seniors housing, I had at least three years until I am eligible. So with even all of that planning, I was unable to secure housing in that time that would be affordable, accessible, and inclusive, to support my needs. As a result, I acquired a huge medical bill from the nursing home, and have had to pay for supplemental care, such as physical therapy, housekeeping, etc., out of my SSDI income, which is less than \$1500 a month. Since my nursing home stay has not been covered beyond the two week limit set by my state, and my doctor required me to be in a wheelchair for a minimum of two months, I was required to self pay for my care. One of the challenges persons with disabilities face is that...relinquish SSI and SSDI and economically engage in society, there is a risk of losing benefits, and subsidized public housing, Medicare, Medicaid, food stamps, etc. I would have appreciated having the option of affordable, accessible housing, that would allow me the option to stay in my home with access to services such as medical transportation, housing, housekeeping. According to the Surgeon General, less than 10% of persons with disabilities have the means and opportunity to live independently. As I sit here today, feeling blessed to have the opportunity to speak with you, as so many people across the country do not have the ability to, I continue to be struck by how few people with the lived experience, disabled people, are at the table for the purpose of informing and creating housing policy. As we listen to the other speakers, and you return to your offices or homes at the end of the day, know that Congress continues to be changed -- charged with creating a more prosperous country for all people, including fixing our housing system. Disabled people must be added to the table, and the needs of persons with disabilities must be part of how we design, pass, and implement housing policy. Thank you.

SPEAKER:

Sandra, thank you so much. Hi, everyone. I will do a brief image description. I just want to take a moment and honor all that you shared in your story.

SANDRA CONLEY:

Thank you.

SPEAKER:

I am a white clear person, with a white collared shirt, and dark gray blazer with some chunky silver earrings, and short curly hair. So again, Sandra, thank you so much. Never take for granted when we show up and share so much of our stories and who we are, and I am just grateful for your time and wisdom today. And as Sandra's story demonstrates, as well as the stories told and untold of people

with disabilities across the country, housing has failed in so many ways. Housing has failed to be affordable, meaning affordable to people of all incomes, especially those who are extremely low income who may rely on SSI or SSDI. Housing has failed to be accessible, meaning that housing is located, designed, and built to meet cross disability access. Housing has failed to be integrated, meaning that housing that does not segregate or isolate, but is mixed between people with and without disabilities. And housing has failed to be inclusive, meaning that there are supportive communities where people can access the programs and supports that they need, then we need, to thrive in and around where you live. My name is Allie Cannington. I am a white queer disabled Jew, living in Oakland, California. I have been organizing and crossed his ability rights movement for more than a decade. I am currently the senior manager of advocacy and organizing as The Kelsey, we pioneer disability forward housing solutions that open doors to more affordable homes and opportunities for everyone. We have over 240 affordable, accessible, integrated, and inclusive homes in our pipeline, and related initiatives to support market and policy conditions that make inclusive housing the norm. I am also really grateful and honored to serve as cochair of the CCD Housing Task Force, along with some of my colleagues today. So while we do have a federal legal framework in place, including the Fair Housing Act, which prohibited, prohibits discrimination based on race, color, national origin, religion, sex, familial status, disability, and we have the ADA, which brings us all here today, requiring public entities to administer services, programs, and activities in the most integrated setting, among other things. We also have the Olmstead Supreme Court decision, which confirmed that under Title II of the ADA, disabled people have the right to community integration, what many of us call community living. The Olmstead Ruling affirmed our rights under Title II, and this didn't just win in the right to move into housing the People's choice, and to have services in our own homes, it also laid the foundation for community living for millions of people with disabilities, and affirmed the right for housing inclusion for generations to come. Nonetheless, this right, and many of the rights that are secured under the ADA, have yet to be made of felt reality. Now, 23 years after Olmstead, and 32 years since the passage of the ADA, the federal government and all state governments, must finally invest in the housing infrastructure, so that all people with disabilities, regardless of background, identities, and level of support needs, can live out there right, our right, to live in our own homes and communities.

Today, there are more than 61 million people with disabilities living in the US. Due to COVID-19, additional estimates said that just by the end of 2021, there were 1.2 million more disabled people. The disabled population has and will continue to rise, and the reality is, people with disabilities are twice as likely to live in poverty, and that's even higher when you look at the intersection of race and disability. And millions who rely on SSI and SSDI cannot afford housing in any US market. 55% of all housing determination is based on disability. Less than 5 to 6% of housing is accessible. The people with mobility and other disabilities. At minimum, 40% of people expressing homelessness are disabled, and one and two people turning to shelters are people with disabilities. Let alone if the shelters are accessible. Less than 12% of people with intellectual and develop mental disabilities rent or own their own home.

Segregated models of housing still often prevail, and the institutional bias remains intact. Unfortunately, although we have made progress, federal and state governments have never invested in the commensurate supply of service ready, integrated housing, upon those massive closures of institutions that happened decades ago. Even still, we have so many of our siblings with disabilities who are living in congregant and institutional settings, or on the streets, or unstable house, who do not have access to affordable, accessible, integrated, and safe housing will stop in these crisis are disproportionately experienced by Black, Brown, and Indigenous people with disability. I will highlight a few top federal policy changes necessary to create a commensurate supply, so a new supply of affordable, accessible, integrated, and inclusive housing will stop we need to strengthen the low income housing credit tax program, or LIHTC, is the main funding source for affordable housing across the country, there are enough tax credits to pay for all the housing needed. Congress needs to increase the annual housing credit allocation by 50%, lower the bond financing threshold for those receiving 4% housing credits, and we need to increase the amount of...serving extremely low income tenants. Congress can also add program incentives, like preferences or basis boosts for integrated projects for people to civilities, or for projects that go beyond the minimum levels of accessibility.

We need more funding and flexibility for the Housing Choice Voucher program. First, I want to say that the disability community and the CCD Housing Task Force stand strong with our allies and other extremely low income population, and call on Congress to fulfill its progress -- promise of universal voucher program for anyone who needs assistance to pay rent. But while we push for that universality, Congress must increase funding for the Housing Choice Voucher program, especially the mainstream housing choice voucher program, and the Non-Elderly Disabled Voucher program. Congress must also work with the Department of Housing and Urban Development to decrease barriers that keep disabled people from having equal access to available vouchers. We have seen how creatively HUD has used the Emergency Housing Voucher program, to help people including those with disabilities living on the streets and with disabilities, secure housing for stop we need the same type of creativity and flexibly applied to the Mainstream Housing Voucher program, and other voucher programs. In addition to vouchers and strengthening LIHTC, we need more funding and guidance for the HUD section 11 program. We are grateful for the houses historic passage of the highest investment in history, 400 million, for HUD 811. Congress must continue to increase the funding were HUD 811, especially PRA. Which is much more cost effective on a per unit basis. It is critical to also ensure that section 811 is usable with other federal, state, and local funding streams. Congress needs to continue to push HUD to award and deploy all section 811 funds from 2019, 2020, 2021, because currently they are stalled. We also need to increase equitable Transit-Oriented Development. We know that through the Federal Transportation Administration there have been significant investments in what we call TOD. Members of Congress can strengthen the program criteria for TOD to prioritize projects that go beyond the minimum code requirements for accessibility, which are not fulfilling the need, and provide extra levels of affordability. Overall, adding incentives can go beyond just Transit-Oriented

Development, and can be embedded across funding criteria for new affordable housing. Along with these housing supply recommendations, we cannot have the new housing that's needed without making sure that people have the services in their own homes to thrive. And Congress must continue to increase the investment in Medicaid Home and Community-Based Services, specifically these investments ensure that people have access, and can mean -- remain in their communities, and age in place, not be forced into institutional settings, which we have seen through COVID-19, which disabled people have been saying all along. That congregant and institutional settings are not where we want to live. This historic underfunding of HCBS services has led to long wait lists and severe workforce shortages, to limit the ability for people with disabilities to live freely in their communities. Programs that need greater investment include Money Follows the Person in the HCBS Medicaid waivers. In all programs, any funding related to supportive services should follow people as they transition to community-based integrated, affordable, accessible, inclusive housing. Moreover, HCBS funding increases must also include what we call housing related services. I know I just gave you so much information, but I want to say that we will share a fact sheet in the chat, and make this just be the beginning. The beginning of our time collaborating, if we aren't already. So overall, all solutions to solve this housing crisis facing people with disabilities, including the ones I spoke to, be informed and cocreated by disabled people, just like Sandra spoke to. Particularly people with disabilities who are multiply marginalized. And they must be grounded in economic and racial equity, as well as housing for disabilities. I look forward to your questions, and will pass to my colleague Carlean.

**CARLEAN PONDER:**

Thank you, Allie, thank you, Centre, for laying the groundwork. I'm Carlean Ponder, with The Arc of the United States. We protect the civil rights of people with intellectual and developmental disabilities. I am going to talk about reasonable accommodations in the context of public housing. I am just going to take a step back to give you a few definitions. So, what is public housing? Public housing was established to provide decent and safe rental housing for eligible low income families, the elderly, and persons with disabilities. It comes in all sizes and types, could be single-family homes, to highlight -- high-rise apartments. It is approximately 970,000 households living in public housing units today. They are managed by some 3300 housing authorities, and we will talk a little bit more about the role of housing authorities with reasonable accommodations in a bit. The US Department of Housing and Urban Development, otherwise known as HUD, administers the federal money that goes to these local housing authorities or agencies, but then manage housing on site for low income residents, or disabled residents and rents they can afford. HUD also furnishes technical and professional assistance in planning, developing, and managing these subelements. Under the housing authorities.

So again, who's eligible? Low income families, individuals. Your eligibility is determined upon your annual gross income, whether you qualify as elderly or person with disability, or as a family. US citizenship or eligible immigration status is also considered. The Housing Authority may also check references. They will make sure that you and your family would be tenants that they will accept. It has

other implications that we can talk about in a different meeting. Housing authorities can deny admission to applicants as well. They use income limits that are developed by HUD, and it sets lower income limit at 80%, and very low income limit is 50% of the median income for the county or metropolitan area in which you choose to live. So when we talk about reasonable accommodations and how that fits into disability discrimination, keep in mind that for the most part, we're talking about thousands, thousands of households all across the country, you know, managed by public housing authorities. And so, Charles, I have a PowerPoint that you can put up. Great.

And so, HUD

's own office of Inspector General did an audit of the agency, whether they were in compliance around their own rules of reasonable accommodations. It's a recent report, dated February, 2022. The conclusion is essentially that HUD didn't have adequate policies and procedures for assuring that PHA is properly addressed, assessed, and fulfill requests for reasonable accommodations. So what is a reasonable accommodation? A reasonable accommodation is a change, exception, or adjustment to a rule, policy, or practice, or service, it may be necessary for a person with disabilities to have an equal opportunity to use and enjoy dwelling, including public and common use spaces, or to fulfill their program obligations. An example of reasonable accommodation might be somebody who needs to have a parking space which is close to the unit. For mobility purposes. So somebody can make a request there, for reasonable accommodation. Federal laws such as the Fair Housing Act also prohibit housing providers from refusing residency to persons with disabilities, or placing conditions on their residency, or because they require reasonable accommodations or modifications. The next thing you are going to see, I believe, is a chart.

So, according to annual reports published by HUD office of fair housing and equal opportunity, during the 11 year period from 2009 to 2019, the total number of housing of complaints has decreased by 24%, from 10,242 to 7729. But the number of housing discrimination complaints based on a failure to provide a reasonable accommodation had increased by 46%. From 2430 complaints, to 3550 complaints. Seek and see a little bit there from the chart, beginning in 2009 and going all the way up to 2019, how those requests, those complaints I should say, began to increase.

So, going back a little ways, on October 12, 1999, HUD actually published a federal register notice advising of a change of responsibility within, for HUD, when it was during civil rights front end reviews, for HUD programs. Civil rights front end reviews, basically it is an essential tool in identifying and tracking civil rights related issues. It examines issues that may cause discrimination in the public housing programs activities, such as adopting a local preference that significantly disadvantages members of a protected class, or of front end civil rights review can take a look at waitlist, and see whether or not a waitlist has been opened in a manner that prevents eligible minorities or persons with disabilities from applying. The civil rights front end review could take a look at the use of a policy, you

know, it could also, it could do other things as well, such as monitor, or assess, whether or not reasonable accommodation requests are actually being, whether they are being considered. Without there being, you know, denied. Whether they are being approved, implemented, how quickly. Those kinds of things cannot be decided by a civil rights front end review.

According to that 1999 notice, HUD was supposed to work with its fair housing office to develop any processing, any processes, any documents that were needed to conduct those front end reviews. HUD and its fair housing office were also supposed to interact with their local public housing authorities to give them some guidance on what to do around these civil rights front end reviews, which also covered reasonable accommodation policies and procedures and accessible unit counts. For example, the protocol of the front end review particle checklist could clue things like how are requests from applicants handled? And it can determine whether or not the public Housing Authority actually even had set policy on how to handle these requests. When is the reasonable accommodation policy given to an applicant, or presented to tenants? So I can take a look at whether or not tenants were actually being informed that they had the ability to make these reasonable accommodation requests, and how to make them. The kind of thing. And also, this kind of review can look at whether or not the public Housing Authority staff communicated with people who are making requests, and communicated the outcomes to those requests. To them.

So that was, so the purpose of this, that was the purpose of this audit, was basically to address whether or not all of those policies were being fulfilled.

So. The policies, according to the audit, were not being fulfilled. And I want to actually give you a local example of how that actually plays out, before we come out and we will talk about recommendations. So, a local example of how it plays out when reasonable accommodation policies are not honored with the in DC, the District of Columbia, where there is a very recent lawsuit that has been filed by the DC Attorney General's office, and the suit says that although the local public Housing Authority in DC actually processed requests for reasonable accommodations very quickly, they then failed to make them. And sometimes that was for years, that they didn't implement a request that they had previously approved. So sometimes, they said that they were able to – according to the DC public Housing Authority themselves – sometimes they were able to approve requests for reasonable accommodations within as little as one day. A lot of times, these reasonable accommodation requests related to disabilities such as paralysis, amputated limbs, cerebral palsy, or severe permanent injuries that required residents to use, say, a wheelchair for mobility. But, you know, again, what the lawsuit is alleging is that there are more than 250 DC public Housing Authority tenants who have been approved for accommodations and are still waiting for those accommodations to be implemented, including many who have been waiting for more than four years. So that means that, you know, the request itself may have been granted very quickly, but just never gets implemented. Are there is a significant delay in implementation. One of the examples that is included in the lawsuit from

the DC Attorney General cites this example. The DC Housing Authority approved the tenant to move to a wheelchair accessible unit in January, 2017, at the time the tenant lived in the fourth floor of an apartment building without an elevator, and was forced to rely on others to carry her up and down the stairs so that she could attend medical appointments or leave her apartment. This tenant died in late 2021, still waiting for a wheelchair accessible apartment. You know, that failure to actually honor reasonable accommodation requests in a meaningful manner has significant impact on the daily lives of people living with disabilities. So, going back to the office of the Inspector General's findings, the report, they recommend that HUD undertake a series of solutions, which are on the screen, and those include civil rights front end review checklist, because they are essential in identifying and tracking these civil rights related issues, so the OIG report found that although HUD was supposed to be conducting these reviews in conjunction with his fair housing office, they weren't. And HUD should provide centralized guidance for the field offices, and public housing authority. So that would be like the DC Housing Authority being able to have some guidance, some official centralized guidance from HUD, on how to actually implement these reasonable accommodations and requests once they have been approved, rather than letting them linger.

Another thing that the Office of the Inspector General report included was that public housing authorities actually track the requests for reasonable accommodations, including the date of the request, the type of request, the disposition and date of any action taken, that should be made available to HUD at its request. So that would be very important and very helpful in the type of situation that I just talked about. Because of the situation there is not that they aren't accepting the request and are approving them, they just aren't implementing them. And so if HUD was doing a civil rights front end review, and maybe randomly taking a look at with their public housing authorities were doing, this is the type of thing that would have stood out as something that needed to be addressed in the District of Columbia.

But on the flipside, this report talks about basically, the failures of HUD to centralize and take affirmative action on reasonable accommodation requests. But HUD is allowed to take affirmative action on fair housing violations, civil rights violations. A very recent example of that also would be where HUD decided to join with several advocacy groups who had already filed suit against the Los Angeles Housing Authority. They filed suit against him because the LA public Housing Authority was taking millions of dollars, some millions of federal financing dollars from HUD, where they were required to have affordable housing for disabled people, which means you have to have units that are accessible for people with disabilities. But they were actually doing that. And so once the lawsuit was filed by advocacy groups, HUD then joined in, and the Los Angeles Public Housing Authority entered into a settlement agreement, which requires them to spend at least \$200 million over the next decade to provide 4000 affordable apartments for people with disabilities. So that's an example of what could happen, you know, if these civil rights issues, particularly as they pertain to people with disabilities, were addressed from an affirmative standpoint, which is what we are talking about today, all of us in

our presentations. And so with that, I will go ahead and conclude.

SARAH MALAIER:

Thank you, Carlean. I am Sarah Malaier, and I work for the American Foundation for the Blind. I'm a young white woman with short brown hair. I appreciate the opportunity to speak about another component of access to housing today, which is where the accessibility, as the impact accessing information and applications and benefits, and all of the linkages to housing that take place online. I am sure it comes as no surprise to anyone here that increasingly, much of what we do takes place online. Today we are meeting online. Accessing housing and housing related benefits are certainly no exception. Indeed, housing services online can open doors to more communication, and less time intensive transactions. However, these improvements are only available if we design our digital infrastructure to be accessible to all people. Today, we are celebrating that the Americans with disabilities that prohibits discrimination because he will disability is, and it's important to note that the department of justice has long held that that also applies to inaccessible websites. However, the DOJ and other agencies has so far failed to clarify this position. I like to walk you through why it is important for Congress and federal agencies to take steps to ensure access to websites and technology is explicitly on the record. So websites are inaccessible when people with disabilities can't access the content or navigate the site. Disabled people rely on design features that are noticeable on a website, such as captioning and audio description, good contrast, and a lack of flashing elements. Others use assistive technology like a screen reader, or augmentative and alternative communication systems, that require behind-the-scenes design elements like buttons and links that are properly labeled, the ability to navigate with a keyboard, and machine-readable error messages. How does this relate to housing? Think about the last time you look for housing. Did you do a search on housing provider's website to find available apartments? Did you correspond with the real estate agent through an online contact form? Did you complete your application or peer deposit online? What about financing for your mortgage or plan for rental assistance? All of these services take place online. As well as through other avenues.

In 2019, the equal rights Center conducted online testing to understand whether housing provider websites are inaccessible and present -- present barriers to people with disabilities....What did they find? That 80% of the desktop versions and 72% of the mobile versions of the websites provided substantially different or undetectable information about the property to a blind user as compared to a sighted user. 84% of the desktop sites and 76% of the mobile users had various to understanding whether the unit was a variable -- available, and prevented people from learning about rent specials. Of the 16 websites that had online housing applications, 13 of them were inaccessible to the blind screen reader users. Additionally, 57% of the websites did not allow the blind user to submit a comment form to connect with the rental agent. These are substantial barriers that would make the housing search harder or impossible for people with disabilities, and some of the barriers could also result in a person with a disability missing out on housing discounts, making it more expensive.

It's not just limited to private providers. In 2021, the information technology and innovation foundation used automated testing, which counts the number of excess ability errors based on a standard, to understand what are the most popular federal government webpages were accessible. They found 30% of the agency homepages that they tested had more than 10 accessibility issues, including HUD. In fact, none of the HUD pages tested were found to have an acceptable number of errors. Congress can and should be more active in ensuring that websites do not continue to present a significant barrier for people with disabilities seeking access to housing. Congress should exercise broader congressional oversight for technology accessibility, under both the ADA and the rehabilitation act. An exercise targeted oversight of federal agencies and federal assistance recipient websites (indiscernible), including but not limited to benefit applications, information sites and housing searches. Congress should actively encourage federal agencies to issue web, application, and ICT, or information and communication technology related regulations under Titles one, two, and three of the ADA, and section 504 of the Rehabilitation Act. In general, as congressional staffers and members of Congress, you can staunchly support ADA coverage of websites and digital infrastructure, and the accompanying regulations needed to implement that law. And oppose any legislation that would weaken the scope or enforcement of the ADA. Thank you, and I will turn it back to Greg.

GREG ROBINSON:

Thank you to all of our panelists. We have a few more minutes, so we will open things up to questions from the audience. I do see we have a couple of questions in the chat, so I will take us first. But feel free to put questions in chat, if anyone else has them. So the first question, more of a comment, but saying that Congress needs to help one in four people facing disability living in North Carolina, they are living off 10% of the median household income, and they were born there. Genetics or injury, this ability should be ignored. They want to live near their friend, their remaining parent, and their services. And that they are village. Several panelists have spoken about the importance of supporting housing as and means to community integration, so if anyone wants to say more about that...

ALLIE CANNINGTON:

Thanks, Greg. I think they said it perfectly. Just as a means of time, yeah, I just invite page and others to check out the information that will be shared after, as well as link to the handout that was put in the chat. And you can contact us directly, to explore further ways you can engage with us in pushing policy solutions so that community integration and community living is possible for everyone.

GREG ROBINSON:

Our next question is for Sarah: what is a good resource to learn what standards or technology should be present in website design? For providers to make them accessible to people with disabilities?

SARAH MALAIER:

So for housing providers, there is an industry standard, is the web content excessively guidelines. We recommend that people implement an accessibility program, to meet the (unknown term) standard. And we also encourage people to employ testers who are people with disabilities. For federal government agencies, we would refer them to Section 508 regulations which govern federal accessibility, technology accessibility.

GREG ROBINSON:

The only other question I see right now is just asking if there will be a recording made available, and that we can share the link to that. I think I will defer to our other host there, but we are recording the briefing, so...

CARLEAN PONDER:

Yes, we are recording, and my guess is it will be on the CCD website, Consortium for Constituents with Disabilities. And also our one pager is posted there as well, the handout.

GREG ROBINSON:

Let's see, see two more questions. I see we are getting close to time, so I think we will take these two questions and then wrap up. The first question is from Darlene: public housing is often less than desirable. I lived in it and had mold and (indiscernible) took no action. We could talk about housing quality and the role that place what we are talking about when we talk about making sure housing is accessible and affordable and desirable.

CARLEAN PONDER:

Did you want to comment? Yes, public housing has lots and lots of problems. Including, you know, these large public housing authorities. I grew up in Chicago, so I am very familiar with the very large buildings, lots of apartments, and unfortunately, a lot of public housing authorities did very – and still do – very poor jobs of upkeep in those buildings. And to make them less than desirable. But certainly not accommodating people who make reasonable accommodation requests is not helpful, for people with disabilities who do have to live in PHA's. So and the last question...Greg?

GREG ROBINSON:

So the last question, as we are getting close to time, was for Allie: can you speak to live text properties using -- losing their contracts, and tenants losing housing as a result?

ALLIE CANNINGTON:

Great question, unfortunately, that's a really important question and I want to give it its due attention, so Karen, I see you asked that. As long as he registers for this briefing, -- you register for this briefing, I will reach out to you and we can talk off-line. I do see a question from Kelly on, about what organizations are leading advocacy efforts to address housing equality work for people with

disabilities. Not to toot our own horns, but we are some of those leading organizations here. So we invite you to join us in this work, and reconvene through the CCD Housing Task Force, and you can connect with us through our contact information in the handout, and we will definitely want to send a follow-up email to everyone who registered about other ways that you can get involved.

GREG ROBINSON:

We also encourage you to reach out if you have additional questions that we weren't able to answer today. Again, we welcome feedback and outreach and look forward to working with you. Thank you very much for having us. And have a good rest of your day.

ALLIE CANNINGTON:

Thank you so much! Happy ADA anniversary! And thank you to those providing access. Take care!

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