

State and Local Housing Advocacy: How to Use *Priced Out* Information

The information in *Priced Out in 2014* can be used by disability advocates to document the severe housing crisis experienced by people with disabilities. As part of efforts to comply with *Olmstead* and the Americans with Disabilities Act (ADA), many states are developing strategies to expand community-based housing. *Priced Out in 2014* can be used to demonstrate that people with disabilities receiving Supplemental Security Income (SSI) payments cannot afford rental housing in the community without an ongoing rental subsidy — such as a Housing Choice Voucher (HCV) — or deeply subsidized affordable housing.

Key Federal Housing Plans

Affordable housing for people with disabilities is not solely the responsibility of disability service agencies. The disability community can use the information in this report to engage state and local housing officials in a dialogue about the nature and extent of this crisis. These housing officials are responsible for developing strategies and plans that determine how federal housing resources are used. Most federal programs that are administered at the state or local level rely on strategic plans to document how the federal resources will be used to meet local needs. For example, before local and state community development officials can distribute or spend federal HOME Investment Partnerships Program, Community Development Block Grant (CDBG),

or the new National Housing Trust Fund (NHTF) resources, they are required to submit a plan that includes data about housing needs and a description of how the funds will be utilized.

There are four significant federally required housing and homeless plans:

- Consolidated Plan;
- Qualified Allocation Plan;
- Continuum of Care; and
- Public Housing Agency Plan.

These federally mandated plans impact how billions of dollars of federal housing funding can be used to expand affordable and accessible housing opportunities for people with disabilities. Disability advocates can use *Priced Out* data to influence the decisions regarding how these federal housing resources are allocated at the state and local levels.

Consolidated Plan

The Consolidated Plan (ConPlan) is the “master plan” for affordable housing in local communities and states. Each year, Congress appropriates billions of dollars (nearly \$4 billion for Fiscal Year 2015) that are distributed by the U.S. Department of Housing and Urban Development (HUD) directly to all states and certain entitlement communities.

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The ConPlan is a comprehensive, long-range planning document describing housing needs, market conditions, and housing strategies, and outlining an action plan for the use of federal housing funds. The ConPlan provides an important opportunity to go on record about the housing crisis facing people with disabilities in a community or state and make the demand that people with disabilities receive their fair share of federal housing funds distributed through the ConPlan process.

The information included in *Priced Out in 2014* can help begin a dialogue that could result in more federal housing funding being directed to assist people with disabilities in local communities. *Priced Out* data should be provided to the housing officials preparing the ConPlan and included in the final plan submitted to HUD. New funding opportunities magnify the importance of the disability community's participation in each ConPlan planning process. As described in the previous section, the NHTF is a new federal housing program that will be implemented by state housing agencies for the first time in 2016. The NHTF law requires states to prepare an "Allocation Plan" each year indicating how the state will distribute the NHTF funds. Distribution of NHTF must be based on the priority housing needs in the state's ConPlan.

In 2015, as states are developing their first NHTF Allocation Plans, *Priced Out in 2014* data can be used to illustrate the need for rental housing targeted to "extremely low-income" (ELI) people with disabilities. TAC's 2015 report [*Creating New Integrated Permanent Supportive Housing Opportunities for ELI Households*](#) provides a "road

map" for state and local government to use the NHTF funding to develop integrated Permanent Supportive Housing (PSH). This report as well as [*Piecing It All Together in Your Community: Playing the Housing Game*](#), provide more information about how the disability community can use the ConPlan process to influence housing officials. More information about NHTF advocacy can also be found at the [National Low Income Housing Coalition website](#).

Qualified Allocation Plan

When the federal Low Income Housing Tax Credit (LIHTC) program was created in 1986, Congress included a requirement that states develop an annual strategic housing planning document describing how LIHTC funds would be utilized to meet the housing needs and priorities of the state. In accordance with this law, each state must have a Qualified Allocation Plan (QAP) in place prior to allocating tax credits. The QAP outlines the state's affordable housing priorities for the use of tax credits as well as the tax credit application process. Most states engage in a public comment process before submitting the QAP to the Governor for approval.

Federal law requires that the QAP give priority to projects that serve the lowest-income households and remain affordable for the longest period of time. In addition, 10% of a state's annual LIHTC allocation must be reserved for nonprofit organizations.

States have additional policies within their LIHTC programs to encourage the creation of

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certain types of housing; most include incentives for the development of units targeting vulnerable populations such as people with disabilities and people who are homeless. For example, Illinois, Louisiana, Maryland, and Pennsylvania all use the LIHTC Program as a platform for the creation of integrated PSH; several of these states are using the Section 811 Project Rental Assistance (PRA) program to ensure these PSH units are affordable for at least 30 years to ELI households with disabilities and/or people who are homeless.

For more information about the QAP and the LIHTC program, see [*Opening Doors, Issue 26: Using the Low Income Housing Tax Credit Program to Create Affordable Housing for People with Disabilities.*](#)

Continuum of Care

The Continuum of Care (CoC) approach is intended to help communities develop the capacity to envision, organize, and plan comprehensive and long-term solutions to address the problem of homelessness. In 1994, with input from practitioners throughout the country, HUD introduced the CoC concept to support communities in their efforts to address the problems of housing and homelessness in a coordinated, comprehensive, and strategic fashion. The Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act of 2009 codified the CoC so that this HUD planning process is now required by law.

In its CoC a community documents its strategy for addressing homelessness, including a description of what role HEARTH funds play in that strategy. The

strategic planning conducted through this process forms the basis of a CoC application to HUD for homeless funding. For decades, the HUD homeless assistance programs have formed the backbone of local efforts intended to address the many needs of homeless individuals and families in states and communities across the nation.

As with the other HUD housing plans, CoC planning presents a valuable opportunity for the disability community to provide input regarding the housing and supportive services needs of people with disabilities who are homeless, including those people who are chronically homeless and in need of permanent supportive housing.

For more information about the CoC program, including how to get involved in your local planning process, visit [the HUD Exchange](#).

Public Housing Agency Plan

Public housing reform legislation enacted in 1998 gave Public Housing Agencies (PHA) more flexibility and control over how federal public housing and HCV funds are used in their communities. Along with this flexibility and control were requirements, including the creation of a five-year comprehensive planning document known as the Public Housing Agency Plan. In consultation with a Resident Advisory Board, each PHA is required to complete a PHA Plan that describes the agency's overall mission for serving low-income and very low-income families, and the activities that will be undertaken to meet the housing needs of these families. The PHA is also required to submit

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a certification that the PHA Plan is consistent with the ConPlan for the jurisdiction.

Like the ConPlan, the PHA Plan includes a statement of the housing needs of extremely low-income and very low-income people in the community and describes how PHA resources — specifically, federal public housing units and Housing Choice Vouchers — will be used to meet these needs. For example, through the PHA Plan,

local housing officials could decide to establish a preference in their HCV and/or public housing waiting lists for people with disabilities, or people who are homeless.

For more information on the PHA Plan, see [*Opening Doors, Issue 8: Affordable Housing in Your Community. What You Need to Know! What You Need to Do!*](#)