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Disability Rights Maryland
Housing and Urban Affairs Committee, Baltimore City Council
November 16, 2022
CR 22-0195

Position: Support with Amendments

Disability Rights Maryland (DRM) is Maryland's Protection and Advocacy agency, and is mandated by state and federal law to advance the civil rights of Marylanders with disabilities. DRM works to increase opportunities for families with disabilities to be part of their communities and live in safe, decent, affordable, and accessible housing. We urge you to support CR 22-0195, which would revise Baltimore City's existing Inclusionary Housing ordinance.

These revisions will require recipients of major public subsidies and land use authorizations to ensure units affordable to households at or below 60% Area Median Income (AMI). This is positive, but may not reach the deep-affordability needed for families with disabilities to maintain housing security.

People with disabilities are more likely than their non-disabled peers to experience unemployment and poverty,¹ and nationwide, about 4.1 million people with disabilities spend more than half of their income on rent.² In Baltimore, people with disabilities who receive monthly Supplemental Security Income (SSI) benefits, cannot afford to rent safe, decent housing. In 2022, the average monthly rent of a one-bedroom apartment in Baltimore was \$1,111, while monthly SSI payments were just \$841.³

The deep affordability needed for families with disabilities to rent housing will require additional operating subsidies, usually in the form of a voucher, to make the housing affordable to families with disabilities.⁴ Currently, CR 22-0195 prohibits recipients of major public subsidies or land use authorization from refusing these additional operating subsidies that would make units deeply affordable. However, this language may present practical challenges because these additional subsidies are awarded through competitive procurement processes required by federal law and regulations. These subsidies cannot be offered unsolicited.

Nonetheless, the legislation can be revised to 'sync' the award of major public subsidizes or land use authorization to a requirement for recipients of major public subsidies or land use authorizations

¹ Debra L. Brucker et al., *Health and Health Services Access Among Adults with Disabilities Who Receive Federal Housing Assistance*, HOUSING POLICY DEBATE, Aug. 29, 2017, at 1.

² About 4.1 million people with disabilities nationwide pay more than half of their income on rent. CENTER ON BUDGET AND POLICY PRIORITIES, UNITED STATES FEDERAL RENTAL ASSISTANCE FACT SHEET (2021), <https://www.cbpp.org/sites/default/files/atoms/files/12-10-19hou-factsheet-us.pdf>.

³ TECHNICAL ASSISTANCE COLLABORATIVE, PRICED OUT: THE HOUSING CRISIS FOR PEOPLE WITH DISABILITIES (2021), <http://www.tacinc.org/knowledge-resources/priced-out-v2/>. Maximum SSI payments increased to \$794/month in 2021.

⁴ A 2017 study estimated that people with disabilities make up as much as 44% of all recipients of federal Housing and Urban Development (HUD) housing assistance. Debra L. Brucker et al., *Health and Health Services Access Among Adults with Disabilities Who Receive Federal Housing Assistance*, HOUSING POLICY DEBATE, Aug. 29, 2017, at 5.

to apply for any open solicitation for any operating subsidies that may be available from public housing authorities or other entities.

This type of coordination between the City's housing development agencies and providers of subsidized housing has demonstrated benefits. In a landmark settlement with Baltimore City and the Housing Authority of Baltimore City (HABC), the City and HABC successfully connected the award of capital advances from the City with operating subsidies from HABC. The result was the creation of over 500 deeply affordable housing units for people with disabilities in new and substantially renovated housing.

We support the CR 22-0195 with amendments that would incorporate a similar model. We are willing and able to prepare language for such an amendment.