

Baltimore County Commission on Disabilities
April 19, 2023, Virtual Meeting Minutes
via Webex

Attending: David Bycoff, Carla Demondonca, Jay Doyle, Kathleen Durkin, David Greenberg, Terry Hickey, Kim McGuire, Cassie Miller, Gregory Miller, Terri Parrish, Mary Scott, Doug Smith, Santa Wallace

The primary purpose of the April 19 meeting was to allow for an extended discussion of housing issues. The housing discussion was facilitated by Terry Hickey, Director of Baltimore County Department of Housing and Community Development (DHCD).

County government is eager to support housing development and address the need to expand Baltimore County's affordable housing inventory. At the national level, the Biden administration is proactive in supporting housing and has proposed a very favorable budget for the U.S. Department of Housing and Community Development (HUD). However, the HUD budget must be reviewed and approved by the U.S. Congress and not all aspects of the HUD budget are expected to pass.

Federal and state authorities are generally supportive of efforts to expand the inventory of affordable housing. However, local government land use policies remain influential and impact the viability of efforts to expand housing inventory.

Mr. Hickey noted that DHCD has the lead responsibility for ensuring that the county is following the principles and requirements of the Voluntary Conciliation Agreement (VCA). The county and the U.S. Department of Housing and Urban Development (HUD) agreed to the terms of the VCA in 2016. Mr. Hickey sees the VCA as a "floor," not a comprehensive expression of long-term goals. The VCA is presently not flexible and thus does not allow for adjustments as new circumstances evolve and new lessons are learned.

It is generally understood that, historically, Baltimore County has faced challenges in promoting and establishing new, affordable housing. Some efforts to support specific housing development and rehabilitation efforts have been successful, while other initiatives met with opposition and did not advance.

The VCA required that the county administration to continually push for passage of The Home Act, which was designed to prevent discrimination based on "source of income," meaning that a prospective housing tenant could not be turned away because they intended to use a government subsidy (Housing Choice voucher) to pay rent. The Home Act became county law in November, 2019.

The VCA also required the county to allocate \$30 million over 10 years to support the development of affordable housing. The county continues to invest in affordable housing in alignment with the VCA and its own priorities. The recently authorized Housing Opportunities Fund strengthens this investment. It will be seeded with \$16 million in federal funds this fiscal year and is expected to annually receive \$3 million in county general funds going forward.

Under the VCA, the county is required to work with private developers to build, rehabilitate or acquire/preserve 1,000 units of affordable housing by 2027; 650 of these units must be provided to households earning 60% or less of the Area Median Income (AMI). The current AMI is \$116,100. Of the 1,000 units, 150 must be provided to households earning 30% or less of the AMI. Half of the 1,000 units must include at least three bedrooms.

Affordable housing built exclusively to serve senior citizens cannot be counted toward VCA goals.

Mr. Hickey discussed the Ridgedale affordable housing project that recently received county financial support. Of the 120 units built, 80 are reserved for senior citizens and therefore cannot be counted toward achieving VCA goals. Four of the units are accessible and in compliance with Uniform Federal Accessibility Standards (UFAS).

A housing development/facility dedicated exclusively to serve as Permanent Supportive Housing cannot be counted toward achieving VCA goals.

100 of the 1,000 affordable units the county is required to establish under the VCA must be accessible; to be considered accessible, these units must meet all Uniform Federal Accessibility Standards (UFAS). Over the years as projects have been implemented, the county has learned that architects refer to UFAS standards in designing many accessible features within a unit; however, it is rare for a unit to meet all UFAS requirements and be considered 100% compliant.

Many UFAS specifications -- such as the width of hallways, doorway entrances and allowances for wheelchair turning radii in bathrooms and other locations -- are implemented. Other UFAS standards, such as lowering all cabinets and countertops in a kitchen, are not always implemented because they are sometimes viewed as impractical or undesirable. Mr. Hickey emphasized that a household including a person with a disability frequently includes others who are not disabled, and that in such cases some, but not all, UFAS standards are desirable.

Baltimore County does not own any housing. There is no so-called "public housing" in the county. The county supports affordable housing by administering voucher programs and by providing financial assistance and incentives to private-sector developers. Under these circumstances, the county is not able to keep certain housing resources -- such as accessible housing -- in reserve (vacant) to accommodate new candidates for that housing.

There are some policy conflicts between the VCA and HUD's housing choice voucher program.

In terms of implementing the production of accessible units, the county supports construction of the unit and then, after construction, attempts to attract eligible occupants. The unit's accessible features are built well before the occupant is identified.

The VCA required the county to create a list of households on the Housing Choice voucher waitlist or with active vouchers who need accessible features. Presently, more than 10,000 households are on the waitlist. A single adult may wait for 10-15 years to rise to the top of the list.

Generally speaking, the number of vouchers made available to the county annually in recent years has not increased. Presently, the county is not able to set aside a pool of vouchers for a specified type of household, such as those in need of accessible features. Mr. Hickey wishes to pursue set-aside options.

Mr. Hickey discussed the VCA-required mobility program. 2,000 households to be moved over 10 years, 200 of them to UFAS units.

Conciliation Housing Accessibility Modification Program (CHAMP); \$300,000 annually to support accessibility modifications/accommodations. For the first four years of the VCA, these funds were required to go to voucher holders; thereafter, all low-income county households could consider the program. The county is now ready to open CHAMP to all low-income county households in need of accommodations, but the VCA complainants have concerns. Presently the county's entry point and enforcement model for CHAMP improvements is okay.

DHCD hired Bureau Veritas to examine the county's UFAS units. Many compliance deficiencies were found, removing 43 of 50 units from fully compliant status. However, Mr. Hickey noted that the units that are not fully UFAS compliant still provide valuable accessibility features and serve households well. The county is contacting property owners to offer grants to bring the units up to full UFAS compliance.

Some multi-family structures have fully compliant units but require exterior modifications, in one case re-graded parking lots.

The VCA requirements are heavily tilted toward serving Housing Choice voucher holders. However, many county residents in need of accessibility accommodations do not have vouchers and are unlikely to get one in the next 10 years. How can we better serve this population?

We need a better inventory of privately held accessible units.

Mr. Hickey asked the group to speak about the needs they see for housing and accessibility modifications. Perhaps DHCD can improve marketing methods for CHAMP and other resources. Mr. Hickey believes the need for accessible units exceeds the VCA goals.

County staff liaison to the Commission Jay Doyle noted that DHCD annually provides grants funded with Community Development Block Grant (CDBG) dollars to nonprofit organizations, including many represented on the Commission. Many of these grants, including six in process for FY 2024, support substantial accessibility improvements to residential dwellings (Alternative Living Units (ALUs), aka group homes).

The Arc Baltimore owns approximately 50 dwellings serving people with disabilities (Alternative Living Units) in Baltimore County.

Generally speaking, residents of a licensed ALU receive financial support from the State of Maryland, room and board. The Maryland Developmental Disabilities Administration (DDA) is a source of such funding.

The Arc receives inquiries/contacts involving clients eligible for state funding but cannot accept certain clients because The Arc's inventory of accessible units is limited. This represents a barrier to bringing new people into the Arc's residential program.

Mr. Hickey stated the DHCD's work with private developers to build accessible units does not involve providers. Can we pair providers with developers of scattered site units?

DHCD's approach to accessibility design could be strengthened if nonprofit providers were engaged in the process at the front end. DHCD has recently identified county-owned vacant parcels that may be suitable for development of accessible housing.

There may be an interesting future for pre-fabricated UFAS designs with modular housing that can be put on vacant lots. DHCD is eager to hear from nonprofit providers who may be interested in partnering with developers. Kathleen Durkin raised her hand.

Kim McGuire of the Arc Baltimore asked about "universal design" as opposed to UFAS. The Arc is serving some households in which the primary design consideration is to support aging-in-place, which is not always compatible with UFAS. The Arc strives to be pro-active in implementing universal design features at its properties, understanding that aging-in-place needs will emerge over time.

Ms. McGuire discussed a few cases in which universal design guided many features of recently built homes serving clients with disabilities.

Some providers agree that there is an unmet need for more accessible dwellings. The providers do not always capture their clients' income information. However, the clientele they serve is generally low-income.

David Bycoff asked about cases in which a parent/caregiver is aging and thus the dwelling would benefit from receiving both aging-in-place features and accessibility improvements. These cases are not likely handled among the providers. However, Mary Scott noted that many

families use the “self-directed” services approach to caring for family members (2,000 in Maryland).

Gregory Miller of Pen-Mar expressed support for the efforts to expand accessible housing; and for partnerships among providers, developers and government agencies.

Mr. Hickey noted that the county does have a significant inventory of older apartment buildings, with no subsidy attached. Some of these buildings could be considered for new ownership and/or significant rehabilitation/modification to include affordable and accessible units. Investors are acquiring some of these buildings and taking steps that do not contribute to affordability.

Mr. Hickey briefly discussed project-based vouchers.

Regarding the CHAMP program, DHCD has experienced challenges in delivering promotional/advertising messages to the narrow constituency of voucher holders.

DHCD will push vigorously to open CHAMP funding to households not holding vouchers. At the present time, a significant amount of CHAMP funding remains unspent.

Kathleen Durkin noted that The Arc’s clientele includes Housing Choice voucher holders, and she suggested that other providers are also probably serving voucher holders. Generally, this population of voucher holders is NOT among the providers’ pool of residential clients – they manage their housing independently.

Jay Doyle noted that the Commission website can be improved to give better placement/emphasis to the housing modification programs.

Mary Scott suggested that DHCD contact Dianne Dressler, who for many years worked with the Maryland Developmental Disabilities Administration (DDA) as a housing specialist and is now a consultant.

Ms. Scott also suggested that DHCD provide to the Commission a brief message/flyer promoting CHAMP, allowing members to spread the word to their networks.

David Bycoff noted that students with disabilities entering the transition period – leaving school – are a significant population that will begin to earnestly seek housing options. Parents/caregivers can be overwhelmed by this challenge. Dr. Lynch, or Joyce Cerio, with BCPS could be a valuable contact to assist with reaching this constituency. Mention of the “transition team.”

Mary Scott, during her time as a BCPS transition facilitator, recommended that every graduate apply for a Housing Choice voucher.

DHCD is eager to share its departmental job openings with Commission networks and potentially hire a person with a disability as an agency employee, perhaps in the housing field.