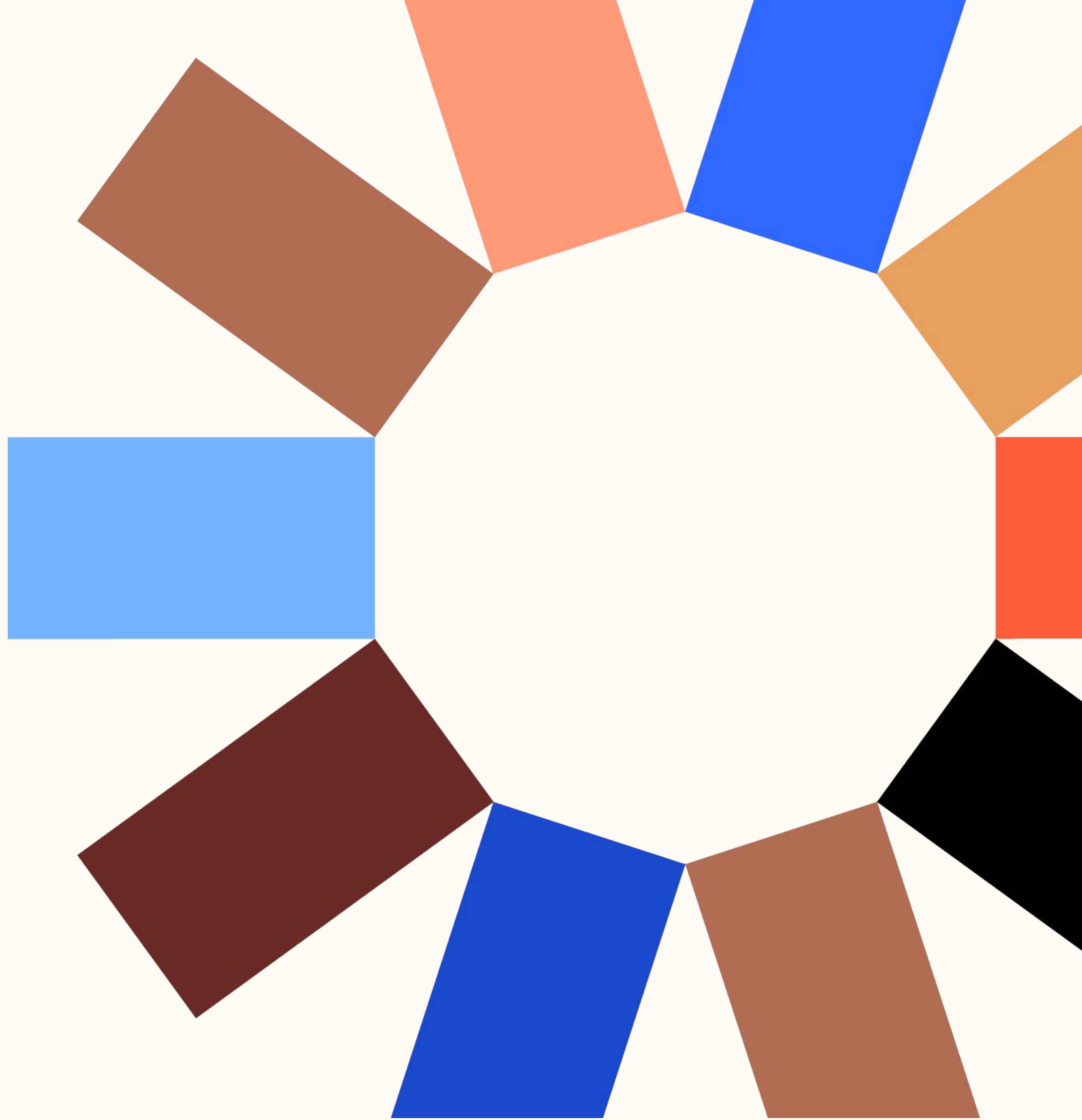


State and Local Strategies to Expand Inclusive Housing for People with Disabilities

The Kelsey, New Disabled South, National Council on Independent Living
Friday, November 21st



Today

Tenant Protections

Public Housing Authorities

Qualified Allocation Plans

Zoning and Land Use

Q&A

Tenant Protections

Rasheedah Phillips, PolicyLink

About PolicyLink

MISSION: PolicyLink is a national research and action institute advancing racial and economic equity by Lifting Up What Works.

Our programmatic initiatives are organized within three interlocking, mutually reinforcing areas of work: Equitable Economy, Just Society, Healthy Communities of Opportunity

Today, roughly 85 mil people are economically insecure, which we define as having a household income below 200 percent of the federal poverty level.

Housing for All Must Prioritize:



Fairness



Stability



Inclusion

Housing Anti-Displacement and Access Tools



1. **Increase affordability:** Expand and preserve affordability through **inclusionary zoning** and **housing trust funds**.



2. **Opportunity Housing:** Ensure public policies and investments foster healthy, economically-integrated neighborhoods and community ownership with policies such as **tenant and community opportunity to purchase**, **community land trusts**, and **housing trust funds**.



3. **Protect Tenants:** Ensure the security of tenants and prevent their displacement through **legal representation**, **just cause legal protections**, **rental registries**, **eviction record sealing**, **tenant screening protections** and **rent stabilization**.

Two Complementary Anti-Displacement Tools: Rent Stabilization & Just Cause Eviction Protections

- **Rent stabilization:** policies that protect tenants from excessive rent hikes, usually by creating a predictable schedule for the maximum rent increase allowable each year while ensuring a fair return for landlords.
- **Just Cause Eviction:** (also known as “good cause” or “for cause”) prevent arbitrary, retaliatory, or discriminatory evictions by establishing that landlords can only evict renters for specific reasons such as failure to pay rent.

Why Rent Stabilization + Just Cause?

- Immediately addresses the crisis at scale
- Increases housing stability and affordability for current tenants, prevents displacement, and provides immediate protections that complement the broader ecosystem of housing strategies
- Cost-effective
- Protects low-income households, advances racial and gender equity, and supports tenants with disabilities through improved accessibility and stability
- Generates cascading benefits across economic, health, educational, climate-friendly development, civic participation, and long-term housing affordability and stability
- Slows the growth of corporate landlord consolidation in the housing market

Fair Housing Act + Americans with Disabilities Act

- The Fair Housing Act of 1968 made it illegal to discriminate in the sale or rental of housing or other housing related activities (seeking a mortgage or housing assistance). Protects people from discrimination based on race, color, national origin, religion, sex, familial status
-
- The Americans with Disabilities Act (ADA) requires accessibility and nondiscrimination in public and common areas of housing
- Disability protections include reasonable accommodations and modifications and accessible design standards in multifamily housing.
- Fair housing policies may also include Source of Income discrimination, tenant screening, fair chance, and eviction record sealing policies

Fair Housing

What do fair housing laws tell us about ensuring equal access and inclusion for people with disabilities?

Fair Housing and AFFH

Implements Key Provision of the Fair Housing Act

- Compels federal agencies and recipients of HUD funding to actively address housing discrimination and proactively foster equitable access to housing
- Requires that funds be used to undo systemic housing inequities affecting communities marginalized by race, disability, gender, or familial status
- Requirement for AI, AFHs, and Equity Plans can advance priorities and resources for fair housing policies

Affirmatively Furthering Fair Housing

What guidance does AFFH offer on creating inclusive, discrimination-free housing environments?

New Models for Housing

- When we remove the profit-making motive from the equation – more opportunities are available to expand access to housing!
- Advance a housing approach that protects existing residents, increases affordability for low-income households, invests in community-centered strategies, transforms the market to work for everyone, and strengthens inclusive engagement with communities.



New Models for Housing

Viable, Scalable Alternatives



Community Land Trusts

Community land trusts (CLT) are non-profit organizations that acquire and manage land and buildings to guarantee housing with lasting affordability and community control.

Social Housing

Social housing is a public option for housing. Social housing is permanently and deeply affordable, under community control, and most importantly, exists outside of the speculative real estate market. (Different forms!)

Limited Equity Co-Ops

Homeownership model in which residents purchase a share in a development (rather than an individual unit) and commit to resell their share at a price determined by formula—an arrangement that maintains affordability over the long term.

Public Housing Authorities

Parisa Ijadi-Maghsoodi, NHLP

HJN 2024! [Read More Here!](#) →

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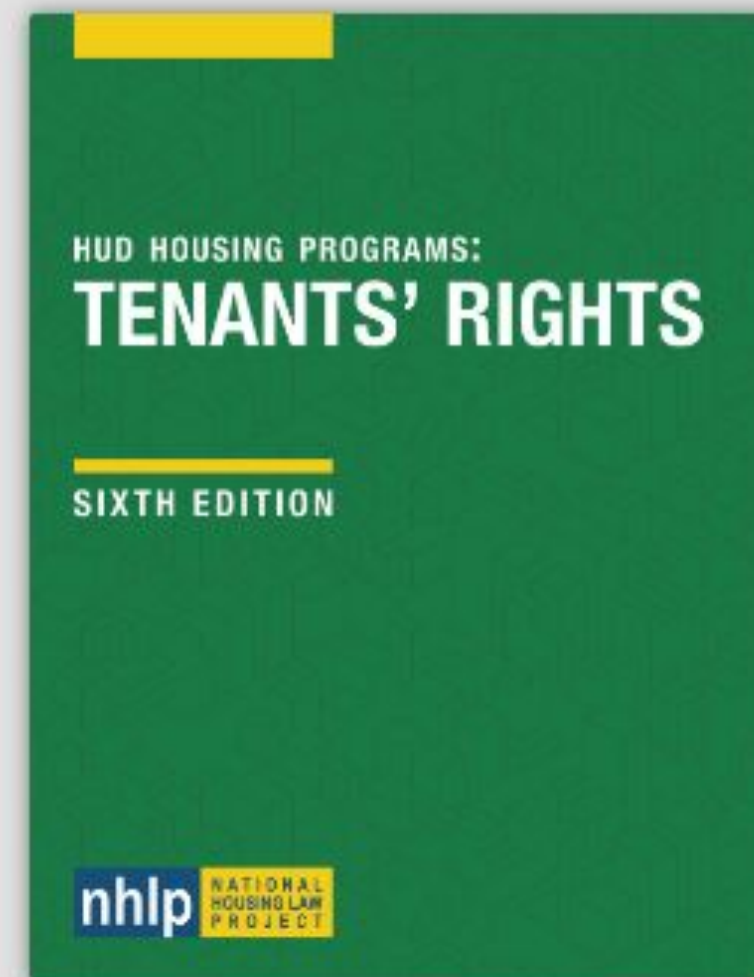
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“NHLP’S GREEN BOOK IS HANDS DOWN THE ABSOLUTE
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HOUSING PROGRAMS IN THE UNITED STATES. NO OTHER
RESOURCE COMES CLOSE!”



FRED J. FUCHS, TEXAS RIO GRANDE LEGAL AID

What Is the Green Book?

NHLP’s *HUD’s Housing Programs: Tenants’ Rights*, widely known as “The Green Book,” is the definitive treatise on the laws governing HUD’s housing programs. For anyone working with tenants, this is a must-have resource. From attorneys, advocates, and organizers, to housing authorities, city planners and real estate developers, the Green Book provides a clear description and detailed analysis of nearly all aspects of HUD housing programs.

The manual includes new policies, emergent case law, and regulatory changes that shape the legal framework for cases that impact HUD tenants. The Green Book also contains unpublished



HOUSING JUSTICE NETWORK

About HJN

The Housing Justice Network is a dedicated community of thousands of housing advocates and attorneys who serve on the front lines to build tenant power and advance housing rights. NHLP powers HJN.

How to Apply

There is no cost to join. Fill out the participation form on our website or use the QR code.

HJN Benefits

- **HJN's active listserve:** Provides members instant responses to their most complex housing law inquiries by fellow members or NHLP staff.
- **HJN Working Groups:** Engage in policy advocacy and litigation support on major issues like eviction prevention, housing preservation and increasing tenant protections.
- **HJN Conference:** Convenes the network to share strategies, identify policy priorities, and connect with

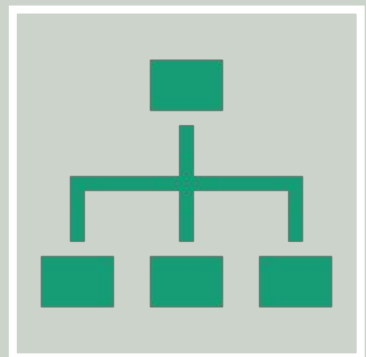
LEARN MORE AT:

www.nhlp.org/about/hjn/





What are PHAs and PHA Plans?



How do you participate in the public comment process?



Will participating make a difference? (Yes!)

What are PHA Plans

- Governs day-to-day operations of the programs
 - Section 8 Administrative Plan
 - Public Housing Admission and Continued Occupancy Plan
- Must cover all of the PHA's local policies for administration of the program:
 - Admission policies
 - Selection and admission from the waitlist
 - Hearing procedures
- PHA must administer the programs in accordance with these Plans



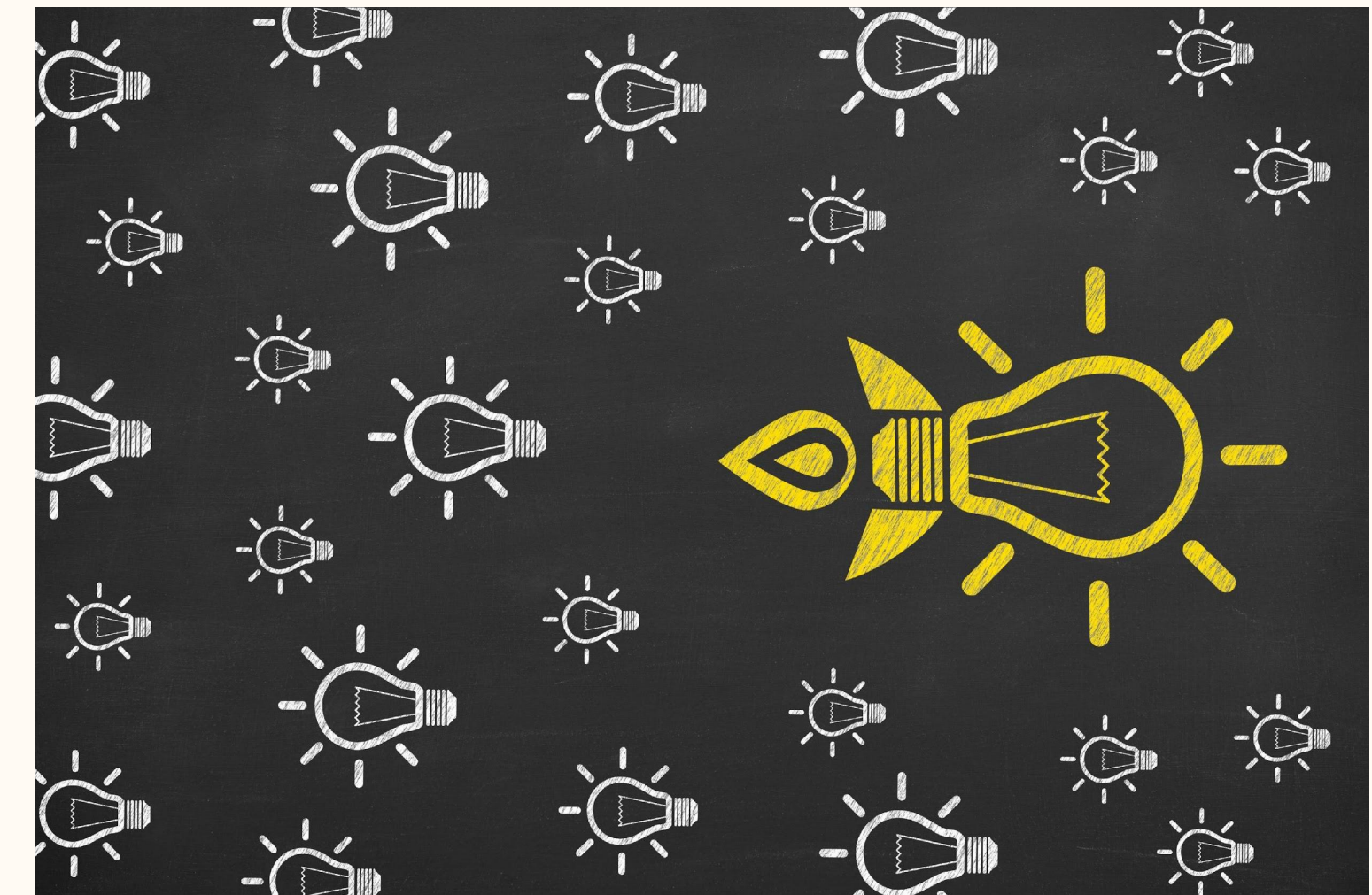
Participating in the process

- Participating ensures PHAs are made aware of tenants' concerns
 - Regular administrative plan update
 - PHA proposing plan amendment
- Advocacy through
 - Written public comment
 - Verbal public comment
 - Proactively setting up meeting with PHA
- *Strategy considerations*
 - *Timing, local barriers, and technical assistance*



Will participating in the PHA Plan process make a difference?

- Opportunity to address policies/practices impacting tenants' lives and ability to stay stably housed
- Advance fair housing objectives for your region
- Resolve systemic issues from place of collaboration and cooperation
 - Advocates have used this process to address harmful proposed policies and to improve existing policies, without litigation
- *Policy examples:*
 - *Waiting lists, admission criteria, reasonable accommodations, insufficient funds, and payment standards*



PHA Plan Advocacy

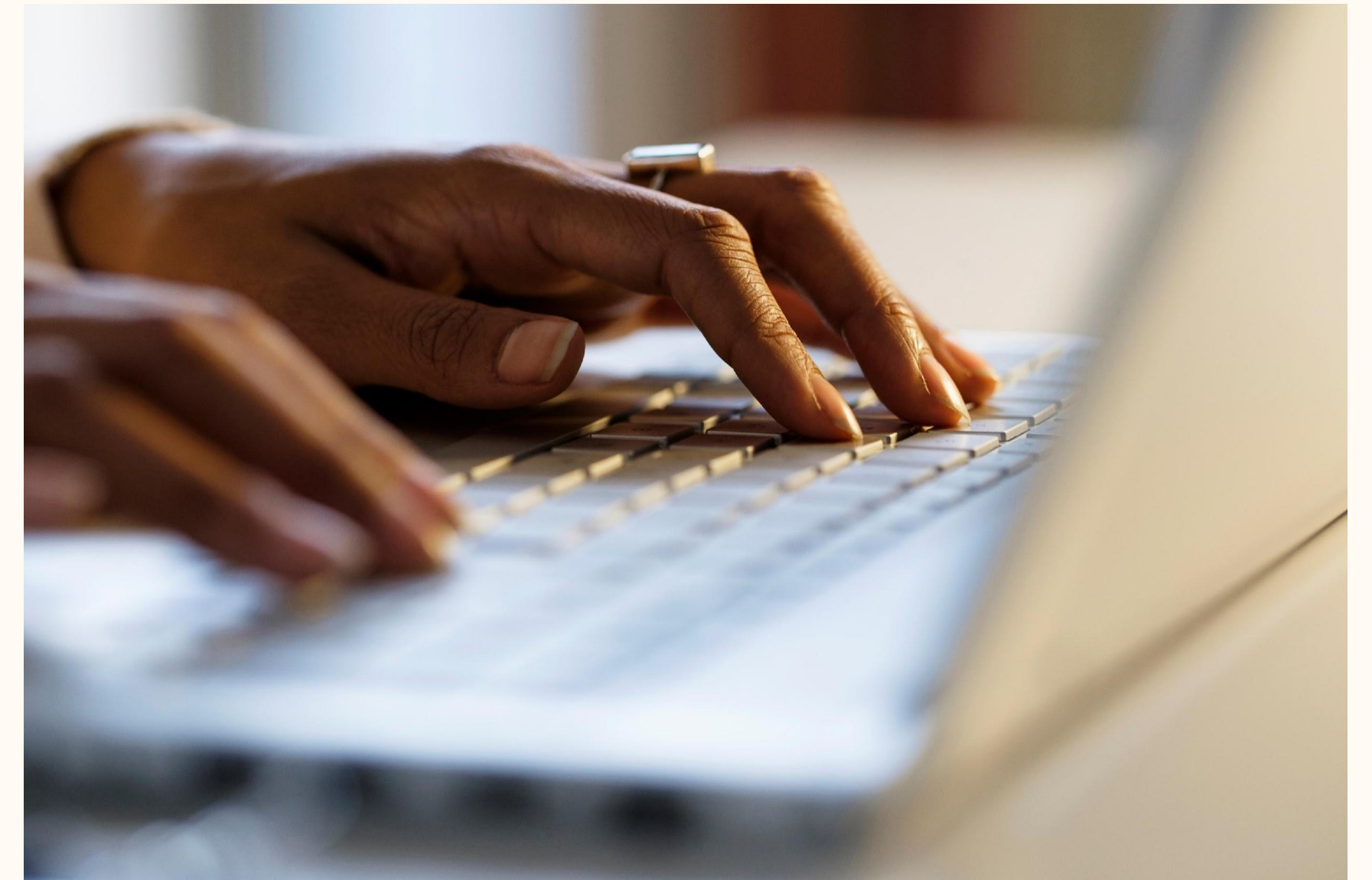
Questions about PHA advocacy or need technical assistance?

Please reach out:

Parisa Ijadi-Maghsoodi

pijadimaghsoodi@nhlp.org

(415) 636-7372



Qualified Allocation Plans

Hunter Herrera-Mcfarland,
The Kelsey



What is the LIHTC program?

- The federal government allocates tax credits to state housing agencies.
- States distribute these credits to developers based on their housing priorities.
- Developers receive tax benefits in exchange for building or rehabilitating affordable rental housing.

Challenges in LIHTC for Disability-Forward Housing

- Limited Incentives
- Design Barriers
- Operational Gaps
- Data Deficits
- Market Confusion

What is a Qualified Allocation Plan (QAP)?

- It outlines the criteria, **priorities**, and scoring system used to select which housing developments receive tax credits.
- It translates state housing priorities into **measurable incentives** that drive developer behavior.
- It is typically revised annually or biennially by the state housing finance agency (HFA), with **public comment periods**.



Why QAPs Matter for Disability-Forward Housing

QAPs can:

- Require accessible units (through thresholds).
- Incentivize deeply affordable units (through competitive points).
- Reserve credits for supportive or disability-focused housing (through set-asides).
- Improve project feasibility for developers serving extremely low-income renters.



The Kelsey's QAP Advocate's Guide

Core Focus Areas:

- Accessibility
- Affordability
- Inclusivity

Advocacy Tools:

- Step-by-step process for submitting public comments.
- Tips for crafting persuasive and data-informed advocacy letters.
- A public comment template ready for customization.



The Kelsey

An Advocate's Guide to Advancing Disability-Forward Housing through Qualified Allocation Plans

February 2025



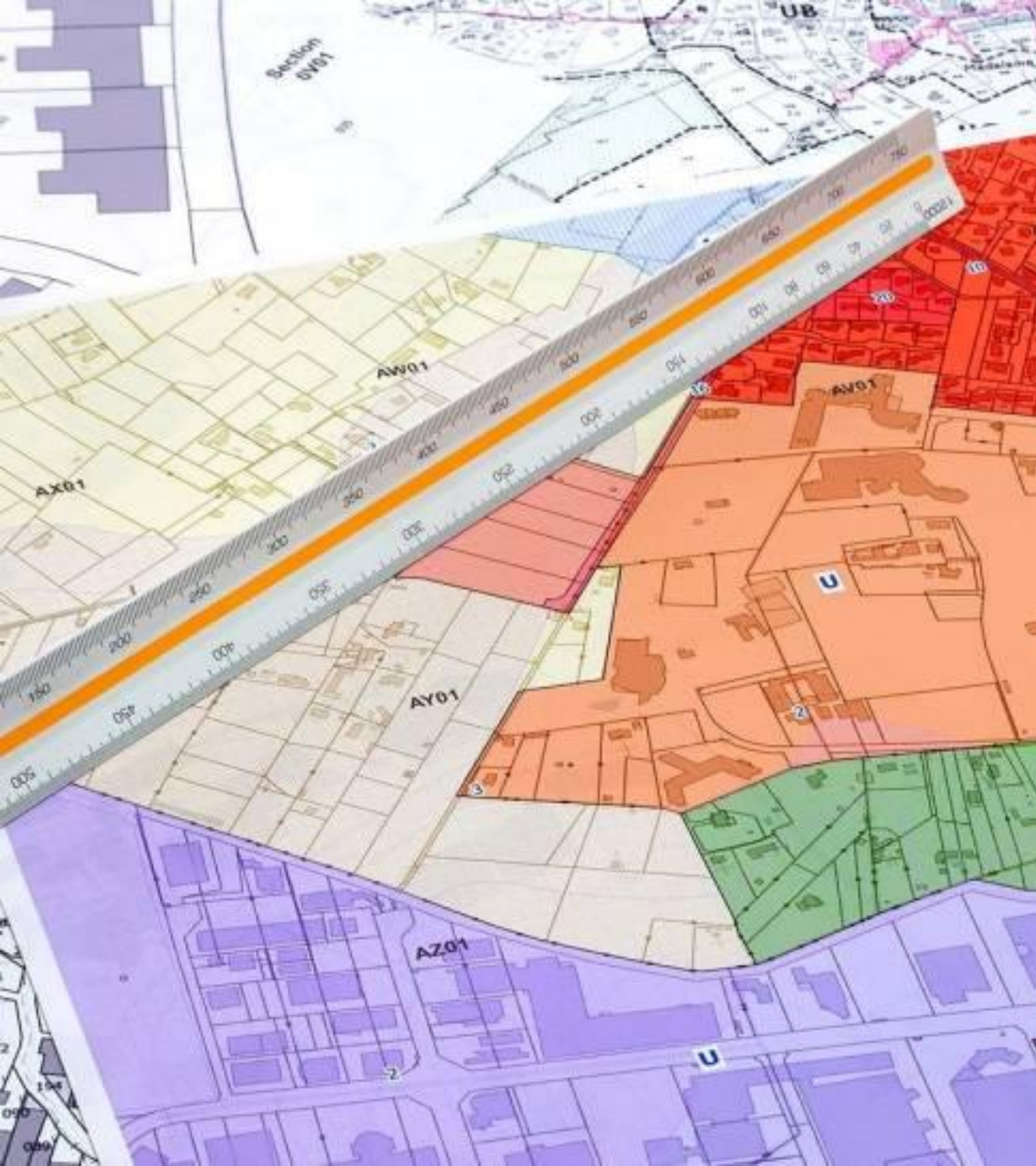
Zoning and Land Use

Caroline Bas

What is Zoning and Land Use?

- **Land Use Policies:** Rules governments make to decide what kinds of homes and businesses can get built where
- **Zoning** is a type of land use policy
- Types of zoning laws include:
 - Density limits: How many homes can be built on one piece of land
 - Height limits: How many floors a building can have
 - How a building can get used:
 - Residential = Homes
 - Commercial = Business
 - Mixed Use = Both





Why is Zoning Important?

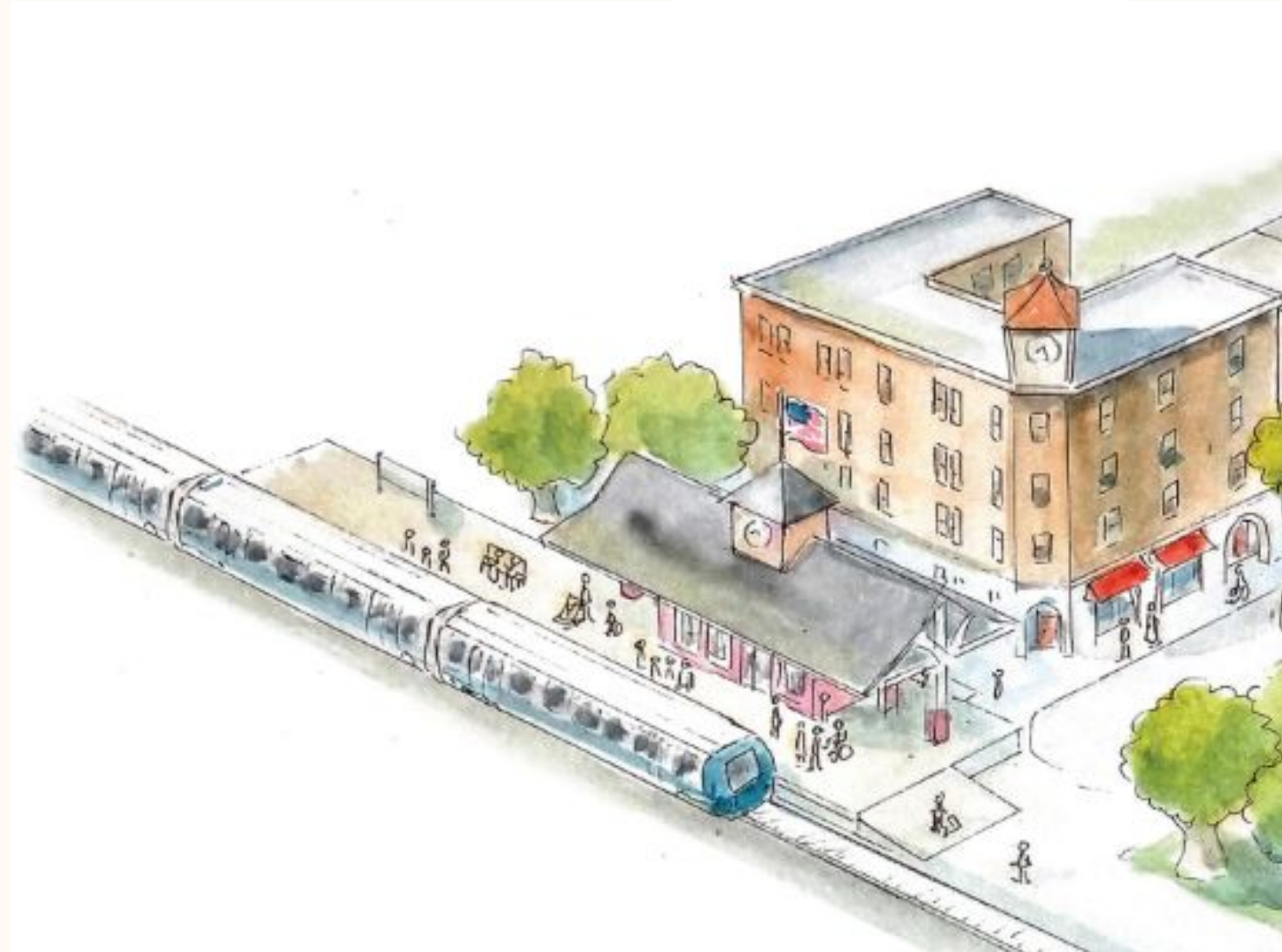
- Since the 1970's land use laws have furthered segregation of our neighborhoods by allowing only apartments in one neighborhood and single family homes in others
- Towns, cities, and states are relaxing land use laws that limit the type of homes we can build by neighborhood allowing for more affordable and accessible housing options across towns and cities

What Type of Land Use Changes are Needed for Accessible Housing?



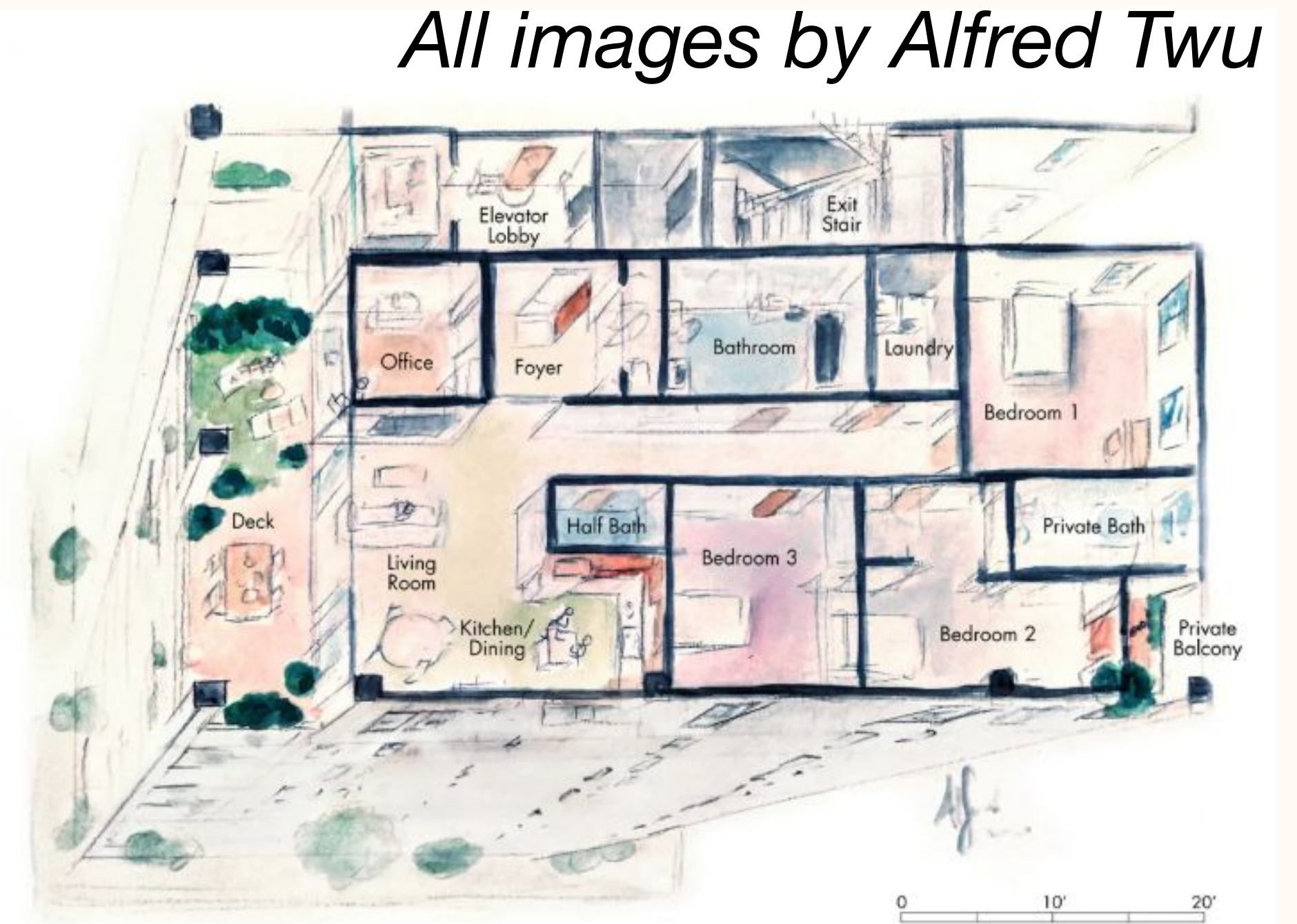
Cottage Communities

Ask for lot coverage and set back changes



Transit Oriented Communities

Ask for density incentives for mixed income housing close to transit

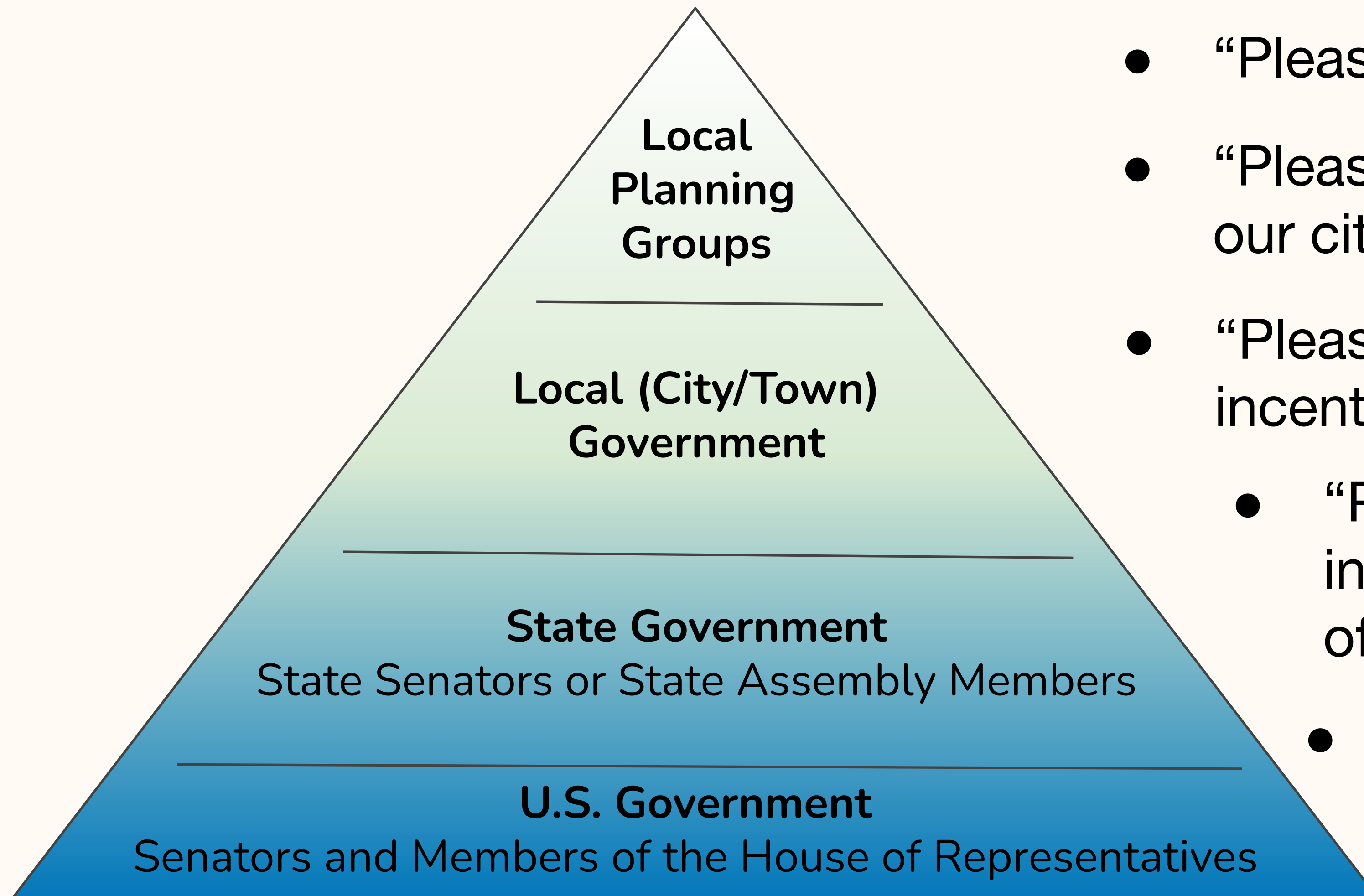


“Family-Sized” Elevator Apartments

Ask for building code changes in single stair and elevator standards

Newer, denser housing is *generally* more accessible and healthier

Who Do You Ask for Land Use Changes?



What can you advocate for?

- “Please approve this housing project”
- “Please allow this type of housing in our city/town”
- “Please provide public subsidies or incentives to this type of housing”
 - “Please require a city/town to increase the amount of this type of housing”
- “Please provide subsidies to this type of housing”
 - “Please fund housing vouchers”

Q&A

Thank you.