

**Talking Points for John Trasviña**  
**Assistant Secretary for Fair Housing and Equal Opportunity**  
**PA Statewide Independent Living Council**  
**Harrisburg, PA**  
**October 6, 2009**

Thank Susan Tomassic (PA SILC Board President) for the warm welcome and for inviting you to be there.

Thank her for the leadership she is providing PA SILC, and for the organization's efforts to provide many of the core services Pennsylvania residents who have disabilities need to live independently.

Also thank PA SILC for working to create greater independent housing options for persons with disabilities. The organization is implementing a three-year state plan for increased independent living, which involves addressing the key issues relating to housing for persons with disabilities, including discrimination.

Recognize members of the SILC board and other speakers: Edward Butler, Executive Director of the Governor's Cabinet and Advisory Committee for People with Disabilities; and Terry Roth, a consultant on issues affecting persons with disabilities.

Thank them for their collective efforts to create more chances for persons with disabilities to do one of the things they cherish most: to live independently, with dignity.

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**The President's Agenda on Disability**

President appointed Kareem Dale as the first Special Assistant to the President for Disability Policy at the White House.

Guiding Principles:

- Strengthen access to and improving the quality of health care – including strengthening Medicaid and Medicare, programs that are of particular importance to persons with disabilities.
- Promote Access to Community Living Services – more can be done to show federal leadership toward ending the institutional bias and more rigorously enforcing the Supreme Court's Olmstead Decision. Continue efforts to

encourage states to shift more of their services away from institutions and into the community, such as the Money Follows the Person Initiative.

- Protect Civil Rights of Persons with Disabilities -- The Americans with Disabilities Act (ADA) is a landmark law that has done much to protect people with disabilities from discrimination. The Administration will push for more consistent and effective enforcement of ADA, which can do more to prevent discrimination in employment, public services, public accommodations and telecommunications.

### **HUD's Efforts to Meet the Needs of Persons with Disabilities**

- HUD shares your commitment to helping persons with disabilities to be fully integrated into America's communities, rather than being isolated in formal institutions, where they often aren't afforded the kind of personal liberties they deserve.

- Almost 54 million people are reported to have some type of disability.

- But they are more than numbers. They are our mothers and fathers, friends, colleagues, and the neighbor next door.

- That's why it's important that we do all we can to remove those barriers that deny them the opportunity to live as they choose.

- HUD is doing its part.

- Just last month (September 9) HUD announced that it has made \$511 million available to provide non-profit organizations interest-free capital advance funds to spur the production of affordable rental housing with supportive services for the elderly and persons with disabilities through HUD's Section 202 and 811 capital advance programs. The capital advances will help thousands of the nation's very low-income elderly and persons with disabilities to find good housing they can afford.

- Another \$95 million in competitive grants are currently being awarded to public housing authorities throughout the nation to make necessary improvements to public housing communities that will specifically address the needs of seniors and persons with disabilities. More than \$12 million (\$12,041,250) has been awarded

to the Philadelphia Housing Authority to make improvements at four of its developments.

- HUD's 2010 budget also provides \$114 million to finance the construction and initial rental assistance for new housing for persons with disabilities.

- In addition, HUD is providing \$20 million in grants to provide elderly and non-elderly persons with disabilities the services they need to continue to live independently in their own homes. The grants are being made available through HUD's Service Coordinator Program, which will support the hiring of service coordinators to help frail and at-risk elderly individuals and persons with disabilities access to health care, meals, and other critical support services.

- At the same time, HUD is making \$30 million in voucher assistance available to support approximately 4,000 Housing Choice Vouchers for non-elderly disabled families. 1,000 of the vouchers will be available specifically for individuals transitioning out of nursing homes and other institutions.

- These vouchers directly support a \$1.75 billion initiative of the Department of Health and Human Services to help persons who reside in health care settings move to community-based living. While HHS's Money Follows the Person program offers health care, case management and other services to qualified families; it does not include funding for housing.

- As individuals with disabilities leave institutional care, it is essential that they have housing options that will allow them to live independently.

### **HUD's Efforts to Increase the Number of Accessible Units**

-Fair Housing Accessibility FIRST Program.

- The FIRST program provides training and technical guidance on the Fair Housing Act's accessibility requirements to architects, builders, developers, and others involved in the design and construction of multifamily housing.
- The training curriculum is accredited by the American Institute of Architects and various local professional groups.
- Since HUD launched the Accessibility FIRST program in January 2003, more than 8,000 individuals have gone through the training.
- The attendees were asked about the number of multifamily units on which they were working. The attendees who replied to this question reported of 467,310 multifamily units in which they were assisting with the

development, design, or construction. These units are more likely to be built in an accessible manner as a result of the training.

- The attendees also reported that their level of understanding of the Fair Housing Act's design and construction requirements increased from an average of 2.75 prior to the training to an average of 3.55 after the training.

-To ensure that public housing agencies meet the Section 504 accessibility requirements, HUD continues to conduct compliance reviews of major housing authorities.

- In the last five years, we conducted a dozen compliance reviews on the largest public housing authorities, including San Juan, PR; Chicago, IL; Philadelphia, PA; Atlanta, GA; and Pittsburgh, PA.
- Due to this effort, nearly 7,000 additional accessible units will be available to persons with disabilities.

### **HUD's Commitment to Enforcing Nations Fair Housing Laws**

- And as we work to increase housing options for persons with disabilities, we will continue our efforts to ensure that their fair housing rights are not violated.

-HUD is stepping up its efforts to address housing discrimination against persons with disabilities, including here in Pennsylvania.

- In the case of a mobility impaired person in North Wales, PA, whose initial request to build a ramp in front of her housing unit was denied; HUD facilitated an agreement in which the owners gave her the reasonable accommodation she needed to install the ramp.

- In another case in Washington, PA, a mobility-impaired woman was threatened with eviction for fighting for the rights of persons with disabilities. As a result of HUD's conciliation efforts, the owners of the apartment agreed to pay the woman \$62,000. She also was allowed to stay in her apartment and was given permission to make necessary modifications.

- And in a case involving a disabled York, PA, woman suffering from Post Traumatic Stress Disorder and depression, who was evicted from her apartment, HUD facilitated an agreement that included the respondent paying the complainant \$1,000 and agreeing not to engage in any further adverse acts.

## **Working with HUD's Pennsylvania Fair Housing Partners**

- HUD is also working with the Fair Housing Rights Center (FHRC) of Southeastern Pennsylvania, one of our Fair Housing Initiatives Program partner agencies, to address housing discrimination in the state.

- In a case involving a multifamily complex in South Philadelphia that failed to meet the Fair Housing Act's design and construction requirements, FHRC reached a \$26,000 settlement with the complex's management company. More than 27 ground floor units were inaccessible due to entrances that had either steps or ramps that were too steep. In addition to the monetary settlement, the complex's management company has agreed to make retrofits to bring the complex into compliance with the Act.

- FHRC is continuing to conduct tests to uncover the level and prevalence of discrimination as it relates to persons with disabilities.

- The Pennsylvania Human Relations Commission, a Fair Housing Assistance Program agency, has taken proactive steps to educate the residents of this state regarding disability and accessibility issues. Through a grant funded by HUD, PHRC created a Web site that provides a mechanism through which individuals can complete a questionnaire that will help them determine if a state or federal law has been violated.

- Currently, PHRC is investigating 61 fair housing complaints in and around the historic town of Gettysburg.

## **Other Efforts to Address Housing Discrimination**

- And there are other efforts we're undertaking to address unlawful discrimination.

- We're reorienting FHEO to conduct more proactive investigations through increased use of Secretary-Initiated Authority and establishment of a testing unit that would have the capacity to conduct paired testing to identify discrimination or provide evidence in discrimination cases.

- Working to expand fair housing protections to include sexual orientation, gender identity and source of income protections.

- We're placing civil rights and equality at the core of the decisions we make at HUD.
- This means working to get realtors, landlords, financial institutions and others to stop discriminating, especially in the area of lending.
- HUD is making more of an effort to educate the public about their lending rights and how to avoid becoming victims of lending discrimination.
- Yesterday, in the City of Los Angeles, HUD launched Public Service Announcement campaign, in English and Spanish, about lending discrimination in 200 city buses. The PSAs will run for 90 days.
- HUD and its fair housing partner agencies also will be hosting a series of free public seminars in nine cities across the country to help educate the public on lending issues and how to avoid foreclosure.
- While education is important, HUD's Office of Systemic Investigations' Fair Lending Division is continuing to investigate discrimination complaints against lenders who have allegedly violated the Fair Housing Act by refusing to make mortgage loans, refusing to provide the same information regarding loans, or imposing different terms and conditions for granting loans.
- The Division is also conducting investigations where lending patterns or other information suggests discrimination by a lender, but no individual has come forward to file a complaint.
- With the increased focus on lending discrimination, we hope to help more families, and persons with disabilities, avoid becoming the victims of lending discrimination.

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### **The President's Housing Agenda**

**GENERAL** -- To broaden access to affordable housing, the American Recovery and Reinvestment Act provides for \$1 billion in increased funding for the Community Development Block Grant; \$4 billion in increased public housing capital funds; \$2 billion in payments to owners of project based rental assistance properties to keep them affordable; \$2 billion in Neighborhood Stabilization Funds

to purchase and rehabilitate foreclosed homes; and \$1.5 billion in Homelessness Prevention Funds to keep people in their homes.

**NSP-1:** State and local governments can use their neighborhood stabilization grants to acquire land and property; to demolish or rehabilitate abandoned properties; and/or to offer downpayment and closing cost assistance to low- to moderate-income homebuyers (household incomes not exceed 120 percent of area median income). In addition, these grantees can create "land banks" to assemble, temporarily manage, and dispose of vacant land for the purpose of stabilizing neighborhoods and encouraging re-use or redevelopment of urban property.

The State of Pennsylvania and local jurisdictions received a grand total of \$88,122,808. Breakdown:

PA	PENNSYLVANIA STATE PROG	\$59,631,318
PA	PHILADELPHIA	\$16,832,873
PA	ALLEGHENY COUNTY	\$5,524,950
PA	ALLENTOWN	\$2,113,456
PA	YORK COUNTY	\$2,017,253
PA	PITTSBURGH	\$2,002,958

**NSP-2:** The primary objective of the CDBG program is the development of viable urban communities, by providing decent housing, a suitable living environment, and economic opportunity, principally for persons of low- and moderate-income. NSP2 recipients must strive to meet this objective in neighborhoods that are in decline (or further decline) due to the negative effects of a high number and percentage of homes that have been foreclosed upon. The first goal is to arrest the decline.

NSP-2 Program NOFA closed on July 17, 2009. Applications are being reviewed.

All civil rights, fair housing, and Section 3 requirements apply to the Recovery funds.

### **Making Home Affordable Program**

- Another way in which the Obama Administration is helping more hardworking families stay in their homes is through the Making Home Affordable program, an effort that is making it possible for 7 to 9 million Americans to stay in their homes.

-Fifty-seven servicers have now signed contracts and begun modifications and refinancing, representing most of the mortgage servicing market.

- Participating servicers have extended offers on more than 674,000 trial modifications and mailed out more than 2.3 million letters with information about Making Home Affordable to borrowers.

- More important, about 468,000 borrowers have begun trial period refinancing plans. That's a lot of families, many with disabilities, who might have lost their homes.

-We expect these numbers to continue to grow over the next few months as word about the outreach effort spreads.

### **HUD's Support of Making Home Affordable Program**

-In support of MHA, HUD, in August, authorized FHA lenders to begin offering its borrowers a new loss mitigation tool called FHA-Home Affordable Modification Program (FHA-HAMP). The program works by bringing a borrower's mortgage current, buying down up to 30 percent of the unpaid principal balance, and deferring these amounts to a partial claim. For example, if you have a \$100,000 mortgage, FHA will defer up to \$30,000 of the principal balance and take a second mortgage for that balance.

-Through standard loss mitigation retention tools, HUD has already helped 116,000 FHA borrowers lower their payments to an affordable level.

### **Choice Neighborhoods Initiative:**

- Finally, HUD is making an effort to expand on the legacy of the HOPE VI program through its Choice Neighborhoods Initiative. The initiative would expand the range of activities eligible for funding and building relationships with stakeholders who want to be involved - from local governments and non-profits, to private firms and public housing agencies.

- In addition, the Choice Neighborhoods Initiative would:

- ☐ Transform neighborhoods of extreme poverty into functional, sustainable, mixed-income neighborhoods by revitalizing severely distressed housing, improving access to economic opportunities, and investing and leveraging investments in well-functioning services, educational opportunities, public assets, public transportation, and improved access to jobs;
- ☐ Grow sustainable metropolitan areas by concentrating and coordinating federal government funding for public transportation, housing, energy, supportive services, and environmental programs and initiatives;
- ☐ Support positive outcomes for families, including improvements in educational achievements and job-related skills; and
- ☐ Build sustainable and green communities with a strong emphasis on the coordination of resources among federal agencies.

### **Affirmative Furthering, Increasing Economic Opportunities**

Another way we can ensure that America is the land of opportunity for everyone, including persons with disabilities, is by making sure there is equal access to government services.

Discuss particulars relating to:

- HUD's efforts to affirmatively further fair housing, including new regulation, collaboration with other agencies, and technical support to housing providers; and
- HUD's efforts to increase economic opportunities for low-income residents of public housing, as well as those living in low-income communities, through HUD's Section 3 Program.

### **Closing**

We believe that all of the initiatives I've just described are making a difference, but we can't do it alone. We need the help and support of organizations like the Pennsylvania Statewide Independent Living Council and your many affiliates to help us break down those barriers that still prevent certain segments of our society from being treated fairly.

In my capacity as HUD's Assistant Secretary for Fair Housing and Equal Opportunity, I am committed to doing everything I can to make it possible for every resident of this nation, especially those with disabilities, has the opportunity to obtain the housing that meets their needs and I encourage you to remain steadfast in your commitment to do the same.

Let us broaden our ambitions, and not rest until justice and equality reaches all.

Thanks again for inviting me to be here, and I welcome any questions you have.