

Elder Subsidized Housing

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Housekeeping

- All on mute. Use Questions function for substantive questions and for technical concerns.
- Problems getting on the webinar? Send an e-mail to NCLER@acl.hhs.gov.
- Written materials and a recording will be available at NCLER.acl.gov. See also the chat box for this web address.

About NCLER

The National Center on Law and Elder Rights (NCLER) provides the legal services and aging and disability communities with the tools and resources they need to serve older adults with the greatest economic and social needs. A centralized, one-stop shop for legal assistance, NCLER provides Legal Training, Case Consultations, and Technical Assistance on Legal Systems Development. Justice in Aging administers the NCLER through a contract with the Administration for Community Living's Administration on Aging.

About NHLP

The National Housing Law Project (NHLP) is a non-profit legal advocacy and resource center focused on increasing, preserving, and improving affordable housing; expanding and enforcing the rights of low-income tenants and homeowners; and increasing housing opportunities for underserved communities. NHLP provides technical assistance and policy and litigation support on a range of housing issues to legal services and other advocates in California and nationwide.

Overview of Presentation

- Coverage: major federal programs for tenants – not state/local programs or homeownership programs
- Housing challenges for seniors
- Major federally-assisted rental housing programs that serve or are available to seniors
- Tools for identifying the relevant program(s)
- Admissions and occupancy issues
- Tenants' rights

Housing Challenges for Seniors

- Insufficient supply of units
- Insufficient supply of subsidies
- Cost
- Increasing rents + fixed income => decreasing affordability

Additional Housing Challenges

- Health issues
 - Lack of accessibility
 - Especially vulnerable to poor housing conditions
- Cognitive and emotional issues
 - Memory loss/dementia
 - Isolation
- Elder abuse and scams

Major Federal Programs: HUD

- Public Housing (HUD)
 - Owned and managed by public housing authority (PHA)
 - Roughly 1 million units – and falling*
 - Roughly 33% of public housing residents are seniors (> 62 years old)
 - Income-based rents (30%); some flat or minimum rents

Tenant-Based Section 8 Vouchers (HUD)

- Run by PHAs; subsidy covers part of rent paid to private landlords
- Lease + Housing Assistance Payment (HAP) contract
- Over 2 million vouchers
- Roughly 27% of voucher households include seniors
- Income-based rents (30-40%)
- Special purpose vouchers

Project-Based Section 8 (HUD)

- Private owner contracts directly with HUD; contracts often managed by third-party intermediaries*
- Over 1.2 million units*
- 49% of the households include seniors
- Income-based rents (30%)

Targeted Multifamily Programs (HUD)

- Private owner with HUD-subsidized loan or capital advance
- Rents mostly income-based, some budget-based*
- Section 202 (Elderly)
 - Funds development of affordable housing with supportive services
 - Over 1.2 million units**
 - Supportive Services Demonstration
- Section 811 (People with disabilities)
 - Provides funding for supportive housing
 - Roughly 33,000 units; 22% of the households include seniors

Major Federal Programs: USDA/RHS

- USDA/RHS – Rural programs
- Section 515 subsidized loans*
- Rural Development Voucher Program -vouchers for tenants displaced from Section 515 projects

Major Federal Programs: LIHTC

- Tax Credit (LIHTC)
- Developers apply to state agencies for tax credits and then use them to raise capital.
- Projects targeting seniors often favored in selection process
- Rents based on 30% of AMI

Tools for Identifying Applicable Program(s)

- [National Housing Preservation Database](#)
 - Searchable by location and/or type of federal assistance
- [NOVOGRADAC LIHTC Mapping Tool](#)
 - Information about properties subsidized by federal tax credits
- [USDA Multi-family Housing Rentals Map](#)
 - Information about subsidies for rural properties, searchable by location

Tools for Identifying the Applicable Program(s) (cont'd)

- Local public housing authorities
- City or county websites or housing departments
- Non-profit affordable housing providers

Layered Subsidies

Keep in mind that a particular property or unit may be receiving more than one type of subsidy. *For example:*

- LIHTC properties where some tenants also have vouchers
- Section 202 or Section 811 + Rental Assistance
- Federal assistance + state or local funding

Admissions and Occupancy Issues

- Waiting Lists
- Eligibility & Screening
 - Income limits
 - Criminal history
 - Rental history*
 - Credit
 - Immigration status

Admissions and Occupancy Issues (cont.)

- Periodic recertification**
- Occupancy issues
 - Live-in aides
 - Pets and assistance animals
 - Hoarding
 - Guests

Tenants' Rights

- Grievance procedures and informal hearings
- Evictions and terminations
 - Programmatic protections
 - State and local law
- Fair housing and ADA protections
 - Reasonable accommodations requests*
- VAWA protections
- Elder abuse statutes

Resources and Information

- [National Housing Law Project](#)
- [National Low Income Housing Coalition](#)
- HUD and RHS handbooks and guidance
- State tax credit allocating agencies (LIHTC)
- *National Housing Law Project, HUD Housing Programs: Tenants Rights (the “Green Book”)* 5th ed. 2018
- Local agencies
 - public housing authorities, state, county and/or city housing departments and housing finance agencies

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