

Building Capacity and Partnerships to Address Housing Issues for Older Adults

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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 Justice in Aging

Justice in Aging is a national organization that uses the power of law to fight senior poverty by securing access to affordable health care, economic security, and the courts for older adults with limited resources.

Since 1972 we've focused our efforts primarily on populations that have traditionally lacked legal protection such as women, people of color, LGBT individuals, and people with limited English proficiency.

About Three Rivers Legal Services (TRLS)

- Three Rivers Legal Services, Inc. is an LSC and Title III funded legal services program serving much of North Florida, including the cities of Gainesville, Lake City, St. Augustine, and Jacksonville. TRLS serves 17 counties, a mix of urban, semi-urban, and rural communities, and a broad and diverse demographic of clients.
- Kevin Rabin is the Director of Litigation for TRLS, and prior to that role, primarily practiced housing and consumer protection law.

Key Lessons

- Basics of Housing Services Network
- Housing Issues Unique to Older Adults
- Creating Community Partnerships
- Utilizing Other Aging Advocates

Basics of the Housing Services Network

Overview of Housing Services Networks: Housing Providers

- Continuum of Care
 - Homeless Shelters
 - Rapid rehousing
 - Data on Homelessness
- Subsidized Housing
 - Public housing
 - Vouchers (Housing Choice Voucher and Veterans Affairs Supportive Housing)
 - Project-based subsidized housing
 - Low income housing tax credit
- Private Housing
 - Single family detached dwellings
 - Multifamily dwellings/apartments
 - Duplexes/triplexes/quadplexes (subdivided dwellings)
 - Mobile home parks/single lots
 - RV parks
 - Rooming houses (rent by room)

Overview of Housing Services Networks: Other Housing Resources (1)

- Legal services organizations:
 - LSC funded programs, unrestricted regional programs, statewide and nationwide programs
 - Specialty organizations (National Housing Law Project)
- Government/municipal subdivisions:
 - State Housing Initiatives Partnership and Community Development Block Grant programs, city and county councils, housing counseling services, Veterans Affairs (VA)
- Local businesses:
 - Charitable causes sponsored by local businesses, fundraising, and donors

Overview of Housing Services Networks: Other Housing Resources (2)

- Non-profit agencies:
 - Some that TRLS works with: United Way, Catholic Charities, Lutheran Social Services, Elder Options, Partnership for Strong Families, Family Promise, Domestic Violence Shelters, Tri-County Resource Center (serving three rural counties)
 - Meal sites in rural and urban communities are critical places to reach older adults in need of services
 - HUD certified housing counseling agencies (critical for mortgage loan issues)
 - Helplines and phone contact resources for older adults

Unique Issues Facing Older Adults

Eviction/Unlawful Detainer (1 of 2)

- Timeliness of Response
 - Many states have an accelerated civil procedures for eviction/unlawful detainer cases
 - Ex: Florida 5 days not including weekends or legal holidays from service to file response to eviction suit or default judgment
- Disabilities and other limitations
 - Physical or cognitive impairments
 - Transportation and limited mobility
 - Skill deficit in use of technology – electronic filing and pro se form generators
- Limited English Proficiency
- No right to counsel/limited legal services resources

Eviction/Unlawful Detainer (2 of 2)

- Strategies for Older Adult Advocates
 - Know how many days you have to respond to an eviction in your state and the process for doing so
 - Familiarize yourself with disability accommodations available through the court (courts are covered by the ADA)
 - Are there online forms available for tenants to complete?
 - For non legal services providers, connect with local legal service providers to refer clients facing eviction as soon as possible – early intervention can prevent many harms

Increased Housing Costs (1 of 2)

- Housing market boom
 - 10-20% increases in rent across Florida from 2021 to 2022, increase in institutional investors owning rental property
 - Particularly harsh in “college” towns – around 30% increase in rent since 2021
- Lack of affordable housing development
 - Housing development is not a solution in the short term
- Increases in property taxes, costs, and delays in home repairs, and, in Florida, homeowner’s insurance crisis
 - Significant impact on older adults with limited incomes
 - “Hidden” costs that encumber older adults trying to maintain their home

Increased Housing Costs (2 of 2)

- Housing Subsidies
 - Incredible demand, multi-year long waitlists even in preference categories for providers
 - Rapid increases in area rents are outpacing HUD's ability to adjust voucher values to compensate
- Limited income and inflation
 - Fixed income from social security, pensions, retirement – not keeping pace with inflation and investment market downturns; cannot access job market
 - Increases cost of housing mobility and leads to delays in finding alternative housing

Increased Housing Costs: Strategies for Advocates (1 of 2)

- Know the community and the rent increases tenants in your area are facing
- Connect renters with Emergency Rental Assistance (ERA) programs in your state or municipality to aid older adults (many use online portals for applications/services)
 - Learn More: [NCLER Training- Connecting Older Adults to Emergency Rental Assistance Programs](#)

Increased Housing Costs: Strategies for Advocates (2 of 2)

- Develop collaborative approaches with housing providers – data and feedback on available housing
 - Public housing authorities (PHAs) administering vouchers have to maintain lists of landlords they work with for their participants
 - New pilot incentive programs from PHAs and cities for landlords to take vouchers
 - Lawful source of income ordinances and protections
- Contact local policymakers and connect to advocacy groups pushing for affordable housing projects

Housing Accessibility & Appropriateness (1 of 2)

- Shared housing
 - Especially in college towns (like Gainesville, FL), most new multifamily housing construction is focused on “rent by the room” model
 - Sometimes, the only real affordable option (room rent of \$600 versus available efficiency or 1 bedroom apartment at \$1,200)
 - Barriers to entry, age discrimination
 - Congregate housing for older adults often presents unique challenges

Housing Accessibility & Appropriateness (2 of 2)

- Accessibility of housing, homeless shelters
 - Student amenities vs. accessibility, lack of modifications
 - Accessibility of sleeping arrangements
- Access to health aids, live in aide services, service animals

Housing Accessibility & Appropriateness: Strategies for Advocates

- Know the protections and claims in the Fair Housing Act and local ordinances on age discrimination
 - Particularly disability (handicap under the FHA) – disparate impact of congregate housing policies for certain apartment complexes (i.e. people with service animals placed together)
- Know the age of the dwelling
 - Compliance with accessibility required in any modern multifamily construction following March 13, 1991
 - Plans are often publicly accessible, inspect construction with expert
- Ensure shelter services are accessible
 - Shelters are a necessity, but the services available to older adults sometimes are not fully FHA or Rehab Act 504 compliant
 - Learn more about Elder Shelters through [Spring Alliance](#)

Rural vs Urban Housing Issues

Rural communities have mobile homes as affordable option

- However, institutional investors have purchased many parks and increased prices dramatically
- Some states offer greater protection to mobile home owners in parks given different interests vs. renting dwelling
- Difficulty getting funds from agencies or governmental programs to repair mobile homes

Urban communities

- Lack of weatherization
- City planning constraints and lack of sidewalks/street crossings and other transit
- Law enforcement issues – disparate impacts on older adult communities (particularly in communities of color)
 - Grandparent caregivers, noise complaints, allegations of criminal activity

Rural vs. Urban Housing Issues: Strategies for Advocates

- Different housing markets have different problems – adapt practices to work with different communities
- Understand the changing dynamics of who owns rental housing (increase in institutional and private equity investors)
- Work with local agencies trying to increase services

Creating and Maintaining Community Partnerships

TRLS Housing Partnerships (1 of 3)

- Public Housing Authorities
 - Involvement in annual plan and occupancy policy drafting and revision processes, increasing voucher usage and expansion of lawful source of income ordinances, building collaborative and sometimes adversarial relationships (push and pull)
- Community Agencies
 - Serve on committees—Deputy Director serves on Continuum of Care in Lake City, Director of Litigation is statewide chair for legal services advocates practicing housing law
 - Attend community events and go to meal sites—Tri-County Resource Center
 - Attend affordable housing development workshops and offer input on older adult renter perspectives

TRLS Housing Partnerships (2 of 3)

- Pro Bono Services/Outreach
 - Ask-A-Lawyer events at shelters; outreach at Advent Christian Village (providing assistance with advanced directives and estate planning)

TRLS Housing Partnerships (3 of 3)

- Homeless Outreach Staff
 - Formerly, TRLS received funding to employ social workers to aid in locating, building relationships with, and assisting people (including many older adults) with legal problems and public benefits
 - An incredible asset for maintaining contact with clients who have mental health conditions, building trust and long-term representation relationships, and assisting clients in applying for available public benefits (requesting medical records, understanding client's life and history)
 - Chronic homelessness is usually a multi-faceted experience – social workers can aid in addressing the various causes to reduce the risks of repeat or prolonged homelessness
 - Skill set – attorney vs. social worker, share of responsibility and maximum client benefit
 - Early identification of trends and local issues – rent increases, private equity acquisitions of housing, discriminatory practices

Creating Community Partnerships (1 of 2)

- Connect with the local Continuum of Care:
 - Non-profit agencies with connections to private housing providers, rental assistance, security deposit assistance, financial counseling, elder services and resources
- Connect with other agencies providing services:
 - Serve on local boards, attend meetings, conduct outreach events with local agencies, assist elders in defraying other costs so housing remains closer to affordable
- Diversify Your Community Partnerships:
 - Make sure to connect with groups representing a diverse spectrum of older adults. This ensures you are serving all those in need in your community. I.e. Local LGBT Pride Centers, BIPOC Older Adult Groups etc.

Creating Community Partnerships (2 of 2)

- Connect with grassroots and on-the-ground advocates:
 - TRLS example: Homeless Outreach Staff (in-house and former) – social workers who do direct outreach to clients or client-eligible populations who are homeless or at-risk
 - Tenants’/renters’ rights organizations
- Connect with local policymakers
 - Apply for grants to do housing work, encourage local policymakers to fund programs to address housing crisis (where permissible)
 - Attend meetings when housing policy or development is being discussed (know what’s happening before it happens)
 - Elected officials can often connect you to other organizations

Maintaining Community Partnerships

- Maintaining partnerships
 - Regular meetings and phone calls
 - Active involvement in planning, outreach, and coordinated events
 - Collaborative grants applications and resource generation
- Pitfalls and issues you may face in maintaining these partnerships
 - Funding resources
 - Staff turnover/institutional loss of knowledge
 - Competing interests
 - Government intransigence/lack of progress

Key Takeaways

- Develop a strategy and plan for connecting with local organizations providing other services to elders
- Understand the local housing market and how it is impacting elders in your community
- Coordinate activities to assist elders in accessing needed food, medical, and housing services, and take a holistic approach to problem solving
- Invest in maintaining the relationships you build

Questions?

Case Consultations

Case consultation assistance is available for attorneys and professionals seeking more information to help older adults. Contact NCLER at ConsultNCLER@acl.hhs.gov.

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