



## Developmental Disabilities Board Area 5

Protecting and advocating for the rights of persons with developmental disabilities in Alameda, Contra Costa, Marin, San Francisco and San Mateo counties

### THE HOUSING NEEDS OF PEOPLE LIVING WITH A DEVELOPMENTAL DISABILITY

#### BACKGROUND

**DEFINITION:** A **Developmental Disability** is defined by the State of California as a lifelong disability caused by a mental and/or physical impairment manifested prior to the age of 18 and are expected to be lifelong. The conditions included under this definition include:

- Mental Retardation,
- Epilepsy
- Autism, and/or
- Cerebral Palsy, and
- "Other Conditions needing services similar to a person with mental retardation."

The term is used most commonly to describe substantial limitations in three or more of these major life areas: **self-care; expressive or receptive language; learning; mobility; capacity for independent living; economic self-sufficiency; and self-direction.**

Many individuals with developmental disabilities are independent and can live in their own apartments or homes with very little support. Other individuals will have more severe disabilities, and may require 24-hour care and assistance in residences that are modified specifically to accommodate their individual needs. For many years people with developmental disabilities were kept in institutions away from the community. We have learned that they can be full participants in their community if given the opportunity.

The bottom line is that people with developmental disabilities are finding it increasingly difficult to find affordable, accessible, and appropriate housing that is inclusive in the local community.

*Note: "Aggregating" people with developmental disabilities into an overall "Special Needs" demographic category with mentally ill or mobility-impaired individuals is inaccurate and misrepresents the unique needs of this population.*

#### CURRENT SITUATION:

- **The State of California has assumed responsibilities for the care of people with developmental disabilities who qualify under the above definition.** This duty is implemented through services provided and/or paid for by a local Regional Center, through local approved vendors of services.



- In the past, many people with developmental disabilities were institutionalized in large hospital-like settings, often for life.
- Current practice, as articulated by the Lanterman Act and the Olmstead Decision, now calls for the "maximum possible integration into the general community." This is realized through the creation of housing, with affordable rents and appropriate supportive services, dedicated to the long-term needs and empowerment of this population.
- 7 out of 10 people with developmental disabilities are unable to earn substantial gainful income and must rely on Supplemental Security Income (SSI) to support themselves. The SSI monthly payment is under \$ 900, and is simply not enough to cover all of life's expenses such as rent, food, transportation, and clothing.
- HUD defines affordable housing to be a rent level that costs no more than 30% of a person's monthly income. 30% of a \$900/month income would equate to a rent of \$270/month. Rents so low are virtually impossible to find without rent subsidies and vouchers, and certainly not without aid from local governments.

**Lanterman Developmental Disabilities Act** – Sections 4400-4906, California Welfare and Institutions Code –“....making available....patterns and conditions of everyday life which are as close as possible to the norms and patterns of the mainstream of society”.

**Olmstead v. L.C. and E.W.**, United States Supreme Court, 1999 – “Integration Mandate” – “States are required to place persons with mental disabilities in community settings rather than institutions .....when determined to be appropriate.”

## NATIONAL OVERVIEW

In a message from Commissioner Patricia A. Morrissey, Commissioner of the U.S. Administration on Developmental Disabilities (ADD), she states, “There are approximately 4.5 million individuals with developmental disabilities in the United States.”

Developmental disabilities, according to the federal definition, are severe, life-long disabilities attributable to mental and/or physical impairments, manifested before age 22. Developmental disabilities result in substantial limitations in three or more areas of major life activities, including: self care, receptive and expressive language; learning; mobility; self-direction; independent living; and economic self-sufficiency.

Based on the ADD estimate of the prevalence of developmental disabilities nationwide (.015 of the total population), and using U.S. Census estimates of the current population of California, there are approximately 450,000 Californians with developmental disabilities, fewer than half of whom meet the narrower state definition for regional center eligibility. Using this method, these are the numbers of individuals with developmental disabilities within the five central Bay Area Counties:

Alameda	21,963
Contra Costa	15,295
Marin	3,721
San Francisco	11,472
San Mateo	10,605
<b>TOTAL</b>	<b>63,056</b>

Commissioner Morrissey goes on to say, “The American dream belongs to everyone.” This belief provides a foundation for the work that the Administration on Developmental Disabilities (ADD)

and the State Councils on Developmental Disabilities (SCDD) do on behalf of individuals with developmental disabilities and their families. The ADD carries out its mandate through the direction given to us in the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (P.L. 106-402). The law states:

*“The purpose of this title is to assure that individuals with developmental disabilities and their families participate in the design of and have access to needed community services, individualized supports, and other forms of assistance that promote self-determination, independence, productivity, and integration and inclusion in all facets of community life, through culturally competent programs authorized under this title.”*

One of the largest barriers to community integration for people with developmental disabilities, many of whom live on extremely low fixed income, is the lack of safe, affordable, accessible, and decent housing.

On February 1, 2001, the New Freedom Initiative was announced. This initiative is aimed at eliminating barriers that restrict Americans with disabilities seeking to participate in their communities through its four key components:

1. Increasing access to assistive and universally designed technologies;
2. Expanding educational opportunities for Americans with disabilities;
3. Integrating Americans with disabilities into the workforce; and
4. Promoting full access to community life.

With the signing of Executive Order 13217, on June 18, 2001, there was a mandate for implementation of the U.S. Supreme Court Olmstead Decision in a manner that respects the proper roles of the Federal government and States. The Olmstead Decision affirmed that unnecessary institutional placement for people with disabilities is a form of discrimination. The Executive Order articulated goals to address barriers to full integration, in order to:

- a) Integrate Americans with disabilities into the workforce;
- b) Promote a comprehensive array of community-based services and supports;
- c) Promote safe, decent housing and homeownership;
- d) Promote integration into and sustained participation in the workforce;
- e) Increase access to assistive and universally designed technology;
- f) Expand transportation options; and
- g) Promote full access to community life.

**PROJECTED HOUSING NEEDS OF**  
**DEVELOPMENTALLY DISABLED POPULATIONS**  
**(see attached spreadsheet)**

The **attached spreadsheet** lists only those developmentally disabled individuals who are formally registered as consumers, of the Golden Gate Regional Center (GGRC), and tabulated by zip codes.

*GGRC is the Regional Center for San Mateo, San Francisco, and Marin Counties.*

*Developmental Disabilities Area Board 5 is the Bay Area Office of the State Council on Developmental Disabilities with specified oversight responsibilities in reviewing the needs of those with developmental disabilities.*

Demographic Trends – see “FACT BOOK”, Tenth Edition – Department of Developmental Services, April 2008

- In the period 1996-2006, the developmentally disabled consumer population registered for services at the State Regional Centers increased 60.5%, while the general population in California rose by 18.3%.
- Consumers are systematically being outplaced from developmental centers – Under the Lanterman Act and Court Decisions (Olmstead), large institutional settings are being closed or downsized.
- Consumers move to a higher level of community integration. Social workers collaborate with clients on devising more independent living strategies.
- Consumers reaching adulthood (18-25) seek integrated living in the community.
- Consumers who are middle aged or elderly are also seeking more integrated, independent lifestyles as their caregivers retire or are unable to continue to support them in more traditional settings.
- Increased need for entire low-to-moderate income family to obtain affordable housing to assist in caring for a disabled family member
- Increases in Autism – Practitioners have documented a 460 % increase in diagnosed autism in children since 1994. (DDS Fact Book)
- Real Estate and financial factors -- Heightened impediments in acquiring affordable housing and operating group homes

#### **GGRC/ Area Board 5 METHODOLOGY**

Our methodology seeks to provide each jurisdiction with an estimate of the quantity of housing units which will be required to provide adequate housing to their developmentally disabled population in the 2009-2014 Housing Element cycle.

This estimate is based on demographic data, as well as the professional experience and opinions of family members, social workers, service provider agencies, and senior staff at the Golden Gate Regional Center, Regional Center of the East Bay, and Area Board 5. Back-up data is provided by the Department of Developmental Services, State of California.

The **attached spreadsheet** demonstrates the number of developmentally disabled residents by zip code, broken out by age group. We will assign a simple percentage to each component in this list, representing a “Need Factor”, which takes into account consumer wishes, level of ability and self-sufficiency, support services, and financial ability.

#### **AGES**

**0-14 /** We shall assign a need factor of 25% for this cohort. Many children in this age group will remain living at home or, to a lesser extent, in an institutional setting. However, low-income consumer families need affordable housing to maintain and stabilize their entire household.

**(Planners should note the large number of future community-based housing consumers entering adulthood in the next decade.)**

**15-22/** Approximately 50% of this category shall seek housing within the community within the 2009-2014 time period

**23-54/** Approximately 35% of this category shall seek housing within 2009-2014

**55-65/** Approximately 25% of this category shall seek independent housing 2009-2014

**65+ /** Approximately **20%** of this age group shall seek placement into the community

Multiplying each category count by the applicable Need Factor percentage shall produce the Estimate of Housing Need. Also, where possible, special circumstances will be reviewed in order to modify this number (like imminent closure of a regional institutional facility).

#### MULTIPLE DISABILITIES

**Mental Illness:** Upon consultation with caseworkers and senior staff, we provide a conservative estimate of 10% as the portion of people with a developmental disability who are also living with a mental disability.

**Mobility Impairment:** Staff and service providers report that approximately 10 % of all people with a developmental disability also have a physical disability; their mobility impairment will call for housing that is ADA accessible, or certainly readily adaptable to their needs.

**Visual/Hearing Impairment:** It is estimated from prior experience that 2-3% of the developmentally disabled population are living with a visual and/or hearing impairment, and require reasonable accommodation to their disability.

**Medically Fragile:** 2 % of the developmentally disabled population require 24/7 medical care, in housing specifically rehabilitated or constructed to include features like those in hospital settings, with space for care-givers and specialized equipment.

#### TYPES OF HOUSING OPPORTUNITIES APPROPRIATE FOR PEOPLE LIVING WITH A DEVELOPMENTAL DISABILITY

- Rent-subsidized affordable housing, with services, accessible, close to transit and community
- Licensed and unlicensed Single Family homes, modified, of 3-4 bedrooms
- Inclusionary within larger housing developments serving the general population
- SECTION 8 Apartment/ Housing Choice Voucher
- Home purchase through special programs (first time home buyers, Fannie Mae)
- HUD Section 811/ MHP-SHP developments for disabled populations
- Housing specially modified for the Medically Fragile (SB 962 Homes)

*Area Board 5 – office of the State Council on Developmental Disabilities wishes to act as a resource on the housing needs of our consumer population, and is available to all jurisdictions to educate planners and community members as to this topic.*

Sincerely,



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