

Statement of Lowell Arye, Executive Director

The Alliance for the Betterment of Citizens with Disabilities (ABCD) is extremely concerned that the Proposed Third Round Rules released by the Council on Affordable Housing (COAH) do not address the affordable housing needs of low income individuals and families in New Jersey, particularly those with disabilities. ABCD believes that the Proposed Rules cannot simply be modified; they must be completely rewritten in order to truly respond to the need for affordable, accessible housing in New Jersey.

People with disabilities in New Jersey, who often have some of the lowest incomes in the state, are facing a crisis in finding affordable, accessible housing. For example, the only source of income for many individuals with disabilities is Supplemental Security Income (SSI), which pays \$583 a month. The Fair Market Rent for a one-bedroom apartment in New Jersey, however, is \$848 a month, according to the National Low Income Housing Coalition. This means that people would have to pay 145% of their SSI benefits simply to rent an apartment. The situation is equally serious for the many individuals with disabilities who earn the minimum wage, which is \$5.15 per hour.

A housing crisis also exists for the low and moderate wage workers who provide services to people with disabilities. The average salary for a direct service professional working for a private provider agency in New Jersey is \$9.77 an hour according to a Policy Research Brief published by the University of Minnesota. This is significantly less than the \$19.74 an hour that is necessary to afford a two-bedroom apartment in New Jersey. This means that direct service professionals often cannot afford to live in suburban areas, which are home to thousands of people with disabilities.

The COAH Rules will do nothing to alleviate this crisis and will likely make it worse for many people. First, the Proposed Rules drastically underestimate the amount of affordable housing that is needed in New Jersey by not counting certain groups of people who need affordable housing and by giving municipalities credits for units that were supposed to be built between 1987 and 1999, but were never actually constructed.

Second, the rules also allow municipalities to restrict up to 50% of all new affordable housing for senior citizens only. This reduces the amount of housing that will be available for other low-income groups, including those with disabilities.

Third, the proposed rules allow municipalities to transfer up to 50% of their housing requirement through Regional Contribution Agreements (RCAs). This means that many suburbs, where a large portion of new jobs are located, can transfer or age-restrict their entire affordable housing obligation.

Fourth, the only specific provision in the Proposed Rules regarding people with disabilities allows municipalities to earn one and one third credits for each enhanced accessible townhouse-style unit available to the general public. Although this is an admirable goal, it will not alleviate the housing crisis for most people with disabilities. In fact, HUD has taken the position that townhouses do not meet the definition of a multi-family dwelling and therefore, accessibility guidelines do not apply. The most recent New Jersey law (PL. 2003, C.72) on accessibility in public buildings and multi-family dwellings concurs with HUD's position and exempts townhouses from multi-family accessibility requirements.

These Proposed Rules are fundamentally flawed. Instead of increasing the amount of housing available to low-income individuals and families in New Jersey, they will actually result in a reduction in the amount of affordable housing that will be built. The Proposed Rules cannot simply be modified; they must be completely rewritten in order to truly respond to the need for affordable, accessible housing in New Jersey.