



STATE OF DELAWARE
STATE COUNCIL FOR PERSONS WITH DISABILITIES
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November 12, 2009

The Honorable Edward E. Kaufman
383 Russell Senate Office Building
Washington, DC 20510

RE: Frank Melville Supportive Housing Investment Act of 2009 (S. 1481)

Dear Senator Kaufman:

The State Council for Persons with Disabilities (SCPD) has reviewed the Frank Melville Supportive Housing Investment Act of 2009 (S. 1481). The legislation would overhaul the Section 811 Supportive Housing for Persons with Disabilities program. A previous version unanimously passed the House under Suspension of Rules in September, 2008. The latest version passed the House on July 20, 2009 and was referred to the Senate Committee on Banking, Housing, and Urban Affairs. SCPD endorses the proposed legislation and has the following observations.

Under the legislation, private non-profits remain eligible to participate in the Section 811 program but HUD's authority to issue tenant-based rental assistance directly to individuals with disabilities would be repealed. The focus of the revised Section 811 program would be to "create deeply affordable permanent rental housing linked with community-based services for low income persons with severe disabilities between the ages of 18-62. The definition of "disability" encompasses persons who either meet the SSDI eligibility standard, the developmental disability standard under the DD Act, or a functional test (long-term disability impeding independent living subject to amelioration by suitable housing). A supportive housing plan would be developed for each participant characterized by consumer choice. Leases would be for at least one year and not be subject to termination in the absence of serious and repeated violations of the lease, applicable law, or for other good cause. Occupancy of assisted housing would be available to households with at least one qualifying member with a disability. The revised program is expected to "create thousands of new Section 811 units each year without increasing Section 811 appropriations levels by leveraging new set-asides of supportive housing units in federal Low Income Housing Tax Credit (LIHTC) properties and HOME-funded projects."

SCPD encourages you to endorse the legislation since it will increase housing opportunities for persons with disabilities.

Thank you for your consideration and please contact SCPD if you have any questions or comments regarding our observations on the proposed legislation.

Sincerely,

Daniese McMullin-Powell |js

Daniese McMullin-Powell, Chairperson
State Council for Persons with Disabilities

cc: Mr. Brian Hartman, Esq.
Developmental Disabilities Council
Governor's Advisory Council for Exceptional Citizens

S 1481 housing kaufman 11-12-09