

Portable/Private Market Rent Supplements for People with Developmental Disabilities

This **BRIEFING NOTE** to Selina Robinson, Minister of Municipal Affairs and Housing, presents a rationale for adults with developmental disabilities (self-advocates) receiving BC Housing's portable market rent supplements.

Background

Thirteen years ago, a group of self-advocates and their families receiving services from Semiahmoo House Society met to share concerns about what will happen as the parents age and may no longer be able to provide support for their adult sons and daughters living in their family home.

How would their sons and daughters live full lives in their community and receive required supports?

Many self-advocates want to live independently in their community. They do not want to live in a group home or a home share situation (adult foster care).

Semiahmoo House Society listened to these concerns and began planning the construction of Chorus Apartments. Rather than seeking inclusion, Semiahmoo House Society created it, an impressive paradigm shift in which the community was invited to join them in inclusive living.

Construction of Chorus Apartments was completed in August, 2016. In the fall, twenty self-advocates with developmental disabilities moved in to the 71-unit apartment building, and are thriving.

However, their families were concerned the \$375 shelter allowance included in their PWD allowance was not enough to pay the average rent for a one-bedroom apartment. Parents struggled to pay the difference between the \$375 shelter allowance and the rent, often deferring their own retirement or drawing upon retirement savings.

Additionally, as is well-known, the shelter allowance portion (\$375) has not been increased since 2007 and is only relevant to tenants living in buildings subsidized by BC Housing, in which case, the tenant pays \$320 rent, with \$55 paying for electricity and phone costs.

In August/September 2016, seventeen families assisted their sons and daughters in applying to BC Housing for portable market rent supplements. **ALL WERE REFUSED** by letter (see Appendix A attached) stating that they did not meet eligibility requirements.

The letter from BC Housing:

- Advised that BC Housing only administered two rent supplement programs (SAFER and RAP programs), and we did not meet the eligibility requirements.
 - We never applied to these programs.
 - BC Housing manages multiple market rent supplement programs, and specific to individuals with mental and physical “special needs” who require supportive housing, ***but for some totally inexplicable reason, does not include people with developmental disabilities.***
- Advised that BC Housing provided a development grant to Semiahmoo House Society for Chorus Apartments that apparently precluded any other financial contributions from BC Housing.
 - The development grant was not an operating agreement, but parents would not easily or readily be able to know or confirm this. We confirmed there was no operating agreement with BC Housing, and therefore no ‘ineligibility’ criteria.
- did not inform of an appeal process.

BC Housing’s denial letter conflated (blended) the use of direct managed and non-profit ‘subsidy’ and the market rent ‘supplement’,¹ and obfuscated (obscures, conceals, hides, camouflages) access and process to rent supplements.

Families sent Freedom of Information (FOI) requests to BC Housing asking for all information in their sons and daughters files to ascertain why the applications were rejected.

November 18th 2016, the families initiated an appeal process utilizing the Ombudsperson complaint form, and faxed the appeal to both BC Housing and the Ombudsperson’s office from MLA Gordon Hogg’s office.

December 20th, BC Housing released the requested FOI’s.

¹ BC Housing provides monthly subsidies to organizations to fund the costs of operating subsidized housing units. The subsidy is based on the operating costs set out in the annual budget, less the total rents/housing charges collected from the tenants..., and covers the mortgage payments, building maintenance and other shelter-related costs. Rent Supplements provide housing allowances paid directly to households in private rental market housing. See Glossary in BC Housing Annual Report, 2011-2012.

Mid -December 2016, families and self-advocates met with MLA Hogg to talk about BC Housing's denial of the applications for portable rent supplements. Families sought assistance through Access Pro Bono Society and the Community Legal Assistance Society. Families also called Jabeen Janmohamed, BC Housing's Manager of Complaints Resolution. Ms. Janmohamed did not return phone calls from the families.

January 8, 2017, the families met again with MLA Gordon Hogg to discuss briefing notes he received from BC Housing. Representatives from Inclusion BC and BCNPHA were present, and everyone learned from the briefing notes that we were supposedly on the rent supplement wait list. The families never received any letter stating this. The briefing notes listed the matter of an operating agreement with BC Housing, which needed correcting.

Within a couple of hours of this meeting, BC Housing sent the families an email confirming they had received the appeal and would review it.

A further request was made for personal files under FOI. The families eventually learned there was a period of time – December 20th to end of mid-January – when a letter announcing being placed on a rent supplement list was supposed to be mailed out. The letter was never received.

January 16, 2017, a letter was hand delivered to Rich Coleman, Minister Responsible for Housing, at an event in Langley, outlining our request to BC Housing for portable rent supplements and BC Housing advising ineligibility (see Appendix B attached).

Families sent an FOI request to BC Housing, asking for information about known portable rent supplements being provided to individuals with developmental disabilities. BC Housing provided information that 121 adults with developmental disabilities receive portable rent supplements.

In March 2017, Frances Bula advised the families their story would be published in the March 25, 2017 edition of the Globe and Mail (see link below).

<http://www.theglobeandmail.com/news/british-columbia/as-parents-age-finding-housing-for-disabled-children-becomesdaunting/article34428179/>

On March 24, 2017, the Liberal Government announced to the Executive Director of Semiahmoo House Society they would provide a rent **subsidy** to Semiahmoo House Society to assist in making Chorus Apartments more affordable. The subsidy was \$750,000 over ten years (\$75,000 per year), to be used to provide a rent supplement for the seventeen self-advocates. This was not the portable rent supplements we had applied for, as the housing subsidy is paid to the landlord and is not 'portable' if the tenant should decide to move. As well, it is only for a 10-year period. However, the Government avoided more negative press prior to the upcoming Provincial election.

The Ombudspersons' Office refused to close the file until BC Housing had issued a letter. April 27, 2017, BC Housing issued a letter on the matter of the rent supplements and appeal, their decision on the \$750,000 over ten years, and stating that should the families wish to continue pursuing the rent supplement, BC Housing would activate the files, but with this qualification in the last line of the letter:

“the expectation would be that it be used at a location in the private market that does not already have an operating subsidy available.”

In conclusion, I firmly believe that despite our sterling efforts following processes, meeting eligibility requirements, and trying to access rent supplements, the mitigating factor for receiving the \$750,000 was the Provincial election. That means there exists little or no hope for others who wish to replicate the application process for rent supplements as we did. BC Housing will continue to advise that there is no rent supplement program or application, and no appeal process to follow – despite the fact that their housing registry application form clearly introduces a “Supplemental Application Form” on its first page. The supplemental application process does not link it to the Portable Rent Supplement Program Ceiling Guide.

Facts

Canada has signed the United Nations convention on the rights of persons with a disability. Article 19 states -

Parties to the present Convention recognize the equal right of all persons with disabilities to live in the community with choices equal to others, and shall take effective and appropriate measures to facilitate full enjoyment by persons with disabilities of this right and their full inclusion and participation in the community, including by ensuring that:

Persons with disabilities have the opportunity to choose their place of residence and where and with whom they live on an equal basis with others and are not obliged to live in a particular living arrangement;

Persons with disabilities have access to a range of in-home, residential and other community support services, including personal assistance necessary to support living and inclusion in the community, and to prevent isolation or segregation from the community;

Community services and facilities for the general population are available on an equal basis to persons with disabilities and are responsive to their needs.

Community Living BC (CLBC) does not provide rent supplements; they provide supportive funding including respite for parents and funding for self-advocates to assist in daily living and community inclusion.

Currently, CLBC supports 20,049 adults with developmental disabilities (self advocates). This is an annual increase of 6.2% over last year and a 37.5% increase over the last five years.

The majority of self advocates live with their parents, many of whom are seniors. Of those living outside of their family home, 6,445 receive residential (group home or home share) and community inclusion services; only 1,351 live on their own with assistance in activities of daily living and receive community inclusion services.

Persons with a developmental disability have very few choices about where and how they live. They are either living in their family home, in a group home or a home share. Few have had the opportunity to live independently.

This is not an unknown problem and research confirms this.

1. CMHC – Housing for Adults with Intellectual Disabilities, 2006
2. Crawford, Cameron. *“No Place Like Home: A Report on the Housing Needs of People with Intellectual Disabilities.”* Canadian Association for Community Living (2008)
3. BCNPHA Research Department, SPARC. *“Exploring Housing Options for People with Developmental Disabilities in BC.”* (2009) BC Non-Profit Housing Association, and Social Planning and Research Council of BC - SPARC BC.
4. SPARC BC, Terra Housing, McClanaghan & Associates. *“Housing Choices in BC for Persons with Developmental Disabilities.”* (2014)
5. A Squire, P Richmond, *“No Place Like Home – The Economics of Independent Living.”* Centre for Welfare Reform, 2017
6. Canadian Association of Community Living Position Statement on Housing June 2010

Research confirms that, over time, many people with developmental disabilities living independently require less support and become more independent, therefore reducing costs for support over time. Front line workers confirm individuals learn the skills needed to live independently including personal hygiene, cleaning their homes and cooking meals. They also become more social and are less likely to be isolated and lonely.

Recommendation

Provide Portable Market Rent Supplements to individuals with developmental disabilities that want them, thereby enabling more individuals to live independently in their community, and avoiding the crisis of being moved from their family home due to illness or death of a parent(s) without a stable transition period.

Many individuals would prefer to live independently with assistance in daily living and community inclusion; however, they cannot due to financial constraints.

Instead of CLBC funding an individual to live in a group home at the average cost of \$10,000 per month, or a home share at the average cost of \$1,985 per month (jointly funded by the

individual's PWD and CLBC), an individual could live independently in a Chorus Apartments scenario if BC Housing provided a portable rent supplement of approximately \$500 per month, with the individual paying the \$375 shelter allowance and CLBC providing funding for support services for daily living and community inclusion. This would allow individuals to live independently in their communities.

Advantages

1. People are safer and less lonely living inclusively in their own home in their community;
2. People are healthier and happier when they feel they have control over their lives and have secure housing;
3. People can live real lives with real choices as outlined in the United Nations convention on the Rights of Persons with a Disability;
4. People are given the opportunity to grow, to learn and gain confidence;
5. Aging parents can 'let go' of the worry about the future of their adult child with a developmental disability thus living healthier, happier lives; [aging parents using planning to transition, avert further crisis should anything happen to them, and adult DD suddenly becomes parentless]; and
6. The Government would lead an innovative solution and provide better lives for people with developmental disabilities and their families.