

TO: Chair Gelser and Members of the Senate Human Services and Early Childhood Committee

FROM: Kathryn Weit
770 Brookside Drive
Eugene, Oregon

RE: SB 616

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In the 1999 Legislative Session, I had the opportunity to advocate for passage of SB 405 that created the Community Housing Trust. Because the Trust was funded by the sale of the land from Fairview Training Center, it is commonly known as the Fairview Trust. Fairview was the large institution that for almost a century segregated and isolated Oregon citizens with intellectual and developmental disabilities (I/DD). It is no secret that during those years, many suffered abuse, rape and sterilization. In 2000, the last of the residents moved into the community and the land put up for sale.

The Fairview Trust was an effort to bring good out of bad public policy. The promise made to the I/DD community in statute was a simple one. The money from the sale of any property used as a "training center" would be put in the Community Housing Trust, the proceeds of which were to be used to assure that housing in the community would be available for people with I/DD in "perpetuity". It is difficult to convey the incredible emotion felt by individuals whose lives had been shaped by Fairview. For many, this was viewed as a tangible apology and a promise that people with disabilities would never again have to live in a place like Fairview.

The Trust, referred to in statute as the Community Housing Trust Account (ORS 427.335 and 427.340) was established separate and distinct from General Fund and to be held in the State Treasury. The Trust was designed to be in two sections. 95% of the funds from the sale were to be put in an interest bearing account and held in perpetuity. 5% of the initial proceeds combined with any interest from the corpus were to be made available for community housing. Administrative Rules were developed and a Trust Advisory group was established to oversee Trust operations and, according to the Statement of Purpose in the Administrative Rule, to "provide grants to perform construction activities and provide equipment in homes where children and adults with developmental disabilities live that enhance their opportunities to achieve well-being through community living." Over 1,000 households in Oregon received assistance from 2003 to late 2010 when the work of the Trust was halted. Grants ranged from a high of \$5,000 to a low of \$120.00

In 2011, in the midst of one of Oregon's budget challenges, the entire 5% fund, over \$900,000, and \$5.9 million of the corpus were swept from the Trust in order to fund DD day services. This totaled \$6.9 million dollars of the \$13.1 million dollars in these funds in 2011. At the time, there was an understanding this was simply a loan that would be paid back when the economy improved. The language affirming the loan status occurred between policy makers and distraught members of the I/DD community, in Ways and Means discussion and was reflected in the DHS 2011 legislative wrap up. Instead of restoring the trust, however, the Governor's 2015-2017 budget recommends sweeping the remaining funds in what should be a Housing Trust.