

HB 3309 -2 STAFF MEASURE SUMMARY

House Committee On Housing and Homelessness

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Meeting Dates: 3/23, 4/4

WHAT THE MEASURE DOES:

Directs Oregon Housing and Community Services (OHCS) to require, for all multifamily housing grants, loans or programs administered by the department, that at least 3 percent of units contain communication features and 7.5 percent of units contain mobility features, as defined in the U.S. Department of Justice’s 2010 ADA Standards for Accessible Design. Directs OHCS to conduct a study on the provision of state-funded accessible units and report to appropriate interim committee of Legislative Assembly no later than September 15, 2024. Defines “accessible unit” as dwelling unit designed and constructed for accessibility in accordance with specified sections of International Code Council Standard for Accessible and Usable buildings and Facilities, or that contain mobility or communication features per the U.S. Department of Justice. Directs Housing Stability Council (Council) to prioritize funding awards based on quantity and quality of accessible units. Directs OHCS and Council to develop policies to increase the supply of housing for households including a person with a disability, and consider advice from disability community members or advocates in the agency’s housing program development efforts. Takes effect the 91st day following adjournment sine die.

FISCAL: Minimal fiscal impact

REVENUE: No revenue impact

ISSUES DISCUSSED:

- Limitations of available accessible housing choice
- Life impacts of lack of housing that meets accessibility needs

EFFECT OF AMENDMENT:

-2 Removes minimum requirements on accessible units in OHCS multifamily housing programs. Directs OHCS to report to interim committee of the Legislative Assembly on or before September 15, 2024 and on September 15 of each subsequent year that includes information on proportion of department-funded development that includes accessibility features recognized under state building code, disaggregated by category. Allows OHCS to define “accessible unit” by rule, in consultation with the Department of Consumer and Business Services. Directs OHCS and Housing Stability Council to incorporate incentives in funding offerings to increase quantity and quality of accessible units. Removes directive to OHCS and Housing Stability Council to develop policies to increase the supply of housing for households including a person with a disability.

BACKGROUND:

The U.S. Department of Housing and Urban Development (HUD) requires that privately-owned and publicly subsidized housing, whether for rental or sale, meet accessibility requirements of the Fair Housing Act in buildings built after March 13, 1991. All Federally-funded housing developments of five or more units are required to construct five percent of dwelling units (or at least one unit, whichever is greater) to be “accessible for persons with mobility disabilities.”

The 2010 U.S. Department of Justice ADA Standards for Accessible Design set minimum requirements for new design and construction of public and commercial buildings, and describes mobility features necessary in accessible residential dwelling units, including accessible route within a unit, turning space, and toilet and bathing

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facilities, and communication features, such as alarm notification or ability to visually identify a visitor.

House Bill 3309 directs Oregon Housing and Community Services (OHCS) to require a minimum percentage of accessible units in the agency's multifamily housing developments. The measure requires OHCS to study the provision of state-funded accessible units, and directs the Housing Stability Council to prioritize funding awards based on the quantity and quality of accessible units a given project will generate.