



TO: House Committee on Housing and Homelessness
FROM: Disability Rights Oregon
DATE: March 23rd, 2023
RE: HB 3309 [Incentivizing Accessible Housing]

Chair Dexter, Vice Chairs Gamba and Helfrich, and members of the Committee,

In 2003, the Oregon Legislative Assembly found, “People with disabilities and senior citizens over 85 years of age are the fastest growing population in Oregon. The second fastest growing population in Oregon are the members of the massive baby boom generation, who will, as they age, demand services and accommodations at an unprecedented rate.” The Assembly further declared, “The policy of this state is to encourage the design and construction of dwellings that enable easy access by individuals with mobility impairments and that are adaptable to allow continued use by aging occupants.” Twenty years later, the pressing need for services and accommodations for persons with disabilities and an aging population have come to full fruition.

In terms of the need for accessible communication features and mobility features in housing, it is important to keep in mind that:

1. 90,384 Oregonians have a hearing disability.
2. 100,770 Oregonians have a vision disability.
3. 286,807 Oregonians have an ambulatory disability.

Despite the urgent call for accessible design and construction, our state has not only failed to meet that demand, but de-incentivized it. When considering government funding for new housing developments, the Oregon Housing and Community Services is not required to give special consideration or priority to government funded housing proposals that demonstrate a commitment to accessible design and construction. Funding criteria place too high a priority on the number of units created and at the cheapest cost, and not enough focus on the quantity and quality of accessibility features. Without a requirement that the OHCS prioritize accessibility when deciding upon funding opportunities, developers in turn have no incentive to go beyond the basic requirements of federal law and state building codes. As time has shown, those basic requirements are not always followed and do not produce the supply of accessible housing we need.

Without accessible low-income units available, people with disabilities are often forced to live in more restrictive congregate settings. These settings are more expensive for the State and do not provide the least restrictive environment possible. Oregon must address this housing short fall and begin to intentionally address the housing needs of older Oregonians and people with disabilities. HB 3309-2 is an important first step.

HB 3309-2 may not go as far as we would like, but it will begin to address this crisis by directing OHCS to incentivize the creation of accessible units. It will also direct OHCS to track how many accessible units are built by unit type and what that is as a percentage of the total units funded by OHCS. This data will allow policy makers to assess if we are on track to having the number of accessible units our communities need. HB 3309-2 is an important first step to address our accessible low-income and affordable housing crisis.

About Disability Rights Oregon

Since 1977 Disability Rights Oregon has been the State's Protection and Advocacy System.¹ We are authorized by Congress to protect, advocate, and enforce the rights of people with disabilities under the U.S. Constitution and Federal and State laws, investigate abuse and neglect of people with disabilities, and "pursue administrative, legal, and other appropriate remedies".² We are also mandated to "educate policymakers" on matters related to people with disabilities.³

If you have any questions regarding DRO's position on this legislation, please call Meghan Moyer at 503-432-5777 or email her at mmoyer@droregon.org.

¹ See ORS 192.517.

² See 42 U.S.C. § 15041 et seq; 42 U.S.C. § 10801 et seq.

³ See 42 U.S. Code § 15043(a)(2)(L).