



UNIVERSITY OF HAWAII SYSTEM

Legislative Testimony

Testimony Presented Before the
House Committee on Water and Land
Wednesday, January 31, 2018 at 10:00 a.m.

By

David W. Leake, Ph.D.

Specialist, College of Education, Center on Disability Studies

Patricia Morrissey, Ph.D.

Director, Center on Disability Studies, College of Education

Daintry Bartoldus, Ph.D.

Executive Administrator

Hawai'i State Council on Developmental Disabilities

And

Michael Bruno

Interim Vice Chancellor for Academic Affairs

University of Hawai'i at Mānoa

HB 1919 – RELATING TO HOUSING

Chair Yamane, Vice Chair Todd, and members of the committee:

Mahalo for the opportunity to testify today in support of HB 1919. I am here representing the Center on Disability Studies (CDS), College of Education, University of Hawai'i at Mānoa.

Over the past year or so, my colleague Patricia Morrissey, Director of CDS, and I have been working with many others in the informal Hawai'i VISIBLE Housing Coalition to incorporate simple visitability standards into residential renovation and construction. At the county level, these efforts led to adoption of a visitable housing resolution by the Honolulu City Council, and work on similar resolutions is underway on the Big Island and Maui. HB 1919 and the companion, SB 2594, were developed over the past half year in collaboration with the Kupuna Caucus.

The proposed visitability standards allow wheelchair users to easily go in a home through a no-step entrance, navigate hallways, access a bathroom and bedroom, turn on the lights, plug in electronics, and benefit from a smoke detector that makes both sound and light warning signals.

We recognize that the State Legislature is a critical partner in promoting the use of visitability standards statewide. By requiring that these standards be included in residential housing developed or financed with public funds, as proposed in HB 1919, we will bring about a substantial increase in visitable spaces and accessible homes for wheelchair users.

Visitable housing and its rationale is presented in much more detail in a report that was compiled by CDS to meet the State of Hawai'i's responsibility to regularly inform the U.S. Department of Housing and Urban Development (HUD) about the "impediments to fair housing choice" it has identified and to provide a plan for reducing those impediments. CDS was engaged to conduct the study because the state and county jurisdictions with HUD funding decided to focus on impediments faced by people with disabilities, since "disability" has come to replace "race" and "religion" as the most common bases for complaints alleging housing discrimination. Our report was submitted in November 2016 and is entitled *Analysis of Impediments to Fair Housing Choice with a Focus on People with Disabilities*. It is available at:

<http://www.cds.hawaii.edu/sites/default/files/imce/downloads/projects/Fair-Housing-Project-Report.pdf>

The report explains that Hawai'i's people with mobility impairments tend to face a substantial impediment, namely the lack of housing that is both affordable and accessible for wheelchair users. A major report recommendation is therefore that all new housing in Hawaii meet at least the lowest level of accessibility according to international and U.S. building code standards, labeled Type C. Type C housing is also known as "visitable" because it enables people with mobility challenges to visit their friends and neighbors, thereby reducing their social isolation.

It is notable that over the lifetime of new homes, it is estimated that over two-thirds will be inhabited by at least one person with mobility challenges. In addition, even those of us fortunate to be fully mobile are likely to appreciate living in a visitable home without steps to the entrance because, for example, we are trying to enter with a baby stroller or are temporarily on crutches due to an injury.

A likely argument against HB 1919 might be that it would substantially increase construction costs, but actual on-the-ground experience indicates otherwise. Regarding a 2002 Pima County, Arizona ordinance requiring all new homes to be visitable (even privately financed ones), the county's Chief Building Official reported eight years and about 22,000 visitable homes later that:

"While these requirements were at first resisted by builders based on the fact that they would require costly changes to conventional design and construction practices, it became evident that with appropriate planning, the construction could result in no additional cost. Indeed, the jurisdiction no longer receives builder complaints regarding the ordinance and the ordinance has been so well incorporated into the building safety plan review and inspection processes that there is no additional cost to the County to enforce its requirements."

As outlined in our report, both seniors and people with disabilities tend to be over-represented among Hawai'i's low-income residents who have great difficulty finding housing they can afford. This is especially so for wheelchair users because the most

affordable housing tends to be in older walk-up apartment buildings in towns and in homes raised on stilts in rural areas.

Affordable housing is typically built with some form of public support, so the visitability requirement of HB 1919 will be of tremendous benefit to people with mobility impairments. Beneficiaries are likely to include some of the wheelchair users we might see in our neighborhoods who are homeless, thereby addressing Governor Ige's priority to provide more housing for the homeless.

States that already have laws mandating the inclusion of certain visitability standards in housing built with public support include Georgia, Kansas, Michigan, Minnesota, Ohio, Oregon, and Texas.

In our view, HB 1919 is transformational legislation. It is not just legislation that will benefit wheelchair users. It is not just legislation that will foster more social inclusion. It is legislation that will reinforce Hawaiian cultural traditions, by promoting multigenerational living and supporting seniors to age-in-place in natural environments that contribute to independence while avoiding placement in institutions.

Finally, the Center on Disability Studies stands ready to work with the Legislature to study the impact of HB 1919 on residents with disabilities and the formerly homeless who reside in publicly financed housing that is visitable.