



# UNIVERSITY OF HAWAII SYSTEM

## Legislative Testimony

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House Committee on Consumer Protection and Commerce  
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By

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### HB 1919 HD1 – RELATING TO HOUSING

Chair Takumi, Vice Chair Ichiyama, and members of the committee:

Mahalo for the opportunity to testify today in support of HB 1919 HD1. My name is David Leake and 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, we have been working with many others in the informal Hawai'i Visitable 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 Senate bill, SB 2594, were developed over the past half year in collaboration with the Kupuna Caucus.

Visitable housing is designated as Type C, the lowest level of wheelchair accessibility according to international and U.S. building code standards. Type C is commonly referred to as "visitable" because such features enable people with mobility challenges to visit their friends and neighbors, thereby reducing their social isolation.

Visitability standards allow wheelchair users to easily go in a home through a no-step entrance, navigate hallways, access a bathroom, and turn on the lights. HB 1919 HD1 also requires use of smoke detectors that make both sound and light warning signals, to help prevent what happened in the Marco Polo fire when some people with hearing impairments were not aware of the emergency because the alarm was only via sound.

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. Constructing homes to be visitable potentially saves thousands of dollars on later modifications to make them accessible. HB 1919 was developed specifically for the Kupuna Caucus package to enable more seniors to age-in-place in their home of choice even as they might lose mobility. As a result, more families in Hawai'i will be able to maintain a multigenerational household, which is in tune with local cultural traditions.

From the consumer perspective, visitable housing is beneficial for people of all ages, with or without mobility impairments. With no steps to the entrance and a wide doorway, going in and out becomes easy for parents pushing a baby stroller, people temporarily on crutches due to injury, and movers of furniture.

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.Hawai'i.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 Hawai'i meet at least minimum Type C visitability standards.

A likely argument against HB 1919 HD1 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 HD1 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 HD1 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 HD1 on residents with disabilities and the formerly homeless who reside in publicly financed housing that is visitable.