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LEGISLATIVE PROGRAM REVIEW  
& INVESTIGATIONS COMMITTEE

**Mixing Populations in State Elderly/Disabled  
Housing Projects**

DECEMBER 2004

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*Mixing Populations in State Elderly/Disabled Housing Projects*

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# Introduction

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## Overview

The federal government, as well as a few states including Connecticut, have established programs to develop affordable rental housing for low-income elderly persons. Like other types of public housing programs, they are intended to provide decent, safe, and sanitary dwelling accommodations at below market rates. Connecticut's first state-funded elderly housing projects were authorized in 1959 and targeted initially for persons over age 65 who were unable to afford suitable housing without financial assistance. Legislation enacted in 1961 amended the definition of elderly for the state elderly housing program to include low-income persons certified by the federal Social Security Administration as being totally disabled.

While younger disabled individuals have been eligible to reside in state elderly/disabled housing for over 40 years, the projects were occupied primarily by elderly persons until the mid-1980s. Several factors converged at this time to change the tenant make-up in many projects. One factor was the growth in assisted living services and other programs to help seniors remain in their own homes that reduced demand for state housing among elderly persons. In addition, local housing authorities began to experience persistent vacancies as wait lists for elderly public housing became short or nonexistent in some communities. Another factor, deinstitutionalization, combined with the impact of new antidiscrimination laws, increased the number of young disabled persons seeking affordable housing. In general, the acute shortage of affordable housing in Connecticut makes elderly/disabled projects, which typically contain low cost, handicapped accessible efficiency and one-bedroom units, one of the few resources available for meeting the housing needs of low-income individuals with physical or mental disabilities.

As the number of younger persons with disabilities living in state and federal elderly/disabled housing projects has grown, the problems associated with mixing tenant populations with different styles of living also have occurred with more frequency. Many housing officials, policymakers, and tenants and their families are concerned over reports of conflicts between the two groups of residents and allegations of disruptive behavior on the part of younger disabled tenants. A variety of policy changes and management practices have been instituted over the past few years aimed at addressing issues related to mixing populations in elderly/disabled housing, from stricter standards about drug and alcohol use, to hiring staff, to help resolve conflicts and coordinate services.

Despite these efforts, problems between the tenant groups have persisted. In addition, there are new worries about the possible gradual displacement of elderly tenants by younger disabled persons and the potential negative financial impact of this situation for the operators of state elderly/disabled housing.

In March 2004, the Legislative Program Review and Investigations Committee was asked by more than 60 members of the General Assembly to review the state policy of non-elderly disabled individuals residing in state-funded elderly/disabled housing projects. The committee authorized a study focused on examining the problems arising from this state housing policy and

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exploring options and alternatives for resolving them. The primary purpose of the committee's study of mixing non-elderly disabled and elderly persons in state assisted housing projects was two-fold: examine the nature and extent of problems arising from this policy; and explore options and alternatives for resolving them.

Committee research revealed the policy has both social and financial implications. The policy's social impact concerns the reported negative incidents resulting from young disabled persons living in the same projects with elderly individuals. Over the years, there has been much discussion, although little documentation, of problems between the two tenant groups, ranging from lifestyle clashes and fears based on misconceptions about mental illness, to actual physical conflicts, disruptive behaviors, and criminal activities.

The financial impact of the policy is related to the very low incomes and potentially longer tenures of young disabled residents as well as the growing presence of this group on project waiting lists. In combination, these trends could present a serious challenge to the financial viability of state elderly/disabled projects. The same trends may also result in less access to this affordable and accessible housing resource by low-income persons of any age.

Many factors in addition to policy, management, and funding matters contribute to the social and financial problems found in state elderly/disabled housing including one major issue beyond the scope of this study - the state's affordable housing crisis - and another beyond the control of any legislation - resident attitudes. Solutions examined by the committee, therefore, were also multi-faceted. This report contains a series of proposals for addressing negative incidents and economics within the state projects through: more effective housing management tools; better support from and collaboration among state agencies; and stronger planning, oversight, and leadership by the state's lead housing agency.

The committee also considered a spectrum of policy options related to changes in tenant eligibility. Each option has benefits and drawbacks in terms of addressing social and financial problems and, to varying degrees, may be subject to legal challenges. In addition, many of the policy and administrative solutions examined by program review would require more state resources and some would entail significant funding increases.

Analysis of possible alternatives to the current policy was complicated by data limitations. Much of the information included in this report was compiled for the first time and gathered through a variety of qualitative and quantitative methods. In many cases, data needed to fully assess various options were incomplete or unavailable within the timeframe of the study. As a result, some findings are based on estimates and projections. They are presented as indicators rather than conclusive evidence of current conditions or trends and should be viewed with care.

Overall, solutions to problems with the mixing populations policy must balance competing needs and conflicting goals. Both groups currently served by state elderly/disabled housing have limited incomes, few choices, and great needs for affordable and accessible housing. Policy changes can have a number of purposes that include: providing a safe and peaceful community of peers; ensuring affordable, permanent housing opportunities for low

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income persons with disabilities; promoting the financial stability of elderly/disabled projects; or preserving a critical resource of affordable, accessible housing units for both low income populations. Different options may be chosen depending on how needs are weighed and how goals are prioritized.

Despite the many challenges to finding workable remedies, the committee believes the recommendations contained in this report will improve the operation and oversight of these housing developments. A number have been suggested by housing authorities or proposed in legislative committees in the past but failed to be adopted. Successful implementation requires collaboration and partnership among many parties. For example, project managers must build relationships with community service providers and try to understand and deal with lifestyle and generational differences as well as the stigma of disability. State agencies whose clients reside in elderly/disabled projects must support and work with housing management in meeting the tenants' needs.

Finally, commitment, guidance, and oversight by a state agency with ultimate responsibility and authority for housing matters is critical. By law, the Department of Economic and Community Development (DECD) is the state's lead housing agency, charged with operating, coordinating, and planning state as well as many federal activities to create and maintain quality, affordable housing in Connecticut. However, at present, DECD shares authority for state elderly/disabled housing projects with the quasi-public Connecticut Housing Finance Authority (CHFA), which could complicate implementation of any proposed improvements. The long-term effect of this split jurisdiction needs to be closely monitored to ensure there is strong leadership for state elderly/disabled housing issues.

## **Methodology**

In preparing this report, program review met with key staff and officials from a variety of government agencies including: the Departments of Economic and Community Development (DECD), Social Services (DSS), Mental Health and Addiction Services (DMHAS), Mental Retardation (DMR); the Connecticut Housing Finance Authority (CHFA); and the federal Department of Housing and Urban Development (HUD). In addition, staff from the Office of Protection and Advocacy for Persons with Disabilities (OPA), the Commission on Aging, and the Commission on Human Rights and Opportunities (CHRO) were interviewed, as well as housing court personnel and various advocacy and interest groups involved in housing matters. Committee staff also interviewed housing authority officials and staff, resident service coordinators, and mental health and social service providers. Further, committee staff also visited a sample of elderly/disabled housing projects and held group discussions with residents.

Information about the state's current public housing portfolio and from state housing plans was examined to compile a profile of available housing and both the elderly and non-elderly disabled populations. A literature review was conducted on models and approaches used by the federal government and other states.

The program review committee developed a survey that was mailed to all local housing authorities operating state-funded elderly/disabled projects. The survey solicited both

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information and opinion from the housing project managers. Specifically, they were asked to provide information on: 1) the nature and extent of negative incidents occurring in their projects in the last six months; 2) the policies and procedures used to screen applicants and handle problem tenants; and 3) the number, reason, cost, outcome, and length of time associated with eviction proceedings initiated in the last five years.

The survey also asked housing officials to: 1) gauge the level of social conflict and financial impact experienced at their developments due to this policy; 2) rate the effectiveness of the management tools and support services available to them; and 3) suggest changes, if any, they would make to the policy. Follow-up interviews were conducted for a number of responses.

With 80 out of 93 housing authorities cooperating, the survey response was 86 percent. Numerous attempts were made to contact non-responding housing authorities. A copy of the survey and list of housing authorities that did not participate in the committee survey are provided in Appendix A.

### **Report Format**

This report contains six chapters. Chapter I provides background information on the administration of public housing, the relevant antidiscrimination laws, and an overview of the existing state-funded elderly/disabled housing inventory including the percentage of units occupied by elderly and non-elderly disabled tenants and waiting lists.

Chapter II discusses the issues presented by the social impact of this policy including the nature and extent of negative incidents at state elderly/disabled housing developments along with the management tools used to address them. The financial impact of the policy of mixing young disabled and elderly tenants in projects is described in Chapter III. Other considerations related to the demand for and supply of affordable housing in Connecticut are presented in Chapter IV.

A discussion of the policies and approaches used by the federal government and Massachusetts compared with efforts in Connecticut is presented in Chapter V. Chapter VI provides a range of policy options available to address the both social and financial problems with state elderly/disabled housing projects.

It is the policy of the Legislative Program Review and Investigations Committee to provide agencies included in the scope of a review with the opportunity to comment on committee findings and recommendations prior to the publication of a final report. The responses received by the committee from the Department of Economic and Community Development, the Department of Mental Retardation, and the Commission on Human Rights and Opportunities are contained in Appendix L.

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## Chapter II: Social Impact

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Based on committee interviews and concerns raised by the various interested parties, two distinct policy implications become apparent: Mixing non-elderly disabled residents with elderly residents has both a social and financial impact. This chapter discusses issues pertinent to the social impact, and contains committee findings and recommendations, including many related to housing authority management. The financial impact is discussed in Chapter III.

### Management Issues

**Interpersonal conflict.** Conflicts among non-elderly disabled and elderly people living in the same state public housing projects have been cited as a problem for years in Connecticut. What is not clear is the extent and pervasiveness of the problem, as concerns are based largely on anecdotal accounts. A few highly publicized incidents have raised concern in at least a few housing authorities.

Advocates for the disabled generally agree conflicts exist but don't view the problem as widespread and argue that mixed housing can work given adequate support services. Some point out that in some communities elderly and non-elderly disabled residents co-exist successfully and provide support for each other. In addition, it is important to note that elderly people are not immune to mental illness, physical limitations, or substance abuse.

Comprehensive data on the nature and extent of the problems between elderly and non-elderly disabled people residing in state-funded elderly/disabled housing projects do not exist. Even if incident data were available, though, the perceived concerns of elderly residents might not be adequately expressed by that information.

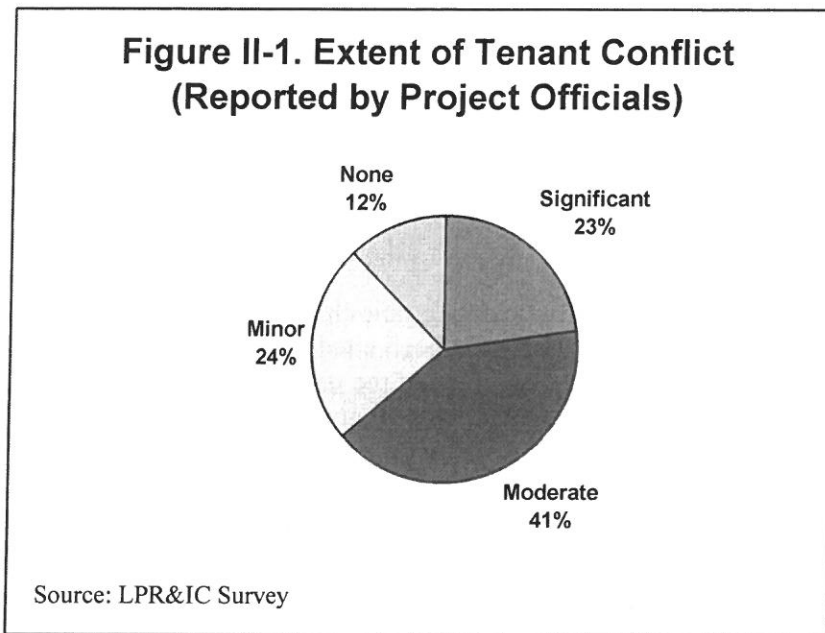
To develop a sense of the concerns, the program review committee examined recent public hearing testimony and conducted a survey of housing authority management. The most common concern appears to be generational differences, often referred to as the "different lifestyles" of the two groups. It is generally acknowledged that both groups have different preferences and viewpoints that sometimes result in conflicts. For example, younger residents tend to have more visitors, keep different hours, and have different tastes in music, dress, and social and recreational activities. These preferences alone can cause friction with elderly neighbors.

However, anecdotal accounts about projects in Connecticut suggest specific concerns with non-elderly mentally ill tenants. The problems range from fears based on an elderly person's perception of mentally ill people to actual instances of physical harm toward elderly tenants by younger, mentally ill tenants.

In its survey, the committee asked housing authority officials to what extent, if any, conflicts exist between non-elderly disabled and elderly tenants living in their particular state-funded elderly housing projects. The results, shown in Figure II-1, reveal that more than 60

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percent of the respondents indicated significant (23%) to moderate (41%) conflicts. (These results are discussed in more detail below.)



### Prior Efforts to Document Problem

Management issues associated with mixed populations are long-standing. Several studies conducted in recent years that have attempted to document tenant problems in public housing are summarized below.

**1992 General Accounting Office (GAO) report.** In 1992, a national study of federally funded elderly housing projects, attempting to quantify and describe the problem, gave some insight into the issue in Connecticut.<sup>4</sup> The study found, for example, that at that time non-elderly disabled people occupied 9 percent of the elderly units in total and that problems were worse in large housing authorities, which had the highest concentrations of these tenants. Housing authorities of all sizes reported that poor housekeeping, disruptive visitors, and alcohol abuse were the most common problems associated with non-elderly disabled tenants, but in varying degrees.

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<sup>4</sup> The General Accounting Office (GAO) surveyed over 1,000 housing authorities nationwide managing over 300,000 federally funded elderly housing units. (*Housing Persons with Mental Disabilities with the Elderly*, GAO, August 1992).

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The study found managers of large housing authorities (500 or more units) attributed a greater share of the problems associated with elderly projects to mentally disabled tenants. These managers attributed 35 percent of the problems in these projects to non-elderly mentally ill tenants while those in medium (between 100 and 499 units) and small housing authorities (fewer than 100 units) attributed 21 percent and 6 percent respectively to these tenants.

At the time of the GAO study, the Danbury Housing Authority was recognized as successfully addressing the problems by working with local mental health organizations on providing services to the mentally ill tenants.

**1996 University of Connecticut (UConn) study.** In 1996, the legislature's Select Committee on Housing requested the University of Connecticut to develop and conduct a survey designed specifically on the issue of mixed population.<sup>5</sup> The 1996 survey made an attempt to measure the extent of negative incidents in state-subsidized elderly housing. It found that non-elderly disabled tenants were more likely as a group to violate the terms of their lease including engaging in disruptive behavior. The areas that presented the most problems were nonpayment of rent, failure to maintain unit, and disruption of peace. However, the 1996 survey also found "little evidence to support the conclusion that the majority of non-elderly disabled tenants pose management problems."<sup>6</sup> According to its analysis, serious, recurrent problems involving younger disabled residents were concentrated in a small group of housing authorities. However, limitations of the data were acknowledged including examining the issue from only the management's perspective and potential differences in categorizing and reporting negative incidents.

**Housing and Aging working group.** The results of the 1996 UConn survey were provided to the Select Committees on Housing and Aging, which had convened a working group of committee members to address the mixed population issue. The working group was to determine and document the source and magnitude of the problem between elderly and non-elderly disabled tenants residing in state assisted public housing and develop options for resolving the problem.

The working group held four hearings around the state (Hartford, Norwich, Danbury, and Hamden) to receive information from both elderly and disabled people living in public housing. At that time, the working group concluded that conflict exists in public housing facilities shared by the elderly and non-elderly disabled, but the problem was not widespread and could be resolved without capping the number of disabled units.

Among its recommendations, the group supported:

- the authorization of resident service coordinators;
- a registry of accessible housing for disabled people; and

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<sup>5</sup> *The Mixed-Population Issue in State-Subsidized Elderly Housing: Management Problems Posed by Nonelderly and Elderly Tenants*, Nancy W. Sheehan PhD and Charles Stelle MS, University of Connecticut (1998)

<sup>6</sup> Sheenan, p. 38.

- cooperative agreements between the Department of Mental Health and Addiction Services (DMHAS), the Department of Social Services (DSS), and housing authorities.

The implementation of these recommendations is further discussed in Chapter V.

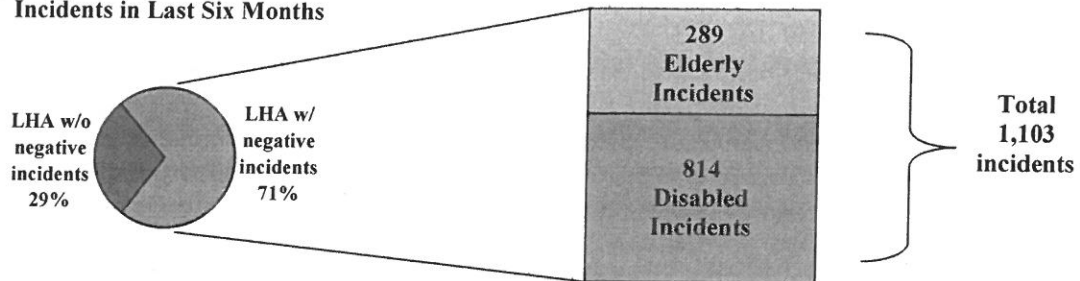
**Program Review Survey: Negative Incidents**

To get a more aggregate and less anecdotal picture of conflicts occurring in elderly/disabled projects, in July 2004 the program review committee surveyed housing authority management about the number and nature of negative incidents taking place within the previous six months. For purposes of the survey, “negative incident” was defined as a specific occurrence that disrupts the safe and secure enjoyment of home and/or personal property involving a tenant at an elderly/disabled project.

Eighty out of 93 housing authorities completed the committee survey representing 86 percent of all housing authorities with state funded housing. The limitations of the data provided should be noted. The nature and extent of problems are described from management’s perspective as reported to the committee. Further, housing authorities are not required to track complaints or negative incidents. Due in part to the absence of pre-existing data, there may be inconsistencies in how management records or judges “negative incidents.” For this reason, the committee also solicited opinions and experiences from tenants at various housing authorities. This information is summarized below.

**Number of management problems.** Of the 80 housing authorities responding to the survey, 57 housing authorities (71%) reported the occurrence of at least one negative incident in the previous six months. Twenty-three authorities (29%) reported having no such incidents.

**Figure II-2. LHAs with Negative Incidents in Last Six Months**

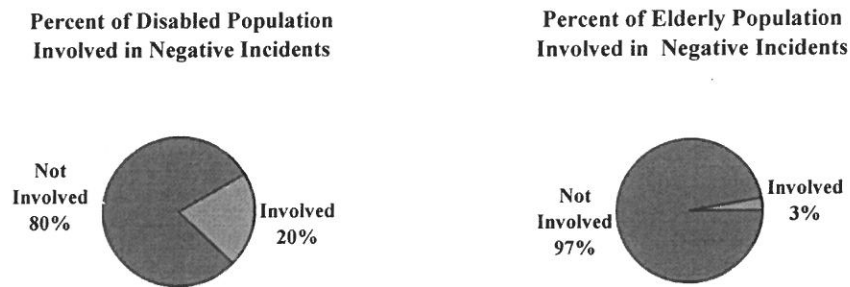


Source: LPR&IC survey of housing authorities, July 2004

As Figure II-2 shows, the 57 housing authorities experiencing problems reported a total of 1,103 negative incidents during the six-month timeframe. While both populations have been involved in negative incidents, younger tenants with disabilities were involved in the majority of incidents. Younger disabled tenants (under age 62) were involved in 74 percent (814 incidents) of all reported incidents. Tenants over the age 62 were involved in 289 incidents. Since some

tenants, both old and young, engage in recurring or multiple negative incidents, the committee also asked housing authorities to indicate the total number of individual tenants over and under the age of 62 who were involved in negative incidents. A total of 361 tenants were cited as involved in negative incidents during the six-month period including 135 elderly and 226 non-elderly disabled residents. *Overall, the portion of tenants, both young and old, involved in negative incidents is relatively small.* The 361 tenants involved in negative incidents represent 6 percent of the total tenant population represented in the survey (6,166). The committee also computed separate percentages of elderly and non-elderly tenants involved in management problems, illustrated in Figure II-3.

**Figure II-3. Percent of Negative Incidents**



Source: LPR&IC survey of housing authorities, July 2004

The reported incidents show that 20 percent of all disabled residents were involved in a negative incident, as compared to three percent of the total elderly tenant population. *Therefore, as a group, younger persons with disabilities were more likely to be involved in negative incidents.*

**Nature of incidents.** Program review asked housing management to indicate the number of incidents by type. Housing authorities reported a broad range of types of incidents, from noncompliance with policies regarding parking, pets, and disruptive guests, to inappropriate social behavior, to criminal activity. To measure the level of problems, program review categorized the reported incidents into three types: serious incidents, inappropriate social behavior, and lease violations.

*Serious incidents.* While the program review committee recognizes what constitute a “serious” problem is a matter of judgment, for the purposes of this report, incidents involving physical safety or criminal activity were categorized as “serious”. This includes incidents of physical altercations, illegal drug use, drug dealing, and prostitution. A breakdown of these incidents and residents involved is presented in Table II-1.

As Table II-1 shows, there were 153 incidents involving 24 housing authorities identified as serious, approximately 14 percent of the total 1,103 reported for the six-month period. There were two categories in which no elderly tenants were involved - drug dealing and prostitution. The vast majority of serious incidents (141) involved a younger tenant. Due to data limitations, the total number of tenants involved in serious incidents cannot be calculated since an individual could be involved in more than one type. Nonetheless, the volume suggests that more young tenants than older residents were involved in serious incidents.

<b>Table II-1. Serious Incidents Reported in Last Six Months.</b>					
<b>Type of Serious Incident</b>	<b>Total Number of Incidents</b>	<b>Tenants Under Age 62 With Disabilities</b>		<b>Tenants Over Age 62</b>	
		<b>Number of Incidents</b>	<b>Number of Tenants</b>	<b>Number of Incidents</b>	<b>Number of Tenants</b>
Physical altercation	42	34	15	8	8
Illegal drug use	61	57	21	4	2
Drug dealing	31	31	12	0	0
Prostitution	19	19	5	0	0
<b>Total</b>	<b>153</b>	<b>141</b>	<b>*</b>	<b>12</b>	<b>*</b>

*\*Total is not calculated since a tenant may be involved in more than one type of incident.*  
 Source: LPR&IC survey of housing authorities, July 2004

*Inappropriate social behavior.* The committee also asked housing authorities to report incidents regarding complaints of inappropriate social behavior. This category constitutes 12 percent of all incidents. As seen in Table II-2, the types of incidents mentioned most frequently were use of profanity, public intoxication, public nudity, and panhandling.

<b>Table II-2. Inappropriate Social Behavior Reported in Last Six Months.</b>					
<b>Type of Inappropriate Social Behavior</b>	<b>Total Number of Incidents</b>	<b>Tenants Under Age 62 with Disabilities</b>		<b>Tenants Over Age 62</b>	
		<b>Number of Incidents</b>	<b>Number of Tenants</b>	<b>Number of Incidents</b>	<b>Number of Tenants</b>
Profanity	61	59	24	2	2
Public Intoxication	21	20	11	1	1
Public Nudity	12	12	2	0	0
Panhandling	30	30	6	0	0
Other Miscellaneous	7	6	3	1	1
<b>TOTAL</b>	<b>131</b>	<b>127</b>	<b>*</b>	<b>4</b>	<b>*</b>

*\*Total is not calculated since a tenant may be involved in more than one type of incident.*  
 Source: LPR&IC survey of housing authorities, July 2004

Almost all of the incidents involved a younger disabled tenant with only four incidents involving residents over the age of 62. There were two categories in which no elderly tenants were involved – public nudity and panhandling. Similar to the previous analysis of serious incidents, the total number of tenants involved in inappropriate social behavior cannot be determined because of limitations in the way data were reported. However, the volume suggests more young disabled residents exhibited inappropriate social behavior.

*Lease violations.* The largest number of incidents, 819 (74% of total), fell into the broader category of lease violations. While all negative incidents may technically be lease violations, the incidents included in this category typically are general violations of housing authority rules and regulations. Table II-3 presents the range of incidents in this category.

Lease Violations	Total Number of Incidents	Tenants Under Age 62 with Disabilities		Tenants Over Age 62	
		Number of Incidents	Number of Tenants	Number of Incidents	Number of Tenants
Verbal altercation	266	172	78	94	59
Excessive noise	165	101	49	64	13
Poor housekeeping	184	114	61	70	32
Destruction of property	35	30	21	5	3
Disruptive guests	111	86	47	25	18
Other lease violations (e.g. occupancy, parking, laundry, pets)	58	43	14	15	6
<b>TOTAL</b>	<b>819</b>	<b>546</b>	<b>*</b>	<b>273</b>	<b>*</b>

*\*Total is not calculated since a tenant may be involved in more than one type of incident.*  
 Source: LPR&IC survey of housing authorities, July 2004

Among the most frequently reported incidents were verbal altercations (266) followed by poor housekeeping (184), excessive noise (165), and disruptive guests (111). These incidents, specifically verbal altercations, greatly outnumber incidents in any other category. As the table illustrates, both populations engage in these types of incidents. Although elderly residents appear to be involved to a somewhat lesser degree in these incidents than younger disabled tenants, the ratio between the two groups for these types of violations is closer than in the other categories.

In their survey comments, most housing management officials attributed many of these incidents to intergenerational conflicts and lifestyle differences. Some housing authorities believe individual personalities and interests often contribute as much to lifestyle differences as do age or disability. The issue of disruptive guests and excessive noise were frequently mentioned in discussions with residents. The resident group discussions conducted by the committee provided further insight about these problems and are summarized below.

**Police involvement.** According to housing authorities, approximately 17 percent (184) of the total negative incidents required police intervention. Discussions held with residents and housing authority staff reveal that frequently negative incidents occur at night or on weekends when management is not readily available. Some housing authorities have taken the approach of encouraging and directing residents to call the police when negative incidents occur. Presumably, this approach is to provide documentation of problems and discourage frivolous complaints.

As another measure of incident severity, the committee contacted all local police departments to get a sense of the type of incidents to which they have been requested to respond. Overall, the 25 police departments that responded to the committee request reported receiving a total of 715 calls from state elderly/disabled housing projects in the six-month period. Of these calls, 330 were for medical or 911 emergencies; 151 were for miscellaneous reasons (including parking violations, animals, found property, and tenants locked out of apartments); 81 visits were in response to alarms (fire, security, car, etc.); and 54 reports were for burglary, assault, reckless driving/car accidents, and drug/intoxication. Noise and other disturbances, suspicious activity, and disputes between neighbors together amounted to 14 percent (99) of the calls reported.

Comments from residents and housing authority staff in a few locations suggest a disjointed approach by law enforcement and community service providers in responding to calls for service at housing developments. Housing managers and residents reported that at times the law enforcement response is to identify a problem as a management or mental health problem, conclude that law enforcement is not equipped or authorized to respond, and suggest that management or mental health providers be contacted. At the same time, housing authority staff and residents contend mental health providers indicate a problem requires arrest or confinement and suggest calling law enforcement. *The absence of a unified approach by law enforcement and community support services providers in responding to calls for service raises concern for the safety and well being of residents at mixed population housing developments.*

**Characteristics of housing authorities with negative incidents.** As part of its analysis, the committee sought to identify characteristics of housing authorities reporting negative incidents. In general, there were two interrelated factors that appear to relate to the total number of incidents – the size of the housing project and the number of younger disabled tenants at a project. Overall, larger developments (over 100 units) have significantly more total incidents than smaller housing developments. Serious incidents, as defined in this study, were reported in 24 housing authorities with the vast majority of incidents occurring in developments with more than 50 units.

Large housing developments also have significantly more young disabled residents than smaller projects. The size of the housing authority appears to be related to the number of incidents involving disabled tenants. Larger developments (over 100 units) had a median of 13 negative incidents involving younger disabled. Medium size projects (50 to 100 units) had a median of three negative incidents with younger disabled residents. Developments with less than 50 units had a median of only one negative incident involving a tenant under age 62 in the last six months. Similar data analysis conducted for elderly residents was not statistically significant.

Across housing authorities, the percent of young disabled tenants involved in negative incidents ranged from zero to 100 percent of the young disabled who lived at the project. In general, committee analysis found that the higher the *number* of disabled residents, the more negative incidents involving disabled tenants. Interestingly, there appears to be no statistical relationship between the *percent* of the disabled population residing at a housing authority and the percent of disabled tenants involved in negative incidents. Table II-4 illustrates an example of this point. Two housing authorities can have the same percentage of disabled tenants (10%) while having different numbers of disabled tenants. At the same time, the housing authorities may have a different percent of their disabled population involved in negative incidents but have the same number of disabled tenants (5) involved in negative incidents.

	<b>Number units</b>	<b>10% of tenants are disabled</b>	<b>Number of disabled tenants involved in negative incident</b>	<b>Percent of disabled involved in negative incident</b>
HA 1	50	5	5	100%
HA 2	100	10	5	50%

Furthermore, the total number of negative incidents and the number of such incidents involving a young disabled tenant is not related to whether a housing authority has a resident service coordinator or whether the housing authority has a policy for addressing negative incidents. This will be discussed further in this chapter.

Program review also asked housing authorities if the physical characteristics of projects (e.g., high-rise or garden apartments) had an effect on the number of negative incidents. Generally, housing managers felt that high-rise apartments tend to generate more management problems because of the number of common areas, stairwells, and elevators. In addition, the committee asked housing authorities if the number and types of problems occurring in elderly/disabled housing is the same in the other types of housing programs they run. Most housing authorities stated that there is generally more criminal activity in their other projects.

### **Group Discussions with Residents**

The committee recognized the need to receive input from the parties most affected by the policy of mixing populations – the residents. Formal public hearings, open forum meetings, and smaller group discussions were conducted in several communities around the state. Formal public hearings were held in Hartford, Hamden, Norwich, and Danbury. Open forum meetings and group discussions were also held at elderly/disabled housing projects in Manchester, Bristol, Hamden, Waterbury, and Danbury. In addition to these venues, residents were also offered the opportunity to contact the committee by mail, email, or telephone and several did.

The open forum and group discussion locations were chosen for a number of reasons including the concentration of young disabled residents, geographic diversity, size, and reputation. Further details are provided in Appendix E. It is important to note that the number of residents interviewed was not a statistically valid sample. Participation was wholly voluntary. Approximately twenty residents participated at each of the five locations. One location only had

ten or so participants. At most locations, the committee met with groups of young disabled and elderly residents separately.

Each group was asked a series of questions regarding their thoughts, opinions, and experiences residing in a mixed population environment. Each location produced a variety of responses to the questions. Overall, the consensus of the groups was their development is a good, safe, and peaceful place to live. Residents at most of the locations reported some degree of disturbance or negative incidents. However, tenants at one project reported no incidents or problems, indicating both populations either get along or keep to themselves.

The extent of problems reported ranged from violations of parking and laundry room use to allegations of drug dealing and prostitution. A common concern was the presence of outside visitors. A few places had concerns regarding security especially related to common areas, stairwells, and doorways. Some reported fear of retaliation for complaining to management. Police presence varied by location from regular patrols to casual dismissal of complaints.

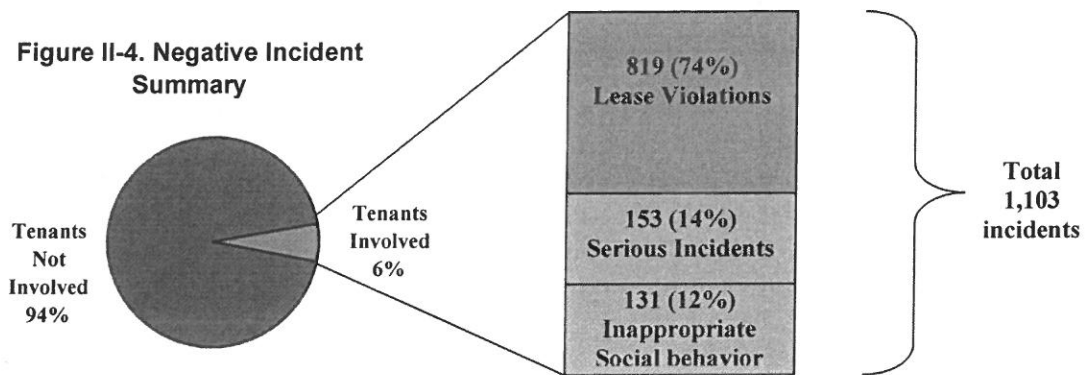
Most residents stated housing management was responsive and helpful albeit slow. A few felt that housing management at times gave some individuals more than adequate leeway in behavior that would not be tolerated in other settings. Resident service coordinators were viewed positively although few were actually identified as mediators. Tenants seemed to appreciate their resident service coordinator's event planning and assistance in securing service needs.

Some felt very strongly that the policy of mixing populations was a bad idea and that senior and disabled groups each deserved a place of their own, but overall many did not see any reason why the policy should change. It is important to note that some tenants did not seem to understand that a mental disability is considered a legally protected disability.

Both elderly and younger disabled groups mentioned lifestyles and generational differences as factors in the conflicts. Elderly residents think they have little in common with younger persons and some of the younger people show little interest in becoming involved with their elderly neighbors. At the same time, people at most locations also cited evidence that mixed populations can sometimes be beneficial to both groups. Examples were given of some younger tenants assisting elderly neighbors with errands.

Another common theme was the lack of affordable housing alternatives. Each group indicated they believed they had no viable or comparable residential options in the community. Several expressed fear that a change in this policy would result in their loss of housing.

**Summary.** Overall, the portion of tenants, both young and old, involved in negative incidents at state housing projects is relatively small (6%). This group was involved in a total of 1,103 negative incidents during a six-month period. As seen in Figure II-4, 74 percent of the negative incidents (819) fell into the broad category of lease violations that were general violations of housing rules and regulations. There were 153 incidents (14%) identified as "serious" and 131 complaints (12%) of inappropriate social behavior during the six-month period. Approximately 17 percent (184) of the total incidents required police intervention.



Source: LPR&IC survey of housing authorities, July 2004

There were two interrelated factors that appear to relate to the total number of incidents - the size of the housing projects and the number of younger disabled tenants. A total of 361 tenants were cited as involved in negative incidents during the six-month period including 135 (37%) elderly and 226 (63%) non-elderly disabled residents. As a group, younger persons with disabilities appear more likely to be involved in negative incidents. The reported incidents show that 20 percent of all disabled residents were involved in a negative incident, as compared to three percent of the total elderly tenant population.

What an “acceptable” or even an expected level of persons involved in negative incidents is subjective. For some, six percent of tenants involved in negative incidents will not seem excessive. Others may find the higher percentage of disabled individuals involved in negative incidents, particularly in the vast majority of serious incidents, unacceptable. While the acceptable level of negative incidents is debatable, what is clear is that they do occur.

Younger disabled and elderly persons living together in public housing pose several difficult but not insurmountable management challenges. To meet them it is necessary to identify the problems, understand the root causes, be willing to introduce changes, and have access to appropriate and sufficient resources. The discussion and recommendations outlined below provide a basic foundation to address these issues.

### Management Tools

Just as there is a range in the type and extent of problems, there are also a number of reasons why these problems exist. Interviews with housing managers and tenants identify a number of contributing factors. In any type of housing development, human nature and individual personalities will produce a number of people who will not get along. There will also be people who are just not good tenants or neighbors. This is to be expected in a mix of any group of people living together.

In addition to these factors, there are a few factors that are specific to the elderly/disabled housing community. There may be persons who have been inappropriately placed in a community that is designed for independent living. There may be individuals who need social support services but either refuse them or are unaware of their need. There may be individuals

who may have been receiving services and treatment prior to tenancy but become unable to independently function well later for a variety of reasons.

Although challenging, several of these problems can be addressed through a variety of management tools. Housing authorities have two significant management tools at their disposal to handle problem tenants. At the application stage, housing authorities screen individuals for tenant suitability while subsequent non-compliant tenants may be evicted. However, housing authorities have frequently commented on the limitations of the allowable screening process and the prohibitive nature of eviction proceedings.

### **Tenant Suitability and Screening**

After determining an applicant's eligibility to live in elderly/disabled public housing, the housing authority determines, like any landlord, whether the applicant is suitable for tenancy. State-funded housing, similar to rentals in the private market, operate with written lease requirements. As such, LHAs have a responsibility and an opportunity to screen applicants so those selected will abide by the lease provisions including paying their rent, maintaining their units, and not behaving in a disruptive manner.

Unlike eligibility determination, under which an applicant is either eligible or not, applicant suitability is subject to a wide range of interpretation and judgment by housing authority staff. *The state's operating manual for subsidized housing outlines the eligibility requirements; however, it does not address tenant screening.* According to housing authorities interviewed by program review, most LHAs follow the HUD guidelines issued for the federal projects they manage. Those guidelines allow screening, provided it does not violate antidiscrimination laws.

Many housing authorities believe their ability to screen applicants is limited due to these guidelines. Seventy-four percent of housing authorities responding to the program review survey believe there are limitations to the effectiveness of their current applicant screening process in identifying problem tenants.

Antidiscrimination laws prohibit a housing authority from applying different or stricter screening standards to applicants with disabilities than it applies to other applicants. Questions and information requested during admissions screening must be based upon an applicant's abilities to meet the demands of tenancy and satisfy eligibility requirements. Applicant evaluations must be made on individual behavior history and not on assumed behavior or unfounded perceptions.

According to federal law, the application process cannot solicit information about the nature or severity of an applicant's disabilities. The law prohibits inquiries regarding an applicant's health or ability to live independently. Applicants cannot be asked to prove they are capable of independent living and cannot be required to provide confidential medical records to support claims they can live independently.

To screen tenants, the LHA typically asks for information such as the applicant's income, the number of people who need accommodation, references from past landlords, and if

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applicable, work history. LHAs may use this information to examine an applicant's history of meeting financial obligations, caring for a rental unit, or involvement in disruptive or criminal activity.

Local housing authorities use different methods and combinations of information to screen applicants. Police records, reports from previous and current landlords, and credit checks all provide important information. Most housing authorities (67%) conduct criminal background checks through a state or local police database. Many housing authorities (55%) in the state use a private service based in Massachusetts, the INFO CENTER, that provides information on a person's credit history, criminal record, and any court-ordered evictions. Over 30 percent use some other type of credit history check. Even with these mechanisms, housing authorities report difficulty in screening applicants in certain situations.

**Lack of rental history.** A housing authority typically examines the housing history of an applicant for the past three to five years to assess whether the applicant would be a successful tenant. However, determining suitability of applicants may be a problem if no rental history exists. Some persons with disabilities may not have a rental history because they have never lived on their own or have spent extended time in medical or treatment facilities. The LHAs may not inquire into the nature of the condition, medication, or treatment including the name of the medical treatment facility. Without rental history, LHAs may seek alternative references that the applicant may choose to supply, such as physicians, caseworkers, or relatives to find out whether the applicant has a history of disturbing neighbors, destroying property, or failing to pay debts. However, LHAs find this information could be unreliable if the party contacted is motivated to help the person find housing, regardless of the applicant's true ability to uphold a lease agreement.

**Substance abusers.** State law specifically makes people ineligible for elderly/disabled housing if they: (1) currently use illegal drugs; (2) abuse alcohol with a recent history of disruptive or dangerous behavior which would constitute a direct threat to the health, safety, or property of another; (3) have a recent history of disruptive or dangerous behavior which would constitute a direct threat to the health, safety, or property of another; or (4) have been convicted of selling or possessing illegal drugs in the past two years (C.G.S. Sec. 8-116c).

Due to changes in federal law, substance abuse alone is no longer a basis for a disability determination. However, the co-occurrence of a physical or mental disability and substance abuse renders some persons with disabilities to be considered dually diagnosed. Housing authorities raise this as another difficult screening issue for applicants whose histories suggest that they may be substance abusers but who claim to be in recovery or rehabilitated.

Screening for alcohol abuse is slightly different than for illegal drug use. Although alcohol is a legal drug, abuse with a recent history of disruptive behavior is grounds for rejecting an applicant. However, LHAs are required by state law to consider any mitigating circumstances for alcohol abuse. Specifically, state law requires that a housing authority give consideration to the time, nature, and extent of the applicant's conduct and to factors which might indicate a "reasonable probability of favorable future conduct," such as evidence of rehabilitation and of a willingness to attend counseling (C.G.S. Sec. 8-45a).

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**History of disruptive behavior.** LHAs are allowed to investigate an applicant's history in order to avoid admitting applicants who might engage in disruptive behaviors. Housing authorities may ask if the applicant:

- kept a unit clean, safe and sanitary;
- violated health or safety codes;
- caused any damage to a current or previous unit; or
- was involved in any disturbances resulting in neighbor complaints or calls to the police.

LHAs typically use former landlord references to confirm applicants' past behavior regarding financial obligations, disturbances with neighbors, destruction of property, upkeep of apartments or criminal activity, which would adversely affect other residents. However, housing authorities interviewed by the committee indicated previous landlords may not be forthcoming with such information because they would like to unload a problem tenant.

**Independent living.** Residing in state elderly/disabled housing is considered independent living. Residents are expected to have the health and physical mobility to enable them to live on their own with minimal assistance. Support services may be used by residents to maintain independent lifestyles. However, federal policy guidelines clearly indicate that it is a federal law violation to inquire whether a individual is capable of "living independently."<sup>7</sup> Housing authorities may ask all applicants whether a unit with special features or some other accommodation is needed. However, they may not question the type of support services applicants may need to live independently.

Federal regulations also require housing authorities to consider "reasonable accommodations" so persons with disabilities can live in public housing. These accommodations may be adjustments in the rules, policies, practices, or services governing occupancy. Adjustments are not required if they create an undue financial and administrative burden.

Outside of criminal record and credit checks, housing authorities must rely heavily on references when considering an applicant with limited or no rental history. Applicants such as individuals who have a history of homelessness and/or mental illness may provide references from a social worker or case manager. Case managers may provide assurances that they will support their clients in housing and help them comply with their leases. However, housing authorities believe sometimes references are more concerned about placing an individual than whether the placement is appropriate. Even in cases where applicants voluntarily provide full disclosure of a disability and/or have a support system, some individuals may be suitable when applying but later experience problems when left to live alone or changes in their condition occur.

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<sup>7</sup> HUD changed its policies after a 1990 federal court (Cason v. Rochester Housing Authority, 748 F. Supp. 1002 (1990)) found that a housing authority had discriminated illegally against three women with disabilities in rejecting their applications for housing on the grounds that they could not live independently. The federal court found the "independent living" standard to be intrinsically discriminatory against people with disabilities.

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Establishing and maintaining a careful screening process for applicants helps ensure that only those applicants who can meet the terms of their lease are accepted. Without appropriate screening, management problems and evictions increase, and morale among residents declines. It is possible to comply with state and federal provisions while still holding all applicants to rigorous standards. Although changes in this area are limited because of federal law protections, better training and understanding of policies would be helpful.

**Therefore, the program review committee recommends DECD, in conjunction with CHFA, revise and update the contents of the operating manual for state funded elderly/disabled housing programs no later than January 1, 2006. Specifically, DECD, in consultation with the state Commission on Human Rights and Opportunities (CHRO), should develop guidelines for tenant selection and suitability that are in accordance with all relevant state and federal laws. In addition, DECD should also seek input from social service agencies such as DMHAS, DMR, and DSS in the development of such screening criteria. Furthermore, the manual should address the need for a policy about and documentation of negative incidents.**

A key component of any program management is the development of clear, updated, and instructive policies and procedures. As noted at various points in this report, this key component is lacking in the state elderly/disabled housing program. *The existing housing manual for the management of state financed housing is in need of updating and does not address certain essential topics.* For example, the manual still refers to the Department of Housing and instructs users to refer questions to a division that no longer exists.

The manual also explains tenant eligibility requirements but does not address tenant selection or suitability. Housing authorities claim that being prohibited from asking about the nature and effects of an applicant's disabilities jeopardizes their ability to determine in advance whether or not the applicant is likely to be lease compliant and able to live independently in public housing. The committee believes the manual for state financed elderly/disabled housing should provide guidelines for the kind of questions that could legally be asked of applicants. This would assist housing authorities to screen out applicants whose exhibited behaviors indicate they are incapable of independent living and/or in need of social service support without fear of litigation.

Another area where guidance should be provided is the development of policies regarding negative incidents. The program review survey results found 47 housing authorities (59%) had a policy to address negative incidents when they occur while 33 (41%) did not. Fifty housing authorities (63%) had a system to track negative incidents while 30 (38%) did not. Although having a policy in place does not guarantee enforcement, the committee believes expectations about the consequences of negative incidents should be clearly outlined and established at each housing authority. In addition, housing authorities should be provided guidance on how to track and document negative incidents that may be useful in the event of eviction proceedings.

Development of these operating policies and procedures will allow housing authorities to conduct thorough screening for all applicants based on clear, objective criteria and perhaps identify and reach out to residents who may be in need of services but are not currently receiving

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them. Screening applicants thoroughly allows the authority to select only those individuals who can successfully meet the terms of their leases, leading to greater residential stability for all residents and fewer crisis or problem situations.

The lack of a formal policy concerning negative incidents has serious implications for the management of elderly/disabled housing. While housing authorities with few problems may see little need for a policy, a formal policy helps management, staff, and residents understand their respective rights and responsibilities regarding behavior that may place an individual's tenancy in jeopardy.

**Waiting lists.** Another example where policy and procedure clarification is needed is the creation and maintenance of wait lists. DECD contends policies in this area are clearly outlined in state regulation. However, interviews conducted by the committee and testimony given by housing authority officials at public hearings suggest confusion and/or lack of awareness of the requirements for the development, maintenance, and selection from wait lists. Several factors contribute to this situation.

First, the provisions relating to wait lists are referenced in different sections of the state regulations. Second, if local authorities also operate federal projects, they may maintain a combined waiting list for all the units they oversee. In such cases, the federal policy of selecting tenants based solely on the date and time of application (i.e., first come, first served) is usually followed. Third, some housing authorities have chosen to continue or believe they are required to use the optional federal preferences discontinued in 1996.

State statutes require that all applicants be given a receipt stating the date and time of application and a public list of applications be maintained in accordance with DECD regulations. These regulations, unchanged since first promulgated by the former Department of Housing in 1986, repeat the statutory provisions and only add requirements that authorities annually revise their lists and, if requested, make them available to the department. In accordance with its affirmative fair housing regulations, which were developed in consultation with the Commission on Human Rights and Opportunities, DECD recommends that a purely random lottery or the point system approved for affirmative fair housing marketing plans be used to select tenants when asked by local authorities.

The recommended affirmative fair housing point system takes into account substandard housing, living situation (e.g., living in temporary or transitional housing), and income-to-rent ratio. Since young disabled persons are more likely than persons 62 or older to be homeless or living in substandard or temporary housing or paying half or more of their income for housing, following this system could give non-elderly disabled applicants preference for admission.

Federal policy also permits local housing authorities to establish admission preferences for certain categories of applicants in federal housing projects and, in the past, some preferences (e.g., for persons involuntarily displaced, living in substandard housing including being homeless, and paying more than 50 percent of income for housing) were required for federal projects. Many authorities chose to eliminate these preferences when they were no longer

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mandatory. As a result, each local housing authority is generally allowed to set its own wait list and tenant selection policies, provided all applicable statutes and regulations are followed.

DECD was unable to tell the program review committee how many housing authorities have established preferences and, if in place, what they are. The department also did not know which, if any, authorities are using lottery or approved point systems to select state elderly/disabled housing tenants.

Inconsistencies in the way wait lists are created and maintained make it difficult to use wait list data for planning or needs assessment purposes and may result in inequitable treatment of applicants. Data are not centrally compiled and local authority policies and procedures are not monitored. *The program review committee found DECD provides little guidance on waiting lists and tenant selection policies for state elderly/disabled housing to local housing authorities.*

The program review committee believes this issue should be addressed in the updated policy manual and through instruction and training of housing managers. According to DECD, training was provided to housing authorities approximately ten years ago. Since that time housing authorities with questions or concerns could receive technical assistance provided by the department's affirmative fair housing staff person. However, this position was recently vacated and not filled due to budget constraints.

The need for training is also evident considering the varying levels of experience indicated by housing officials responding to the program review survey. While 35 percent of the officials responding to the committee survey reported having more than ten years of experience in their current positions, the vast majority had less than ten years. Thirty-eight percent of the housing officials had less than five years.

**Therefore, the committee recommends the DECD operating manual for housing include procedures on the creation and maintenance of wait lists. Also, training regarding state affirmative fair housing requirements including but not limited to the use, maintenance, and selection from wait lists should be re-instated.**

## **Evictions**

Another important management tool available to housing authorities is eviction (called the summary process in Connecticut). However, housing authorities claim the eviction process is long, expensive, and tends to favor tenants. (A description of state eviction law is provided in Appendix F.) Through its survey, the committee compiled statistics on eviction proceedings initiated by housing authorities against tenants of state elderly/disabled housing.

Forty-nine housing authorities (61%) reported having initiated eviction proceedings in the last five years. Thirty-one housing authorities (39%) did not attempt any evictions in the last five years. An overview of the number of eviction proceedings initiated by housing authorities in the last five years is presented in Table II-5.

Table II-5. Number and Type of Evictions in Last Five Years					
<i>Against...</i>	Non-Payment Of Rent	Illegal Drug Activity	Disruptive Behavior	Other Lease Violation	Total
Tenants age 62 and over	34	0	13	8	55
Tenants under age 62 with disabilities	99	20	82	9	210
<i>TOTAL</i>	133	20	95	17	265

Source: LPR&IC survey of housing authorities, July 2004

During the last five years, substantially more eviction proceedings have been pursued against young disabled tenants than elderly tenants. Housing management has initiated a total of 265 eviction proceedings – 55 against elderly tenants and 210 against younger disabled tenants. Non-payment of rent and disruptive behavior are the two most common reasons for evictions for both populations. While twenty evictions for illegal drugs have been brought against younger disabled tenants, no elderly tenants have been evicted for this reason. The number of evictions for other reasons – typically for lease violations such as being over occupancy – is the same for both populations.

**Outcome.** The program review committee also asked housing authorities to provide eviction outcome data. Table II-6 summarizes the outcome of the housing authority eviction proceedings for the last five years. For every type of eviction proceeding, there appears to be only slightly more evictions than mediations. In a smaller percentage of cases, the end result is the tenant moving away before judgment is rendered.

Table II-6. Outcome of Housing Authority Eviction Proceedings in Last Five Years.				
<i>Number resulted in:</i>	Non-Payment Of Rent	Illegal Drug Activity	Disruptive Behavior	Other Lease Violation
Eviction of tenant	55	9	39	3
Mediation/other negotiation	50	7	32	2
Other (e.g., tenant moves)	26*	4	24	9*

\*Cases Pending

Source: LPR&IC survey of housing authorities, July 2004

Court personnel, known as housing specialists, are responsible for the initial screening and evaluation of all contested housing matters. Housing court statistics indicate approximately 95 percent of the cases referred to housing specialists are settled.

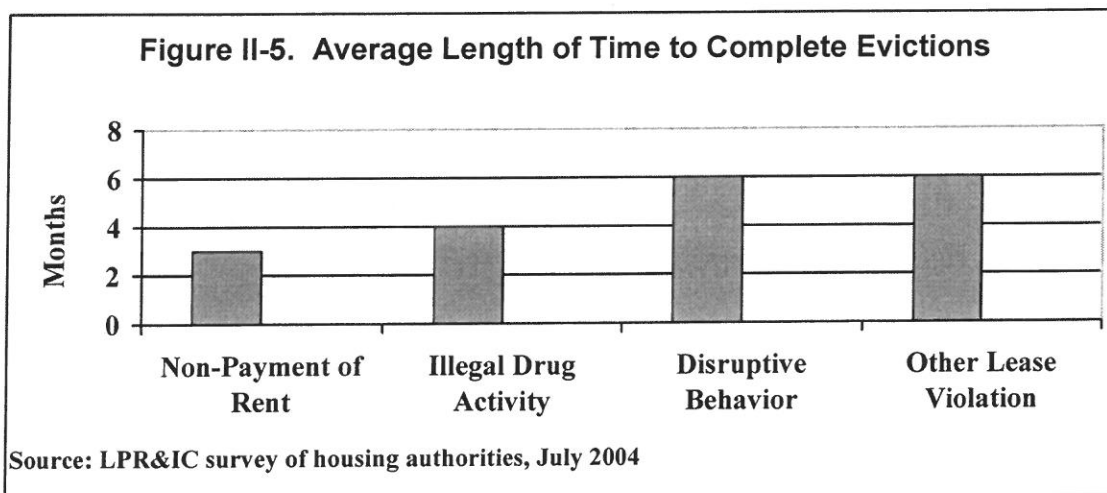
Some housing authorities believe the housing court system tends to favor tenants of subsidized housing. The outcome data reported in Table II-6 show the number of cases that resulted in eviction (in favor of the housing authority) and the number of cases resulting in mediation or other negotiation (presumably in favor of the tenant) are almost identical across categories. If the number of cases where the tenant moves away before judgment is factored in

(in essence, eviction by default), the number of instances where the tenant is removed is slightly higher. This result is similar to housing court statistics for evictions initiated by all types of landlords. Housing court statistics indicate evictions brought by all types of landlords are resolved primarily in favor of the landlord by either default or judgment.

Whether or not the number of cases resulting in mediation or other settlement may be considered high is debatable. This may show that housing authorities are pursuing cases without sufficient evidence to prove their cases or, as housing management claims, that housing court favors tenants of subsidized housing. Conversations with housing specialists who mediate the cases before they are presented in court suggested to the committee that their primary objective is to try to negotiate an agreement that is fair to all parties. However, if at all possible, housing specialists try to avert rendering an individual homeless.

It is understandable for a judge to be concerned with the fate of a tenant who is not committable or incarcerable but who is unable or unwilling to abide by a lease in a standard tenancy. This is particularly true of a tenant with a disability who may have gone off his or her medication or is a substance abuser in relapse. In addition, it is widely accepted that public housing is viewed as “the housing of last resort.” However, it is a disservice to all residents if individuals who cannot meet the screening criteria or terms of a lease are allowed to continue to live in public housing because there are no other options for them. Program review believes this underscores the importance of more housing alternatives and access to appropriate social services. Without involvement of a service agency that can offer alternative or more appropriate housing, evictions will simply not be pursued as vigorously or granted as they should to protect the rights of other tenants.

**Process time.** Committee analysis, shown in Figure II-5, found the average length of time to complete the eviction process as reported by housing authorities was three months for non-payment of rent; four months for illegal drug activity; and six months for evictions on the basis of disruptive behavior and other lease violations. Limitations of the housing court’s computer system and resources precluded the committee from conducting an independent verification of processing time for housing authority cases.



According to housing authorities, housing advocates, court personnel, and attorneys practicing landlord-tenant law, the pace of an eviction proceeding depends on a number of factors including the grounds for evictions, whether the case is contested, the complexity of the case, and whether or not legal counsel is involved.

The steps and timeframes for summary process are set out in C.G.S. Sec. 47a-23. The summary process begins with the landlord serving the tenant with a *notice to quit*. There must be at least three full intervening days between the date the notice to quit is served and the last day specified in the notice for the tenant to vacate the premises. If the tenant remains on the premises after the last day given in the notice to quit, the landlord may submit a *summons and complaint* with the court. The court clerk sets a return date on the summons. The return date is a date from which certain time periods are measured.

Statistics collected by Connecticut's housing court suggest all summary process cases move fairly quickly from the return date. Analysis of housing court information for FY 04 indicates contested cases had a median disposition time within the court system of approximately three weeks after the return date.

However, landlords must satisfy additional procedural steps in certain cases before filing the notice to quit. Prior to starting the summary process, state law (C.G.S. Sec. 47a-15) requires a landlord to provide written notice to a tenant specifying the acts or omissions constituting the potential basis for eviction. This notice is commonly referred to as a "Kapa" notice<sup>8</sup> and applies to all cases except those specifically excluded by law.

If a tenant is being evicted because the landlord claims that the tenant broke a term in the lease (other than paying the rent) or that the tenant is creating a nuisance (not within the statutory definition of serious nuisance described below) then the tenant must receive a separate pre-termination notice in addition to the notice to quit and the summons and complaint.

A pre-termination notice is not required in cases for non-payment of rent or serious nuisance as defined in the statute. To fall within the exceptions set forth in C.G.S. Sec. 47a-15, a landlord must establish that a tenant's conduct constituted a serious nuisance defined in statute as:

- inflicting or threatening to inflict bodily harm upon another tenant or the landlord;
- substantial and willful destruction of part of the dwelling;
- conduct presenting immediate and serious danger to the safety of landlord or tenants; or
- using or allowing the use of the premises for prostitution or illegal sale of drugs.

In cases where a "Kapa" notice applies, a tenant has a 15-day period in which to remedy the violation or risk the termination of the tenancy. If the breach is cured, then the lease cannot

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<sup>8</sup> *Kapa Associates v. Flores*, 408 A.2d 22, 35 Conn.Supp. 274 (1979).

be terminated. If substantially the same act or omission for which notice was given recurs within six months, the landlord may terminate the lease. After the lapse of six months, the pre-termination notice process must start again if the non-compliance resumes.

The courts have acknowledged the legislative intent of this provision is in essence to give the tenant one opportunity to correct the conduct that prompted the initiation of termination proceedings. It was intended to discourage evictions against first offenders.<sup>9</sup> However, housing authorities suggest some errant tenants benefit from this reconciliation period by seemingly stopping the noncompliant conduct but then resuming after the six-month period expires. As a result, they can delay or suspend the initiation of eviction proceedings.

The fact of the reconciliation period may explain why eviction cases involving disruptive behavior or other lease violations may take longer than evictions based on non-payment of rent or illegal drug activity. The committee acknowledges the legislature's intent in giving a first time offender "another bite of the apple." It is noteworthy that the legislature decreased the reconciliation period from 30 to 15 days in 1997 to address landlord concerns. As such, the committee makes no recommendation about the pre-termination process but recognizes the potential delay created by it.

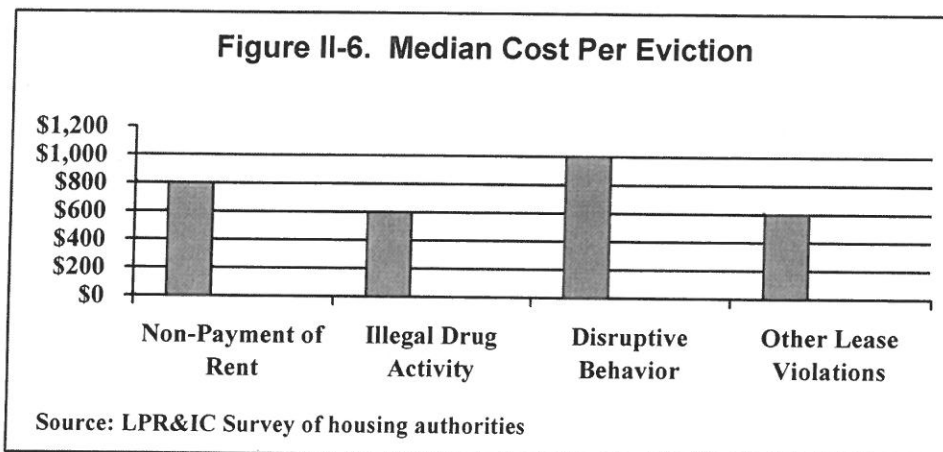
In addition to the time that might be incurred prior to summary process, there is also the possibility that a tenant's time in the premises is extended after judgment. In all cases, the tenant is allowed five days in which to vacate the premises. Under certain circumstances, a tenant may request a *stay of execution* to secure additional time before being ordered to leave the apartment. The length of stay can be up to six months in cases other than nonpayment of rent, serious nuisance, or where the occupant never had a right or privilege to occupy. In the case of nonpayment of rent, a tenant may apply for a stay of up to three months by depositing with the court clerk the full rent arrearage due within five days of the date that the judgment was entered.

Extension of time may also explain the length of eviction time as reported by housing authorities. As with the pre-termination notice requirement, the committee understands the legislature's intent in its provisions for stays of execution and appreciates the court's discretion in granting additional time. Therefore, the committee does not make any recommended changes in this area but recognizes the provision's impact on eviction time.

**Cost.** Eviction expenses reported by the housing authorities suggest cost variations exist for all types of evictions. As seen in Figure II-6, evictions for disruptive behaviors are the most expensive with a median cost of \$1,000. The median cost for evictions for non-payment of rent is \$800 while the cost for evictions for illegal drug activity or other types of lease violations was approximately \$600. Many housing authorities noted in their survey responses and in interviews with the committee that these figures do not include the cost of staff time and resources to prepare and proceed with a case.

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<sup>9</sup> *Housing Authority of City of Norwalk v. Harris*, 282 Conn.App. 684, 611 A.2d 934 (1992)



Housing management indicate evictions for disruptive behaviors are more expensive because these cases take longer to document and prove. According to housing authorities, eviction costs for illegal activity may be less expensive because housing authorities will only pursue irrefutable illegal drug activity such as conviction of drug use or sale. Cases involving suspected drug use or drug activity by someone other than the tenant, for example a guest, would more likely be pursued on the grounds of serious nuisance or disruptive conduct, which is harder to prove.

When housing management decides to initiate eviction proceedings, it must believe there is sufficient available evidence to attempt to do so. Each eviction requires substantial written documentation. One difficulty associated with complaints and lease violations is that unless another tenant is willing to put in writing his or her complaint, the housing manager has no formal documentation of a complaint. Most tenants are unwilling to put their complaint in writing. Without the documentation, it is difficult to go forward with eviction proceedings. At times, there may be a lack of cooperation by tenant witnesses because of fear of retaliation. The loss of witnesses significantly impacts a landlord's ability to defend its eviction action.

Discussions with housing advocates and attorneys practicing landlord-tenant law suggest the cost of evictions for some housing authorities may be higher than necessary because they are represented by local attorneys who may not have experience in this area or they hire counsel at an hourly rate rather a flat rate per proceeding.

When asked about the effectiveness of evictions as a management tool, 31 percent of the housing authorities stated evictions were not at all effective. Thirty-five percent indicated evictions were somewhat effective while 34 percent reported evictions were effective to very effective as a management tool.

The committee believes more awareness of the myths and realities of the eviction process and housing court is needed. Currently, the Connecticut judicial branch publishes a number of brochures discussing the summary process (eviction) and the rights and responsibilities of landlords and tenants in Connecticut. These brochures appropriately focus on the procedural aspects of the court system. However, the committee finds some housing authorities would

benefit from more guidance on ways to build stronger eviction cases such as the importance and methods of complaint documentation, techniques to gather and retain witnesses, and mediation strategies. In addition, suggestions on pooling resources to purchase legal services or selecting legal counsel would be beneficial. **Therefore, program review recommends DECD, in conjunction with CHFA, consult with Connecticut housing court specialists and the Connecticut association of housing authorities on developing possible seminars or materials on eviction proceedings.**

**Other lease enforcement.** In general, eviction proceedings are the last recourse, since avoiding the need for eviction is usually more cost-effective for housing authorities. Ideally, thorough screening reduces the admission of problem tenants. No matter how strict or cautious the screening criteria may be it is impossible to catch all potential problem tenants. In addition, a prospective tenant may initially pass the screening criteria but later his or her behavior may change for the worse. This is when lease enforcement can be a valuable management tool.

Discussions with groups of residents and testimony at various public hearings suggest lease enforcement across housing authorities varies. Management was frequently described as either too lenient or too strict in its enforcement of the lease provisions. Statements from residents and advocacy groups imply that housing management is lenient on problem tenants even when the lease suggests harsh consequences. This belief is somewhat supported in the finding that there does not appear to be a correlation between having a policy for negative incidents and the number of negative incidents. *Program review believes this may be indicative of enforcement issues despite the existence of a policy or perhaps an inability by management to convey or residents to understand the policies.*

As discussed earlier, the consequences of negative incidents must be clearly outlined and explained to all tenants. Problems on the part of any resident must be addressed quickly and equitably to ensure the safety and comfort of all. When a potential lease violation becomes apparent, housing authorities must document both the problem and the attempted resolution. If problems persist despite attempts to resolve the situation, eviction proceedings should begin.

*Program review believes more aggressive lease enforcement is needed. Documentation, such as a tenant's signed acknowledgement that he or she has been informed of obligations and consequences of non-compliance, is also important if and when eviction proceedings are initiated.* While not every type of violation should result in eviction, housing administrators must send the message that rules and regulations are serious and violators not tolerated. Given the limited resources available and number of applicants waiting for the opportunity to receive housing, it is unjust to give repeated chances to non-compliant individuals. Disruptive or dangerous behaviors on the part of any resident, young or old, with or without a disability, should be addressed by housing authorities through consistent lease enforcement to reduce real and perceived threats to security.

To accomplish this, management staff must be able to investigate complaints about lease violations and to enforce provisions of the lease in a timely and objective manner. Residents participating in the group discussions with program review staff frequently mentioned that negative incidents seem to be more problematic at night or on weekends when management staff

is not available. Having management staff on site during the day and some management presence available during the evenings or weekends may decrease reports of problems and increase resident feelings of security.

A few housing authorities visited by the committee have taken steps to improve management presence in their developments. A couple of housing authorities with high-rise buildings have installed security cameras in common areas, stairwells, or entrances. Conversations with CHFA staff revealed that more housing authorities are requesting security measures (e.g., cameras, keycards) as part of their capital needs. CHFA indicated that these security needs would be examined as CHFA asset managers continue to review the state housing portfolio. A few housing authorities have also contacted their local police departments to conduct periodic patrols of the developments. However, the committee heard from tenants and housing officials in some communities that police departments were not responsive to complaints or viewed them as management or social service issues.

*Acknowledging budget constraints, program review believes housing authorities must be allowed to increase the presence of management and develop adequate security to promote a sense of personal safety for their residents. An increased presence of housing authority staff may be necessary to keep management informed of potential problem situations that may not be apparent during the day. **Therefore, program review recommends housing authority plans for safety and security measures should be part of the required management plan submitted annually for review. In addition, housing authorities should be encouraged to establish rapport with local police departments outlining respective roles and responsibilities in responding to negative incidents.***

### **Resident Service Coordinators**

The legislature recognized the need to link tenants in elderly/disabled housing with appropriate social services by its creation of the state's resident service coordinator program in 1998. Resident service coordinators (RSCs) are individuals who work to maintain the residents' ability to live independently by assessing their needs and referring them to the appropriate support services in the community. Legislation enacted in 1998 established a DECD grant program to provide funding for RSCs, based on need and the availability of matching funds, to sponsors of state assisted elderly/disabled housing.

By law, housing authorities must use the funding to: (1) hire a resident service coordinator to assist residents maintain an independent living status; (2) assess the individual needs of residents for the purpose of establishing and maintaining support services; (3) maintain regular contact with residents; (4) monitor the delivery of support services to residents; (5) advocate changes in services sought or required by residents; and (6) provide mediation and conflict resolution services. It is important to note that RSCs are not case managers and do not provide direct services.

Program review identified potential improvements for the RSC program through a review of the following areas: grant distribution, RSC qualifications and job description, RSC training, and RSC program oversight.

**Grant distribution.** The intent of the original legislation was for DECD to distribute service coordination grants to housing authorities on the basis of need and availability of matching funds. Grant awards were originally calculated using a formula that allotted developments of a certain size a specific number of hours of RSC services per week based on a DSS recommended hourly wage rate. Developments with more than 150 units are entitled to a full-time resident services coordinator. Those with fewer units may have a part-time coordinator. RSCs may work exclusively for one community or provide service coordination for multiple housing sites.

DECD reports that since 1998 the program has grown modestly with appropriations of \$550,000 (FY 99) to \$617,654 (FYs 03-05).<sup>10</sup> According to DECD, increases in funding reflect inflation adjustments. *Since the implementation of the program, DECD has only been able to provide grants to the housing authorities that originally requested funding.* Currently, 34 elderly/disabled housing sponsors receive funding, which supports 30 RSCs who service about 2500 residents. The program review survey results indicate most RSCs employed by state funded elderly/disabled housing developments work part-time ranging from 4 to 24 hours a week, with a majority working either eight or sixteen hours a week. Because RSC services must be available to all tenants, the potential caseload of a RSC varies by the size of the development.

Twenty-one housing authorities that currently do not employ a resident service coordinator indicated on the program review survey that hiring a resident service coordinator would be "very helpful." DECD reports many authorities did not initially apply for various reasons. Some found no need for the additional staff and others did not want to commit themselves because the funding was only guaranteed for one year.

The committee found some housing authorities have developed creative approaches to funding and developing the RSC position. For example, the Manchester Housing Authority was able to supplement its DECD grant with federal capital funds and funding from the Area Agency on Aging and a Community Development Block Grant. By doing this, the executive director managed to secure funding for two full-time (35 hours per week) RSCs to work in congregate and state subsidized housing developments. (Both RSCs have graduate degrees in social services related fields and experience working with elderly and disabled people.)

*Given that the tenant population mix and situation at many housing authorities may have changed since 1998, program review finds that additional housing authorities may benefit from the availability of a resident service coordinator. **DECD should determine the number of additional housing authorities that would be interested in applying for a resident service coordinator grant. Based on this information, DECD should submit an appropriation request to the legislature for the FYs 06-07 budget cycle.***

**RSC qualifications and job description.** RSCs funded with DECD grants are required to have either a BS/BA degree in a human services or related discipline or five years relevant experience in a position involving direct contact with elderly persons. The job qualifications also call for superior interpersonal skills, effective written and verbal communication skills,

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<sup>10</sup> These amounts also include funding used to maintain a statewide registry of handicapped accessible housing, which is currently estimated at \$42,000.

organizational ability, crisis intervention skills, and mediation/conflict resolution skills. RSCs are also required to possess knowledge of the aging network, aging process, and intervention techniques. (The job description is provided in the Appendix G.)

The qualification requirements and job description fail to communicate that a RSC can expect to work with residents who are not elderly, with physical and/or mental disabilities. A review of the legislative history indicates the program was not limited to elderly residents; it was intended to provide all tenants of elderly/disabled housing access to RSCs for assistance with negotiating support services in the community, maintaining self sufficiency, and resolving conflicts. *However, the required education, skills, and experience included in the job description for resident service coordinators only reference services to the elderly.*

Discussions with individuals familiar with resident service coordinator programs argue that the job description and qualifications should remain broad and flexible to ensure a larger pool of applicants. At the same time the consensus of the various individuals interviewed by the committee for this program was that the current formula's resulting grant amount limits the pool of qualified applicants for this position. **Therefore, the program review committee recommends by July 1, 2005, DECD, in consultation with agencies that provide social services to elderly and non-elderly disabled populations such as DMHAS, DSS, and DMR, reassess the job description and accompanying qualifications for resident service coordinators to reflect the services needed by all groups residing in state funded elderly/disabled housing. In addition, program review recommends DECD, in consultation with DMHAS, DMR, and DSS, establish the number of hours and salary rate reflecting the level of skills and qualifications needed to adequately service this housing population.**

Committee interviews with RSCs and housing authorities reveal it is not uncommon for RSCs and housing management to perceive their roles as being primarily to serve the elderly. In addition, some housing managers do not appear to understand the scope of the RSC role, which has led to an expansion in RSC responsibilities beyond service coordination. A recent university study<sup>11</sup> found the tasks required by Connecticut RSCs varied considerably including being required to perform management activities such as showing apartments, collecting rent, and inspections. Interviews with housing officials found that many view their own role very differently as well. Some housing officials believe their position is purely as property managers taking care of the financial and physical aspects of the projects they oversee, not as social workers. Other housing authority officials view providing social services as part of their role.

Program review agrees that the growing and changed population requires more of a social service aspect than in the past. As a result, housing authorities may be required to serve as more than landlords. However, the committee agrees that these additional responsibilities should not fall upon housing managers who are unlikely to have the qualifications or expertise to provide social services. For these reasons, *it is important to separate the functions of building management and social services.* Program review believes the need to separate these functions

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<sup>11</sup> Nancy Sheehan, Ph.D. and her graduate assistant Mariana Guzzardo of the School of Family Studies at the University of Connecticut conducted a study of RSCs in the state using a self-administered survey and telephone interviews. The study will be completed in the spring of 2005.

underscores the importance of resident service coordinators and the need for better collaboration with social service providers.

**RSC training.** Among the RSCs' major responsibilities are to assess the needs of residents and link them with the appropriate services. To assist in these responsibilities, DECD, in consultation with DSS, developed a Functional Assessment and Care Plan form (provided in Appendix H) to assess the needs of any tenant requesting services. However, the RSCs are not provided training on how to complete the assessment form or on how to properly assess their residents' needs. *In fact, outside the skills and qualifications they bring into the position, RSCs in state funded elderly/disabled housing are not required to have any initial or ongoing training.*

Unlike the DECD program, RSC staff in federal housing developments are mandated to meet certain training requirements. HUD requires all RSCs working in federal developments with elderly and non-elderly disabled individuals to receive a minimum of 36 training hours before they are hired or within the first 12 months of employment. HUD-funded RSCs must also receive a minimum of 12 hours of training annually. This training must cover a number of topics including: aging and elder services, entitlement programs, legal liability issues, disability services, mental health issues, and communication and conflict resolution techniques.

Training for federally funded RSCs is provided through the New England Resident Service Coordinators, Inc. (NERSC) or the American Association of Service Coordinators (AASC), which also established the first RSC certification program. The program consists of several modules taken online and a final certification exam at the annual national conference.

In conversations with program review, several resident service coordinators stated their specializations are in assisting the needs of the elderly and feel unfamiliar with mental health issues or dealing with conflict resolution involving young disabled persons. Training on how to recognize and respond to mental health problems and how best to encourage integration of younger and elderly residents can help housing managers and existing resident service coordinators become more confident in working with residents with disabilities. In particular, mental health providers can help staff and residents differentiate between behavior that is dangerous and that which is just different and possibly unsettling. Training will also help resident service coordinators learn approaches to address problems and to work with aging and disabled populations. **DECD should enlist professionals from mental health and other service agencies to train resident service coordinators and housing authority staff to better understand the needs of elderly residents as well as persons with disabilities.**

**RSC program oversight.** Individual RSCs in state funded elderly/disabled housing are supervised primarily by housing management. In general, housing managers are not trained in social services and are therefore limited in their ability to meet all of the RSCs' supervisory needs. Recognizing this limitation, the Glastonbury Housing Authority took a unique approach of passing its RSC funding to the town. Through its well-established Senior Services Department, the town hired a RSC for that department to serve the housing authority. In this manner, the Glastonbury Housing Authority feels the RSC is receiving the appropriate type of supervision.

RSCs also receive limited DECD oversight through financial audits and monitoring reports. As a condition of receiving the DECD grants, RSCs must assess the needs of any tenant requesting services, document all services provided, and submit quarterly reports plus an annual summary to DECD on the progress, effectiveness, and cost efficiency of the program.

Interviews with DECD staff and examination of the required RSC reports reveal:

- *the review conducted by DECD is primarily a financial audit;*
- *RSCs need clarification and instruction on the reporting requirements;*
- *the existing content and format of quarterly and year-end reports do not lend themselves to meaningful analysis and are not formally used by any agency; and*
- *DECD staff believes federal HIPPA<sup>12</sup> regulations and their lack of social service background prevents adequate monitoring of the required assessment form and, therefore, no one is monitoring this required function of the RSC.*

Looking at other resident service coordinator programs, the committee found that Maine has adopted a different approach toward the oversight of its resident service coordinators. In 1992, Maine created a full-time position for a manager of statewide resident services. This individual serves as an advocate and clearinghouse for information, support, training and technical assistance for resident service coordinators. This individual maintains a database of all the RSCs working in Maine's elderly and multifamily properties. The database is used to link new RSCs with experienced professionals in their geographic areas and promote the development of mentoring relationships. The database is also used to disseminate quarterly newsletters to the RSCs providing information and resources about services and service coordination.

The manager of resident services also coordinates quarterly statewide meetings featuring educational and networking opportunities. In general, these meetings are intended to provide one or more of the HUD required trainings and continuing education requirements. In addition, the Maine manager of resident services has written and assembled a resource guide for RSCs and their housing managers containing an explanation of the role and functions of a RSC complete with sample job description, technical information, codes of ethics and conduct, training information, and information on how to communicate and mediate with residents.

**The program review committee recommends DECD create a single statewide manager position for the resident service coordinator program. At a minimum, this individual should:**

- **assist in measuring housing authority interest to re-open availability of the RSC grants;**
- **revise the content and format of the existing RSC reporting requirements;**

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<sup>12</sup> Health Insurance Portability and Accountability Act of 1996 (HIPPA)

- periodically monitor the activities of resident service coordinators through a review of the newly revised reporting instrument;
- provide technical assistance and guidance to RSCs in their roles and responsibilities including but not limited to the assessment of resident needs;
- evaluate the training needs of the currently employed resident service coordinators and arrange on-going training for all resident service coordinators as needed;
- act as a liaison between resident service coordinators and the social service agencies to further collaboration efforts as well as develop opportunities for resident education and awareness of disabilities; and
- prepare and maintain a resource guide including but not limited to identifying contact information and available services from the potential social service agencies across the state.

### Collaboration of Support Services

Program review attempted to determine the number of state elderly/disabled housing residents who were also clients of the Departments of Mental Health and Addiction Services and Mental Retardation. Neither DMHAS nor DMR has an existing database that tracks people living in elderly/disabled housing. Each agency undertook the task of identifying the number of individuals living at identified sites using public housing addresses provided by the committee. Program review also asked both DMR and DMHAS whether they use any criteria or guidelines when assisting clients with residential needs.

**Figure II-7. Percentage of DMHAS/DMR Clients in State Elderly/Disabled Housing**



Source: LPR&IC survey of housing authorities, July 2004

As Figure II-7 shows, of the 1,275 non-elderly disabled persons residing in state funded elderly/disabled housing, 359 tenants (28%) are clients of DMHAS or DMR. The remaining 916 tenants (72%) are presumably either physically disabled or not receiving services from either DMR or DMHAS. Because it is unlawful to ask about a disability, there is no way to determine what percentage of each category exists.

**Department of Mental Retardation.** DMR found that statewide there are only 13 DMR clients living at elderly/disabled projects. One client is also elderly (over 62) and another lives

with an elderly parent. DMR conducts an assessment of support needs for DMR clients seeking residential services. Using a standardized process and forms, DMR case managers rate a client's need for support and supervision prior to residential placement. An example of a DMR assessment tool is provided in Appendix I.

**Department of Mental Health and Addiction Services.** DMHAS found 385 clients residing at state elderly/disabled projects. Thirty-eight of these clients were over the age of 62. DMHAS reports that it does not have nor imposes standardized criteria or guidelines to assist in placing clients. A DMHAS client receives a clinical need assessment by the team assigned to that client. The team looks at all the issues related to community living. Local mental health service agencies may use some criteria but DMHAS is unaware of local agency practice.

It is DMHAS policy to support a client's needs and desires in order for the person to live successfully in the least restrictive environment possible. The department told program review that nobody is discharged from a DMHAS-funded program, unit, or facility without ensuring the person has been provided with a reasonable opportunity to develop adequate plans to obtain services and supports he or she will need following discharge. The DMHAS-funded provider's primary role in this respect is to explore and provide information to the person about available options for housing, services, supports, and resources following discharge, assuring that the individual's preferences are given full consideration. However, it is up to the individual to make choices about what would be useful in continued recovery.

As mentioned earlier, some advocates suggest that mixing non-elderly disabled and elderly persons into public housing is possible and even successful with proper support services and partnerships between service providers and housing authorities. To evaluate the current level of collaboration, the committee asked housing authorities to rate the responsiveness of various social service agencies. Table II-7 illustrates the responses.

<b>Table II-7. Housing Authority Survey Results Rating Responsiveness of Social Service Agencies.</b>					
<i>Intervention by....</i>	<b>Not at all Helpful 1</b>	<b>2</b>	<b>3</b>	<b>Very Helpful 4</b>	<b>No Experience 0</b>
State agency for mental health services (DMHAS)	57%	31%	9%	3%	56%
State agency for mental retardation services (DMR) *	50%	30%	13%	7%	63%
State Area Agencies on Aging (DSS)	39%	22%	27%	10%	39%
Community-based mental health service agency	41%	39%	14%	6%	39%
Other local social service providers	28%	28%	21%	23%	34%

\*DMR records indicate 13 clients live in this type of housing.

Source: LPR&IC survey of housing authorities, July 2004

As expected, housing authorities reported the least experience with the Department of Mental Retardation. More than 50 percent of housing authorities reported having no experience with the Department of Mental Health and Addiction Services. Housing authorities have more interaction with Area Agencies on Aging, community-based mental health service agencies, and local social service providers.

Housing authorities having experience with these agencies rated both DMHAS and DMR as generally not helpful. Similar ratings were given to community-based mental health service agencies and area agencies on aging. Overall, local social service providers, typically identified as municipal or town departments, were rated the most evenly.

Program review also solicited the opinions of housing officials, tenants, and resident service coordinators interviewed regarding the availability, effectiveness, and success of support services provided by state and local agencies. The impression of support services across the state was quite diverse. In some areas of the state, support services, specifically mental health services, were viewed in a positive light. However, in other locations support services were seen as poor or unreliable.

A memorandum of understanding between the former Departments of Mental Health and Housing, the Department of Social Services, and the Connecticut Housing Finance Authority was signed in 1994 to foster better collaboration between the various agencies. The agreement was intended to alleviate some of the management problems of mixing elderly and disabled non-elderly populations. Although the agreement was to continue indefinitely, it appears to have been lost or abandoned in the restructuring of state departments and changes in agency administration. When asked by program review during the study, staff at the current agencies were unaware of the agreement. A copy is included in Appendix J.

The issue of collaboration between housing authorities and service providers has been raised on a number of occasions since 1994. In 1997, a legislative working group of members of the Select Committees on Housing and Aging examined the issue of conflicts between elderly and disabled people who reside in elderly/disabled housing. Among the group's recommendations was greater outreach by state agencies, specifically DMHAS. Also in 1997, the program review committee in its study of *Major Publicly Assisted Housing Programs* found the need for additional collaboration and recommended housing authorities tap into existing resources and seek more local effort from mental health and social service agencies in their communities to improve management problems at elderly/disabled housing projects.

Just prior to the program review committee undertaking this study, at a February 19, 2004 public hearing on the issue of mixing populations held jointly by several other legislative committees, the DMHAS commissioner made a commitment to legislators that DMHAS would have its local mental health authorities (LMHAs) contact public housing authorities in their areas and offer to meet with them to assess their needs in senior/disabled housing. In September 2004, DMHAS sent letters to all LMHAs directing them to make contact and develop a plan for an ongoing relationship with public housing authorities. Each LMHA was to report back to DMHAS the results of their efforts by November 1, 2004.

DMHAS provided program review with a summary of the LMHA efforts. As of November 21, 2004, most of the LMHAs submitted reports to DMHAS but a few were still outstanding. Contact was made with almost all housing authorities and meetings were held in several instances. According to the LMHA reports, a few housing authorities did not respond or express interest in meeting with them. Several LMHAs reported already having a well-established relationship with the local housing authority while others noted some housing authorities were unaware of the existence of the service providers and eager to make contact. The description of the plans for ongoing relationships were quite varied, from detailed descriptions of efforts such as the use of a crisis team or regularly scheduled meetings to mailing brochures and contact information for future reference.

Making support services available to residents takes concerted efforts by housing authority staff and social service providers. Program review believes connecting housing with outside services can significantly reduce management problems and would be worthwhile for most tenants. One approach already discussed is to use resident coordinators to link up tenants with needed services and monitor the receipt of services.

To be successful, housing authorities and resident service coordinators must be able to access existing resources in the community and receive timely intervention from mental health and social service agencies in their communities when needed. Survey results and interviews with housing officials and staff found that relationships with providers were less than optimal. Prior efforts to encourage collaboration such as the 1994 agreement by various state agencies have waned. **Renewed efforts for collaboration by the current DMHAS administration are a positive step in the right direction that should be continued. Furthermore, other state agencies charged with providing social services to elderly and non-elderly disabled populations such as DMR and DSS should assist housing authorities in identifying and accessing available social services offered through their agencies. Each agency should consider appointing a lead contact person to establish and maintain a regular channel of communication with housing authorities. At a minimum, each agency should develop a plan that details outreach efforts, available services, and crisis intervention. Each agency must report a summary of its collaboration efforts with housing authorities to the legislative committees with cognizance of housing matters no later than October 1, 2005.**

The committee believes better collaboration with local social services will help reduce tension and alleviate some of the management problems. The collaboration will also benefit the social service agencies. Helping a person with needs is much more difficult if the client has no permanent housing. Therefore, it is important for social service and housing providers to work together to maintain a client in housing if possible or, if necessary, to find more appropriate housing.

However, regardless of the availability of resident coordinators or links with community service providers, the use of services is a matter of individual choice. Therefore, the success of service efforts, however sufficient, depends upon an individual's willingness and ability to use them regardless of where he or she resides. The consequences of not addressing behavioral issues affecting other tenants should be made clear.

For some residents with disabilities, it may be difficult for management staff and other residents to distinguish between behaviors caused by mental illness, substance abuse, or organic problems such as head injuries. In addition, some symptoms may be side effects of prescribed medications. At times, behaviors and symptoms may be misunderstood or frightening to other residents. *The stigma and the lack of awareness by some tenants and management staff regarding disability, especially mental health disabilities, may be factors in the perception of problems.*

Some of the elderly residents in state funded housing grew up in a time when having a disability meant being institutionalized. These stereotypes create very real fears for uninformed residents and significant barriers for disabled persons seeking to be accepted in their community. These fears and misperceptions can negatively affect the quality of life in public housing developments. **Therefore, program review recommends DMHAS through its mental health providers should take an active role in training housing authority staff and in helping residents address stereotypes about mental illness through presentations or materials distributed to public housing communities.**

DMHAS providers can have a significant impact on the success of their clients and others in public housing by educating housing management staff and residents about mental illness and substance abuse disorders. Resident education helps prepare elderly residents for living with younger, disabled persons and assures them that management will be responsive to their concerns.

