

Preserving Housing Choice for Older Adults



- I. An Overview of Senior Housing Options
- II. Housing Choice Flashpoints
- III. Recent *Olmstead* Decisions
- IV. Resources

Overview of Senior Housing Options

Aging in Place

- *Olmstead*
- Lack of affordable options
- Reasonable Modifications & Accommodations



Independent Living/Retirement Communities

- Issues:
 - Lease restrictions concerning your health or mobility
 - Caregivers
 - Grandchildren
 - Common RA's



Independent Living/Retirement Communities – FHA Violations

- A Texas provider required all residents to be ambulatory without assistance in case of an emergency.
- *United States v. Resurrection Community, Inc.*
- *HUD v. Country Manor*
- California provider and scooter restrictions

Assisted Living & Nursing Home Facilities

- Fair Housing Issues
 - How address needs of residents with Alzheimer's or Dementia?
 - How address the needs of residents with mental health issues?
 - Discharge and transfer planning
 - Transfer trauma

Common Housing Choice Flashpoints

When do housing choice and housing transition problems commonly arise?

What practical and legal issues are involved?

- Following a Foreclosure or Eviction
- Residents with Special Medical Needs
- Residents with Mental Health Disabilities
- Leaving an Abusive Situation
- Facility Closings

Recent *Olmstead* Enforcement Actions

- Georgia Department of Community Health
- State of Georgia
- Washington State Department of Social and Health Services
- Michigan State Department of Community Health
- Assisted Living Facility in Durango, CO

Conclusion



- Older adults may have particular mental or physical impairments that require special needs, accommodations, or services. However, those impairments should not dictate where they live; older adults are entitled to housing choice and their needs can often be met in a variety of housing settings with the right resources and accommodations.

Resources

- Idaho Legal Aid's Senior Legal Hotline
 - 1-866-345-0106 or Español 1-866-954-2591
- HUD (the US Department of Housing and Urban Development)
 - Toll Free: 1-800-669-9777
 - TDD/TTY: 1-800-927-9275 (TDD)
- Intermountain Fair Housing Council
 - Toll Free: 1-800-717-0695
- Bureau of Facility Standards
 - 208-334-6626
- Ombudsman
 - 208-577-2855