

From: [Martha Silver](#)
To: [Martha Silver](#)
Subject: FW: Agenda item 10, 10/12/2022 MTC Policy Advisory Council meeting question
Date: Tuesday, October 11, 2022 7:32:07 PM
Attachments: [image001.png](#)

From: Martha Silver <MSilver@bayareametro.gov>

Sent: Tuesday, October 11, 2022 6:11 PM

To: Frank Welte

Cc: Kate Hartley <khartley@bayareametro.gov>; Daniel Saver <dsaver@bayareametro.gov>; Somaya Abdelgany <sabdelgany@bayareametro.gov>; Martha Silver <MSilver@bayareametro.gov>; Mallory Atkinson <matkinson@bayareametro.gov>; Marti Paschal <mpaschal@bayareametro.gov>

Subject: RE: Agenda item 10, 10/12/2022 MTC Policy Advisory Council meeting question

Good day, Frank,

Please consider the response below from staff regarding Agenda Item 10.

Hello Mr. Welte,

Thank you for your questions about the REAP 2 overview.

1. We agree there is a severe shortage of accessible units in California and also a severe shortage of affordable housing, due largely to federal tax policies and state and local zoning laws, regulations and policies.
2. The REAP 2.0 "Pilot Sites" funding provides predevelopment resources to assist new construction of affordable housing. All of these buildings will include accessibility at a rate that significantly exceeds the level of accessibility required in privately funded developments. For affordable buildings designed for seniors and/or homeless households, 100% of the units will be accessible.
 - a. \$28 million of the Bay Area's \$102.8 million REAP 2.0 grant will be devoted to housing development that will include accessible units.
 - b. All of the developments funded with REAP 2.0 Priority Sites funding are anticipated to use low-income housing tax credits because this is the only source of affordable housing subsidies that enables multifamily affordable development, and the purpose of the REAP housing program is to facilitate the construction of new, affordable, transit-oriented housing. All developments will therefore be required to provide at least 15% mobility and 10% communications units. As noted above, if the developments include units specifically for senior or homeless households, that number increases to 100%.
 - i. Given the growing needs of low-income seniors in California, especially homeless seniors, the development of 100% fully accessible senior affordable housing buildings is continuing throughout the Bay Area.
3. The purpose of the REAP 2.0 "Preservation" funding is to protect low-income tenants in their

existing homes from the displacement that often happens when speculative buyers purchase buildings in market transactions. Further, the Preservation Pilot will prioritize investments in Equity Priority Communities, which include census tracts in which at least 12% of the population are people with disabilities. The Preservation Pilot will thus ensure that existing accessibility features in buildings are protected for the people already living there while also stabilizing existing tenants' rents and establishing long-term affordability.

4. MTC and BAHFA do not have data on the number of existing wheelchair-accessible housing.
5. Regarding your question of whether any of the government entities charged with developing and implementing housing policies are actually working on a specific, proactive plan to ameliorate the accessible housing shortage, we know that state and local policy makers are working to address the severe shortage of housing in the state generally, especially the severe shortage of affordable housing, and as part of that work, also trying to increase the number of accessible units. This is why state-funded accessibility requirements exceed the requirements applicable to privately financed housing.

Thank you,
Mallory

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From: Frank Welte
Sent: Monday, October 10, 2022 4:51 PM
To: Mallory Atkinson <matkinson@bayareametro.gov>
Cc: Marti Paschal <mpaschal@bayareametro.gov>; Martha Silver <MSilver@bayareametro.gov>
Subject: Agenda item 10, 10/12/2022 MTC Policy Advisory Council meeting question

External Email

Hello:

I believe that the current regime of federal, state and local government housing and zoning laws, regulations and policies, coupled with current real estate development and financing practices, have created a severe shortage of wheelchair-accessible housing units in the Bay Area. How will the proposed REAP 2 program alter the status quo to stimulate substantial increases in the inventory of wheelchair-accessible housing units and to prevent such accessible units as are available from being snapped up by buyers who don't actually need these accommodations?

The only language in the presentation document that speaks to this question is the following.

“In addition, because the affordable housing for all Priority Sites are likely to leverage tax credits, these projects will include mobility features for a minimum of 15% of units, and communications features for a minimum of 10% of units. Developments for seniors and housing for people with special needs will generally include mobility features in 100% of units and communications features exceeding 10% of units, and developers must prioritize leasing of accessible units to households in need of those features.”

By the way, as a person with a disability, I find the term “special needs” to be patronizing and frankly, infantilizing, like “special needs kids”.

I find this language to be overly vague and mostly wishful thinking.

Specifically, how many dollars of the proposed \$113 million BAY Area portion of the program will be allocated to grants to specifically stimulate the production of wheelchair-accessible and other forms of accessible housing units? What language in the implementing regulations and grant requirements will incentivize and/or mandate the construction/modification of wheelchair-accessible housing units. Will these requirements mandate specific targets for wheelchair-accessible units? Given the existence of the severe accessible housing shortage, is there anything in this program that can guarantee a sufficient increase in the accessible housing stock to make a significant dent in the ongoing shortage? Is there anything in the language of the proposed program to guarantee that anything more than the bare minimum number of accessible units required under current statute will ever be built?

Since the language quoted above specifically ties the specified minimum levels of accessible housing units to the receipt of tax credits, what measures, if any, will be taken to incentivize developers who don't rely on such credits to develop any accessible units at all, and to hold such developers accountable for not developing accessible housing units?

What's to prevent wealthy communities that aren't defined as “affordable housing for all Priority Sites” from completely ignoring the issue of housing accessibility?
Does this program do anything to prevent the ghettoization of people with disabilities?

Why aren't all new housing units required to be fully wheelchair accessible? Is there a shortage of inaccessible housing?

Is there an accurate count of the number of wheelchair-accessible housing units in the Bay Area?

Is there an accurate count of the number of additional wheelchair-accessible housing units required to meet the current and projected demand for such units? Does anybody even know if the indicated “minimum of 15% of units, and communications features for a minimum of 10% of units” constitutes anything more than a continuation of the existing shortage, if not a figure that could actually deepen the hole?

