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LD 1131: Resolve, Directing the Maine State Housing Authority to Study and Report on the Need for Modifications To Make Homes Accessible for Senior Citizens and Persons with Disabilities

A report submitted to the Joint Standing Committee on Taxation & the Joint Standing Committee on Labor and Housing

Researched & submitted by
MaineHousing



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Introduction

The 129th Maine Legislature requested that the Maine State Housing Authority (MaineHousing) study and report on the need for accessible housing in the state of Maine in LD 1131, “Resolve, Directing the Maine State Housing Authority To Study and Report on the Need for Modifications To Make Homes Accessible for Senior Citizens and Persons with Disabilities.” The bill directed MaineHousing to work with interested parties to study and make recommendations to the Second Regular Session of the 129th Legislature. The purpose of the study is to determine the need, with reference to geographical areas of the state, for home modifications to provide accessibility for low-income older or disabled residents of the state in order to permit those persons to remain in their homes and avoid institutionalization.

MaineHousing was also asked to evaluate the effectiveness of the income tax credit for certain home modifications. The study must identify additional programs and funding and taxpayer assistance necessary to meet the home modification needs of older and disabled individuals. MaineHousing shall report its findings to the Joint Standing Committee on Labor and Housing and the Joint Standing Committee on Taxation by January 5, 2020.

The AccessAble Home Tax Credit is a Maine income tax credit available to individuals who earn \$55,000 or less for expenses paid for modifications to their residence to make it accessible for a person with a physical disability or physical hardship who lives or will live at the residence. Designed to help Maine people with physical disabilities or hardships live safely in their homes, AccessAble Home offers much needed safety modifications and repairs.

Unfortunately, to date the program has been inefficient in serving the targeted population. Twelve households received credits from AccessAble Home in 2017 and 2018. According to the Maine Revenue Service, to date only one household has claimed it on their Maine tax returns. One person was able to realize the benefit of AccessAble Home over two years.

Two substantive changes to the AccessAble Home Tax Credit (AccessAble Home) were discussed during the Taxation Committee’s deliberations. First, to replace the use of federal adjusted gross income to Area Median Income (AMI), the income standard used in U.S. Department of Housing and Urban Development (HUD) assisted housing programs, and second, to include older adults (those 55 years and older) in the eligibility for the program.

It is MaineHousing’s mission to assist Maine people in obtaining quality affordable housing services suitable to their needs. Regrettably, there are never enough resources to serve everyone. Setting aside tax revenue has little to no value if no one is or able to utilize them. Yet the need is significant.

MaineHousing recommends replacing the tax credit with a rebate program while expanding our Community Aging in Place Grant program. We believe these approaches can serve more people while retaining many of the attributes of AccessAble Home.

Purpose

A purpose of this study is to evaluate the need for home modification programs for persons with a physical disability or hardship and older adults. The current AccessAble Home program assists the owner of the residence. Therefore, the analysis of need for home modification and accessibility is for persons living in owner-occupied housing. The study also looks at the effectiveness of our current programs, specifically AccessAble Home. Finally, the study recommends an alternative program to increase both the efficiency and benefit to Maine people.

Need

According to data from the U.S. Census, Maine is the oldest state in the nation by median age.¹ Looking to the future, Maine can expect its older adult population to grow by 15 percent by 2036.² As a result the need for home modification will also grow.

Both persons with a physical disability or hardship and older adults would benefit from home safety modifications and repairs. There is significant overlap of the two populations. Approximately 152,840 Maine people with a physical disability or hardship reside in owner occupied housing. Nearly two thirds are older adults; see Tables 1 through 3 (see Appendices 2 through 4 for county level data). Approximately 335,445 adults age 55 or more live in owner-occupied housing. Combining the broader older adult community and those with a physical disability or hardship, there are more than 280,000 people in Maine who may be eligible for a home accessibility program.

Consumer preference also supports the need for home accessibility improvements. MaineHousing commissioned a representative survey of Maine households in the spring of 2019. The purpose of the survey was to develop a better understanding of the housing needs and preferences of Maine households and to inform our policy and program planning process. A set of questions regarding housing preferences in retirement showed us that a plurality of respondents indicated they would prefer their current primary residence and over two-thirds said they plan to stay in Maine.³

Table 1: Estimates of persons with a physical disability or hardship

Estimate total persons with a physical disability or hardship	208,646
Estimate total persons with a physical disability or hardship in owner occupied housing	152,840
Estimate total persons who could be eligible for a MaineHousing home accessibility program	108,311

Sources: MaineHousing tabulation of U.S. Census Bureau, 2013-2017 American Community Survey 5-Year Estimates, tables DP05, B25008, and S1810

Table 2: Estimates of older adults in Maine

Estimate total persons 55 years and over	457,925
Estimate total persons 55 years and over in owner-occupied housing	335,445
Estimate persons 55 years and over in owner-occupied housing and household income of \$55,000 or less	248,042

Sources: MaineHousing tabulation of U.S. Census Bureau, 2013-2017 American Community Survey 5-Year Estimates, tables DP05, B25008, and S1810

¹ (McGuire 2018)

² (State of Maine Department of Administrative and Financial Services: State Economist)

³ (MaineHousing 2019)

Table 3: Estimate of persons potentially eligible for MaineHousing home accessibility and repair programs

Estimate total persons 55 years and over or with a physical disability or hardship in owner-occupied housing and household income of \$55,000 or less	282,206
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Sources: MaineHousing tabulation of U.S. Census Bureau, 2013-2017 American Community Survey 5-Year Estimates, tables DP05, B25008, and S1810

Home Repair and Modification Programs

As Maine continues to age and the need for home safety modifications and repairs increases, additional resources will be necessary to support and expand current programs and develop new ones.

Home modification programs such as AccessAble Home and others administered by MaineHousing, community organizations, and volunteer efforts help Mainers live with dignity, more independence, and in a safe home adequate to their needs. All of our home modification and repair programs enable our family members, friends, and neighbors to remain safely in their home at a fraction of the cost of other housing and healthcare interventions, such as independent living multifamily housing, nursing homes, or assisted living facilities.

Home repair and home modification may bring to mind similar types of work. However, the differences between them are important.

- Home repair programs tend to be costlier, focusing on structural and permanent changes. Examples include widening doorways or adding a ramp.
- A home modification program focuses on low-cost, high-impact modifications that are easier to install and do not require structural changes. Examples include grab bars, raised toilet seats, and flooring repairs.

There can be as many as six home modification and repair programs in a community; most have access to at least two. Many groups and organizations around the state provide these services from Habitat for Humanity to Harpswell's Handy Brigade. The number of large organizations and homegrown community groups participating is a strong indication of the need for these services.

Other state led efforts include the state's share of HUD's Community Development Block Grant (CDBG) administered by the Maine Department of Economic and Community Development (DECD). Annually, Maine receives a formula allocation of CDBG funds. Eligible Maine communities receive a share to assist in areas such as infrastructure, housing, and economic development. Between 2010 and 2015, over \$8.5 million dollars from CDBG have been awarded to local communities to address housing quality in the form of housing repair and rehabilitation programs.⁴ In addition to DECD's efforts, municipalities that receive CDBG funds directly from HUD may choose to use their allocation for similar work.

MaineHousing Home Repair and Modification Programs

In addition to AccessAble Home, MaineHousing has two programs currently that may serve the same population through different delivery mechanisms. The Home Accessibility and Repair Program (HARP) administered by Community Action Agencies is a comprehensive home repair program. Community Aging in Place is a low-cost,

⁴ (Maine Department of Economic and Community Development)

high-impact home modification program for older adults and persons with a disability. Currently they both serve more people than AccessAble Home. These three programs are described as follows.

AccessAble Home Tax Credit

In 2016, the Greater New England chapter of the National Multiple Sclerosis Society introduced legislation that created AccessAble Home Tax Credit. The Maine Legislature enacted the AccessAble Home to take effect beginning January 1, 2017 for expenses paid in the 2017 calendar year. The credit is on 2017 tax forms filed with Maine Revenue Services in 2018. AccessAble Home is a Maine income tax credit available to individuals who earn a federal adjusted gross income of \$55,000 or less for expenses paid for modifications to their residence to make it accessible for a person with a physical disability or physical hardship who lives or will live at the residence. There is a sliding scale by income to determine the amount of credit a household is eligible for (Table 4). For reference, Table 5 shows the State’s Area Median Income (AMI) for low-income households.

Table 4: AccessAble Home Tax Credit: Income Eligibility & Tax Credit Percentage		
Income Scale		Tax Credit
A.	For taxpayers with a federal adjusted gross income up to \$25,000	100%
B.	For taxpayers with a federal adjusted gross income up to \$25,000 but not over \$30,000	90%
C.	For taxpayers with a federal adjusted gross income up to \$30,000 but not over \$35,000	80%
D.	For taxpayers with a federal adjusted gross income up to \$35,000 but not over \$40,000	70%
E.	For taxpayers with a federal adjusted gross income up to \$40,000 but not over \$45,000	60%
F.	For taxpayers with a federal adjusted gross income up to \$45,000 but not over \$55,000	50%

Table 5: State Area Median Income: Low-Income (80%)							
Persons in family							
1	2	3	4	5	6	7	8
40,650	46,450	52,250	58,100	62,750	67,350	72,000	76,650

Source: HUD FY 2019 Income Limits

Home Accessibility and Repair Program (HARP)

MaineHousing's HARP provides help to low-income homeowners who cannot afford necessary home repairs in the form of a grant. Annually, 15 percent of HARP is set aside for “elderly” projects for persons 60 years or older.

Under HARP, there are six types of home repair grants, one of which is *Accessibility*. An “Accessibility Grant” of up to \$15,000 may be provided to low-income (at or below 80 percent of the Area Median Income) households living in owner-occupied single family residence with an occupant or occupants with physical disabilities or who are experiencing physical barriers in their homes. A minimum of 75 percent of each grant is used for accessibility rehabilitation which will improve the quality of life of the resident who has a physical disability, or is experiencing

physical barriers within the home. Up to 25 percent of the grant can be used for basic necessary repairs to the home, so long as the accessibility rehabilitation is completed first.

In 2018, HARP repaired 203 homes, of which, 31 were Accessibility Grants. Total expenditures in 2018 for HARP was \$3.3, million of which \$320,096 was in Accessibility Grants for an average of \$10,325 per home.

Community Aging in Place

With the belief that safe, stable housing is critical to the health and wellness of a community, MaineHousing's Community Aging in Place Grant was created in 2017 to support the replication of Bath Housing's aging in place initiative. The inaugural funding year provided support for five Public Housing Authorities (PHA) and expanded to six PHAs in 2018. In 2019, the program expanded to 10 partner agencies, eight PHAs and two Community Action Agencies and we are seeking to take it statewide by the end of 2020.

The program concept was originally established in 2015, and itself based on the evidenced-based CAPABLE program from Johns Hopkins University. The Community Aging in Place Grant Program offers no-cost home safety checks, minor maintenance repairs, and accessibility modifications to eligible low-income, older adult and disabled homeowners. These services enable recipients to continue living safely and comfortably at home.

The Community Aging in Place Grant funds low-cost, high-impact home safety modifications for an average of \$2,500 per home. This program created a progressive solution for aging homeowners by establishing a model to address the housing and wellness issues of a growing segment of Maine residents. Eligibility requirements are:

- Age 55 years and older or have a disability;
- Own your own home or live in a home owned by a family member;
- Annual income of up to 80 percent of area median income' and
- Live within the service area of our partners.

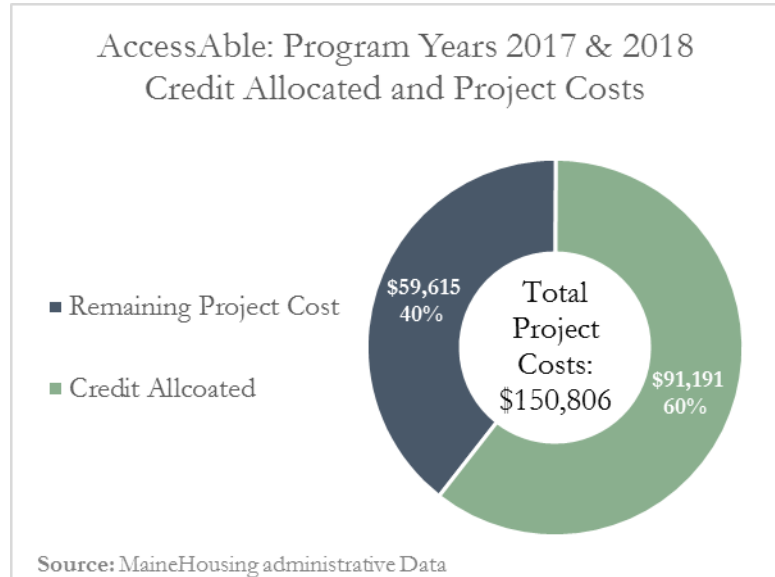
In the 2018 program year, the program served 133 households at a cost of \$194,015 for an average of \$1,459 per home.

In response to the need for home accessibility, MaineHousing has increased funding for its Home Accessibility and Repair Program, which has an Accessibility Grant up to \$15,000. Additionally, we have committed to expand our Community Aging in Place Grant program statewide by the end of the year. These two in-house programs, which provide accessibility modifications and repairs, served 162 households in 2018 and more than 250 in 2019.

Analysis of AccessAble Home Tax Credit

AccessAble Home allocated 12 households credit in 2017 and 2018 program years, ten households in 2017 and two in 2018. The allocated credit totaled \$91,191 and covered 60 percent of the \$150,806 total project costs. According to Maine Revenue Service, to date only one household has claimed the AccessAble Home on their Maine tax returns. Of the 12 households that were issued credit, nine received the full amount of \$9,000, indicating that they had a federal adjusted gross income of \$25,000 or less. Nearly all households who qualified and issued credits from AccessAble Home received no benefit.

The federal government and states have long used the tax code to encourage certain behaviors that are beneficial for the individual and society. AccessAble Home is no different. The difference is that many of the people who could benefit from AccessAble Home cannot because their state tax liability is too low or nonexistent. Not being able to claim a tax credit annually does not change the fact a person with physical disability or hardship, or an older adult planning to age in place, would greatly benefit by home safety modifications that keeps them in their homes safely.



Conclusion and Recommendations

As an agency, it is our mission to assist Maine people in obtaining quality affordable housing services suitable to their needs. Survey after survey confirms that most people want to stay in their homes. Helping them do so safely is imperative for the individual and community. The need is great and is likely to increase into the future. Having the right programs available to meet the diverse set of needs in the community is necessary if Maine is going to be successful.

MaineHousing recommends the repeal of AccessAble Home because it is ineffective in serving the people who have tried to benefit from the program. Strengthening and expanding our current home accessibility programs are one way to ensure this population receives the services it needs. A new rebate program modeled on AccessAble Home will provide a third option providing flexibility in choice and level of service not currently offered. Enabling Maine people to live more safely in the housing they choose is a positive impact for the individual and the community.

A rebate program modeled after AccessAble Home would be efficient to administer. The homeowner would contract a private sector firm to do the work rather than work through our partner agencies that administer other accessibility programs. MaineHousing would issue a rebate for eligible repair and modification work providing more immediate benefit to the homeowner. While AMI is often used to determine income eligibility for housing programs, it is difficult for the average homeowner to decide their income in relation to AMI and thus their anticipated rebate. Maintaining the income eligibility guidelines for AccessAble Home will be simpler for potential applicants.

MaineHousing was also asked to consider expanding eligibility to older adults without a disability. The current AccessAble is available for a person with a physical disability or physical hardship who lives or will live at the residence. We recommend that the new rebate program initially serve the same population as AccessAble Home. We believe that with this new program combined with the planned expansion of our Community Aging in Place Grant we can serve more non-disabled older adults.

As noted in the Needs section, there is considerable overlap of older adults and persons with disabilities. Moving to a rebate program may entice more homeowners to apply and receive a rebate than the current tax program. MaineHousing is also proposing to initially fund the rebate program with its existing resources. MaineHousing may need to return to the Legislature to request additional funding if the demand for the rebate program exceeds our resources. Without a good history of experience to inform program changes, we therefore recommend a more conservative approach.

Our recommendations are as follows:

1. Replace the AccessAble Home Tax Credit with a rebate program. Regrettably, there are never enough resources to serve everyone. Setting tax revenue for credits has little to no value if no one is, or able to utilize them. By replacing the tax credit with a rebate program, we believe that these resources can serve more people.
2. Model the new rebate program after the AccessAble Home program guidelines for income eligibility and amount of rebate. These are understandable and easily administered guidelines.
3. Maintain eligibility for the new rebate program as defined for AccessAble Home for a person with a physical disability or physical hardship who lives or will live at the residence.
4. Run the initial rebate program using existing resources at MaineHousing.
5. Maintain and expand MaineHousing's current programs for home modification. MaineHousing will continue to address the needs of Maine people who need accessibility modifications and repairs in their homes. Our plan is to provide more funding for HARP and to expand Community Aging in Place to a statewide program.

References

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- State of Maine Department of Economic and Community Development. *Block Grant Program*. <https://www.maine.gov/decd/community-development/cdbg-program>.
- U.S. Census Bureau, 2013-2017 American Community Survey 5-Year Estimates. *tables DP05, B25008, and S1810*.

Appendices

Appendix 1: LD 1131

LD 1131 sponsored by Representative Victoria Morales, District 33, South Portland, and was originally titled "An Act to improve the Ability of Senior Citizens and Persons with Disabilities Stay in Their Homes." The original bill sought to change the use of federal adjusted gross income to Area Median Income, the income standard used in federally funded housing programs, and to include older adults in the eligibility for AccessAble Home.

'Resolve, Directing the Maine State Housing Authority To Study and Report on the Need for Modifications To Make Homes Accessible for Senior Citizens and Persons with Disabilities'

'Sec. 1 Maine State Housing Authority to study and report on need for accessible housing. Resolved: That the Maine State Housing Authority shall work together with local housing authorities and interested groups to conduct a study of the need, with reference to geographical areas of the State, for home modifications to provide accessibility for low-income older or disabled residents of the State in order to permit those persons to remain in their homes and avoid institutionalization. The study must evaluate the effectiveness of the income tax credit for certain home modifications. The study must identify additional programs and funding and taxpayer assistance necessary to meet the home modification needs of older and disabled individuals. The housing authority shall report its findings to the Joint Standing Committee on Labor and Housing and the Joint Standing Committee on Taxation by January 5, 2020. The joint standing committees may each report out a bill based on the report to the Second Regular Session of the 129th Legislature.'

Appendix 2: Estimates of persons with a physical disability or hardship in Maine

Geography	Estimate total persons with a physical disability or hardship	Estimate total persons with a physical disability or hardship in owner occupied housing	Estimate total persons with a physical disability or hardship in owner occupied housing and household income of \$55,000 or less
Androscoggin	17,327	11,521	9,805
Aroostook	15,047	11,000	9,794
Cumberland	32,698	23,153	14,130
Franklin	5,000	3,909	2,816
Hancock	8,247	6,150	4,389
Kennebec	19,266	13,892	10,636
Knox	6,472	4,936	3,318
Lincoln	5,555	4,404	2,817
Oxford	10,548	8,414	6,185
Penobscot	27,789	19,439	15,565
Piscataquis	4,244	3,270	2,814
Sagadahoc	4,576	3,528	2,110
Somerset	10,360	7,921	6,386
Waldo	6,313	5,014	3,409
Washington	6,587	4,872	4,114
York	28,617	21,728	12,765
Maine	208,646	152,840	108,311

Sources: MaineHousing tabulation of U.S. Census Bureau, 2013-2017 American Community Survey 5-Year Estimates, tables DP05, B25008, and S1810

Appendix 3: Estimates of older adults in Maine

Geography	Estimate total persons 55 years and over	Estimate total persons 55 years and over in owner occupied housing	Estimate persons 55 years and over in owner occupied housing and income of \$55,000 or less
Androscoggin	32,563	21,652	19,507
Aroostook	26,508	19,379	18,310
Cumberland	90,705	64,227	41,169
Franklin	11,040	8,631	6,837
Hancock	21,600	16,108	11,424
Kennebec	41,115	29,647	23,199
Knox	15,774	12,029	8,467
Lincoln	14,626	11,596	7,535
Oxford	21,096	16,828	13,424
Penobscot	48,175	33,700	27,653
Piscataquis	7,265	5,596	4,974
Sagadahoc	12,794	9,864	6,096
Somerset	18,142	13,871	11,671
Waldo	14,543	11,550	8,198
Washington	12,587	9,309	7,811
York	69,393	52,689	34,302
Maine	457,925	335,445	248,042

Sources: MaineHousing tabulation of U.S. Census Bureau, 2013-2017 American Community Survey 5-Year Estimates, tables DP05, B25008, and S1810

Appendix 4: Estimate of persons potentially eligible for MaineHousing home accessibility and repair programs

Geography	Estimate total persons 55 years and over or with a physical disability or hardship, in owner occupied housing and household income of \$55,000 or less	Percent estimate of population potentially eligible for a MaineHousing accessibility program
Androscoggin	22,969	21.4%
Aroostook	21,198	30.8%
Cumberland	42,243	15.6%
Franklin	7,596	25.2%
Hancock	12,683	23.3%
Kennebec	26,895	22.2%
Knox	9,401	23.7%
Lincoln	8,409	24.7%
Oxford	15,364	26.8%
Penobscot	33,517	22.0%
Piscataquis	5,955	35.1%
Sagadahoc	6,723	19.1%
Somerset	13,558	26.6%
Waldo	9,221	23.5%
Washington	9,224	29.0%
York	37,565	18.6%
Maine	282,206	21.2%

Sources: MaineHousing tabulation of U.S. Census Bureau, 2013-2017 American Community Survey 5-Year Estimates, tables DP05, B25008, and S1810

Appendix 5: Area Median Income: Low-Income (80%)

Geography	Persons in Family							
	1	2	3	4	5	6	7	8
Aroostook County, ME	36,300	41,500	46,700	51,850	56,000	60,150	64,300	68,450
Bangor, ME HMFA	41,450	47,400	53,300	59,200	69,950	68,700	73,450	78,150
Cumberland County, ME (part) HMFA	41,450	47,400	53,300	59,200	69,950	68,700	73,450	78,150
Franklin County, ME	36,300	41,500	46,700	51,850	56,000	60,150	64,300	68,450
Hancock County, ME	38,300	43,800	49,250	54,700	59,100	63,500	67,850	72,250
Kennebec County, ME	39,150	44,750	50,350	55,900	60,400	64,850	69,350	73,800
Knox County, ME	36,700	41,950	47,200	52,400	56,600	60,800	65,000	69,200
Lewiston-Auburn, ME MSA	36,300	41,500	46,700	51,850	56,000	60,150	64,300	68,450
Lincoln County, ME	38,850	44,400	49,950	55,500	59,950	64,400	68,850	73,300
Oxford County, ME	36,300	41,500	46,700	51,850	56,000	60,150	64,300	68,450
Penobscot County, ME (part) HMFA	36,300	41,500	46,700	51,850	56,000	60,150	64,300	68,450
Piscataquis County, ME	36,300	41,500	46,700	51,850	56,000	60,150	64,300	68,450
Portland, ME HMFA	52,100	59,550	67,000	74,400	80,400	86,350	92,300	98,250
Sagadahoc County, ME HMFA	41,400	47,300	53,200	59,100	63,850	68,600	73,300	78,050
Somerset County, ME	36,300	41,500	46,700	51,850	56,000	60,150	64,300	68,450
Waldo County, ME	36,300	41,500	46,700	51,850	56,000	60,150	64,300	68,450

Appendix 5: Area Median Income: Low-Income (80%)								
Geography	Persons in Family							
	1	2	3	4	5	6	7	8
Washington County, ME	36,300	41,500	46,700	51,850	56,000	60,150	64,300	68,450
York County, ME (part) HMFA	41,100	46,950	52,800	58,650	63,350	68,050	72,750	77,7450
Maine	40,650	46,450	52,250	58,100	62,750	67,350	72,000	76,650

Source: HUD FY 2019 Income Limits

Notes: HUD Metropolitan Fair Market Rent Area (HMFA) – indicates that only a portion of the Office of Management and Budget defined core-based statistical area is in the area in which the income limits apply.

Metropolitan Statistical Area (MSA): An area with at least one urbanized area of 50,000 or more population, plus adjacent territory that has a high degree of social and economic integration with the core, as measured by commuting ties.

About MaineHousing

MaineHousing is an independent quasi-state agency that also is one of the top mortgage lenders and affordable housing development lenders in the state. The authority is a \$1.8 billion financial institution with a staff of over 160 whose mission is to assist Maine people in obtaining and maintaining quality affordable housing and services suitable to their housing needs.

On an annual basis the agency assists more than 90,000 Maine households and invests more than \$300 million in Maine’s economy, most of it from the sale of tax-exempt revenue bonds, private capital generated by the low income housing tax credit, and federal funds.

MaineHousing provides financing and administers programs to assist first-time homebuyers; to develop affordable rental housing; to create housing for people with special needs; to provide housing for people who are experiencing homelessness; to provide low income households with heating assistance; and to repair or weatherize homes of low-income homeowners.