



# DPC Issue Brief

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for Texans with disabilities.

**Title:** Protection of '504' in Low Income Housing Tax Credit (LIHTC) deals

**Background:** During the 77<sup>th</sup> Legislative Session, the Housing Committee of the DPC and DPC member organizations advocated for an amendment to the Texas Department of Housing and Community Affairs (TDHCA) 'sunset' legislation (SB 322) to mandate that the Department follow design standards outlined in Section 504 of the Rehabilitation Act of 1973 for housing developed through the Low Income Housing Tax Credit program. Adoption of these design standards were meant to increase the actual accessible and usable units and more effectively address the needs of people with disabilities. With Section 504 design standards tax credit projects will have consistent standards with projects that are developed using Housing Trust Funds, HOME, CDBG or other federal funding supports. Section 504 design standards eliminate discriminatory practices towards persons with disabilities and provide for physical access in all programs or activities receiving federal funds.

During the 79<sup>th</sup> Legislative Session, the DPC members were successful in preventing weakened provisions proposed in HB1167, as well as, other challenges to current programs to serve people with disabilities. No legislation was passed that changed the current system.

The current state law needs to remain in place to continue to develop more accessible housing units through the State of Texas' Low Income Housing Tax Credit program.

**Recommendation:** The Disability Policy Consortium (DPC) recommends that the Texas Legislature ensures that current state fair housing laws and Section 504 accessibility standards in tax credit developments are not weakened or eliminated.

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**MEMBER ORGANIZATIONS:** *Statewide Members:* Advocacy, Incorporated, Brain Injury Association of Texas, Coalition of Texans with Disabilities, Epilepsy Coalition of Texas, The Institute for Disability Access/ADAPT, Lone Star Association for Persons in Supported Employment, Mental Health Association in Texas, National Alliance for the Mentally Ill of Texas, National Multiple Sclerosis Society of Texas, Texas Advocates, Texas AIDS Network, Texas Association of Centers for Independent Living, Texas Association of the Deaf, Texas Center for Disability Studies/ Texas Technology Access Project, Texas Council for Developmental Disabilities, Texas Federation of Families for Children's Mental Health, Texas Legal Services Center, Texas Mental Health Consumers, Texas State Independent Living Council, Texas State Sickle Cell Disease Association of America, The Center on Disability and Development at Texas A&M University, Council for Families for Children, United Cerebral Palsy of Texas, The Spina Bifida Association of Texas, Inc., and the Depression and Bipolar Support Alliance of Texas. *Local Members:* Epilepsy Foundation Central & South Texas. REACH Resource Centers on Independent Living – Dallas, Fort Worth and Denton, Corpus Christi Committee for Persons with Disabilities, Goodwill of Central Texas and Coastal Bend Center for Independent Living