

4 February 2025

To: Joint Committee on Ways & Means Subcommittee on Natural Resources

From: Michael Szporluk, Principal, MAS Consulting, LLC

Re: SB 5528, Department of Land Conservation & Development

Thank you for the opportunity to testify in support of SB 5528, the Governor's recommended budget (GRB) for the Department of Land Conservation & Development (DLCD). I support SB 5528, including the Policy Option Packages (POP).

MAS Consulting is a sole proprietor LLC that conducts research, advocacy and evaluation to support the realization of the rights of persons with disabilities. MAS Consulting has consulted with clients over the past twelve years, working in roughly twenty countries across the globe on issues as diverse as housing, employment, health and nutrition, procurement, and policy development. In 2015 I wrote a book for UN-Habitat on the right to housing for persons with disabilities. [see: <https://unhabitat.org/the-right-to-adequate-housing-for-persons-with-disabilities-living-in-cities>]

I appreciate that DLCD has actively sought to actively engage persons with disabilities in the process of formulating and implementing the Oregon Housing Needs Analysis Program (OHNA). I appreciate also DLCD's commitment to an intersectional approach as it strives to "promote housing production, affordability, and choice." It is important to emphasize several points concerning demographics in Oregon, the gap between the availability of and the demand for accessible housing, and the meaning of housing choice for persons with disabilities.

Please note, that while I cite some data below, for ease of this submission I'm not including footnotes now. I'm happy to provide sources in subsequent communications.

First, roughly 25% of all Oregonians are persons with disabilities. We also know, given the correlations between aging and disability, and race and disability, that both in terms of raw numbers as well as a percent of the whole population, there will be significantly more Oregonians with disabilities over the next twenty years.

Second, there is already a profound shortage of accessible housing stock, with some studies showing that only 1-2% of apartments are fully physically accessible. Thus, we can state with certainty that unless significant and targeted actions are taken by DLCD and other state agencies we will see an even greater housing crisis as it pertains to persons with disabilities and their families. SB 444 proposes increases in the percent of different types of accessible housing, and though I support that bill as a necessary step for housing equity, alone it is still insufficient. Additional actions are needed.

Third, the cost of developing accessible housing does not have to be more expensive than developing inaccessible housing. This, in fact, is one of the major misconceptions held by urban


planners, developers and policy makers, and that misconception leads to the underproduction of accessible housing. The Kelsey, [see: <https://thekelsey.org/>], a national non-profit that supports the development of accessible housing in various markets, has shown that accessible housing can be cost-effective. They use inclusive design standards to guide the entirety of their developments, and they completed inclusive developments in San Jose and San Francisco at costs that were between 2- 14 % lower than those cities' averages. Their research has also shown that inclusive design standards do represent a cost savings in other markets (such as in Georgia and Oklahoma).

Since accessible housing does not need to be more expensive, and since we know that the demand and need for accessible housing will only increase, there are no good reasons to continue to promote the development of inaccessible housing of all types (single family, condos, middle housing, etc.). Rather we need to proactively promote inclusive design and development starting now.

Fourth, traditionally legislators, urban planners and developers look at housing choice through the lens of market rate housing and so-called affordable housing. Those lenses, though, do not adequately address the concerns and needs of persons with disabilities. An affordable unit may not be a viable option for a person with a disability or their family. Measures of affordability do not take into account the added costs that households with disabilities experience. Moreover, inaccessible housing, for persons with disabilities and their families, is inherently unstable and poses a health and safety risk.

A broader approach, one that incorporates other considerations or elements is needed. That broader approach should look not only at affordability but also needs to consider accessibility, the availability of and proximity to goods and services, the materials used for construction, inhabitability (i.e., size), and cultural context.

I appreciate Governor Kotek's goals as established in Executive Order 23-04, namely to ensure that we are able to maintain housing stability for all of our current and future residents. I urge DLCD and the legislature to broaden how you think of the right to housing, as that broader lens will better prepare the state's goals as it pertains to the quarter of the population that have a disability, as well as their families.



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