Creating a Collective Approach to Address an Aging NH

NH Alliance for Healthy Aging Quarterly Meeting March 9, 2022



Agenda

- Welcome and Housekeeping
- NH Fair Housing Program Presentation
- Networking in breakout rooms
- Gen Silent Survey Project
- NHAHA Advocacy Update
- General NHAHA Updates and Wrap up





2021 HIGHLIGHTS AND ACCOMPLISHMENTS

NHAHA is a statewide coalition of stakeholders focused on health and wellbeing of older adults in New Hampshire. We envision a future when New Hampshire is a great place to live as we age. We imagine a time when no matter where we live or how old we are, we are seen and welcomed in our communities and have the choices and supports we need to live life to the fullest.

Strate	gic '	Visio	ning	Process

Principles of Practice

In 2020 and 2021, the NHAHA Steering Committee engaged in a strategic visioning process that resulted in updates to the Mission, Vision, and Values of NHAHA, and the Theory of Change. In March of 2021, the Steering Committee ratified NHAHA's <u>Strategic Guiding</u> document.



Quarterly Meetings

- In 2021, NHAHA hosted 4 virtual quarterly meetings (recordings available <u>here</u>).
- 265 people participated across all four meetings in 2021.
- 1,225+ people have attended a quarterly meeting since NHAHA launched in 2016!

Communication Launched AHA Moments, a weekly news flash regarding key events, happenings, articles, and other relevant information for stakeholders.

 Added 7 additional <u>webpages</u> to the website to highlight the work of the strategic priority areas and committees.

Diversity, Equity, and Inclusion (DEI) In alignment with NHAHA values, a DEI Committee was established in 2018. The role of the Committee is to ensure that a DEI lens is utilized throughout NHAHA strategies and activities. 2021 activities prioritized development of strategies in the priority population subcommittees.

- People of color subcommittee: conducted a survey to identify opportunities and challenges for people of color to age with dignity.
- LGBT aging subcommittee: in partnership with Zen Executive, hosted screenings and evaluated the film, Gen Silent, on its impact in changing knowledge and attitudes of aging service providers. Read the report <u>here</u>.
- People with disabilities subcommittee:
 - Outreach to individuals and organizations within the disability network to strengthen collaborations.
 - Invited NH Council on Developmental Disabilities to present at a NHAHA Quarterly meeting.

Measurement

- Updated, administered, and analyzed annual participant survey. Presented results with recommended actions based on feedback.
- Participated in Wellbeing National Network to align initiatives.

WWW.NHAHA.INFO

Funding for NHAHA is provided by the Endowment for Health and the Tufts Health Plan Foundation



 <u>Bias is Getting Old: Challenging Age Bias</u> <u>Together to Build Healthier Communities</u> <u>and Economies</u>, Tri-State Learning Collaborative

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2021 NHAHA Participant Survey

• Why do we do an annual survey?

- Gather feedback and hear about NHAHA participant experiences
- Measure progress
- Identifying areas of growth and improvement
- Only takes 8 to 10 minutes to complete
- Deadline to complete it is Friday, March 11th!



New Hampshire Legal Assistance



Equal Access to Justice in Civil Cases

PRESENTERS

Lindsay Lincoln Fair Housing Project Co-Director Concord Office 117 North State Street Concord, NH 03301 <u>llincoln@nhla.org</u> 603-223-9750, ext. 2907 Maria Eveleth Fair Housing Project Co-Director Manchester Office 1850 Elm Street, Suite 7 Manchester, NH 03104 <u>meveleth@nhla.org</u> 603-668-2900, ext. 2904

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FAIR HOUSING LAW OVERVIEW

Federal Fair Housing Act (FHA) – 42 U.S.C. § 3601 et seq.

Protected Classes

- Race
- Color
- National Origin
- Religion
- Sex (including sexual orientation and gender identity)
- Disability
- Familial Status

FAIR HOUSING LAW OVERVIEW

N.H. Law Against Discrimination – RSA 354-A

Protected Classes

- All federally protected classes (race, color, national origin, religion, sex, disability, familial status)
- Marital Status
- Age
- Sexual Orientation
- Gender Identity

COVERAGE UNDER THE FHA

Dwellings – where someone resides Includes:

- Private and government subsidized housing
- Rental housing
- Single-family homes
- Manufactured housing parks
- Condo associations
- Assisted living facilities
- Nursing homes
- Transitional housing programs
- Other

EXEMPTIONS FROM HOUSING DISCRIMINATION LAWS

- Owner-occupied buildings with:
 - 4 units or fewer (federal)
 - 3 units or fewer (state)
- Housing operated by organizations and/or private clubs that limit occupancy to members
- Single family house sold or rented without the use of a broker
- However, exemptions can be defeated in certain situations (e.g., ownership of multiple single family homes, use of a broker, etc.)



DISCRIMINATORY TREATMENT

Disparate Treatment

• Direct discrimination based on person's protected class status

Disparate Impact

 Neutral policy, rule, law, practice that has a disproportionate, negative impact on a protected class group

Exemptions from Protection of the FHA

- Direct threat to health or safety (but see Roe v. Sugar River Mills case)
- Substantial physical damage to property of others
- Current illegal drug use

PROHIBITED PRACTICES UNDER FAIR HOUSING LAWS

Certain practices are illegal if they are being directed toward members of one of the protected classes:

- Refusal to sell or rent
- Terms or conditions with disparate effects (e.g., redlining, "zero violence" policy, etc.)
- Steering (both for home sales & rentals)
- Exclusionary zoning
- Retaliation for asserting protected rights
- Discriminatory advertisements or statements
- Failure to provide reasonable accommodations or modifications for a person with a disability

HOUSING FOR OLDER PERSONS

State and federal law permit the creation of housing for older persons.

- Housing specifically designed and operated to assist older persons.
- Examples:
 - 55+ housing (can be exclusively for 55+ or at least 80% of households have at least one resident 55+).
 - Housing for those 62 and older.
- Housing for older persons, if it meets the criteria, may lawfully exclude based on age and familial status.
- Reasonable accommodations in age restricted housing

ADMISSIONS/ENTRANCE CRITERIA

Housing Providers May Not:

 Inquire as to the existence of a disability or to ask about the nature or severity of the disability.

Housing Providers May:

- Make sure that applicant qualifies for a dwelling only available to persons meeting certain age limits or who have a disability or a certain type of disability.
- Determine whether an applicant falls into a priority category.
- Queries must be made of all applicants.

Disability under the FHA:

 (1) a physical or mental impairment which substantially limits one or more of such person's major life activities (walking, talking, sleeping, seeing, thinking, etc.),

(2) a record of having such an impairment, or

(3) being regarded as having such an impairment.

Persons with disabilities may request an accommodation to allow them to fully use and enjoy their dwellings.

- An accommodation is a change in a rule, policy, or procedure that would allow the person to fully use and enjoy the dwelling.
- A modification is a change to the physical structure to accommodate a disability.
- Accommodation must be requested (can be done at any time).

There must be a connection between disability and accommodation.

Request must be reasonable

- Cannot impose an undue financial burden
- Cannot impose an undue administrative burden
- Cannot require a fundamental deviation from the nature of the program
- Request does not have to be made in any specific form and it does not have to be in writing (but it is recommended).
- Person with the disability is in the best position to know what would work best for them.

Housing provider's response should never be to flatly deny the request or ignore the request – either may trigger a violation of the FHA.

This should be an interactive process.

- If disability is not apparent or the need for a particular accommodation is not obvious and apparent, the housing provider may inquire further but only as much as is needed to make an informed decision.
- Not entitled to request medical records.
- Doctors are not the only professionals who may provide competent information.

Who pays for a reasonable modification?

• Generally, the tenant is responsible for the cost, unless the housing provider is federally subsidized. Federally subsidized housing providers must cover the cost of a reasonable modification unless it is an undue financial burden.

Can housing provider impose conditions on reasonable modifications?

- In most cases, can require modification be removed and original conditions restored.
- Can require installation be done by a professional with insurance coverage.
- Can request funds be held in escrow to cover costs of restoration.



ASSISTANCE ANIMALS

Assistance Animals – An animal that "works, provides assistance, or performs tasks for the benefit of a person with a disability, or provides emotional support that alleviates one or more identified symptoms or effects of a person's disability."

ASSISTANCE ANIMALS

Reminder – an accommodation request, by its nature, is a request to deviate from the rules.

- The request must be reasonable.
- There must be a nexus between the disability and the request.
- These are individualized requests blanket rules are not applicable.
 - Conditions and restrictions applied to pets may not be applied to assistance animals (e.g., breed, size, and weight limitations do not apply)
 - "Aggressive" animals individualized assessment

LIVE-IN AIDES

- Public housing, voucher-supported unit, other HUD-assisted and subsidized housing
- Must be essential to the care and well-being of older adult (62+) or person with disabilities, not obligated for the support of the person, and would not be living in the unit except to provide necessary support services
- Factors to consider household member as live-in aide



OTHER RELEVANT AND RELATED LAWS

- Section 504 of the Rehabilitation Act of 1973 29 U.S.C. § 794
- Title VI of the Civil Rights Act of 1964 42 U.S.C. § 2000d
- Americans with Disabilities Act (ADA) 42 U.S.C. § 12101

IT'S A TEST: THE FAIR HOUSING TESTING PROGRAM

WHAT IS TESTING?

- It's a simulation of a housing transaction for the purpose of comparing the responses of home seekers in protected and unprotected classes to determine if discrimination is occurring.
- The use of the testing process was validated in 1982 by the United States Supreme Court in <u>Havens Realty v.</u> <u>Coleman</u>.

RESOURCES

NHLA

<u>https://www.nhla.org/</u>

NHLA Fair Housing

https://fairhousing-nh.org/

603 Legal Aid

<u>https://nhlegalaid.org/603-legal-aid</u>

NH Judicial Branch

https://www.courts.state.nh.us/

HUD Office of Fair Housing and Equal Opportunity (FHEO)

https://www.hud.gov/program_off ices/fair_housing_equal_opp

NH Human Rights Commission

https://www.nh.gov/hrc/

Questions?



Networking and Discussion in Breakout Rooms



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GEN SILENT SURVEY PROJECT: New Hampshire

Alison C. Rataj







Background

» LGBT older adults are likely to have increased reliance on aging services

» New Hampshire agencies are eager to provide LGBT friendly aging services but need more resources

» *Gen Silent* Survey Project aimed to evaluate the change in knowledge, attitudes, and anticipated behaviors of providers





Key Finding

Change from pretest to posttest was found to be **statistically significant** (*p* < .05) for **90%** of the survey questions





Key Finding

Majority of participants' (76% -79%) posttest scores **improved** after watching Gen Silent







Key Finding

Majority of participants (83%) indicated their thoughts and views changed after watching *Gen Silent*



- Changed a great deal = Changed somewhat
- Changed modestly = No change
- I don't know





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Key Finding

The percentage of participants who stated they had no interest in LGBT aging prior to the film dropped by 50% after viewing Gen Silent.







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- Diversity, Equity, and Inclusion (DEI) LGBT Aging Subcommittee is coordinating screenings of the film across New Hampshire. If your organization is interested in hosting a screening contact Dr. Kristen Porter at <u>drkristenporter@gmail.com</u>
- The DEI Committee and LGBT Aging Subcommittee are welcoming of all individuals and would you love for you to join us! Contact Jennifer Rabalais at <u>Jennifer.Rabalais@unh.edu</u> for more information





Resources





- Gen Silent Survey Project Report: <u>https://endowment-assets.nyc3.digitaloceanspaces.com/resources/Healthy-Aging/NH_GenSilentSurveyReport_10062021_Porteretal.pdf</u>
- For more information about Gen Silent: <u>https://www.theclowdergroup.com/gensilent</u>
- LGBT Aging Readiness Scan New Hampshire: <u>https://endowment-assets.nyc3.digitaloceanspaces.com/images/NH_LGBT_Aging_Readiness_Scan.pdf</u>
- NHAHA Diversity, Equity, and Inclusion Committee: <u>https://nhaha.info/diversity-equity-and-inclusion/</u>









NHAHA Quarterly Meeting Advocacy Update

ATTRACTOR DESCRIPTION DE CONTRACTOR

Upcoming NHAHA Quarterly Meeting Dates

Thursday, June 9th, 2022 Wednesday, September 14th, 2022 Thursday, December 8th, 2022



Thank you for participating!

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