

## STATEMENT IN SUPPORT OF AMENDING THE VISITABILITY ORDINANCE

Walton D. Dutcher, Jr.

The Committee to Advocate for Persons for Impairments (CAPI) was created to advocate, advise and formulate positions on issues facing persons with impairments and to provide the St. Petersburg City Council and the Office of the Mayor and other departments, committees and offices thereunder and, whenever possible, private entities with advice and guidance relative to the affairs, concerns, rights, special needs and dignity of persons with impairments to insure their full participation in and enjoyment of the city's facilities, programs and services. Since the City does offer housing programs they fall within the scope of CAPI's mission. The Visitability Ordinance was, at the time, a valid effort to require minimum access to homes built with financial assistance provided by the City. However, a broader societal view would be that anything less than an inclusive environment is, by default, discriminatory. Therefore, in order to provide a truly inclusive built environment, it is reasonable to argue that amending the Visitability Ordinance to incorporate features that provide a fuller and more functional home, including the ability to adapt to future circumstances, is valid and serves the higher purpose. To maintain the Visitability Ordinance does not serve that higher purpose and is therefore discriminatory. The Ordinance, no matter whether it maintains the status quo or is amended as proposed, remains an "opt-in" program; i.e., it is a free choice to receive financial assistance from the City which is funded by taxpayers, not something that is imposed for all. It is therefore reasonable to impose conditions on those applicants which will serve all that may need the features, now or into the future.

The document entitled The Evolution of an Idea sets forth my process leading to the Visitability Ordinance and my reasons for amending it. If this should pass, it would be the first such ordinance in the nation. The Preambles set forth the reasons for the amendments. I find it implausible for CAPI to argue against the amendments since they would further the intent to provide an inclusive environment and benefit the disabled community.

Given the fact that the applicants most likely would be in the low income sector, there is ample evidence that this sector has a higher rate of disability and the least likely to have health insurance, the absence of which denies preventative health care. There also is evidence of a link between low income and a higher prevalence of obesity which leads to diabetes which leads to disability.

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### U.S. Disability Statistics <sup>1</sup>

The number of U.S. adults reporting a disability increased by 3.4 million between 1999 and 2005. 12.1% of the U.S. Adult Population Aged 21-64 Years Reported a Disability in 2008. Today an estimated 39,395,000 people in the United States had a disability, or 14.8% of the population age 5 and over.

In addition, an estimated 7,092,000 people, or 2.7% of the U.S. population 5 and over, have difficulty performing self-care activities, also known as Activities of Daily Living, such as dressing, bathing, or getting around inside the home.

The Social Security Administration estimates that three in 10 of today's 20-year-olds will suffer a disability before reaching 67 and also reports 69% of the private sector work force has no long-term disability insurance. Essentially, seven out of 10 workers would have to rely on their own personal savings, limited state-run insurance or Social Security for replacement income in the event they could not work because of a disability.

### Will the cost of a Universal Design home be higher than a Visitable home?

It depends on what the design and size of the plan would otherwise be offered by an affordable housing builder. In all likelihood it would cost between 2 - 5% more because typically it requires more maneuvering space. If one would compare the 1,200 sq. ft. Freedom Home design versus the 1,446 sq. ft. design which would comply with the amended ordinance and using a cost of \$90/sq.ft. then the increase would be \$22,140. However, the more important question to ask is if a person or household member becomes disabled during their occupancy it would not be able to modify the hall bathroom and two bedrooms of the 1,200 sq. ft. model to make it accessible therefore requiring the owner to find other housing. The cost of remodeling is typically three times as much as the initial cost of an adaptable design in the first place simply because of the cost of demolition. More importantly, remodeling for accessibility may not be feasible due to structural issues. In addition, certain modifications may require

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<sup>1</sup> <http://www.disabled-world.com/news/america/>

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the family to live elsewhere during the period of remodeling, to say nothing of the disruption and dust if they did stay.

A study in Iowa showed that 81% of all modifications for accessibility were paid for by funds other than the homeowner's. In St. Petersburg, they would need to apply for WIN grants or loans which would, in all likelihood, be insufficient to cover the required cost. To modify a bathroom typically requires structural alterations which costs as much as or more than the cost of including any additional space that may be necessitated in a UD home.

Shawn Fremstad, author of Half In Ten<sup>2</sup> published in September 2009 by the Center for Economic and Policy Research, stated:

Disability is both a fundamental cause and consequence of income poverty. Disability can result in job loss and reduced earnings, barriers to education and skills development, and a myriad of other challenges that can, in turn, lead to economic deprivation and hardship. Income poverty can limit access to health care and preventative services, and increase the likelihood that one lives and works in an environment that may negatively impact health. As a result, it comes as no surprise that the income-poverty rate for persons with disabilities is between two to three times the rate for persons without disabilities.

### Disability Stats and Facts <sup>3</sup>

- People with disabilities constitute the nation's largest minority group, and the only group any of us can become a member of at any time.
- Between 1990 and 2000, the number of Americans with disabilities increased 25 percent, outpacing any other subgroup of the U.S. population.

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<sup>2</sup> <http://www.cepr.net/documents/publications/poverty-disability-2009-09.pdf>

<sup>3</sup> <http://www.disabilityfunders.org/disability-stats-and-facts>

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- People with disabilities represent the single largest minority group seeking employment in today's marketplace.
- Of the 69.6 million families in the United States, more than 20 million have at least one family member with a disability.
- According to the U.S. Department of Education, workers with disabilities are rated consistently as average or above average in performance, quality and quantity of work, flexibility, and attendance.
- Over 65 percent of working-age adults with disabilities are unemployed. Of these working adults, nearly one third earn an income below the poverty level.
- People with disabilities are nearly twice as likely as people without disabilities to have an annual household income of \$15,000 or less.
- The unemployment rate of people with disabilities is ten times greater than the national unemployment rate, yet many of those unemployed individuals have the skills you need.
- 1 billion people globally report having a disability, and people with disabilities in the U.S. control aggregate annual income of > \$1 trillion.
- 2.3 million undergrad & grad students reported disabilities in 2004, more than double the 1.1 million reported in 1996.
- The employment rate for people with disabilities was 38.1% in 2005, roughly half of that for people without disabilities.
- There are 133 million people in the United States living with a chronic health condition. That number is expected to increase by more than one percent a year to 150 million by 2030. 75 percent of people with chronic health conditions are younger than 65.
- Globally, people with disabilities represent an emerging market on par with the size of China.
- Approximately 54 million Americans have at least one disability, making them the largest minority group in the nation. As our baby boomer population ages

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and more veterans return from war, this number will double in the next 20 years.

- Notwithstanding the strides made in disability rights in the past 25 years, the majority of people with disabilities are poor, under-employed and under-educated due largely to unequal opportunities. People with disabilities constitute the largest minority group in the United States, making up an estimated 20 percent of the total population. It is a diverse group, crossing lines of age, ethnicity, gender, race, sexual orientation and socioeconomic status.
- We all have a personal stake in this community: it is open to anyone who might experience an accident, illness, genetic difference or the effects of aging. And yet, the Foundation Center reports that out of over 3 billion dollars spent in philanthropic giving, only 2.9 percent of grants made by institutionalized philanthropy are directed to programs serving people with disabilities.
- Disability Inclusive Grantmaking is the mission of DFN: inclusion of disability in grantmaking programs and inclusion of people with disabilities in grantmaking organizations.
- Disability belongs in any grantmaking program that supports diversity. Or education. Or employment. Or housing. Or civic participation, arts and culture, technology, health care or any other element of life. The interests and needs of people with disabilities mirror those of other groups.
- Disability Funders Network, or DFN, was established in 1994 to be a catalyst for creating a new understanding of how funders can respond to disability issues and promote awareness, support and inclusion of people with disabilities and disability issues in grantmaking programs and organizations.
- By broadening the definition and understanding of disability, grantmakers can be more responsive to the full range of issues affecting the country's largest minority group.
- According to the Social Security Disability Resource Center (SSDRC), more than 50 million Americans have some level of disability. Of these individuals, 44 percent have a disability that is not considered severe and are able to

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work year round on a full-time basis. Of the total number, 80 percent are individuals who are 80 years of age or older. Additionally, among the 51.2 million Americans with disabilities are 1 million individuals who report they are unable to hear and 1.8 million individuals who report they are unable to see.

- For more than a third of individuals with disabilities, assistive technology is essential to being able to take care of themselves at home. (source: 2004 Harris Poll <sup>4</sup>)
- Disability rates vary among the major racial and ethnic groups (source: U.S. Census 2000 <sup>5</sup>):
  - African-American and American Indian/Alaska native persons report the highest rate of disability, at 24.3 percent for each group.
  - Asians reported the lowest rate of disability, 16.6 percent.
- Disability rates vary geographically, as well (source: U.S. Census 2000 <sup>6</sup>):
  - Nearly 40 percent of persons reporting a disability live in the South - twice the 20 percent of each of the other three geographic areas. Persons living in Alaska, Utah and Minnesota each reported the lowest rates of disability, about 15 percent. Persons living in West Virginia reported the highest rate of disability, at 24.4 percent, followed by Alabama, Arkansas, Kentucky and Mississippi, each over 23 percent.

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<sup>4</sup> <http://www.nod.org/index.cfm?fuseaction=Feature.showFeature&FeatureID=1422>

<sup>5</sup> [http://www.disabilityfunders.org/webfm\\_send/70](http://www.disabilityfunders.org/webfm_send/70)

<sup>6</sup> Ibid.