

5 February 2025

**To:** Senate Committee on Housing and Development  
**From:** Michael Szporluk, Principal, MAS Consulting, LLC

**Re:** SB 444,

Thank you for the opportunity to submit written testimony in support of Senate Bill 444, which sets stronger accessibility standards and requires conformity with those standards under the Fair Housing Act and in alignment with certain standards developed by the American National Standards Institute on housing accessibility.

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, including with Oregon's Department of Land Conservation and Development (DLCD), 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>]

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, Oregon will experience a significant increase in the number and percent of persons with disabilities over the next twenty years.

Second, there is currently a 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 Senate Bill 444 and other measures are adopted, then 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 adopting this bill is a necessary step toward housing equity for Oregonians with disabilities and our families.

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 that misconception creates a barrier that inhibits the production 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 it 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 for inaccessible construction. 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 is no good reason to continue to promote the development of inaccessible housing of all types (single family, condos, middle housing, etc.).

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 if it is in fact inaccessible (read: partially or fully unusable for some within the household). Moreover, inaccessible housing, for persons with disabilities and their families, is inherently both unstable and poses a health and safety risk. We need to proactively promote inclusive design and development. Otherwise, persons with disabilities and their families will be denied, de facto, the right to choose where and with whom they live.

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 urge the adoption of SB 444 and urge the Senate Committee to broaden how you think of the right to housing, as that broader lens will better prepare the state to meet 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.



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