

problem is particularly serious for those who have low incomes, live alone and victims of housing discrimination on the basis of their sexual orientation and gender.



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### Federal Help on Housing

Federal law does not expressly prohibit discrimination on the basis of sexual orientation or gender identity. The Equal Access Rule, instituted in 2012 by the Department of Housing and Community Development (HUD), is the only law, with the exception of the Nursing Home Reform Act, that offers protection at the federal level to LGBT older adults in the housing market. According to the rule, anti-LGBT discrimination is prohibited in housing subject to a mortgage insured by the Federal Housing Administration as well as in HUD-assisted multi-family housing, including Section 202 Supportive Housing for the Elderly. Under the ruling, no applicants for government-sponsored housing may be asked about their sexual orientation and gender identity.

Fair housing enforcement can be a lengthy and cumbersome process.

The Equal Access Rule is an important first step in ensuring LGBT individuals' access to government-sponsored housing, especially for low-income people who depend heavily upon HUD housing. But given the shortage of this type of housing and the lengthy waiting periods for eligible applicants, this rule is not sufficient to meet the housing needs of the growing number of LGBT older adults.

Their only remaining option is to rely on the private market to find and keep safe and affordable housing. A few housing projects targeting LGBT older adults have emerged in a number of cities like Washington, D.C., Chicago, San Francisco,

effectiveness continues to be cause for concern, according to the Government Accountability Office (<http://goo.gl/sOhtpz>). There has been some progress since the late 1960s, as the slow decline in the levels of racial residential segregation suggests (<http://goo.gl/hSSWWT>).

The number of LGBT people who are 65 or older, which is currently estimated to be 3 million, is projected to double by 2030, thus making their access to senior housing an urgent policy concern that needs to be tackled on multiple fronts (Center for American Progress, 2014; <https://goo.gl/XfyNeD>). First, protections against housing discrimination based on sexual orientation and gender identity need to be expanded to include practices in the private market, as government-sponsored housing options are not sufficient to meet the needs of this growing segment of the population. An amendment of the Fair Housing Act that adds LGBT individuals as a protected class would be a necessary first step to ensure their protection in the private housing market. Second, local governments should dispense incentives for developing inclusive and affordable rental senior housing, in which diversity in multiple and intersecting group affiliations such as race, gender, and sexual orientation, is encouraged rather than penalized.

These measures have the potential not only to increase the economic and housing security of LGBT older people, but also to enhance their opportunity to claim and exercise their rights as every other citizen, especially in the final years of their lives. ■

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## Disparities in AGING

# Affordable, inclusive housing for LGBT elders is an urgent policy concern

By Michela Zonta

**A**ffordable housing plays a critical role in the lives of older adults, as it represents the foundation for their safety, ability to access community amenities and services, and ability to afford other necessities of life. Economic challenges often represent a key barrier to older adults' access to affordable housing, as elders commonly rely on a fixed income that may be insufficient to sustain housing and supportive services costs, according to an AARP Public Policy Institute report (<http://goo.gl/9objDe>).

### Discrimination Heights Housing Insecurity

And, when housing choices and opportunities for older adults are limited because of discriminatory practices, these individuals' ability to age in a safe, affordable, decent and supportive environment becomes even more of a challenge. This problem is particularly serious for those who have low incomes live alone and

identify themselves with one or more marginalized groups—especially people of color and LGBT (lesbian, gay, bisexual and transgender) individuals.

**One in eight older LGBT adults are victims of housing discrimination.**

According to the Equal Rights Center (<http://goo.gl/xq9mLG>), housing discrimination is a primary concern for older LGBT adults. The “first out generation” is particularly vulnerable to housing insecurity, as members of this group are consistently discriminated against based on their sexual orientation and gender identity when searching for housing, says the National Resource Center on LGBT Aging (<http://goo.gl/IJKRIZ>). A 2015 SAGE policy brief (<http://goo.gl/MhOkro>) reports that one in eight older LGBT adults and one in four transgender older adults are victims of housing discrimination on the basis of their sexual orientation and gen-

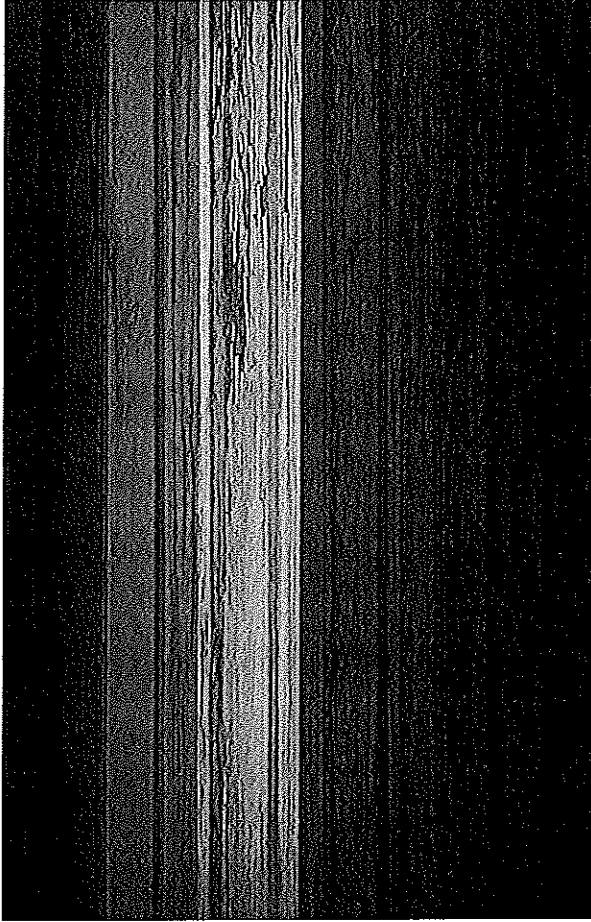


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der identity. This type of discrimination tends to be more pronounced for LGBT older people of color compared to their white counterparts. SAGE reports that one in four LGBT people of color experiences housing discrimination on the basis of race and ethnicity.

The disparate treatment experienced by LGBT home-seekers can take multiple forms, according to a report from Michigan's Fair Housing Centers (<http://goo.gl/wVTdpr>), from outright denial of a housing application to higher quoted monthly rents. And even when they are able to secure housing, older LGBT adults often face harassment and intimidation in their homes, retirement communities and assisted living facilities from other residents and caretakers, according to a Center for American Progress report (<https://goo.gl/XTyNeJ>).

Philadelphia and the Minneapolis/St. Paul area. Often, however, these developments can accommodate only a small number of individuals and may not be affordable.

When facing discrimination in the private housing market, older LGBT adults have some protection only in the states and municipalities that have adopted non-discrimination laws, listed on this HUD site (<http://goo.gl/n6OB9>). No national safeguards against discrimination in the application process exist in retirement communities and assisted living facilities.

When LGBT older adults identify with one or more protected classes, including race, they may have legal recourse under the Fair Housing Act. Fair housing enforcement, however, can be a lengthy and cumbersome process, and its effectiveness continues to be cause for concern, according to the Government

**Federal Help on Housing**