

THE THIRD FAMILY: A HANDBOOK ON GROUP LIVING ALTERNATIVES  
FOR OLDER WOMEN

by  
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B. A., Wellesley College, (1972)

SUBMITTED IN PARTIAL FULFILLMENT  
OF THE REQUIREMENTS FOR THE  
DEGREES OF  
MASTER OF CITY PLANNING  
AND  
MASTER OF ARCHITECTURE

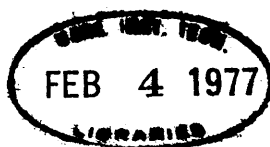
at the  
MASSACHUSETTS INSTITUTE OF TECHNOLOGY  
(FEBRUARY 1977)

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Submitted to the Department of Urban Studies and Planning on February 1, 1977, in partial fulfillment of the requirements for the degree of Master of City Planning and Master of Architecture

ABSTRACT

The thesis provides a source book for groups of older women seeking to establish group living arrangements for elderly, and suggests as an alternative self-governed small-scale group homes. A series of financial and organizational options are presented, and zoning problems and appeals processes are discussed. Architectural programming considerations are reviewed and (under separate cover) a programming/design solution is offered. A resource index is included.

Name and Title of Thesis Supervisor: Tunney Lee, Head  
Environmental Design Program, Department of Architecture and Department  
of Urban Studies

### ACKNOWLEDGMENTS

This thesis is dedicated to the breakage of my stereotypes of "little old ladies":

- . to those who sleep on waterbeds in housing for the elderly
- . to those who chop wood in Vermont at age 90 ("it's good for your health")
- . to those who know about slurry trench foundation walls, and
- . to those who have a sparkle in the eye

In recognition of the fact that they seek--and need choices, too.

My warmest thanks to:

Gwen Rønø

Fran Ohlrich

Hazel Krey

Winnie Barefoot

Lois Harris

Florence Bennett

Florence Luscomb

for inspiration and rejuvenation;

to my advisors Tunney Lee, Sandra Howell, and Anne Vernez-Moudon

for patience and advice;

and to my parents and Bill Petuskey for moral support.

TABLE OF CONTENTS

	<u>Page</u>
TITLE PAGE . . . . .	1
ABSTRACT . . . . .	2
ACKNOWLEDGMENTS . . . . .	3
TABLE OF CONTENTS . . . . .	4
I. INTRODUCTION . . . . .	8
II. CHAPTER ONE: THE VOICE OF EXPERIENCE . . . . .	9
A. Generic Types . . . . .	9
1. Private apartments plus building-wide shared space	10
2. Shared units plus building-wide shared space	10
3. Shared apartments	11
4. Shared houses	11
B. Existing Examples . . . . .	11
1. Private apartments plus building-wide shared space	11
a. Congregate housing . . national study	
b. Philadelphia Geriatric Center Community Residences	
2. Shared unit plus building-wide shared space	13
a. Weinfeld House, Chicago	
b. 116 Norfolk Street, Cambridge	
3. Shared apartments	15
a. Lenox Hill Neighborhood Association, N.Y.C.	
b. Baltimore example	
c. Washington, D. C. example	
4. Shared house	16
a. Abbeyfield Society, Britain and Bartonsville, Pa.	
III. CHAPTER TWO: WHY PEOPLE SEEK GROUP HOUSING . . . . .	19
A. Social Reasons . . . . .	20
1. Need for social contact	20
2. Isolating mechanisms	22
3. Sources of social contact	24
4. Why peer living groups are effective in stimulating social contact	28

	<u>Page</u>
B. Service-related Reasons	29
C. Economic Reasons	32
IV. CHAPTER THREE: DIALECTIC AND SYNTHESIS . . . or AN ALTERNATIVE . . . . .	35
A. Indications of Demand for Group Living Arrangements	35
B. Contradictions Embodied in Existing Options	37
1. The independence ethic	
2. Lack of resident control	
3. Largeness of scale	
4. Duplication of services	
C. A Suggested Synthesis	42
1. Programming advantages	
2. Economic advantages	
3. Social advantages	
4. An update	
V. CHAPTER FOUR: OPTIONS FOR FINANCING GROUP LIVING ARRANGEMENTS . . . . .	50
A. Introduction	50
B. Comparison of Renting and Owning	51
C. Ownership by Elderly	53
D. Forms of Tenure for Elderly Groups	54
1. Option 1: Sharing a lease in private-market housing	56
2. Option 2: Acting as sponsor-tenants in state-funded community residences	60
3. Option 3: Acting as sponsor-tenants for housing donated through a public charity	64
4. Option 4: Renting from a limited dividend limited partnership which raised equity	68
5. Option 5: Renting from a group member	72
6. Option 6: Buying shares in a cooperative	74
7. Option 7: Buying condominium unit(s)	78
8. Option 8: Sharing a joint tenancy mortgage	82
VI. CHAPTER FIVE: ZONING AND BUILDING CODES . . . . .	85
A. Introduction	85
B. Zoning	85

	<u>Page</u>
1. Appeals principles	87
a. Administrative appeals	88
b. Variances	88
c. Exceptions and special permits	89
C. Zoning and group living	89
1. Definitions of family	89
2. Appeals brought by groups	91
a. Administrative appeals re definition of family	91
i. Appeals challenging interpretation	
ii. Appeals challenging constitutionality	
1'. Reasonableness test	
2'. Equal Protection test	
iii. Precedents: Cases decided under reasonableness test	
iv. Precedents: Cases decided under Equal Protection Test	
v. Conclusion	
b. Exceptions and special permits: an alternative to "family" life	102
i. Permitted uses and conditional uses	
ii. A special permit case study	
iii. Land use definitions which might aid in obtaining special permits	
1'. Family and group care facilities	
2'. Community residence	
3'. Housing for elderly	
iv. Creating a new definition	
D. A Note on Building Codes	109
VII. CHAPTER SIX: PROGRAMMING GROUP RESIDENCES . . . . .	112
A. The Importance of Programming	113
B. Differences from Programming for Conventional Families	114
C. Considerations	115
1. Shared versus private space	115
2. Symbols	117
3. Flexibility	117
D. A Possible Procedure	118

	<u>Page</u>
FOOTNOTES . . . . .	125
RESOURCE INDEX . . . . .	132
I. Resources: Information about Existing Group Living Arrangements	133
II. Resources: Boston Area Groups Practicing/Studying Alternate Housing for Elderly	134
III. Resources: Rationale for Group Living	136
IV. Resources: Financial Options	137
V. Resources: Zoning	138
VI. Resources: Programming	139

*Living alone is not a human way to live. You come home to a dark house, cook your own dinner, eat by yourself. You go to bed by yourself, and you get up by yourself. It's not a human way to live.*

**-Florence Luscomb, 90  
-architect, suffragette  
and member of group  
houses for the past  
thirty years.**

Fear of crime, poor health, lack of money, and loneliness polled as the top four "very serious problems" for Americans over sixty-five in 1975.<sup>1</sup> These problems are not independent of one another; instead they form webs of interrelated difficulties faced by many elderly. In one such web, poor health restricts mobility, leading to loneliness. In another, low incomes confine some elderly to high-crime neighborhoods where, fearing for their safety, they rarely leave their apartments, and thus become lonely.

The webs are particularly entangling for older women. They outnumber their male peers substantially, yet struggle with even lower incomes and higher vulnerability to crime than most men experience in old age.

In Boston, two groups of older women are beginning to explore how living in groups can break down some of these webs which snare older people into a lonely, sometimes poverty-stricken existence. This thesis provides some background information to the Boston group and others like them on the experience of other groups of older people living together, suggests some ways in which they could go about forming their own "group houses," and provides an index of resources.



## CHAPTER ONE:

### THE VOICE OF EXPERIENCE

A good place to start is with a look at existing group living arrangements:

What group living arrangements are currently in operation?

How have these groups been formed?

Why have older people chosen to live together?

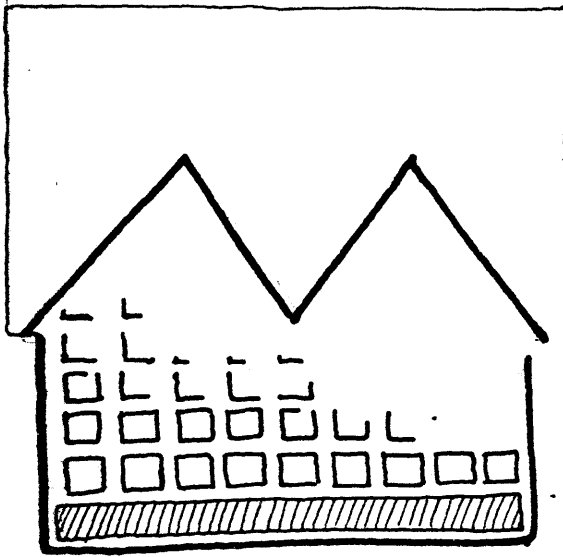
#### GENERIC TYPES OF GROUP LIVING ARRANGEMENTS

Current group living arrangements run the whole gamut from high-rise "housing-plus-services" apartment buildings exclusively for the elderly . . . to clumps of apartments, each shared by two or three elderly, with service ties to the world beyond their predominantly non-elderly-occupied buildings . . . to conventional houses occupied by small groups of elderly with a live-in housekeeper.

Four generic types\* can be identified based on the crux of what makes them a "group living arrangement," . . . i.e., what is shared.

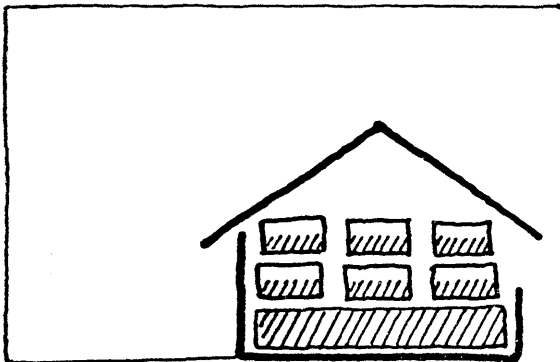
I will call these:

TYPE A: PRIVATE APARTMENTS PLUS BUILDING-WIDE SHARING:



Each person (or couple) has a private apartment complete with bed-sitting room (sometimes a separate bedroom), bath, and kitchen. The entire building shares community rooms and additional dining facilities (the use of which is usually optional), and sometimes a medical facility of one type or another.

TYPE B: SHARED UNIT PLUS BUILDING-WIDE SHARING:

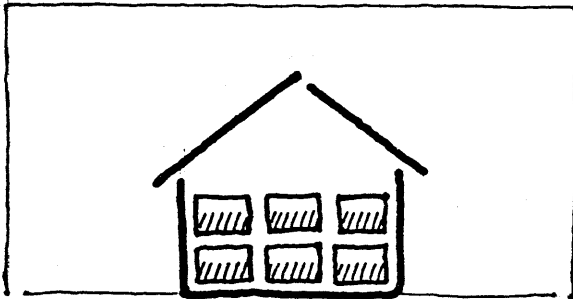


Each person has a private bedroom (or bed-sitting room) within a shared subunit of the building, which in turn is one of several subunits that share building-wide services.

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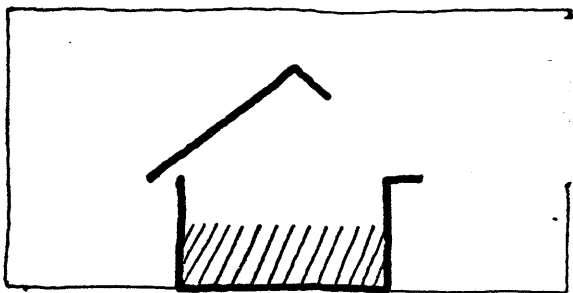
\* Similar classifications of group living arrangements for elderly have been proposed by Sandra Howell and Chester Sprague of the Department of Architecture, M.I.T.

TYPE C: SHARED APARTMENT:



Conventional multi-bedroom apartments are shared, sometimes with social and service ties to other apartments, but with no additional shared space.

TYPE D: SHARED HOUSE:



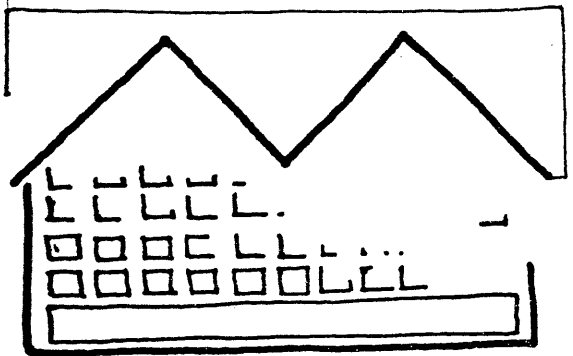
Each person has a bed-sitting room and bath within a conventional house with shared living room and dining facilities, and a live-in house-keeper.

EXISTING EXAMPLES

Now for a look at examples in each category:

TYPE A: "PRIVATE APARTMENT PLUS" DEVELOPMENTS:

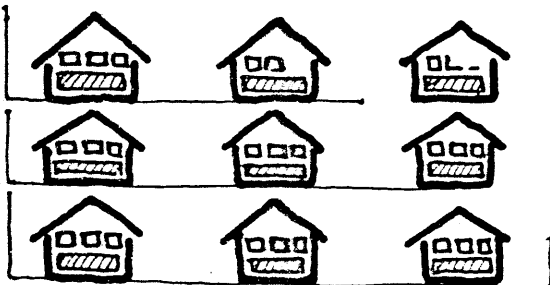
Generally called "congregate housing," this category includes a large number of developments which provide conventional efficiency or



one-bedroom apartments (usually with special design features such as grab bars), plus some shared spaces and services (dining room and meals service, clinic and medical services, etc.). Most of these

developments are large in scale. Twenty-seven sites, selected to represent a cross-section of congregate developments, were recently studied by the U. S. Department of Housing and Urban Development (HUD).<sup>1</sup> They ranged in size from 70 to 365 units. Average development cost was \$17,000/unit (\$23-\$25/sq. ft.). Some were sponsored by local housing authorities as public housing, some by church-affiliated, non-profit corporations with Federal subsidies (Sections 236, 231, and 202), and some were entirely privately financed and operated for profit. Rents at all sites were below \$175/month (excluding charges for services). Ten of the twenty-two of the sites for which data were available were operating at a loss even with subsidy. The sites represented a range of service provisions, but all had at least optional meals service (a criterion for the study sample), and most had some form of recreational, security, medical, transportation, and commercial services. Many also had housekeeping services. The median age of residents fell between seventy-five and seventy-nine years old, and the population was weighted towards white, middle class widowed women.

A similar type of development, but at a much smaller scale, is being piloted by the Philadelphia Geriatric Center. Nine houses near the Center are being renovated so that each will contain three efficiency



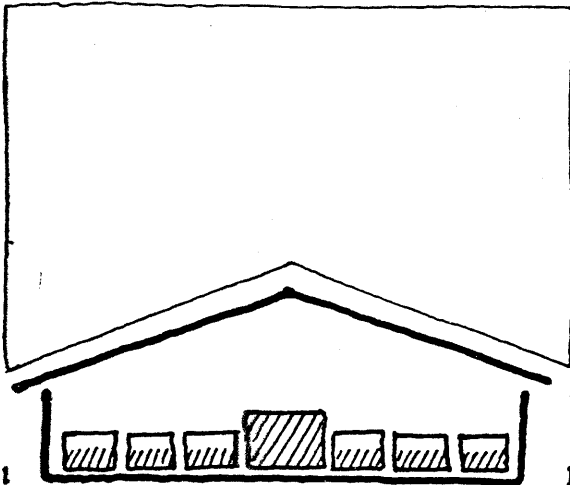
apartments plus a shared living room. Optional meal and housekeeping services can be provided from the Center two blocks away, and a "hotline" to its medical service is available for

emergency calls. Costs are subsidized by HUD, bringing the rent level to the \$95-\$98 range.<sup>2</sup>

TYPE B: "SHARED UNIT PLUS" DEVELOPMENTS:

Two examples appeared in which residents had private bed-sitting rooms and then shared services/spaces at the building subunit level as well as at the whole-building level.

One of these, Weinfeld House in Evanston, Illinois, houses twelve women--average age eighty-two. The one-storey, former "townhouse" building in which it is located was renovated to connect the six two-



bedroom apartments with an internal corridor and to provide a building-wide shared dining room, kitchen and living/recreation room. At the apartment level, each resident has a private bedroom and shares living room, bath, and small kitchen with

her "roommate." Applicants are screened by a psychiatrist for "sociability." Some had previously lived with their children, some alone, some in nursing homes (said one, "I thought I'd be stuck in those places till I died!").

Services are many: A cook prepares noon and evening meals; a full-time "careworker" manages the household; a resident graduate student provides overnight security; a maid, a recreational therapist, and a nutritionist appear periodically; a nurse remains on call. The cost, correspondingly, is high: \$500/month/resident.<sup>3</sup> Weinfeld began as a

RESIDENT: *"It's like your own home here."  
"I was raised in a children's home, so I guess this is the family I never had."*

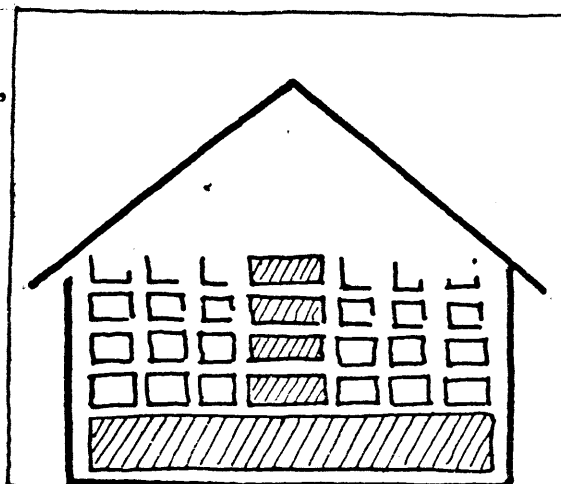
JOURNALIST: *"For many, Weinfeld is as close to domestic scenes past as you can get without the original cast--there's no sense of having deposited Granny on the ice flow."*

pilot project sponsored by the Jewish Federation of Metropolitan Chicago with funding from the Illinois Department of Public Health as a "sheltered care facility." When pilot funding ended, the Federation became the sole sponsor, and continues to

operate the house at a deficit, using subsidies from philanthropy maintain residents who cannot afford \$500/month in rent.<sup>4</sup>

At 116 Norfolk Street in Cambridge, Massachusetts, thirty-eight men and women live in a renovated convent. Each has a private bed-sitting room and half-bath, but shares a kitchen/dining/lounge area with eight to eleven other residents of the floor. Optional meal service is provided from a main kitchen on the ground floor, which also houses a recreation room, a small lounge, and a dining room. The project is owned by the local housing authority, but managed by an independent, non-profit management firm. Like Weinfeld, it was founded with seed money from the state.

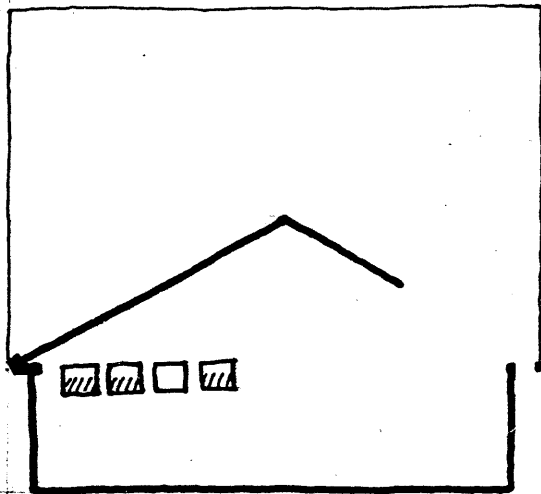
Rents follow Section 8 guidelines, i.e., 25 per cent of adjusted income.<sup>3</sup>



TYPE C: SHARED APARTMENTS:

Three "small-group home programs" sponsor shared apartments without whole-group common space, but with subsidies and services from sponsoring community agencies:

The Lenox Hill Neighborhood Association on New York's East Side rents three two-bedroom apartments in a public housing building for senior citizens. In addition, it rents an efficiency apartment for a



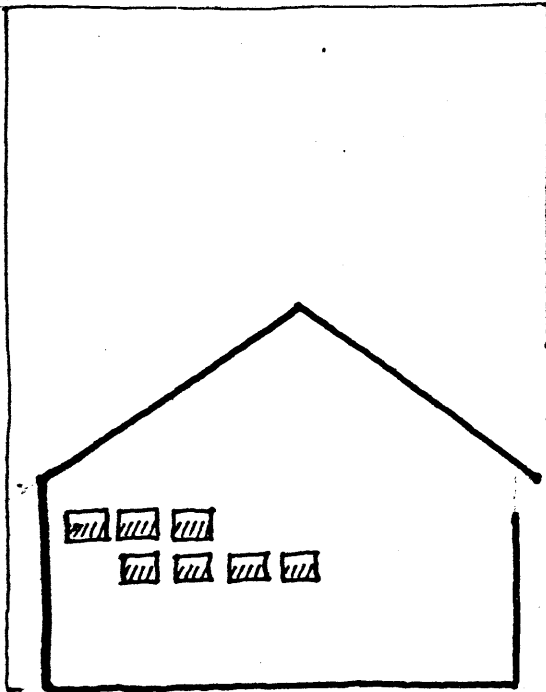
"resident counselor who helps solve problems, deal with emergencies, etc. Otherwise, the apartments operate self-sufficiently. The residents, each of whom has some form of chronic disability, were referred to the Association by hospitals, churches, and other community associations.

Selection of residents was done by one of those associations after a series of individual and group interviews. Ages range from sixty to ninety. Rent is \$47/month/person (Federally subsidized rate, since the apartments are located in public housing). The resident counselor is supported by funds from the Association, which has received grants from an anonymous foundation, the William Randolph Hearst Foundation, and a local Episcopal church.<sup>6</sup>

A similar program is operated in Baltimore by the Jewish Family and Children's Service. "For those unable to live alone or who have been discharged from hospitals but don't need nursing care," the two-to-three-person apartments are rented by the Service and provided with

homemaker services and social-worker contacts. Cost per person is \$190/month; on the average, \$5 of this is paid by the Service, the bulk being carried by the residents themselves.

The most service-intensive example of this form of group housing is that sponsored by the Jewish Council for the Aging of Washington,



D. C. Seven three-bedroom apartments are rented and supplied with a homemaker who comes in daily to prepare meals, maid service every two weeks, and contacts with social- and recreation-workers. The cost: \$395/month/person. Residents pay an average of \$316 of that, according to ability. The rest is subsidized by the Jewish Social Service Agency and Federal Section 8 rent subsidies.<sup>7</sup>

The final category:

TYPE D: SHARED HOUSES:

In Britain, the concept of group living arrangements is not so nascent as it is in the U. S. The British, who founded the Abbeyfield Society in 1956, apparently were quicker to see that "between the virtually independent life of the 'old person's flat' and the almost wholly dependent life of an 'old people's home,' there is a wide gap." They continue: "The Abbeyfield way of life provides another step, another option; a way in which privacy, independence, and a measure



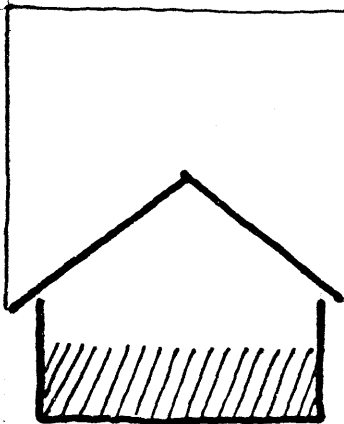
of self-reliance are served, yet in a gently supportive atmosphere giving companionship and freedom from many chores and worries."

The Abbeyfield Society (a private non-profit organization) now has 658 "Abbeyfield houses" in 392 cities and towns in England, Scotland, Wales, and Ireland. Designed to serve "old people who

*With an interesting inversion of the American "independent-elderly-ethic," Abbeyfield bills itself as "an imaginative design for living for elderly people who would otherwise be on their own."*

don't like living alone yet don't need or want the full support of an Old People's Home," Abbeyfield houses group six to eight old people along with a resident housekeeper into a renovated or "purpose-built" house.

These houses are developed under the auspices of local Abbeyfield Societies, which are grass-roots bodies of interested people and professionals willing to volunteer their time to help. Money comes from local fund-raising campaigns, matching funds from the national Abbeyfield Society, and the British government under its 1974 Housing Act. Applicants are screened by the local Societies; admission is



oriented to the physically healthy "whose only real trouble is loneliness." Average rent is about \$117/month, with some residents being Federally subsidized. Development costs (in the British economy of 1974) ranged approximately

\$7,500 to \$12,500/resident. Abbeyfield estimates their demand: "Tens of thousands of old people are living alone or living in inadequate conditions, or living with friends or relatives who are finding it difficult to look after them properly." Evidence appears that the same type of demand exists in the United States: Abbeyfield has just opened its first American house in Bartonsville, Pennsylvania.<sup>8</sup>

For more information on any of these group living arrangements, see Resource Index: Information about Existing Group Living Arrangements.

CHAPTER TWO:

WHY PEOPLE SEEK GROUP HOUSING

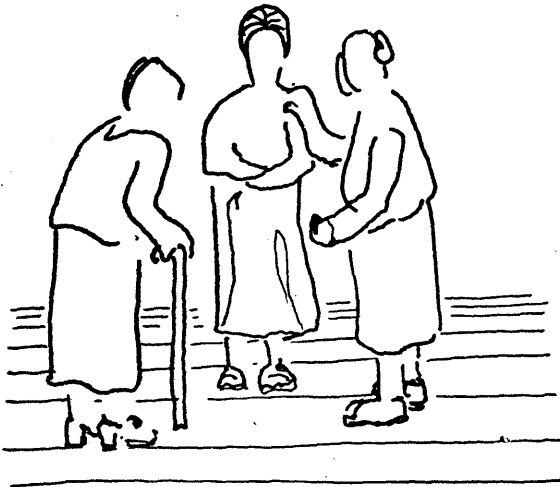
American society has been arranged so that older people are often "odd numbers" in a nuclear-family-oriented culture. It has also, in glorifying youth and work, left most older people with fixed incomes on which to live in an inflationary economy. On top of this societal double-whammy, natural processes heap failing health. It is no wonder, then, that three of the major types of reasons older people give for seeking group living arrangements are:

1. Social
2. Service-related
3. Economic

One at a time:

SOCIAL REASONS:

THE NEED FOR SOCIAL CONTACT:



The first response I received when I asked the Boston groups why they were interested in group living was that they wanted to have a "family" . . . a permanent community . . . around them as they grew older. Apparently, they are not atypical:

A small newspaper article announcing a limited number of group-living houses (three efficiency apartments with shared living space and optimal services) sponsored by the Philadelphia Geriatric Center brought 275 inquiries from elderly. Of the first fifty-eight applicants they interviewed, half said they wanted to move because, living in high crime areas, they had become afraid to go out and thus were lonesome for human contacts and services. Another 10 per cent said they wanted to move in to gain social contacts that their physical condition prevented them from seeking beyond the locus of their residence.<sup>1</sup>

The HUD study of twenty-seven congregate living facilities for elderly revealed that social considerations ranked high in applicants' reasons for choosing the congregate housing alternative. The five most frequently mentioned reasons were:

- |                                 | <u>per cent applicants<br/>who mentioned</u> |
|---------------------------------|--|
| 1. Closer to family and friends | (44%)  |

- |  |       |
|--|-------|
| 2. Closer to stores and transportation | (40%) |
| 3. In home town                        | (38%) |
| 4. More people to be friends           | (35%) |
| 5. Food and other services             | (29%) |

The first three needs/reasons are locational in nature and could easily be fulfilled by conventional housing, while the fourth and fifth are more specific to the benefits of a group-living arrangement. Apparently, the major plus that congregate living has over conventional forms of housing is its offering of in-house social contacts.<sup>2</sup>

The reason most frequently given by women residents of these congregate sites for moving in was social: "Women felt unsafe and lonely living alone in their apartments, as did widows living in their homes. They chose the congregate facility because it offered more people to be friends and more activities, improved accessibility to the community, and independence."<sup>3</sup>

Men, on the other hand, gave as their primary reasons for choosing congregate housing: emergency alarm systems for medical help, reasonable cost, physical quality of the building, and on-site services which were safer and more convenient to use than those in their previous neighborhood.

The differences in reasons given by men and women may stem from their previous housing experience: Most women moved into congregate housing from living alone in an apartment or with their children, neither of which seems to have fulfilled their needs for social contact with peers. Fewer men, on the other hand, had lived apart from the peers . . . most of them having lived with their spouses or in

group settings such as rooming houses.<sup>4</sup> Actuarial trends and society's tradition of "men's residences" are more likely to provide old-age "living companions" to men than they are to women. "Modern woman," having been trained since childhood to focus her life on a single-family household, often gets stranded there after everyone else has left.

ISOLATING MECHANISMS:

Several mechanisms grind out what Arlie Hochschild calls "the quietly devastating isolation of old age":<sup>5</sup>

The old age leads to poverty

leads to residence in high-crime neighborhoods

leads to fear of going outside

leads to isolation

leads to loneliness

mechanism.

This "syndrome," documented in both the PGC and HUD studies, is not uncommon. Its root is poverty, which is rampant among old people, especially those living alone (Gelwicks estimates that one-third of elderly couples and one-fifth of elderly unrelated heads of households can reasonable afford to pay more than \$100/month in rent.<sup>6</sup> This sequence falls more heavily on older women than men, for women have lower incomes and so are more likely to live in high-crime neighborhoods, while also being more vulnerable to physical attack than men.

---

The old age leads to retirement  
leads to isolation from friends at work  
leads to loneliness  
mechanism.

This sequence may fall more heavily on middle class (and male) than working class (and female) elderly, as sociological studies show that the middle class tends to focus its friendships around work and organizational contacts, rather than the residential-neighbor focus of the working class.<sup>7</sup>

---

The old age leads to physical disability  
leads to decreased mobility  
leads to isolation  
leads to loneliness  
mechanism.

Physical disabilities often rule out driving and make walking and bus-riding (where available) difficult. Limited funds limit taxi-riding.

---

The old age leads to surviving one's spouse  
leads to isolation from closest peer  
leads to loneliness  
mechanism.

The sequence hits older women more often than older men. Widows substantially outnumber widowers.

---

In sum, there are a number of mechanisms which tend to isolate elderly. This isolation is not pleasant, at least not for the

sizable number of elderly who are seeking group living arrangements for social reasons. They are living support for George L. Maddox's sociological summary:

"With few exceptions, research in the U. S. has consistently supported the hypothesis that among the elderly, maintenance of contact with the social environment is a condition of maintaining a sense of life satisfaction."<sup>8</sup>

SOURCES OF SOCIAL CONTACT:

There are many possible sources for these vital social contacts. They may come from peers or from the younger generations; they may come through informal networks of friends in the community, through formal recreation programs, or through sharing a household.

While acknowledging the many benefits of intergenerational contact, Hochschild identifies three trends which she feels make peers the most viable source of social contact for the elderly.

- . Retirement places elderly in a unique "leisure class," so that the only people available to them most of the time (i.e., not off at work or school) are their peers.
- . Society is becoming increasingly age-stratified, assigning age-linked roles, as evidenced by the "generation gap" so touted in the '60's. So elderly on the whole probably relate better to their peers than to younger people.
- . The nuclear family has replaced the extended clan (as corporations have grown towards ever-larger networks and transportation has become more convenient, labor mobility has broken many ties to hometown and family.)

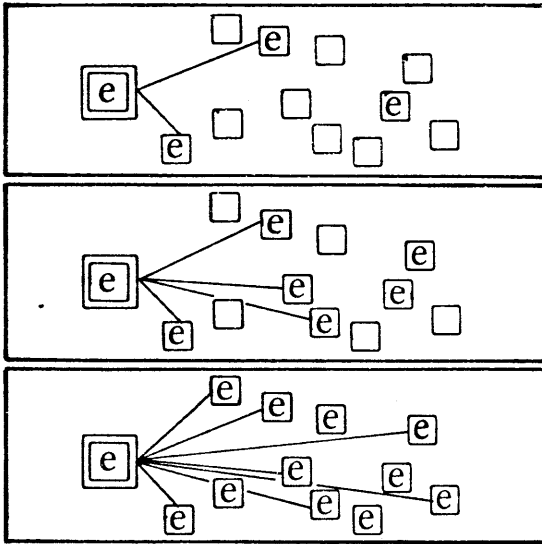


This tends to remove the old person from her shortest bridge over the generation gap . . . her own children . . . and reaffirms the importance of peer contact.<sup>9</sup>

Group living arrangements can facilitate social contact. Having others under the same roof breaks the linkages in most of the isolation mechanisms. Even if the entire group lives in a building in a high-crime neighborhood, social contacts are available without the resident having to venture beyond the relative security of one's own building. Even if physical disability does make travelling difficult, potential friends are right there under the same roof. Even if the normal source of contacts (spouse or coworkers or friends) are not available, other sources are at hand.

Intergenerational group living may be especially effective in maintaining contacts not only within the group, but also with the "outside world." On the other hand, many elderly express reservations about living with other generations within their own families (i.e., with their children)--and many seek to avoid living with small children.

The vital role that availability of peers in particular plays in an old person's social life is displayed in Irving Rosow's research. Rosow studied the friendship patterns of old people living in apartment buildings with low, medium, and high densities of elderly tenants. As the density of older neighbors increased, so did the average number of friends an elderly tenant had. Self-selection may have contributed to this effect: A random sample of elderly placed in low, medium,

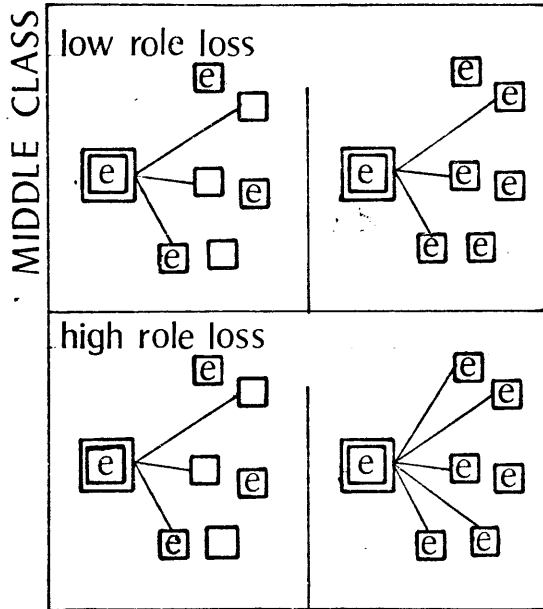


and high peer-density environments might not show the same blossoming of friendships as the number of available peers increased. It may just be that very extroverted elderly "flocked together" into the high peer-density sites to increase their chances of social contact.

Conversely, the more introverted elderly probably sought out the less peer-dense environments where pressure to socialize would be weaker. Even if Rosow's results are an artifact of self-selection, they show that elderly who want social contact seek it by moving into peer-dense living arrangements.<sup>10</sup>

Thus, while it is not clear that increasing the number of peers nearby would increase their number of friends for all elderly, it clearly does work for those who've landed in peer-dense situations, be it intentional or not.

One group in particular for whom increasing peer-density does seem to increase social contact (whether by universal process or self-selection) is middle-class elderly who have experienced some combination of widowhood, illness, reduced income and/or retirement. In the middle class, increased peer density has no effect on frequency of interaction of people with low role loss (less than three of the losses above), but among those with high role loss, twice as many people have high social contact rates (more than four contacts/week) in peer-dense



situations than in "normal-age distribution" neighborhoods. Rosow found also that women's friendships increased more from low- to high-peer density situations than did men's. Also, differences in friendship rates rose more for those over seventy-five as peer-density rose than for those under seventy-five.<sup>12</sup>

Interestingly, it is exactly those people whom Rosow found benefited from peer-dense situations (i.e., middle class, widows, retired, over seventy-five) that HUD found to be the predominant occupants of congregate housing.

- . 43 per cent of congregate residents had incomes over \$6,000 as opposed to 34 per cent of the national over-sixty-five population.
- . 58 per cent of congregate housing residents were widowed, as opposed to 37 per cent of the national elderly population.
- . 79 per cent of congregate housing residents are women, whereas only 57 per cent of the nation's elderly are female.
- . 5.5 per cent of congregate residents are employed, as against 14 per cent of the entire elderly population (N.B.: This does not necessarily indicate retirement in Rosow's role-loss terms above...the high proportion of women in

congregate facilities skews the population toward a higher-than-average percentage of people not employed, and never were, and so are not "retired").

- 77 per cent of congregate residents are over seventy-five, while only 38 per cent of the national elderly population are over seventy-five.

Likewise, paralleling Rosow's findings, the level of social activity of the congregate residents studied by HUD had increased dramatically since their move into congregate housing.<sup>13</sup> This, coupled with the frequently voiced motivation to move to where "there were more people who could be friends," led HUD to conclude that "congregate elderly need social contact and choose the age-segregated facilities partially on this basis."<sup>14</sup>

Apparently, the kind of people for whom peer-group housing serves as a social stimulus are the ones who self-select to live there. This implies that peer-group living arrangements are indeed a solution to at least one web of problems . . . the one around social contact . . . for at least one group of elderly . . . middle-class widowed women.

WHY PEER LIVING GROUPS ARE EFFECTIVE IN STIMULATING SOCIAL CONTACT:

Hochschild has two theories about why peer-group living arrangements stimulate social activity in defiance of sociology's "disengagement theory" of the aging process. One is that peer-group arrangements surround the older person with people of high-friendship potential, that is, people who have many similar interests (health, grandchildren, death, etc.) and who share the common history of their generation.

The second theory is that peer-group housing provides a microcosm in which elderly can play roles from which they have become excluded in the "real world" because of their age (or from which they may always have been barred on the basis of sex roles in younger days).

Hochschild elaborates:

"One plays woman with men, black with white, and old with young people. In a mixed group of men and women, black and white, old and young, it is the middle-aged white males who generally assume the chairmanships. Blacks and females, in the absence of whites and men, may feel less inhibited in initiating action, giving orders, and assuming authority. It is the same with the old."<sup>15</sup>

"Communal solidarity can renew the social contact the old have with life. For old roles that are gone, new ones are available. If the world watches them less for being old, they watch one another more. Lacking responsibilities to the young, the old take on responsibilities toward one another. Moreover, in a society that raises an eyebrow at those who do not "act their age," the subculture encourages the old to dance, to sing, to flirt, to joke. They talk frankly about death in a way less common between the old and young. They show one another how to be and trade solutions to problems they have not faced before."<sup>16</sup>

In conclusion: There is strong evidence that social isolation and loneliness is the "last link" in several webs of problems encountered by elderly. Peer contact seems the most effective antidote to social isolation, and peer-group living arrangements seem effective in providing that contact.

Now for a look at the second group of reasons given by elderly for living in groups:

SERVICE-RELATED REASONS:

Many elderly find it difficult to live independently, and yet do not really need the more intensive care of a nursing home. Some elderly need occasional small services to compensate for specific,

minor-but-chronic disabilities (someone to thread needles for failing eyes, someone to zip dresses for arthritic shoulders, someone to change overhead lightbulbs for wobbly knees), and occasionally some need help in medical emergencies. Different forms of group living arrangements, as we saw earlier, provide different levels of services. Some have live-in housekeepers, some have hotlines for medical help, some have optional meals service

The "stand-by" nature of many of these services (alarm systems, hotlines, etc.) and the optional provision of others (notably food, housekeeping, and intensive medical care) indicates that a population exists which

- a) does not need help currently, but anticipates the need and wants to have available a convenient way of summoning it . . . or
- b) does not need help regularly but takes advantage of its availability occasionally.

Several sources of data indicate that this type of need does exist:

- a) The Department of Public Health estimates that 20 to 35 per cent of the elderly in nursing homes have no real medical need to be there.<sup>17</sup> Presumably, they weren't quite able to take care of themselves living alone or were worried about what would happen in the event of an emergency . . . and for lack of an intermediate alternative . . . went directly from independent living to institutional living, and

- b) the HUD survey concludes that congregate housing is perceived by those who apply for and enter it as a housing-plus-service-insurance bundle:

"All congregate elderly had made the decision to leave their previous living arrangements, 85 per cent of which had been independent situations. Furthermore, they all chose a housing-and-services package which provides a distinctly different environment from totally independent living. These two seemingly contradictory needs, for a housing-and-services package and for a setting which permits maintenance of an independent lifestyle, were resolved by residents' attitude towards on-site services. The congregate elderly want to continue their independent activities as long as possible but foresee the progressive decline, both physical and mental, which accompanies age. Thus, they want to live in an environment equipped with supportive services for the time in the future when they grow to need them. The congregate housing elderly in effect needs the insurance of the ready availability of support services. In opting for the congregate package, they are buying the security of knowing they can depend on on-site services and that they will be cared for when they need the care.<sup>18</sup>

The reason mentioned most often by applicants to congregate housing when asked why they gave up their "independent living arrangements" was that it was "hard to keep up home or apartment" (42 per cent of applicants gave that response). The second-most-often mentioned reason was "concern about emergency" (mentioned by 24 per cent of applicants).<sup>19</sup> Correspondingly, the service in highest demand by congregate housing residents was housekeeping; second-most-valued was medical services. Meals programs and social/recreational/educational programs were considered non-essential amenities by the majority of residents.

When they first moved into a congregate facility, residents perceived and used it primarily as conventional housing, but with the extra advantage of service insurance. As they grew older, their actual

use of services shifted from their own kitchens and their private doctors, hairdressers, etc., to the on-site services provided by the congregate facility.<sup>20</sup>

Thus, the stand-by availability of housekeeping and medical services . . . and, in the long run, food services . . . were paramount attractions of group housing.

On to yet another set of reasons why elderly live together:

ECONOMIC REASONS:

Some elderly turn to group living for reasons of economy. When HUD asked congregate residents for the most important reason for their leaving their previous living arrangements, 11 per cent said it was because they couldn't afford to stay there. Only two other "first reasons" were given more often: 22 per cent said it was hard to keep up their home or apartment (which may also have been partially financial in its meaning), and 17 per cent (mostly those living with their children) said concern about being a burden was their primary motivation to leave.<sup>21</sup>

The Philadelphia Geriatric Center likewise found 10 to 12 per cent of applicants for their intermediate housing to be motivated by "financial stress" due to high rental rates on the private market.<sup>22</sup>

Group living arrangements potentially can be much less expensive than living alone: The amount of the savings depending largely on how much private space each individual has, how many major fixtures and appliances are shared (kitchens, bathrooms, furnaces, etc.), and how many services the residents pay to have provided.



The most expensive service to provide, according to the HUD study, was meal preparation . . . a service considered non-essential by the bulk of the congregate population<sup>23</sup> (most tenants duplicated it in their own apartments, where kitchens were usually provided). Since many congregate sites in the study included payment for meal service (full or partial) in the rent, residents (or subsidizers) pay for meals whether they eat them or not. Here we have an example of misfit between supply and demand in housing services. Since the pressures of "fit" normally exerted by the private market are suspended due to availability of operating subsidies, these imbalances can persist. HUD saw supply/demand mismatches also reflected in occupancy rates and attributed this difficulty to a lack of market sensitivity on the part of the developers:

"The development of congregate facilities was likewise somewhat haphazard. At only two of the twenty-seven sites were any preliminary investigations of the potential market made prior to the decision to develop. In the majority of cases, the owners built what they thought "should" be provided and then expected the demand to respond to the new supply. Similarly, the on-site service level was arbitrarily decided prior to any analysis of the service needs of the target income sector. As a result there was some evidence of mismatching of supply and demand as seen in the occupancy level distributions . . . especially in the high-service, life-care range of facilities."<sup>24</sup>

Thus, we see that many elderly are economically motivated to move to group living arrangements, but that the savings they realize there often derive from subsidies available to the facility (which were unavailable to them as individuals in the private housing market) rather than from more economical use of space and capital goods through sharing. As a matter of fact, many forms of group living arrangements have diseconomies of space through repetition of facilities at different levels (i.e., kitchens in apartments as well as a common kitchen

serving the entire site). Many congregate housing sites additionally diseconomize by repeating these facilities for every resident rather than for small groups of people (as at Weinfeld and Norfolk Street). They also demonstrate diseconomies in providing to a relatively weak market, food and medical services that operate at a deficit.

Is there not a more efficient way to achieve the benefits of group living: the social contacts, the savings, the assurance that services will be available when they are needed?

### CHAPTER THREE :

### DIALECTIC AND SYNTHESIS . . . OR AN ALTERNATIVE

We have seen that group living arrangements meet three basic needs for older people:

- . the need for social contact
- . the need for assurance that services will be available if they need them
- . the need for an economical living situation.

#### INDICATIONS OF DEMAND FOR GROUP LIVING ARRANGEMENTS

It is difficult to estimate the number of elderly who currently live in some form of group living arrangement. The census lists 285,000 persons sixty-five or older as "primary individuals living with secondary individuals" in "primary individual households." Another 211,200 elderly were listed as being such "secondary individuals" in "primary individual households" (no way of knowing whether they were sharing with elderly "primaries" or not, though). Yet another 102,700

were recorded as "secondary individuals" who lived in group quarters (as opposed to a household), but not in institutional group quarters. Thus, approximately 600,000 elderly, or about 3 per cent of the population over sixty-five now live in groups (of two or more) with nonrelatives.<sup>1</sup> The National Center for Health Statistics estimates the number at only 425,000.<sup>2</sup>

There is strong evidence that the demand for group housing is high. First, almost all of the congregate sites studied by HUD have waiting lists. Philadelphia Geriatric Center's announcement of twenty-seven available places brought 275 inquiries. I have, depending solely upon "the grapevine," found five clumps of people in Boston who are interested in forming group living arrangements of elderly. (These are listed in Resource Index.) The Abbeyfield model has just been imported from Britain to the U. S.

Furthermore, a large portion of the elderly population shares at least some of the characteristics of those who have already applied for group housing:

- . 4,664,100 women over sixty live alone, representing 17 per cent of all people in that age group.<sup>3</sup> These are the type of people who might seek group living for social contact.
- . 12 - 14 per cent of the elderly need occasional physical help, but not skilled nursing care.<sup>4</sup> The National Center for Health Statistics survey found that 45 per cent of the elderly who live alone (2,610,000 people, that is) have some limitation of activity due to chronic illness.<sup>5</sup>

A survey of nine hundred elderly in Connecticut discovered that 32.2 per cent were unable to manage household chores; 33.7 per cent were unable to manage shopping; and 23.4 per cent were unable to manage cooking.<sup>6</sup> These are the type of people who might seek group living for service-insurance reasons.

The median income of the 6.4 million people over sixty living alone was \$1,900,<sup>7</sup> considerably below the \$2,581 figure considered by the government to be "poverty-level" for one-person elderly households.\*<sup>8</sup> Clearly, with the median income falling below poverty level, large numbers of elderly now living alone (not to mention those who have committed themselves to institutions because they couldn't afford to continue living on their own) could benefit by the economizing qualities of group living.

It is "illegal" in terms of logic to sketchily describe a sub-population (those elderly applying for group living) by a few parameters (were female, lived alone, needed occasional services, needed to conserve funds) and then infer an ironclad demand for group housing to the whole population having those characteristics. The sheer size of that population does, however, give an idea of the large pool of people who might potentially be interested in this life style.

#### CONTRADICTIONS EMBODIED IN EXISTING OPTIONS

"If group housing is such a good solution," you ask, "why isn't there more of it already?" I think that it is scarce because it, in many ways, contradicts the American independence ethic.

In addition to making group living seem controversial, the "ethic" has molded group living arrangements in such a way that they don't meet their goals very efficiently.

The widely accepted ideal of "independence" for the elderly sets as the ultimate goal the continuation of the kinship-based nuclear family lifestyle even when the "nucleus" has been pared down to one

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\* Significantly, the government has a double standard for "poverty" for the old vs. young . . . . People sixteen-sixty-four are considered "poverty-level" if they have less than \$2,797 annual income . . . . People sixty-five and older can have as little as \$2,581 before they are officially designated to be at "poverty-level."

"proton." The "normal" pattern is to keep a private house or apartment until physically unable, then to "share" passively (i.e., to obtain help by having someone do the task for you rather than by having someone help you to do it). Passive sharing is eating prepared meals together or sending wash out to a common laundry, but not participating together in meal preparation or clothes washing. The use of shared facilities becomes associated with loss of control. It is an admission that one is no longer fully functioning, the only alternative to which seems to be dependency (a socially (and psychologically) unacceptable state). This attitude on the part of society puts people who need (or think they might soon need) some help in a sticky situation.

This dilemma can be seen operating in the schizophrenic explanations that "parent" institutions of group arrangements go through: While they own the buildings, make the decisions, plan and provide the services and select residents, they still claim that their goal for residents is "independence." Residents themselves seem to be aware that they are walking contradictions: As HUD reported,

"These two seemingly contradictory needs, for a housing-and services-package and for a setting which permits maintenance of an independent lifestyle, were resolved by residents' attitude towards on-site services."<sup>9</sup>

That attitude, by and large, was that services were nice to have around as insurance, but were non-essential. Here we see operating an attitude towards shared facilities very different from what one might find in Britain for instance, where the Abbeyfield Society advertises its houses as "an imaginative design for living for elderly people who would otherwise be on their own."<sup>10</sup>

Out of the American dilemma grows several policies toward group housing which prevent it from being very efficient in meeting the needs of elderly or, in many ways, even living up to its name:

1. Most current group living arrangements are not resident-controlled. Literature on various groups usually mentions a board of community or church leaders . . . or a local housing authority . . . who ultimately hold the reins. Residents have a passive role: By the time they arrive on the scene, a "parent institution" has decided how the building should be built and what should be shared, has guessed what services it thinks they need, has chosen their neighbors for them, and has (in the smaller sites) provided a mediator to maintain the peace. Newcomers are screened by a psychiatrist or social worker and accepted into the group by the "parent institution" rather than by the residents themselves. After they move in, residents usually have little say in the management of the housing. Of the twenty-seven sites studied by HUD, only three involved residents in management in any formal way.<sup>11</sup> Indeed, much of the literature (some distributed by parent institutions, some journalistic) portrays the residents not as an active, self-governing body, but as a group who need a mediator/catalyst to smooth out social problems.
2. Many group living arrangements are large in scale. This is true primarily of the congregate housing examples seen in the first chapter. Often, the rationale for a large scale goes

hand in hand with the problem just discussed--lack of resident control. Once the need for "professional management" is assumed, the rationale becomes "larger scale means more efficient use of management." The underlying assumption, which I would challenge for many groups of elderly, is that full-time professional management is necessary. The "independence ethic," however, de-emphasizes the possibility that residents might organize to coordinate their own services, thus management is usually "imported."

Self-management, while not impossible at large scales, certainly dovetails better with family-style social arrangements at smaller scales. According to some social scientists, informal group dynamics operate best within groups of five to ten people. Thus, small groups are probably good for fostering social interaction, and also allow for self-management without resorting to more formal dynamics.

3. Many group living arrangements duplicate services at different levels. Sponsors, in trying to appear on both sides of the independence/dependence (service) coin, provide duplicate service systems. For the "independent," they have a kitchen in every apartment, for the "dependent," they have meals service; for the "independent," they have transportation to shopping areas, for the "dependent," they have on-site commercial services. It's no wonder that almost all sites need subsidies.



These policies work against the fulfillment of two of the basic needs of elderly seeking group living, i.e., social contact and economy. Lack of resident control and largeness of scale take away what could have been a "natural" social catalyst--a small group with a common problem to solve. Duplication of services, while supporting "independence to the end," does little towards making group living an economical alternative either for residents or for subsidizers.

What comes out of this difficult joining of independence and dependence (in a society that doesn't condone much in between) is a collection of residents rather than an active group of them. Residents live parallel, but not shared, live under one roof. Perhaps a good analogy comes from child psychology: Children in the two-to-three-year-old age bracket tend to coexist rather than interact with each other directly. Each will "do his own thing" in the same room with others, but rarely will they actually play together. Slightly older children are more likely to actively interact with one another in joint (ad)ventures. The management approach, the scale, and the method of providing services in current group housing . . . and indeed the independence ethic itself . . . all tend to push the residential group towards being parallel instead of interactive.

Thus, we can see a societal contradiction which is expressed in managements' claims, residents' attitudes and behaviors, and even in the buildings' architecture. Because of the predominant independence ethic, group living arrangements are approached as one big body which incorporates two familiar, but opposing, things: a continuation of

an "independent" nuclear family lifestyle and a "dependent" home-for-the-aged lifestyle. If, instead, group living were approached as a change to a different lifestyle (i.e., one of voluntary, active sharing), I think that it would become a much more efficient way of meeting the three basic needs. In terms of a classic theory of social process, this would be a synthesis within an ongoing societal dialectic. Pressure for the resolution of the current contradictions is coming from the financial problems they create . . . (their need for subsidy) and the corresponding scarcity of something that is increasingly in demand: a solution to the social isolation, service needs, and the economic deprivation that accompanies being old in America.

#### A SUGGESTED SYNTHESIS

Here is why I think that grass-roots-organized group living arrangements that foster voluntary, active sharing (a communal lifestyle, if you will) are an effective solution to the sticky contradictions we've seen operating:

1. A group establishing its own house would undoubtedly arrive at a tight fit between their needs and the services they paid to have provided, while at the same time maintaining "mutual help-insurance." The group would be in control, and they could add or delete services as they needed to, without having to constantly maintain costly duplicate service options. A housekeeper could be called in when needed, or even housed on a permanent live-in basis. A resident nurse could be added during a member's convalescence. Interim "back-up"

services to fill the gap while these were being arranged could come from other group members . . . a much less expensive form of "service-insurance" than maintaining a standby, in-house, duplicate service system. Rather than depending on a formal service network as help-insurance, the group could depend on an informal service network among themselves, while still having the control and power to call in a piece of the formal network as needed. This approach dovetails nicely with the current trend in formal networks towards home-service delivery.

2. Correspondingly, this solution would be far more economical than most of the "contradictory" ones now available.

The existence of economics of scale within households is common knowledge ("two can live cheaper than one"), and has been duly documented by the Bureau of Labor Statistics. The Bureau's equivalence scale is a method of comparing how much income it would take to maintain the same standard of living (defined as the same per cent of income spent for food) across different household types. It tells what per cent of the income of a "standard" family of four would be needed to maintain their standard of living in various household compositions. Since the "standard family" spent 47.4 per cent of their income in 1974 for food and shelter, multiplying .474 times the various households' equivalent required income gives an estimate of food and shelter costs for various

household types, controlling for a "standard" standard of living. Starting from their 1974 "intermediate-standard-of-living" budget for a family of four, and applying the Bureau's "equivalence scale" for different types of households, we see that:

TOTAL LIVING COST	Total Budget	Equivalence Scale	Cost/ Person/ Year	Cost/ Person/ Day	FOOD & SHELTER ONLY	Cost/ Person/ Day
Family of 4	\$14,333 <sup>12</sup>	1.00 <sup>13</sup>	\$3,583	\$ 9.82		\$ 4.65
Elderly 1-person Household	\$ 4,013	.28	\$4,013	\$10.99		\$ 5.20
Family of 6	\$20,496	1.43	\$3,416	\$ 9.36		\$ 4.43
"Medium-service" Congregate Hsg.			MEDIUM SERVICE PACKAGE	Av. Cost <sup>14</sup> Av. Paymt.		\$13.77 \$10.54
Weinfeld House				Av. Cost <sup>15</sup>		\$16.60
Baltimore Shared Apts.				Av. Cost <sup>16</sup> (not including administrative)		\$ 6.23
Wash., D. C. Shared Apts.				Av. Cost <sup>19</sup> Av. Payment		\$12.95 \$10.36
Five-state Sample of "Intermedidate Care Facility" Nursing Homes				Av. Cost <sup>18</sup>		\$13.30

While it is true that many of the "contradictory" options offer more services than simply living as a group does (and, therefore, justifiably have higher per-day costs), it is not clear that many elderly who move into these options really need as high a level of services as is provided (see "Service-Related

Reasons" in preceding chapter). The point is simply this: If an elderly person wants social contact, needs assurance that help is available but is not in immediate need of extensive services, and wants to live economically, living together in a self-managed house seems an effective solution. It is less expensive than living alone, and it meets the social and service-insurance needs. It is clearly less expensive than most of the "sponsored" options now available. It is also less expensive than living in an intermediate care facility, which is where many such people wind up.

Take, for instance, an older person living alone, who has the three basic social, service, and economic needs described. He or she is faced with two hypothetical alternatives: to move into the new "medium-service" congregate facility just opened in his or her community or to move into a large house with five friends and live as a "family of nonrelatives." If this person, like most elderly entering congregate housing, plans not to use most of the services available there until some future date, then the two alternatives would be about equivalent in actual services (resident would cook own meals, etc.). Which alternative is likely to be more cost-effective from this person's point of view, and from society's?

The daily charge to this person in the "group house" for food and shelter could be as low as \$4.43. This is 77 cents less per day than he or she was probably spending living alone with the same standard of living. The average

amount this person would pay for a medium service congregate setting (based on average revenues from residents in the HUD study sites) would be \$10.54. By choosing the group house, he or she would potentially be saving \$6.11/day, or \$2,230/year over living in the congregate facility. This savings represents a whopping 117 per cent of the median income of elderly living alone. Clearly, the group-house alternative would be financially accessible to a larger portion of his or her population than would congregate housing.

In addition, society would save, too, for the \$10.54/day average payment for congregate housing is already subsidized down from the \$13.77/day average cost. (HUD found that only five of twenty-seven sites it studied could operate without subsidy.) Thus, by choosing the group-house alternative, this person is saving the subsidizer an average of \$3.23/day or \$1,178/year.

Essentially, a person in his or her position could enjoy almost the same benefits for less than one-third the cost by living with friends rather than in congregate housing. Even adding a housekeeper (at \$10,000/year) when services were actually needed would only raise the group-home cost to \$8.99/person/day. This is still only two-thirds the cost of medium service congregate housing.

The same pattern can, predictably, be found throughout other types of group living arrangements, too. The more

service-intensive and staffed they are, the more they cost. Weinfeld House, which has extensive services and space duplications, costs \$16.43/person/day. The well-serviced, shared apartments in Washington, D. C., cost \$12.95/person/day. The shared apartments in Baltimore, which have only "home-maker service" and social caseworker contacts, average \$6.24/day in per capita costs. We can see a continuum approaching the \$4.43/day cost that might be achieved by establishing a group house, starting out at least with no hired staff.

Thus, for elderly who need the social and service-insurance benefits of group living, living with friends seems a very economical solution, which remains economical even if they choose to add live-in help.

3. Additionally, the social contacts many seek in group living would be facilitated in the "group house" solution.

Members would be self-selected and therefore would get to know each other through the selection process, had they not already been "old friends." Also, the process of group-self-management would provide a continuing basis for social interaction. To a group engrossed in figuring out how they want to split up the cooking, what color rug they should have in the living room, and where to put the TV, "outside" social/recreational workers would probably seem irrelevant.

Thus, small-scale, self-managed group living arrangements seem to be a more efficient solution to the needs of at least some groups of elderly than most of the options which currently exist.

"If," you ask, "a small houseful of people is a good solution, why hasn't it already happened?" It has, but in such a quiet, individual way that you rarely hear about it. Still, it is not a common occurrence. This is, I think, because it crosses the independence ethic. The general social attitude towards "families of nonrelatives" has been negative. Correspondingly, many of society's institutions have not supported it. In fact, many, such as zoning, building codes, housing subsidy programs, and the banking industry, have hampered it.

But social attitudes towards group living are changing. The legacy of the "hippie communes" of the '60's has been to reopen the question of alternate lifestyles. Increasingly, young adults are sharing houses or apartments with nonrelatives. Divorcees and "displaced homemakers" are sharing living arrangements. The range of "acceptable" housing solutions is widening . . . and if groups in Boston are any indication, the expanding options are interesting the elderly, too.

Knowledge about how to establish a group home and the institutional backing for those who would try, however, has not kept pace with the change in social ideas. The remainder of this thesis will deal with that lag and some solutions to it.

#### AN UPDATE:

While writing this chapter, I discovered an existing network of small, self-managed group houses for elderly in Florida, which are very similar to what I propose. The "Share-a-Home" network has established ten group houses since its founding five years ago. In each live seven to twenty elderly who, together, control their family household on a one-person, one-vote basis. They retain live-in help to prepare meals, provide transportation, and take care of maintenance. The "family members," however, retain the power to keep or dismiss this



management . . . . "It's simply a 'family' of non-related senior adults who share their own household and divide up all the expenses of running it." The average daily cost per resident is \$9-\$10--just above the \$8.99/day I had estimated for such an arrangement with a live-in housekeeper. Even so, subsidy is needed to serve very low-income elderly; the local Episcopal diocese has established a tax-exempt fund for contributions to support Share-a-Homes. For more information, see Resource Index: Information about Existing Group Living Arrangements and Rationale for Group Living.

## CHAPTER FOUR:

### OPTIONS FOR FINANCING GROUP LIVING ARRANGEMENTS

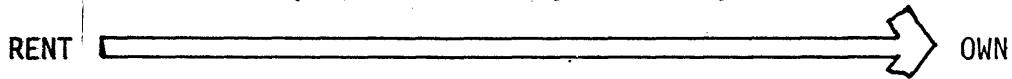
#### INTRODUCTION

A group wishing to live together has a whole range of organizational options--from renting a house or apartment to buying one outright. Each alternative has its own implications about group size, amount of capital and income needed, subsidies available, tax benefits, building configuration and degree of control the group would have. I will describe some basic options, but with two disclaimers:

- 1) I'm sure that even more options exist. If groups don't find suitable ones here, they should keep looking (or lobbying to create new ones); and
- 2) before a group does anything drastic, they should check with a lawyer because forms of organization and tax laws vary across states--and because, not being a major legal mind, I may have overlooked some problems or advantages.

A COMPARISON OF RENTING AND OWNING:<sup>1</sup>

A good way to start is to look at all the options on an "amount of control" continuum ranging from renting to owning:



Renters have the advantage of having less responsibility for maintenance, upkeep, etcetera than owners. On the other hand, they have the corresponding disadvantage of limited control over the building; they need the owner's permission before making any changes in the building (painting, adding grab-bars, installing chair-lifts on stairs, etc.--see Chapter Six on programming).

Financially, renting relieves the dwellers of needing to spend a sizeable block of money all at once (i.e., pay a down-payment--usually 20-30 per cent of the dwelling's value), though renting may also require some "front-end payments" in terms of a security deposit of a month or two's rent. Although renting spreads the cost more evenly over time, it adds to that cost some components which owners never pay. One of these "additives" is the landlord's profit, which is included as a portion of rent. Another is taxes which are "passed through" from the landlord to tenants--taxes which are usually at a higher rate than a private home owner pays.

While being socked with these extra costs, renters are also missing out on other benefits of ownership--equity accumulation and tax shelter. Equity, the actual ownership rights to property, "accumulates":

- 1) as mortgage payments over time transfer an increasing proportion of the property's total value from the lender's control to the owner's; and

2) as the property increases in value on the real estate market (i.e., appreciates).

Thus, if an owner decides to leave, he/she can usually sell his/her equity in the property and recover at least the mortgage payments already made, if not a substantial profit due to appreciation. Rather than profiting from a building's appreciation, renters are often burdened by it in the form of rent hikes. Renters also, unlike most owners, cannot recover their previous payments (except refund of security deposit) when they leave. Correspondingly, owners can will equity to heirs; renters cannot. Aside from their equity advantages, owners enjoy tax advantages unrealized by renters. Owners who are still paying off mortgages can subtract the interest portion of their mortgage payments from their income before they calculate their taxes. All owners can subtract the property taxes they've paid from their income before figuring their income tax. Renters can't "shelter" their incomes, even though their rent goes for the interest and tax payments . . . the landlord takes the shelter for his or her income! In short:

Owning

- . full responsibility for property maintenance
- . down payment
- . credit requirements for mortgage or rehab ban
- . personal liability for mortgage

Renting

- . limited responsibility
- . subject to rent hikes based on utilities, taxes, profit
- . not eligible for property tax exemption for elderly--pay taxes at business rates thru landlord
- . need owner's permission for building alterations
- . don't accumulate equity
- . no tax shelters

Clearly, if a group can manage the down payment, monthly payments and maintenance costs, it is generally more advantageous to own than to rent.

#### OWNERSHIP BY ELDERLY

Many groups of elderly may find some form of group ownership possible despite their generally low incomes. One source of funds is their own existing real estate assets. Some 65 per cent of the 7.17 million urban elderly own their own dwellings, as do an even larger percentage of rural elderly (80 per cent of rural non-farm elderly and 90 per cent of elderly who live on farms). The median value of housing owned by urban elderly is \$15,000.<sup>2</sup> Such owners, then, have a substantial source of equity even if their actual income level is low. Group ownership generally requires of each member smaller payments than she would encounter if buying alone (both for initial downpayment and monthly charges). Thus, selling individually owned real estate in order to pool funds for joint investment could, if the money left after the downpayment were invested at a modest interest rate (6 per cent), cover the monthly payments and also provide extra cash to supplement low incomes.

A recent piece of legislation may clear the path of elderly seeking financing. In March, 1976, Congress passed an amendment to Title VII of the Consumer Credit Protection Act to prohibit discrimination in lending on the basis of age, among other things. The amendment reads:

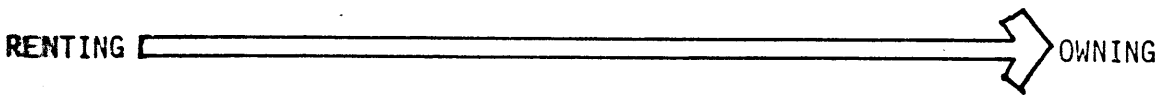
It shall be unlawful for any creditor to discriminate against any applicant, with respect to any aspect of a credit transaction (1) on the basis of race, color, religion, national origin, sex or marital status, or age (provided the applicant has the capacity to contract) . . . 3

It goes on to specify that lenders, while they can scrutinize an elderly applicant's income, credit history, and income future just as they would any other applicant's, cannot legally consider the applicant's age in and of itself in reaching their lending decision. This amendment goes into effect on March 23, 1977.

In addition to the "conventional advantages of ownership, the elderly in many cities and counties enjoy a reduction of (or exemption from) property taxes if they own their home. Elderly renters are not eligible for this benefit, even though they too, through their rent payments, pay property taxes. The requirements for this aid vary from place to place. In Massachusetts, for instance, low-income people seventy years old or older who have been residents of the state for ten years and have owned a dwelling there for five years, can deduct as much as \$350 from their annual property taxes. City or county tax assessors's offices have information on local tax abatement policy.

Having seen the basic continuum, we can fill it in with a whole variety of Forms of Tenure for Elderly Groups:



















































































	acting as							
	sponsor-							
sharing	tenants of		organiz-					
a lease-in	state-	renting	ing and	renting	buying	buying		
private	funded	from	renting	from a	shares	condomin-	jointly	
market	community	a public	fr. limited	group	in a	ium	buying	
housing	residence	charity	partnership	member	coop	units)	a house	



What follows is a brief description of each option from the points of view of:

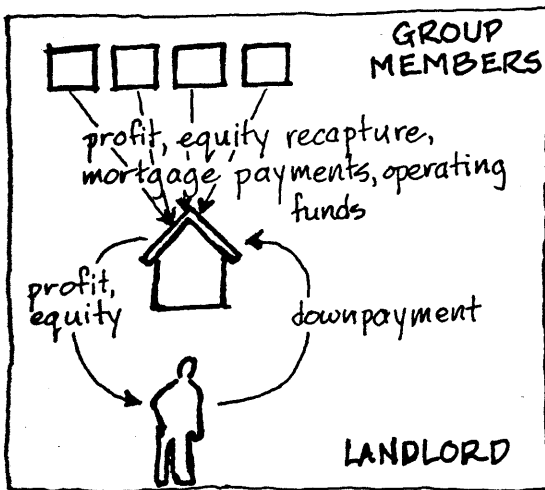
- . what it is and how it works
- . who might be interested, characteristics of groups that might qualify
- . how much control the group would probably have and over what
- . the income/asset requirements
- . subsidies available for this option
- . how liability is distributed
- . size implications of this option
- . time-span needed to realize
- . possible zoning obstacles
- . property transfer implications
- . other advantages of disadvantages
- . sources of further information

In overview the options break down like so:

	low small 	med. 	high large 	sharing house	sponsoring state-owned community residence	renting from public charity	organizing and renting from a limited partnership	renting from group member	buying shares in cooperative	buying condo- minium unit(s)	sharing a joint tenancy mortgage
Degree of control group members have											
Income/capital requirements											
Relative cost											
Probable size											
Probability of Zoning Obstacles											
Relative lend-time required without new construction											
Obstacles to transfer											
Availability of precedents											

OPTION 1: SHARING A LEASE IN PRIVATE MARKET HOUSING

WHAT:



The group rents an apartment or house together. Each will probably be asked to sign the lease individually, thus each will become liable for the full rent. It is therefore a good idea also to have a private contract among group members specifying what would happen in case of the death, departure, or default of a member.

WHO: Sharing a lease is particularly good for groups "trying it out" together because there is no major monetary investment by any member, and the expiration of the lease (usually in one or two years) provides a "natural" appointment for assessing how well it's going and what the future should be. Shared-lease arrangements are also good for groups who want to live in urban settings (for access to cultural events, transportation, people, etc.) where dwellings are predominantly rented rather than sold.

Shared leases offer an alternative to groups who don't want the responsibilities of ownership--or can't raise the downpayment necessary to buy a suitable dwelling.

Shared leases also offer simplicity of departure (at lease renewal intervals) to groups who plan to be fairly mobile (moving as individuals or as a group).



DEGREE CONTROL: While shared leases carry with them all the disadvantages of renting (lack of control over building alterations, vulnerability to rent increases, etcetera--see "A comparison" above), it does offer control over who the group members are (which is more control than many of the existing arrangements described in Chapter One offer).

RELATIVE COST: The only "front-end" costs would be the security deposit and utility hook-up fees. Assuming that the rent and expenses would be divided equally among members, monthly cost per person would simply be  $1/n^{\text{th}}$  of the monthly rent (plus utilities, food, or whatever else the group chooses to share).

SUBSIDIES:

- 1) The U. S. Department of Housing and Urban Development (HUD) currently offers a "housing assistance payment program" known as "Section 8: (since it began as Section 8 of the Housing and Community Development Act of 1974). It provides payments to landlords to make up the difference between 25 per cent of the tenant's adjusted net income and the "fair market rent" for the unit. (Adjusted net income is gross income minus 10 per cent, minus unusual income or expenses, such as medical expenses over 3 per cent). Tenants who are "certified" can bring the subsidy with them to whatever rental unit they want (apartment or house) so long as the contract rent does not exceed HUD's established Fair Market Rent for the area and the unit type. People can become "certified" by applying to their local housing

authority, who:

- a. checks that your income doesn't exceed 80 per cent of the median income of the area;
- b. gives priority to elderly and handicapped when there's a waiting list;
- c. inspects the unit you propose to see that it meets minimum standards of safety, etc.<sup>4</sup>

There are conflicting reports as to whether all of the group members would have to be certified in order for Section 8 subsidy to be granted to a shared-lease unit. HUD will presumably establish a policy for such cases.

- 2) Some states have housing agencies which offer rent-subsidy programs, such as the "Chapter 707" program administered by the Department of Community Affairs in Massachusetts.

LIABILITY: Each group member is liable for the full rent for the unit for the term of the lease (plus the security deposit).

TIME-SPAN: Short, only as long as it takes for the group to locate a suitable house or apartment through newspaper ads, broker, etc.-- some community groups, such as Cambridge Council of Elders, offer apartment-search services in which they inspect prospective apartments for elderly.

NUMBER OF PEOPLE:

- . . . Limited only by the size unit the group decides on (and the local building code occupancy standards on maximum persons/room)

. . . also, if renting a house in single-family area, the group size is limited in maximum number of unrelated people by what local zoning regulations consider as a "family."

ZONING: Usually only a problem if renting in a single-family-zoned (R-1A) area and the number of residents exceeds the maximum number of unrelated individuals which local zoning regulations consider a "family" (see next chapter).

TURNOVER/TRANSFER: Turnover within group would probably be easy to handle with subjects until lease renewal, at which time the "new member" would sign lease.

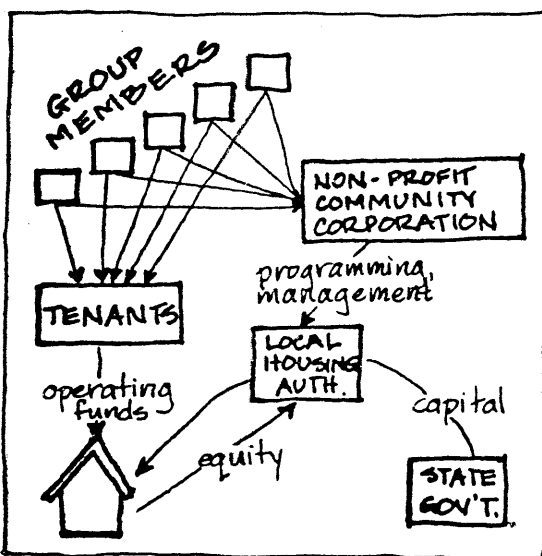
OPTION 2: ACTING AS SPONSOR-TENANTS IN STATE-FUNDED COMMUNITY RESIDENCES

NOTE: This option applies only in states which have state housing authorities which run "community residence" or "congregate housing programs." What is described below is such a program in Massachusetts.

WHAT AND HOW: "Community residences are housing units for elderly or handicapped persons who need to live together sharing housekeeping tasks and social services . . . .

Persons whose continued impairment substantially impedes their ability or desire to sustain an independent lifestyle may be able to live more adequately in community residences. Among the groups needing such residences are frail elderly persons who require some minimal shared cooking, housekeeping or home health services."<sup>4 5</sup>

In Massachusetts, "community residences" can be established through the cooperation of three parties: a community-based, non-profit "sponsor" corporation, a local housing authority, and the state Department of Community Affairs. By belonging to the board of the



non-profit "sponsor" corporation, group members could coordinate, develop and possibly manage housing in which they could potentially live. The non-profit corporation works up a proposal for a community residence for up to twenty-five people (demonstration of need in community, an outline of an

appropriate housing service package, etc.), which it submits to the local housing authority. If the housing authority approves the plan, the process of detailed planning and cost estimating begins, leading to an application for funds to the state Department of Community Affairs (which raises money by selling bonds). If the application is approved, funds are released for the purchase, renovation, or new construction proposed. The housing authority ultimately owns the property and may contract the management of it to the sponsor group. Management includes supervising services (such as meals), collecting rents, selecting tenants and dealing with grievances.<sup>5 6</sup> If the group seeking housing meets the qualifications for tenants and has actively participated in the non-profit sponsor/management corporation, they will likely be accepted as tenants.

WHO: Groups for whom this might be an option are those with existing non-profit corporation status, affiliation with one, or other community backing. They should also have some experience in housing development or management. Also, group members, in order to be accepted as tenants, must be over sixty-two, show some degree of (liberally interpreted) frailty yet be capable of life-saving action, and be low income (less than \$6,000/year income and \$10,000 assets). The group would also have to be willing to accept new members to some extent for it's unlikely that a subsection of the sponsor group would be allowed to rent up the entire residence.

CONTROL: Ultimate control would rest with the housing authority, but a degree of influence over services, maintenance and tenant selection could be yielded by the group members as affiliates of the sponsor/management corporation.

COST: Basically, the only cost to group members would be rent in the new facility (plus their time as participants in the sponsor/management corporation). This rent is low, since the state carries most of the capital costs of the building, leaving basically operating and maintenance costs for the tenants to support.

SUBSIDIES: The whole program is essentially a subsidy of the capital costs of housing--even so, additional subsidies are available in the form of state underwriting of operating and maintenance costs that exceed 25 per cent of residents' incomes.<sup>7</sup>

LIABILITY: Ultimate liability lies with the housing authority, though the sponsor/management corporation is liable for operating and maintenance costs (unless underwritten). Group members personally liable only within terms of their losses.

NUMBER OF PEOPLE: Maximum of twenty-five

TIME SPAN: Fifteen to twenty-one months after initial proposal submitted to Housing Authority.

ZONING: Some difficulty with zoning has been encountered due to community residences being classified as lodging houses and therefore

being restricted to "lower" zones than most other residential uses (see next chapter). This problem is being actively combatted in Massachusetts, however, with an effort to legislatively define community residences as a distinct land use category, to allow them to be located by "special permit" zoning, and to establish them as "single-family residences" as opposed to "group quarters" for building code purposes.

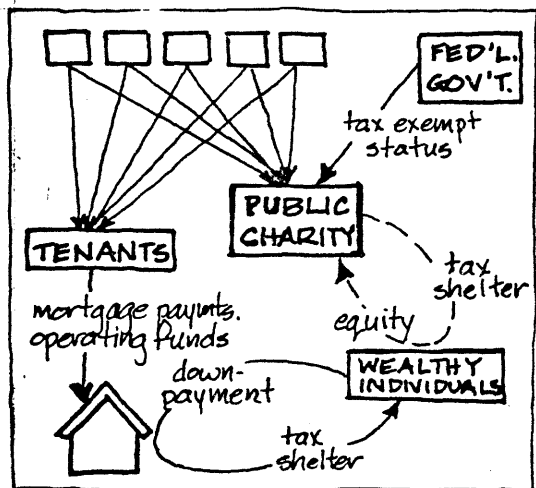
TURNOVER: Restricted only by terms of lease.

"NEXT-STEP" SOURCES: From the Massachusetts Division of Community Development: "Source Book for Community Residence Development," March, 1976. "Guidelines for the Development of Community Residences with Local Housing Authorities," March, 1976. Also, John Morrison, Director of Bureau of Housing for Handicapped, Massachusetts Department of Community Affairs.

OPTION 3: ACTING AS SPONSOR TENANTS FOR HOUSING DONATED THROUGH PUBLIC

CHARITY

WHAT: Groups affiliated with a 'public charity' (church group, educational organization, hospital, etc.) -- or who can qualify for federal tax exemption themselves -- can benefit from charities' tax-exempt status. Several wealthy (50% tax bracket) individuals in the community form a partnership and buy the desired property. During the first five years, they hold the property for the benefits of tax shelter, while leasing it to the public charity (possibly as housing for group members). At the



end of five years, when the tax shelter from interest and depreciation declines the partners can gain an additional tax shelter by making the building a tax-deductible donation to the charity. If the building has appreciated in value over the 5 years, then partners are allowed to deduct its market value at

the time of donation (rather than its actual cost to them) from their taxable income. If moderate appreciation has taken place, the two tax shelters (interest and depreciation deductions first, then charitable donation deductions) come out to more-than-counterbalance the equity put in by the partners at initial purchase.<sup>8</sup> After the property transfer, the charity must continue to pay the mortgage off (which it has been doing all along through the lease). It has, however, received the build-



ing without having to put up equity (usually 20-30% of the building's value).

WHO: A group with existing ties to a public charity or with non profit tax-exempt status -- and with connections with wealthy individuals in the community. Group would probably have to be low-income in order to justifiably be tenants of a public charity.

CONTROL: The level of the group's control would depend upon its relationship with the public charity leasing (later owning) the building. Ultimate control for the first five years lies with the partnership which owns the building. The degree of control wielded by both the charity and the group is tenuous until the building is actually donated, and even the donation itself is not assured. In order to be considered a donation (tax-exempt) by the Internal Revenue Service, the transfer of the building to the charity probably could not be prearranged in any legally binding way when the partners first purchased the building. It is, then, on good faith only that the charity expects to receive the property at the end of five years.

COST: Cost should be lower than renting an equivalent dwelling on the private market, for the monthly charge should be pared down to the mortgage costs plus operating and maintenance expenses. Charges for landlord's profit and equity-recovery would probably be waived during the first five years and would certainly be eliminated after the property belonged to the charity.

LIABILITY: If the wealthy individuals initially buying the building form a limited partnership, they might be able to arrange for a 'non-recourse' mortgage. This means that no individual is actually liable for the mortgage; the value of the property itself, should the mortgage be foreclosed would be the lender's only assurance against losing money. Once the mortgage is transferred to (or refinanced by) the charity, it would assume liability. Group members, however, would not be liable beyond the terms of their leases with the charity.

NUMBER OF PEOPLE: The number of older people who could, as a group, benefit by this arrangement would depend upon the amount of equity that the donors are willing to pay. The more equity available, the larger (or higher quality) the buildings available.

TIME SPAN: Presumably, the group could move in as soon as the future donors acquired the property, leased it to the charity, and the charity, in turn, leased it to the group. Five years would elapse before any real degree of control could be exerted by the charity or the group.

ZONING: Some feel that zoning opposition (which is often based on the interpretation rather than the letter of the law) is softened by having the property be initially acquired by a group of private individuals rather than a charity or non-profit corporation. All the same, if the property is located in a single-family-zoned neighborhood groups may run into the 'family' problems described in the next chapter.

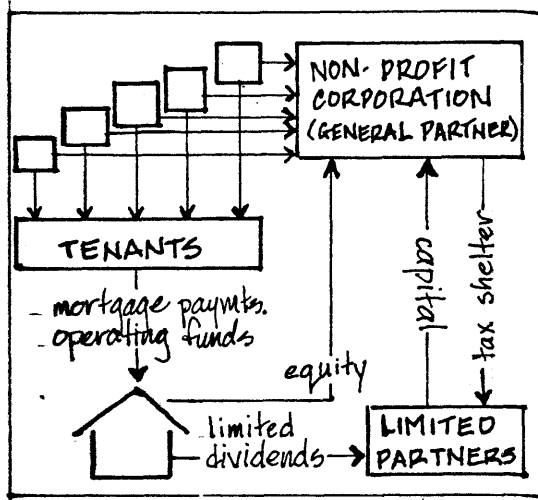
TURNOVER: Since group members would be renting their housing, turnover would be achieved by subletting or terminating one's lease.

NEXT STEP SOURCES:

- . The Foundation for the Handicapped  
515 Factory Road, Addison, Illinois 60101 (543-2440)  
is writing a book about the tax-sheltered donation  
of buildings to public charities.
- . "Income Tax Deduction for Contributions", pamphlet  
by Internal Revenue Service -- includes information  
about tax implications of gifts of property  
(obtainable from IRS as Publication 526, or from  
Superintendent of Documents, U.S. Government Print-  
ing Office, Stock number 048-004-01340-1)

OPTION 4: RENTING FROM A LIMITED-DIVIDEND LIMITED PARTNERSHIP WHICH  
RAISED EQUITY

WHAT: Group members form a limited-dividend limited partnership. The group itself becomes the general partner, which has control. In the case of community groups raising equity for housing, the general partner is usually incorporated. This forfeits its members personal tax shelters



from ownership, but allows the full shelter to pass through to the limited partners. The general partner sells shares to limited partners as a way of raising the downpayment for purchase of a building. In return, the limited partners receive an annual limited dividend (up to 6% of the amount they

contributed) and the tax shelter from the property (interest, taxes, and depreciation deductible from their taxable income). As in the previous option, the people who help to buy the building (limited partners here) are wealthy individuals in the 50+% tax bracket who can benefit by the tax shelter.<sup>9</sup> The sale of shares to wealthy people in the community might be arranged through local real estate brokers. The general partner-corporation would then lease the building to the group members.

WHO: A group who is able to keep up the monthly mortgage payments and operating expenses, and to deal with the bureaucracy of maintaining a non-profit corporation as the general partner.<sup>10</sup> (See Resource Index:

Financial Options for a table of monthly mortgage payment/thousand dollars principal for various terms and interest rates). The group must be able to make a strong case for these abilities in order to convince potential limited partners that they will indeed be able to maintain the mortgage to deliver the tax shelters.

DEGREE CONTROL: Since the controlling general partner corporation and the group-member tenants would overlap, the group could essentially control the property.

RELATIVE COSTS: The cost to the group would probably be less than buying or renting the same property. Unlike buying privately, the downpayment would be subsidized by the limited partners. (Since most elderly do not fall in the 50+% tax bracket, trading their tax shelter for contributions toward downpayment would be no great loss.) Compared to renting, it would eliminate payments toward landlords' recapture of his equity payments and reduce profit payments from the usual 10-12% expected by landlords to 6%.

LIABILITY: Liability would ultimately fall on the non-profit corporation acting as general partner. Its incorporators, however, would not be personally liable.

PROBABILITY OF OBTAINING FINANCING: The 'stronger' the property itself (good construction, good repair, appreciating neighborhood, etc.) the more likely lenders would be to grant a mortgage. The risk is ultimately absorbed by the property itself, as the limited partners are not liable

beyond their investment, and the general partner corporation, though liable, would probably have few assets.

NUMBER OF PEOPLE: As in Option 3, the number of people who could be housed would be to a degree limited by the amount of equity raised through sale of limited partnerships.

TIME SPAN: Longer than simple private purchase; formation of non-profit corporation (general partner) and selling of limited partnerships (the process is called syndication) take time.

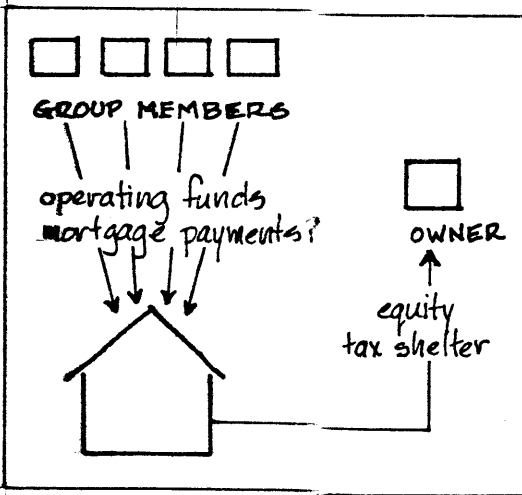
TURNOVER: Since group members would actually be renting from the non-profit corporation acting as general partner, turnover would be limited by their lease(s) with the corporation. The entire effort fails if the tenants are unable to pay their rents (or if there aren't enough tenants to cover the whole amount due). Unlike Options 1 and 3, there would be no state agency or public charity to help out in a pinch (unless, that is, group members were certified under Section 8... which is improbable if their financial status was sturdy enough to convince limited partners to invest!) Thus, terms of the lease should probably be strict, and the group should be prepared to absorb new members quickly (perhaps from a waiting list) should the need arise to do so.

NEXT STEP SOURCE: . See a local real estate broker, or talk to wealthy friends whom you think might be interested in a tax shelter.

- See People Before Property: A Real Estate Primer and Research Guide, Chapter One "Forms of Real Estate Ownership," Urban Planning Aid, Inc. (Cambridge: 1972) pp. 5-15.

OPTION 5: RENTING FROM A GROUP MEMBER

**WHAT:** Group members simply sign contracts to share expenses with one of their own members who owns the house they occupy.



**WHO:** This best suits a relatively small group, which is likely to fit into a normal-sized house. And, of course, the group must contain a member who either already owns a suitable house or is willing and able to make the downpayment on one. A good solution for a group with a range of wealth.

**DEGREE OF CONTROL:** The owner-member ultimately has control of the property.

**COST:** Lower than renting the same house 'on the market' because:

- a) landlord's profit would be eliminated
- b) if the owner-member were elderly, he/she would probably get an - elderly tax abatement, which would be passed on to group members.
- c) property is less likely to be mortgaged than commercial property would be.

Costs could be very low (probably the lowest of any options described here) if the owner-member had already paid off the mortgage and qualified for an elderly property tax abatement. Group members, then would simply be sharing the expenses of operating, maintaining, and insuring the house.

**SUBSIDIES:** Possibly, member-tenants could be eligible for Section 8, but policy is unclear as to whether or not Section 8 is restricted to structures with non-resident owners.



PROBABILITY OF OBTAINING FINANCING: Irrelevant, if the house is already 'paid off'. High, if the owner-member has sufficient income to convince the banks to grant a mortgage...or if she has other property as collateral. Otherwise, the bank would probably require all group members to sign the mortgage<sup>11</sup> (if they collectively had enough income to support it...see Option 7).

LIABILITY: If a mortgage were necessary, the owner-member alone would be liable. However, group members would be bound by the terms of their private contract(s) with the owner-member.

NUMBER OF PEOPLE: Limited by size of owner-member's house...or the amount of equity she is able to put forward.

TIME SPAN: Immediate, if owner-member already has the house. Otherwise, about the same length of time it would take to privately locate and purchase a house.

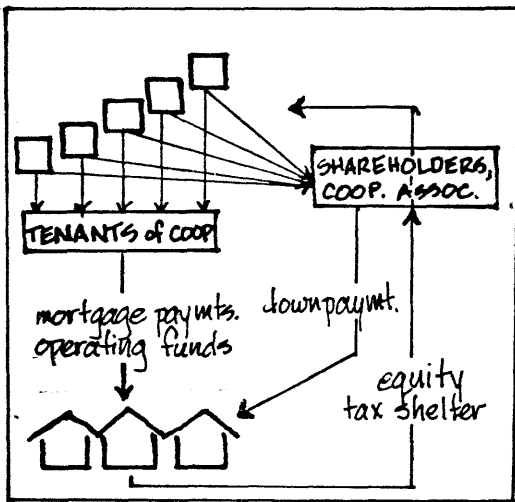
ZONING: Zoning is likely to be a problem, especially if the member already owns a house in a single-family-zoned neighborhood (see next chapter).

TURNOVER: The private contract among group members would outline how deaths, departures, and/or defaults of members would be handled.

OPTION 6: BUYING SHARES IN A COOPERATIVE

WHAT: Cooperatives are a form of group ownership. A non-profit cooperative association is formed which will actually own the property. Group members buy shares in the cooperative association, giving it the equity needed to build, renovate, or purchase the building(s) while securing for themselves part-ownership of the product. In addition, each member receives a lease which

- a) gives her the right to occupy a portion of the building(s) and
- b) binds the lessee to monthly payments to the cooperative association (for mortgage payments, operating and maintenance costs, insurance, etc.) The disadvantages of ownership (liability) stay with the association, but the advantages (tax shelter and equity build-



up) are passed through to the members in proportion to the number of shares they hold in the association.<sup>12</sup>

WHO: The coop is a good solution for a group whose members

- 1) want the control but not the liability or value-appreciation associated with conventional ownership, or
- 2) want the tax shelters available through part-ownership

DEGREE OF CONTROL: Each member has one vote in the cooperative association, which is the ultimate controller of the property.

RELATIVE COST: Basically similar to costs in a group mortgage situation (see Option 7), but with additional legal fees for setting up the

cooperative association. Major costs are: downpayment (share purchase,  $1/n$  times 30% of the total development cost), monthly payments of ( $1/n$  times monthly mortgage payment plus operating and maintenance expenses plus insurance plus taxes), and legal fees for establishing the coop.

PROBABILITY OF OBTAINING FINANCING: Some banks are wary of lending to coops due to the fact that no one is personally liable for the mortgage. Also, because individual ownership (shares) are not assigned to any particular physical unit, the bank must foreclose on the entire building (even the dwellings of those members who have faithfully kept up their payments) if the association as a whole is unable to meet its payment obligations. In addition, since many coops retain the option to buy back members' shares if they leave at cost, the bank cannot count on appreciation of the property's value as a 'cushion' of their risk.<sup>13</sup> This reluctance to grant mortgages may be overcome if the group is able to qualify for HUD's Section 213 or 221(d)(3) mortgage insurance programs for coops. This would essentially transfer the risk of the mortgage from the bank to the federal government. Sections 213 and 221(d)(3) apply only to coops with five units or more...thus, several groups might want to coexist as one coop...or one large group break down into smaller housekeeping units.

SUBSIDIES: HUD's Section 213 and 221(d)(3) programs, by virtue of transferring the risk, allow coops to get mortgages for 98 to 100% of the value of the project (as opposed to the usual 70%). Insurance under these programs eliminates the need to provide a downpayment.

If the group is constructing new housing, there is a possibility that they might qualify for HUD Section 202 construction loans with Section 8 rent subsidy, a program recently reinstated by HUD on a very limited basis.

In this case, the coop association would probably have to include a link with an experienced non-profit housing developer.<sup>14</sup>

LIABILITY: Liability for the mortgage rests on the cooperative association, The only money members stand to lose is what they paid for shares.

TIME SPAN: If no new construction is involved, forming a coop should only take the time to legally set up the association and to find an appropriate house to buy.

NUMBER OF PEOPLE: One logical 'critical mass' (for groups planning to use the HUD insurance programs) is "enough people to fill five units (probably more than one per unit or you would be back in 'congregate housing').

TURNOVER: Usually coop associations reserve the right of first refusal to buy back the shares of members moving out at the price at which they purchased them. Obviously, the association does not want to buy shares back at 'appreciated' values. This 'non-profit' policy tends to keep a lid on the appreciation of the coop as a whole, which in turn helps keep the community open to future buyers with limited incomes.<sup>15</sup>

Shares can be inherited by non-resident heirs, (who may move in with the approval of the coop association). Should they decide to sell the inherited shares, the coop usually reserves the right of first refusal.

NEXT STEP RESOURCES:

. Coop Services, Inc. of Detroit, Michigan, is an organization which specializes in developing coops for elderly. It has established several successful coops in the Detroit area and in Florida. For further information:

Coop Services, Inc.  
c/o Virginia Thornthwaite  
7404 Woodward Avenue  
Detroit, Michigan 48202

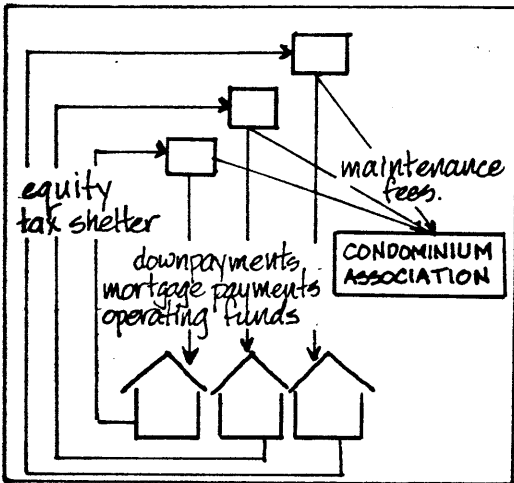
- . Another helpful coop-organizer:

Techni-Coop, Inc.  
c/o Roger Wilcox  
1010 Washington Blvd.  
Stamford, Connecticut 06901

. For basics of cooperative organization, see Housing...The Cooperative Way by Jerome Liblit (ed.), Twayne Publishers, Inc. (New York: 1964).

OPTION 7: BUYING CONDOMINIUM UNIT(S)

WHAT: A condominium development consists of housing units (detached or attached) and shared spaces. Each buyer holds a privately-financed mort-



gage on her particular unit plus a share of the undivided (legally and physically) shared space. All buyers are automatic members of the condominium association, to which they pay a monthly fee. In return, the association manages the shared facilities, establishes rules of coexistence, and maintains the grounds.

This arrangement gives full benefits of ownership to unit-buyers (control, equity, tax breaks), while relieving them of maintenance chores and providing more recreation facilities (pools, saunas, etc.) than they could have afforded individually.<sup>16</sup>

WHO: Large groups may want to develop their own condominiums. Groups wanting private ownership but exceeding the maximum number of signers local lenders will allow on joint tenancy mortgages could sub-divide the group into two or more mortgages and corresponding housing units. The condominium mechanism would allow them to retain shared spaces and facilities (though the lender will probably insist that each housekeeping unit be 'complete' (i.e., include a kitchen and living room) for purposes of resale in case of foreclosure).

On the other hand, a small group may want to buy one unit in an existing condominium development (with a joint tenancy mortgage). This would

give them the advantages of ownership while also granting them access to services that they, even as a group, could probably not provide without a larger number of contributors.

DEGREE OF CONTROL: Unit owners control their physically-defined property (unlike shareholders in coops), and wield partial control over shared spaces through the condominium association. Voting power in the association is usually proportional to the value or square footage of the units owned.

RELATIVE COST: Condominia are probably the most expensive solution proposed in this thesis. Due to market forces, they are usually relatively small units, thus some degree of the service-duplication discussed in Chapter 3 occurs. Also, since lenders will probably insist that the units be 'complete', the shared facilities are likely to fall into the category of luxuries (pools, tennis courts, etc.) rather than kitchens and other necessities.

Down payments are higher than for an individual single-family-homebuyer (30% as opposed to 20%)<sup>17</sup>, in addition to which there are the regular homeowner payments plus monthly assessments to the association.

Condominium owners do, however, retain the tax-shelter advantages of ownership.

SUBSIDIES: Again, as in joint tenancy, if the signers of the mortgage are elderly, they can benefit from local tax abatement for older people.

HUD's Section 234 insures up to 90% of the value of a condominium. If obtained, such insurance could reduce the downpayment requirement from 30% to 10%.

HUD's Section 220 direct construction loans might be of interest to groups joining with non-profit developers to build condominiums.<sup>18</sup> This option should not be anticipated far in advance, however, for federal direct loan programs fluctuate dramatically over time, according to the political climate.

LIABILITY: Liability is limited within each unit and its share of common property. However, if group members enter a joint tenancy mortgage for one unit in a condominium development, each signer is still liable for that unit's entire mortgage.

NUMBER OF PEOPLE: The number of people within any one unit will be limited by its size. This, in turn, is influenced by the bank's concept of the real estate resale market...which usually limits units to three or four bedrooms at most.

TIME SPAN: Buying into an existing condominium is almost as fast as buying a conventional one-family house. Developing one, on the other hand, would take at least two years.

TURNOVER: A group living in one condominium unit is actually just a variation of the simpler joint tenancy arrangement to be explained in Option 8. As in pure joint tenancy, the cosigners should have a contract among themselves dealing with turnover. Condominium owners, unlike cooperative members, are usually not restricted in realizing a profit from sale of whole or part interest in their units.



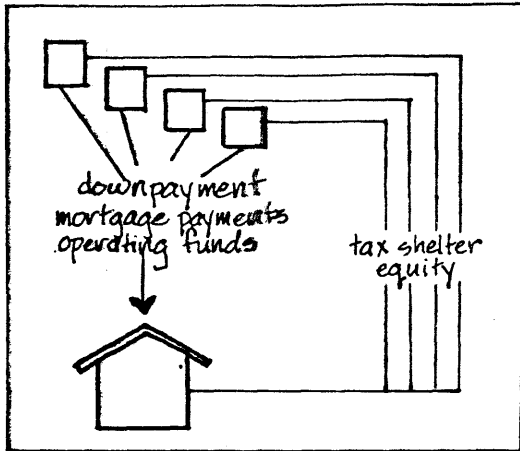
NEXT STEP SOURCES:

For basics on condominium organization, see:

- . Condominiums...Their Management and Development, by Anthony Grezzo, U.S. Department of Housing and Urban Development (obtainable from Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402 for 95¢...stock number 2300-00202).
- . The Condominium Concept: A Handbook With Complete Details and Forms for Development of a New Structure and Conversion of an Existing Apartment published by Associated Building Industry of Northern California, Inc. (P.O. Box 4737, Hayward, California 94540).

OPTION 8: SHARING A JOINT TENANCY MORTGAGE

WHAT: 'Joint tenancy' is a very common form of finance in which each part-owner signs the mortgage (and is, therefore, potentially liable for payment of the full mortgage). The group also makes a private contract specifying



how this liability would be distributed in case of death, departure, or default of a member.<sup>19</sup>

WHO: Small groups whose members have stable incomes and few assets which they need to protect might be interested. This option is also useful for those who need

to act quickly, but don't want to rent, for it requires little lead time for legal organization. It is also useful for those who don't want to compromise control (with housing authorities, landlords, public charities, limited partners, or owner-members) yet could not arrange the needed financing on the basis of any one of their credit outlooks. (Banks expect the mortgagor's annual mortgage payments to be less than or equal to 25% of her income...but, in the case of group mortgages, they will pool members' incomes before calculating the 25% ceiling amount for the mortgage.<sup>20</sup>)

DEGREE OF CONTROL: Members share control among themselves, perhaps apportioning roles according to relative contribution towards downpayment. Distribution of control should be covered in the private contract among group members.

RELATIVE COST: More expensive than the inherently subsidized options (state congregate housing, housing with equity donated to a public charity, housing owned free and clear by group member), but probably cheaper than a non-profit cooperative for two reasons:

- 1) less need for legal assistance, hence less fees to pay.
- 2) possibly a higher loan-to-value ratio from the banks, since individuals rather than a corporation will be liable. (i.e., possibly an 80% mortgage rather than 70%, thus reducing the required down-payment).

SUBSIDIES: Since property in this option is owned by individuals, they may qualify for tax abatement for elderly property owners.

For groups who live on low incomes and are interested in living in rural areas or in towns of 10,000 or less, the Farmers Home Administration (FMHA) has home-ownership loans at interest rates as low as 1%. Cosigners are allowed on the mortgage if one signer's credit is not strong enough to carry the loan. Adjusted family income (social security qualifies as income) must not exceed 8 to 12 thousand dollars, depending upon state policy. Loans can apply to new construction, renovation, or purchase.<sup>21</sup>

PROBABILITY OF OBTAINING FINANCING: Probability is high if the bank feels the group collectively is a sound risk (criteria being members' incomes, the soundness is their internal contract, and the quality and surroundings of the property they propose to buy.)

LIABILITY: Each person signing the mortgage is personally liable for all of the mortgage and property.

NUMBER OF PEOPLE: The bank with which I spoke felt wary of allowing a joint tenancy mortgage with more than four cosigners, as that is the maximum number of unrelated individuals that local zoning laws consider a 'family'.<sup>22</sup>

TIME SPAN: Short of renting, this is undoubtedly the fastest route. The only legal consultation needed is to draw up a simple private contract among group members.

TURNOVER: The private internal contract should deal with the possibility that a group member might want to leave. It should specify how many months notice that person is obligated to give, how a successor should be chosen, whether the person leaving can keep her equity, to whom she can sell it, etc. If a member dies and the mortgage is a true joint tenancy, the deceased member's share goes to the surviving cosigners of the mortgage. On the other hand, if the mortgage specifies 'tenancy in common', the deceased's share goes to the heir named in her will.

## CHAPTER FIVE :

### ZONING AND BUILDING CODES"

Zoning laws and building code regulations are the biggest "official" obstacles facing elderly . . . or anyone . . . who wants to live in groups. They are actually the "flip-side" of the same coin which carries social opposition to group living. Positive social attitudes towards the nuclear family have become institutionalized into zoning and building codes. Social attitudes are now relaxing to include more alternative housing arrangements, but the nuclear-family-oriented zoning institutions are not keeping up with the change. What results for groups trying to live together is something like a crab trying to fit into last year's shell (with great restraint I avoided the lady-girdle analogy).

#### ZONING

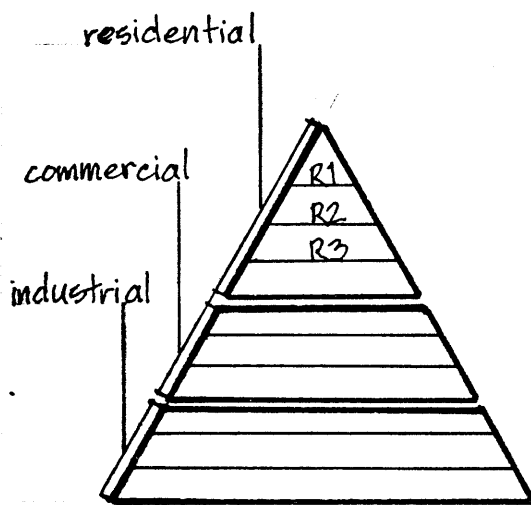
Zoning problems are usually encountered when a group tries to move into a neighborhood zoned for single-family dwellings. To lay the

groundwork for later discussion, a brief look at the basic principles of zoning is due:

Zoning originated in the U. S. in the late 1920's. Its constitutional basis rests in the states' "police power" to legislate to protect the health, safety, morals, and general welfare of their residents. Through City Planning Enabling Acts and Zoning Enabling Acts<sup>1</sup> which many states passed in the 1920's, the states transferred a portion of this police power to individual municipalities. Thus, each town (and rural district) gained the right to govern land use within its borders towards the goal of protecting the "health, safety, morals, and general welfare" of the community. As a result, every town has a unique set of zoning regulations. Information about local zoning can be obtained from the local planning or zoning commission (or city hall).

The Acts empowered towns to set up Planning Commissions which were to draw up zoning maps of their jurisdictions, dividing the area into various zoning districts. A parallel set of zoning regulations were to be drawn up stating what specific land uses could be located in each type of zoning district, and what restrictions would be imposed on these uses (i.e., maximum building height, minimum setback, per cent open space, minimum parking capacity, etc.). All of these regulations were to protect, in some logical way, the community against land uses that would have an adverse effect, by their nature or location, on its health, safety, morals, or general welfare. Legitimate examples are regulations which promote fire safety, prevent overcrowding, facilitate adequate provision of parking, protect against industrial hazards, etc.

The overall result of this districting and regulating is a standard hierarchy of land uses. Most towns have "zoned-in" residential, commercial, and industrial districts. Each of these is further subdivided by specific land use groups (i.e., R1 is single-family residential, R2 is duplex residential, R3 is three-or-more-family residential). All of



these types of districts conceptually form a pyramid, ranging from the most exclusive residential district (R1) at the top to the most inclusive industrial district at the bottom. Land uses can move down the pyramid, but not up it. For instance, a residence can be located in an industrial zone, but an industry cannot locate in a residential zone.

#### ZONING APPEALS PRINCIPLES

An appeals procedure was also established for those who had difficulties with the zoning system.<sup>2</sup> It still operates today. If the complaint cannot be resolved informally with the local planning or zoning commission, there is usually a local zoning board of appeals (also, mandated in the enabling acts) to which appeals of three kinds can be taken. These are:

- 1) complaints regarding the administration of the zoning code
- 2) requests for variances from the zoning code
- 3) requests for special exceptions to the zoning code.

Administrative Appeals:

Complaints about administration are justified when (among other times):

- 1) the administration oversteps its powers (i.e., its actions are unconstitutional)
- 2) it treats similar cases within the same zoning district differently (i.e., it is inconsistent), or
- 3) it interprets a zoning regulation in a way that doesn't correspond with the word or spirit of the law (i.e., it is arbitrary).

Variances:

Requests for variances are generally justified when idiosyncracies of a piece of property prevent the owner from making reasonably economic use of it under the restrictions of the zoning code. An example can be found in the landmark case of *Nectow v. Cambridge*. A narrow portion of Nectow's land was zoned as "residential," but the strip was so small that it was impossible to establish a viable residential use on it. Thus, the zoning law, by setting him out an impossible feat of development, denied him any economic return from his land. This, said the Supreme Court, violated his fundamental rights of property ownership. Thus a variance was granted allowing him a more reasonable use in conjunction with the balance of his parcel. Variances usually must meet five criteria<sup>3</sup> before they are granted:

- . A special condition must exist--i.e., something unique about the land (its dimensions, topology, etc.) distinguishes it from other lots in the district and makes the district's zoning unreasonable in that particular case.



- . This special condition must result in "undue hardship"--for example, practical loss of development rights because the use zoned for the district is impossible to build on the parcel while following the related regulations.
- . The variance requested must not be contrary to public interest.
- . The variance must be within the spirit of the zoning ordinance.
- . "Substantial justice" must be done.

#### Exceptions and Special Permits:

The third type of appeal is a request for a special permit or exception. Zoning commissions, when assigning the land uses allowable in various zoning districts, often append a list of "conditional uses" allowable if the specific case passes a review by the zoning commission. If the review is passed, the petitioner is granted an exception or special permit. Such permits may have conditions such as safety requirements or time limits attached to them. An example might be the granting of a special permit for a neighborhood day-care center if sufficient parking were provided and the building were sprinklered for fire safety.

#### ZONING AND GROUP LIVING

In general, administrative appeals and requests for exceptions are the most useful forms of appeal for groups encountering difficulties in trying to establish a household in a single-family (R1) stronghold.

#### DEFINITION OF FAMILY

The bulk of the problem between zoning officials and groups who want to live together revolves around the definition of the word "family." Many groups want to live in neighborhoods zoned for "single-family dwellings," often where group members may have previously lived

as members of kinship-based families. Their ability to do so depends on how family is defined in the local regulation and on how that definition is interpreted.

There are four basic ways in which various towns define "family."<sup>4</sup> Some have no definition of family at all, leaving the entire question up to the interpretation of the current zoning commission. Some have a "unitary" or functional definition of family as any group of people who share a single housekeeping unit (i.e., maintain a common kitchen and living room). Other towns define family in a "permissive" way as

- 1) people who are related by blood, marriage, or adoption, or
- 2) not more than X number of unrelated people living together, the maximum number usually ranging from two to six.

Still others impose a "restrictive" definition which holds that only those related by blood, marriage, or adoption can qualify as a family.

Obviously, all groups of unrelated individuals will fail to meet the restrictive criterion, and large groups will fail to meet the permissive one. One would suppose that any group could meet the unitary definition, but even that is not to be taken for granted, as we shall discuss later.

#### APPEALS REGARDING THE LOCAL DEFINITION OF FAMILY

Groups confronting the definition of family problem have basically two alternatives:

- 1) administrative appeal--to challenge directly the constitutionality or the interpretation of the local definition of family, or

- 2) special permit appeal (request for an exception)--to skirt the family issue altogether by pursuing a special permit as one of the conditional uses allowed in the single-family district.

Some examples (and precedents) follow:

APPEALS BROUGHT BY GROUPS:

Administrative Appeals: Regarding Definition of Family:

Appeals Challenging Interpretation:

Share-a-Home in Florida (see note, end of Chapter 3) began its first house in an area which was zoned for single-family residences, and was subject to zoning regulations which specified a unitary definition of family. Thus, one would suppose, the Share-a-Home group, which did indeed function as a single-housekeeping unit, would have no zoning problems. But they did. Neighbors complained, and the local zoning officials claimed that the group did not meet the unitary definition of family. Share-a-Home appealed the officials' interpretation of the zoning regulation, and finally in U. S. Circuit Court, they won their case. The judge agreed that they were within the definition of family as set down in the local zoning code, and therefore had the right to live in a single family zone.<sup>5</sup>

Appeals Challenging Constitutionality:

If the obstacle which the local definition of family poses is more than one of interpretation--i.e., it is quite clear that the group in question falls outside the local definition--then the group may challenge the constitutionality of the zoning regulation in court. This has been done before, using basically two different approaches.

Reasonableness Test:

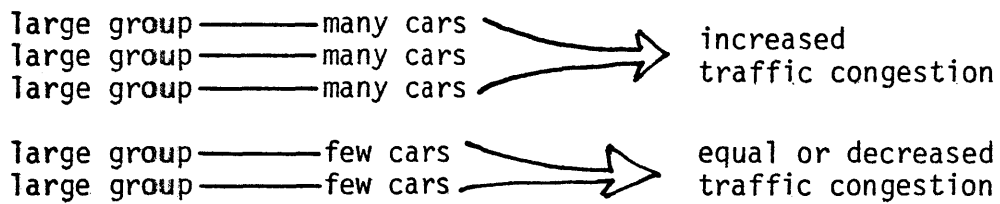
One approach has been to question the relevance of the related-versus-unrelated classification to the purpose of the zoning code. The purpose of zoning, as stated in the enabling acts, is to protect the "health, safety, morals, and general welfare" of a community by regulating the use of its land. Using zoning to regulate anything but land use, or to regulate land use for any purpose other than protecting health, safety, morals, etc., is unconstitutional. It oversteps the limits of the police power granted by states to municipalities.

There is a substantial case that the relatedness or lack thereof of residents in a given house is an entirely private matter which has no significance for the health, safety, etc., of the community. There is also a case that even if domestic relationships were significant to the community, they should be controlled through social rather than land use legislation. Functionally, the protection of health, safety, etc., is usually taken to mean controlling population density, noise, traffic congestion, and fire hazards.

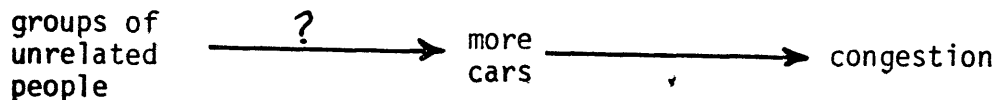
The constitutionality test for zoning regulations is: Is the regulation reasonably related to the achievement of those goals? In the case at hand, the question takes the form: Is the distinction between related and unrelated people in the zoning code reasonably related to controlling population density (or traffic congestion, or noise levels, etc.)? One accepted test for "reasonable relation" is whether or not the classification accurately distinguishes the people who are causing the problem of traffic, population, noise, etc.) from those who are not.<sup>6</sup>

Consider the following example: Each of five large groups of unrelated people lives together in a particular town. One group has many cars because they all drive to work. Another has few cars because they believe in energy conservation. Another has many cars because they are all auto mechanics. The fourth group has many cars for no particular reason, and the fifth group has few cars because its members are elderly and have stopped renewing their driver's licenses.

Diagrammatically, the situation looks like this:



Given that increased traffic congestion is the villain in the eyes of zoning, is banning large groups of unrelated people a reasonable way of regulating traffic congestion? What of the innocent groups who had few cars, but still would be banned? We can see that the related/unrelated classification is overinclusive vis à vis controlling traffic congestion, and that a more direct and reasonable approach might be to limit the number of cars one "family" could have. If we look at it as a problem chain:



we see that the first link is weak--not all groups of unrelated people have many cars. Controlling the next link closer to the symptom--the cars themselves--is a more reasonable approach to achieving the goals of zoning.

So, one test of the constitutionality of a zoning definition of family is whether it reasonably helps to achieve zoning goals or whether it is over inclusive for that purpose.

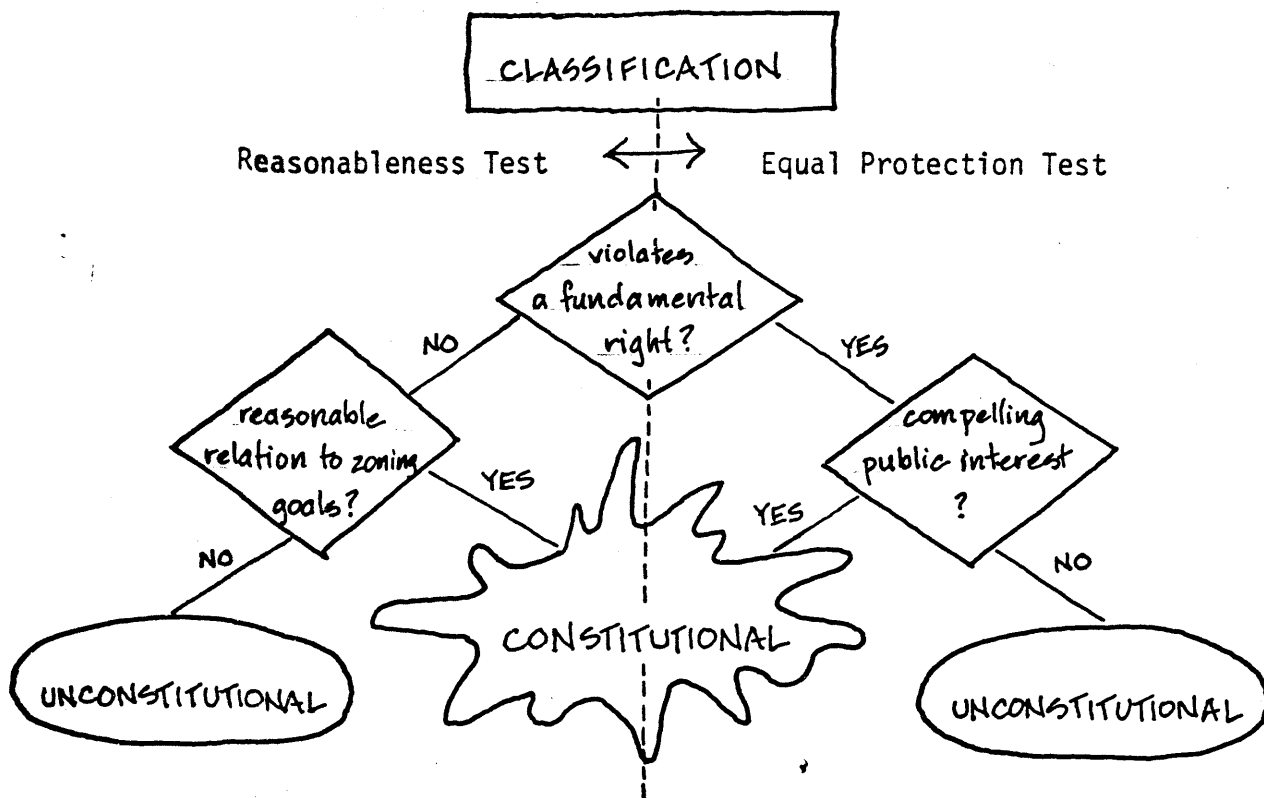
Equal Protection Test:

Another approach to challenging constitutionality is to apply the Equal Protection Test regarding fundamental rights.<sup>7</sup> Fundamental rights, as guaranteed by the Bill of Rights, are basic, inviolable Civil Rights, such as freedom of association, freedom of the press, freedom of travel, etc., . . . which are, according to the Constitution, beyond the realm of the government's police power. The Equal Protection Test derives from the Fourteenth Amendment and is designed to ensure that no legal distinctions are made among people which would deprive one class of people of their fundamental rights, while protecting the rights of another class. The only time that such distinctions are considered justifiable is in the face of a "compelling public interest." (Example: National security during World War II was the "compelling public interest" used to override the right to travel of one class of American citizens-- Japanese Americans--and led to their internment.)

So seriously is this equal protection challenge taken that even the normal presumption of validity is reversed. In "normal" constitutional challenges the court assumes a law constitutional until the plaintiff proves otherwise. In equal protection challenges, the court assumes the law unconstitutional until the government can prove that the classification is justified. So the Equal Protection Test of constitutionality is a much deeper challenge of the rights of government than is the "reasonable-relation-to-purpose" test.

The Equal Protection Test has, over time, become more generalized to include classes other than its original "suspect classification," race. The current Equal Protection Test is: Does the given classification violate the defendant's fundamental rights? In the case at hand, the question might read, "Does banning groups of unrelated people from living together infringe upon the basic right of unrelated people to freedom of association?"

The two tests of constitutionality give us a decision tree like so:



How successful have these two ways of challenging the definition of family been?

Precedents: Cases Decided Under Reasonableness Test:

Several courts have ruled that related/unrelated classifications are NOT reasonably related to the goals of zoning law and, therefore, are unconstitutional.

This argument has been particularly effective in striking down ordinances containing restrictive definitions of "family".

In 1966, four unrelated men and the owner of the house where they lived were charged with violating the Des Plaines, Illinois, zoning code which defined family as "one or more persons each related to the other by blood (or adoption), together with such blood relatives' respective spouses, who are living together in a single dwelling and maintaining a common household."<sup>8</sup> In local court, the city won. But the owner appealed the case to the state Supreme Court, which ruled that the definition of family was over-inclusive and struck down the ordinance. The judge's opinion on overinclusiveness was strongly put:

In terms of permissible zoning objectives, a group of persons bound together only by their common desire to operate a single-housekeeping unit might be thought to have a transient quality that would affect adversely the stability of the neighborhood, and so depreciate the value of their property. An ordinance requiring relationship by blood, marriage, or adoption could be regarded as tending to limit the intensity of land use. And it might be considered that a group of unrelated persons would be more likely to generate traffic and parking problems than would an equal number of related persons. But none of these observations reflects a universal truth. Family groups are mobile today, and not all family units are internally stable and well-disciplined . . . . And so far as intensity of use is concerned, the definition in the present ordinance, with its reference to . . . spouses . . . can hardly be regarded as an effective control upon the size of



of family units. (City of Des Plaines v. Trottnor, 34 Ill 2d 432, 216 N.E. 2d 116 (1966) at 437-8).

In New York state, the City of White Plains brought suit against a "group home" (group homes are generally halfway-houses for mentally retarded, handicapped, or delinquent children) under its restrictive definition of family.<sup>9</sup> A state-level court identified the functional characteristics of a family as being relevant for zoning purposes, but not its legal relatedness or lack thereof. The court found the regulation of all unrelated groups overinclusive because some such groups did indeed behave as families: "The group home, set up in theory, size, appearance, and structure to resemble a family unit, fits within the definition of family, for purposes of a zoning ordinance. The purpose of the group home is to emulate the traditional family, not to introduce a new lifestyle." The court also noted the distinction between the group-home concept and "temporary living arrangements" such as groups of students living together. (City of White Plains v. Ferraioli, 34 N.Y. 2d 300, 313 N.E. 2d 756 (1974)).<sup>10</sup>

A third example is a case involving an elderly man and woman who, though unrelated and unmarried, were sharing one side of a duplex. The city (in a rare family definition squabble in multi-family-zoned areas) charged that a three-family use was occurring in a two-family-zoned area. The court disagreed:

This court will not conclude that persons who have economic or other personal reasons for living together as a bona fide single-housekeeping unit and who have no other orientation, commit a zoning violation, with possible penal consequences, just because they are not related. (Marino v. Mayor and Council of Norwood (77 N.J. Super. 587, 187 A. 2d 217 (1963))).

Here, the maintenance of a single-housekeeping unit was the functional characteristic of a family that outweighed the relatedness of its members in importance with regard to zoning.<sup>11</sup>

Permissive definitions of family have also been struck down by courts. In Wisconsin, two nuclear families who lived with their respective children together in one house exceeded the maximum number of unrelated people considered by the local zoning ordinance to be a family. The court decided in the families' favor, claiming that no functional characteristic of the families which violated the goals of zoning had been presented. It ruled that the city could not forbid unrelated families to live together as a means of maintaining residential character, protecting property values, or controlling population density (i.e., as a means of achieving goals of zoning). The court suggested that more direct, efficient controls could be found to achieve the desired ends.<sup>12</sup>

Another case involves the rental of summer cottages in a seacoast town, which had passed an ordinance conditionally forbidding rental to unrelated groups (in attempt to eliminate rowdy houseparties). The condition here was not that

the group have less than a given number of members, but that the members' relationship be permanent and domestic in character" as opposed to "temporary and resort-seasonal in nature." The New Jersey Supreme Court ruled this classification overinclusive for the goals of zoning (It would prevent groups of judges from getting together for a vacation and renting a cottage!) and delivered an eloquent condemnation of kinship restrictions in zoning laws:

Zoning regulations, like all police power legislation, must be reasonably exercised . . . the regulation must not be unreasonable, arbitrary or capricious, the means selected must have a real and substantial relation to the object sought to be attained, and the regulation or prescription must be reasonably calculated to meet the evil and not exceed the public need or substantially affect uses which do not partake of the offensive character of those which cause the problems sought to be ameliorated. We think it clear that these "family" definitions and prohibitory ordinance provisions preclude so many harmless dwelling uses . . . that they must be held to be so sweepingly excessive, and therefore legally unreasonable, that they must fall in their entirety." (Kirsch Holding Company v. Borough of Manasquan, 59 N.J. 241, 281 A. 2d 513 (1971) at 518).<sup>13</sup>

Precedents: Cases Decided Under the Equal Protection Test:

Equal protection challenges, being more stringent attacks than reasonableness tests, have not met with great success in the courts. Two decisions are presented here, both of which upheld permissive definitions of family in zoning laws.

In 1970, the Palo Alto Tenants Union sued for an injunction to prohibit the town from enforcing its "no more than four" (unrelated people) zoning ordinance. They charged that the ordinance violated their fundamental rights of

freedom of association and equal protection. In applying the Equal Protection Test, the judge ruled that their fundamental freedom of association was not being violated. "The right to form such groups may be constitutionally protected, but the right to insist that these groups live under the same roof, in any part of the city they choose, is not." (Palo Alto Tenants Union v. Morgan (321 F. Supp. 908 (1970) aff'd per Criam, No. 71-1656 Cir: Nov. 13, 1973)).<sup>14</sup> Settling for this (limited) interpretation of freedom of association should have completed the Equal Protection Test in its first stage. But the judge went through the then-irrelevant exercise of finding a "compelling" public interest to justify the classification anyway. The "clear and overriding state interest" which he found was "preserving the integrity of the biological and/or legal family" . . . a purpose clearly beyond the mandate of zoning to regulate land use! He also justified the related/unrelated classification on the grounds that unrelated groups had other "unfamilial" characteristics, such as fluctuating memberships and lack of legal obligations to one another. Clearly this is an overinclusivie argument, but it does open the door, as in the "reasonableness" cases, for a group of unrelated people to defend themselves on the grounds that they do resemble a family functionally . . . in numbers of people and cars, in permanence, and even in legal obligations (especially if they have a joint tenancy mortgage or private contract).

Another equal protection challenge reached the U. S. Supreme Court, where it was likewise denied. A group of six graduate students rented a house in Belle Terre, Long Island, a community zoned entirely as "single-family residential," with a permissive maximum of two unrelated people being considered a family.<sup>15, 16</sup> The students and their landlord charged that the definition of family infringed upon their rights of privacy, association, and travel and violated their right to equal protection. The trial court decided against them, the Second Circuit Appeals Court decided for them, but the Supreme Court supported the ordinance. Recognizing that control of density, noise, and traffic fell within the police power mandate, Justice Douglas went on to accept the overinclusive definition of unrelated people as the source of density, noise, and traffic difficulties. Again, an effective challenge might be mounted by showing evidence that some unrelated groups do not create more noise, traffic, and crowding than traditional families. Support for this contention can be found in Justice Marshall's dissent to the Supreme Court decision:

My disagreement with the Court today is based upon my view that the ordinance in this case unnecessarily burdens appellees' First Amendment freedom of association and their constitutionally guaranteed right to privacy

Conclusion:

The constitutionality of zoning definitions of family is still a live and open question. As of this writing,

there is a suit before an Ohio court challenging the constitutionality of a permissive definition of family, limiting the number of unrelated individuals to five.<sup>17</sup>

If a group of elderly wishes to move into a neighborhood zoned single-family (with a definition of family which they don't fit), a challenge of constitutionality by the reasonableness test is liable to bring better results than a challenge by the Equal Protection Test. Also, any evidence they can gather to show themselves to be similar to a traditional family (in size, permanence, intent, traffic, noise, etc.) and dissimilar to noisy, car-laden, overcrowded crash-pads, will help to prove the 'unrelated' classification overinclusive and irrelevant to the goals of zoning.

If the group wants to avoid constitutional challenges altogether, an alternative route is available, that is, to identify themselves as one of the acceptable permitted or conditional uses for the zone they are attempting to move into.

Exceptions and Special Permits:

Almost every zoning regulation lists, aside from the primary land use for each district, several additional "permitted uses" for that district, and also "conditional uses," which may locate there if they pass a review by the zoning commission.

In Boston, for instance, the permitted uses in residential zones are:

- R1: (One-family dwellings), schools, churches, monasteries, convents, community centers, adult education centers, private recreation centers
- R2: (One- or two-family dwellings), and the same uses as for R1
- R3: (One-, two-, or multi-family dwellings), the uses allowed in R1 and boarding houses

The conditional uses are:

- R1: Day nurseries
- R2: Day nurseries, boarding houses
- R3: Day nurseries, professional offices

(In some cities, some uses are conditional in all districts. These form so-called "floating districts" that "sink" to the ground as they are granted special permits by the zoning board of appeals.)

If a group can satisfy the zoning board (and the inspector) that they are indeed one of the permitted or conditional uses, then they don't have to qualify as a single family to locate in a single-family (R1) district. This neatly avoids the whole "What is a single family?" question..

If a group plans to exist as a permitted use (a convent? an adult education center?), they need to have some evidence that they qualify in case the inspector happens by. If they are doing any renovation or new construction, their zoning will probably be reviewed anyway when they apply for their building permit.

If a group chooses the "conditional use" route, they must apply to the zoning board of appeals for a "special permit" (which application usually requires a \$25-50 fee). Whether they receive their special permit or not depends largely on:

- 1) what the local precedents are for interpreting the definition of the use they aspire to;
- 2) how closely the group fits the interpretation of that use; and
- 3) how clearly the criteria for the decision are laid out before they apply.

These, like definitions and interpretations of "family," vary from place to place.

An example of a current special permit appeal is that of Concord Alternative Residence, Inc., in Concord, Massachusetts. An outgrowth of a multidenominational group, CAR was spearheaded by two older women who felt that many elderly living alone in that community needed a group-living alternative as they became physically and financially unable to continue maintaining their own houses. CAR plans to renovate a twenty-room mansion near the heart of town as a "boarding house" for elderly. The mansion sits in a single-family (R1) district. Despite the fact that the town laws include a unitary definition of family, CAR felt that, given the political milieu, their use would be challenged if they



claimed to be a family. So they tried to qualify as a conditional (non-conforming) use. The Concord zoning regulations allow the following uses in any district, providing the Board of Appeals grants a special permit for it: aviation; boat or canoe livery; cemetery; dwelling with a tearoom for the sale of antiques; garage; greenhouse, hospital, sanitarium, institution, or philanthropic use including a non-profit community center; housing for farm employees, municipal use; public utility; tourist home; fair or carnival; or club.<sup>19</sup>

The criterion for the special permit is that "the Board of Appeals shall rule that such use is not detrimental or injurious to the neighborhood."

CAR proposed to renovate the mansion into eleven large bed-sitting rooms with private bath, plus shared living and eating areas, and an apartment for a live-in manager/housekeeper. CAR appealed to the Board for a special permit as a "philanthropic use," citing its charitable motivation and non-profit corporate status. It offered evidence that the house would not be "injurious to the neighborhood": similar population densities existed nearby, little traffic would be generated, little noise would be made, etc.

The town approved the special permit, with the condition that not more than nine elderly be housed (weakening CAR's chance of being financially self-supporting), that

alterations must follow the building code, that parking must meet the zoning by-laws, and that the permit was not transferable to future owners of the building. The Board ruled that the proposed use was indeed a "philanthropic use," primarily on the grounds that it was similar to another institution in town which had tax status as a "charity" (since then, CAR itself has qualified as a federally tax-exempt corporation under Chapter 501.(c)(3) of the Internal Revenue Code). The Board also ruled that the use was not injurious to the neighborhood, on the basis of the evidence presented by CAR. However, during the process of public notice required by Concord for a special permit, several neighbors of the property filed a complaint which prevented the final granting of the permit. The complaint contended that

- 1) procedural errors had been made in the review process;
- 2) CAR did not qualify as a philanthropic use because some of its future tenants were also Directors of the organization; and
- 3) the residence would injure the neighborhood by creating parking, traffic, and noise problems and would decrease property values.

Now, as CAR awaits the court ruling on that counter-appeal, it is paying a substantial monthly fee to keep the option to buy the mansion.<sup>10</sup>

This extended example was included to show some of the pitfalls of special permit procedures. Clearly, the more closely a group conforms with the definition of a listed use, the less room there is for opposition by either the Board or neighbors.

There are several movements currently afoot which may tighten the fit between elderly living groups and the lists of "conditional uses" they find in zoning laws. Many communities are adding "group care" and "family-care facilities" to their conditional use lists. Family care generally denotes less than seven residents, while group care indicates seven or more. These facilities are defined as group living arrangements for the retarded, the handicapped, the paroled, the emotionally disturbed, and/or the elderly. The definitions usually further specify staffing and licensing requirements.<sup>21</sup> A local, albeit restrictive, example is the addition of "community residence" (see Option 2, Chapter 4) to the list of conditional uses for Somerville, Massachusetts. In its zoning regulations, "community residence" is defined as "a residence wherein a live-in program is provided for a group of persons who need some form of care for a particular social problem, but only if and so long as all of the following conditions are met" . . . the conditions specified include control by a non-profit Massachusetts corporation; adequate trained staffing, a structured program, etc.<sup>22</sup> (for the full definition and zoning amendment, see Resource Index Zoning).

Another definition which is now being added to many zoning codes is "housing for the elderly." While this is often restrictively defined as housing built under the Federal subsidy programs for elderly, it is sometimes framed more broadly. Advantages may spring from identifying a group's house as "housing for elderly": Frequently the motive for defining housing for elderly as a separate use is to facilitate granting exceptions to parking capacity and population density requirements.<sup>23</sup>

If a group can't find a definition that fits them in their local zoning laws, they could perhaps follow the strategy of defining what they are not. This approach may preclude their being summarily lumped with some highly restricted uses for the sake of expediency. For instance, the strategy for getting community residences accepted into single-family neighborhoods in Massachusetts began with drafting laws which distinguished them from hospitals, nursing homes, state schools, and boarding houses.<sup>24</sup> Then, unable to relegate community residences to the R3 districts as "variations on a theme of boarding house," communities were pressed to positively define "community residence."

Having been defined, they then had to be assigned to district(s). This process often ended in their being classed as a conditional use eligible for all districts provided a special permit was obtained. Thus, lobbying for a distinct

definition sometimes opens doors to "higher level" districts than would be attainable by remaining a subset of a more restricted use. Perhaps a group could propose to their local zoning legislators that something like "group residence for elderly" be added to the code as a distinct land use . . . before they try moving into an R1 neighborhood! (It couldn't be more esoteric than "tearoom for the sale of antiques"!) Indeed, CAR has followed this option to insure itself an alternative if by chance they lose their appeal for a special permit as a philanthropic use. CAR proposed to Concord's most recent town meeting that it adopt an additional non-conforming use for the zoning code: "boarding house for the elderly supervised by resident management, to be housed in buildings existing as of January 1, 1976." The amendment was passed almost unanimously.<sup>25</sup>

A NOTE ON BUILDING CODES:

Whether a group is classified as a "single family" or not has implications beyond mere zoning status. Building codes also distinguish between single-family dwellings and multiple-residential units. If a group is designated a multi-family use, they will likely be lumped with apartments, rooming houses, boarding houses, hotels, fraternity houses, and clubs . . . and jumped to a more stringent class of building-code requirements than single-family dwellings face. Multiple-residential-unit buildings are often required

by code to have exit signs, fire alarms, and sprinkler systems, while single-family houses are not.<sup>26</sup>

As with zoning codes, building codes vary from community to community, so groups should check with the local Building Inspection Department before deciding what zoning classification for which they want to aim. In some places, the quantum jump in building-code requirements comes between single-family dwellings and all multiple residential units. In other places, single- and multiple-family dwellings are covered under the less stringent code, while lodging houses must conform to a higher standard.

Such is the case in Toronto, which led to an interesting anomaly for a group living cooperatively in a large house. They exceeded the permissive definition of single family as five unrelated individuals, yet they shared a single house-keeping unit, so they were classified as a lodging house. This, in turn, propelled them into a higher building code status which required additional fire safety provisions, and annual license applications and fees. Ironically, the group found that if they subdivided the house into several apartments and stopped keeping a single household, then they would fall under the less stringent building code for single family (and multiple family) houses. In essence, a large single household had to dissect itself into multiple households in order to be treated under code as a single household would be!<sup>27</sup>

Thus, if it comes to lobbying for a zoning status, groups should give an eye to the building code before they agree to a given classification. It may help them preserve both architectural alternatives and money in their pocket-books.

## CHAPTER SIX :

### PROGRAMMING GROUP RESIDENCES

Early every morning, one of three women who share a fashionable split-level house in Boston's suburbs sneaks down one flight of stairs, past the kitchen, then down a few more stairs, through the living room and into a small "guest" bathroom. There she quietly makes her morning coffee before her housemates awaken.

Just as one might lose weight in order to wear clothes that had begun not to fit, this is their adjustment to a house that didn't fit. With a relatively open-floor plan, few doors, and "thin" walls, sound travels through their house with ease. This created conflicts between the early riser and the late sleepers. It was less expensive to change their routines than to change the house itself, so a series of attempts at adaptation began. First, the late sleepers tried convincing the early riser of the virtues of "sleeping-in." The end of a one-week trial run found them back at the negotiating table. Finally, someone suggested the "bathroom percolator" solution.



THE IMPORTANCE OF PROGRAMMING

Frequently, buildings don't fit individual inhabitants. If the misfit is large, either the person adapts or the building is adapted. When a group of people occupy a building, the likelihood of misfit is even greater, for they each move in with their own routines, habits, and expectations. The process of adaptation is also more complex: First, the problem must be surfaced, which is sometimes a process laden with social conflict. Then it must be decided whether the building or the people should change. If "people" is the answer, then the question is: Which people should be the adaptors and which the adapted to?

Clearly, in order to minimize such difficulties, it is wise for groups to give some time and consideration to finding or making a building which fits them as well as possible from the outset. Architects call this process of articulating needs and matching buildings to them "programming." In addition to being a good preventive measure, the programming exercise can be a way of constructing open communications channels, for it is often the group's first shared task.

Rosabeth Kanter, a scholarly observer of collective households and communities, finds that sharing the creation of the physical dwelling is vital to many groups:

In the absence of elaborate integrating philosophies; of a sense of destiny or mission such as the religious groups have; or of an essential, overriding goal, many groups develop a sense of purpose by finding shared tasks that represent a common endeavor. Construction . . . building . . . seems to me to be the most important of these, for it leaves the group with a permanent monument to the shared enterprise. The emphasis on constructing and shaping one's own environment that is so central to the commune movement

may have roots here. The end . . . the actual building . . . may not be as important for the group's identity as the means by which the buildings came about. I have felt on many communes an infectious sense of group pride in the self-made buildings, like the gala celebration in the Connecticut Bruderhof community after the construction of new beams in the dining hall.¶

Whether the "shared task" is selecting a piece of real estate to rent or buy . . . or designing one . . . or doing the actual building . . . the process can help a group establish both architectural and social common ground. It can help the group prevent some problems, anticipate others, and perhaps pre-plan their solutions.

DIFFERENCES FROM PROGRAMMING FOR CONVENTIONAL FAMILIES:

For some groups, the result of the programming process may be no different from a "regular" house for a nuclear family . . . "an ordinary house on an ordinary street . . . with friends," as the Abbeyfield Society would say. But that conclusion should not be assumed, for there may be real differences between the ways that families use houses and groups of friends use them.

For instance, the sex roles which structure the use of space in many families may not operate among a group of friends: The kitchen, instead of being "the wife's domain," may be common ground for several people cooking simultaneously. This, in turn, may necessitate more floor space or work surfaces than an "average" house has. The group may decide that separate food storage suits them better than the typical common larder. The group may decide that it wants more privacy of bedrooms and bathrooms than many nuclear family houses offer. Group members are more likely to vary in their waking and sleeping schedules than are members of families. These differences, as the Boston group

discovered, must be accommodated either with effective soundproofing or compromises in routine. Groups may bring to their house more furniture than a single family would probably collect. This must also be dealt with . . . either by providing space for all of it or deciding on who disposes of what.

## CONSIDERATIONS

### SHARED VERSUS PRIVATE SPACE

The most obvious question for a group to consider is what spaces should be shared and what should not? Clearly, a number of different lifestyles are implied by the space arrangements of the existing group living options discussed in Chapter One. In some, necessary spaces (such as bathrooms and kitchens) are shared; in others only "optional" living rooms and parlors are group territory. Some have spaces which the whole group shares, while others share only at the level of smaller sub-groups. Some share at sub-group and whole-group levels. Each of these variations has some impact on the daily routines and social relations of its occupants.

Dolores Hayden concludes from her study of the architecture of utopian collective communities that "communal territory is not created by taking away private territory." She elaborates:

The experience of all historic and contemporary groups attempting to replace private property and territory with communal property and territory shows nothing so disastrous as forced deprivation of privacy. It is not a means of creating community.<sup>2</sup>

Having arrived at a satisfactory balance between private and shared space, the group might consider the quality of shared spaces which make them successful. Hayden observes that

Community members should be drawn to communal territory by the provision of pleasant, clearly defined places where amenities are concentrated. Communal activities and communal spaces must be developed simultaneously. Even the most basic activities will falter . . . without adequate meeting places or work places, just as spaces will remain barren without organized activities to fill them.<sup>3</sup>

Some of the concepts developed from an M.I.T. study<sup>4</sup> of community spaces in large-scale housing for elderly might also apply at a more modest scale. The study emphasized the importance of alternative shared spaces which would allow various sub-groups to carry on different activities simultaneously. This need might occur, for instance, when some group members want to watch television while other members long for a quiet game of chess. The need for "someplace else to go" . . . short of being trapped in one's room . . . is frequently felt when one group member has guests. An alternate parlor or dining room may prevent unwanted intrusions of the "family" on the guests or vice versa.

The study also found the relationship between circulation paths and shared spaces to be important. While primary paths (such as the route from entry to bedroom) should not pass through shared spaces and intrude on their privacy, they should have visual connections with common areas. This enables the passerby to survey the activity in the shared area, perhaps be recognized and greeted, yet still maintain the choice of whether to enter the area or stay on the path.

Hayden observed that the circulation paths themselves often played important roles in fostering social interaction:

Whatever combination of communal and private territory a community developed, circulation paths connecting communal and private spaces

offered opportunities for encouraging community without regimentation. Organized group activity could best be promoted in structured spaces for community ritual, but more casual social involvement flourished in more ambiguous spaces. Communal stairs, porches, stoops, and corridors offered just enough space for socializing yet were not identified with any particular person or activity.<sup>5</sup>

### SYMBOLS

Aside from the functional qualities of shared space, there are its symbolic aspects for groups to consider. Hayden observes that boundaries, approaches, and vantage points were frequently used by utopian communities as symbols of group unity. Distinctive fences were erected by the Shakers, the Harmonists, the Separatists, the Mormons, and the Union Colonists to delineate the transition from public to community space. Other groups achieved the same purpose with massive ceremonial gates which announced one's entry to the common ground.

A general issue that merits groups' discussion is whether or not they want, through their architecture, to appear different from the surrounding area as a symbol of a "new lifestyle." (If so, it's probably best not to advertise it to the bank or the zoning board if the group has to deal with them!)

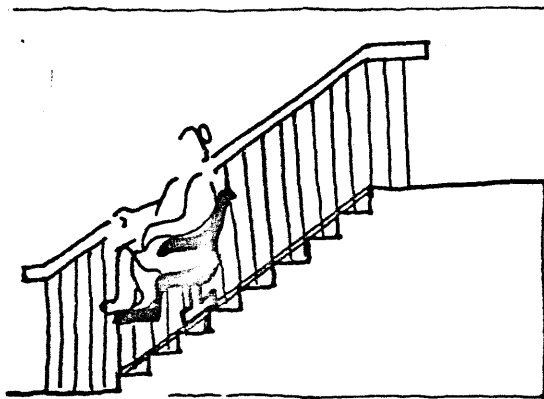
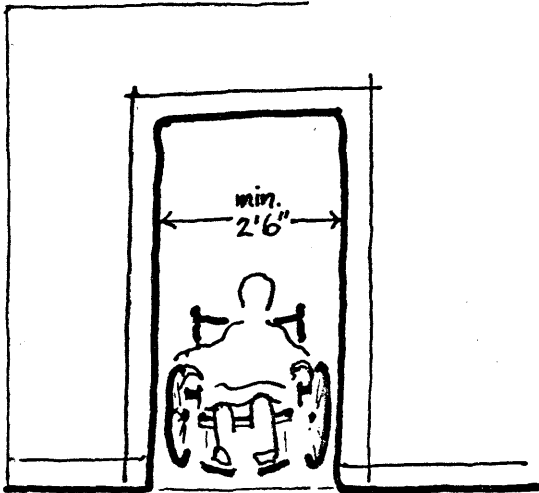
Vantage points serve symbolic uses by allowing group members to survey their realm . . . and beyond. (They may also become especially attractive as windows on the world as age decreases members' mobility.)

Several groups with whom I have spoken have placed special symbolic value on the common hearth that their kitchen represents to them.

### FLEXIBILITY

Another important consideration is the flexibility of spaces within a group dwelling. Even if the house fits the group perfectly when they

move in, adjustments will probably be needed at some point in the future. The group may grow or shrink in size, some members may become physically impaired by the aging process, the group may decide to hire a resident



housekeeper. Many changes can be facilitated if the group anticipates their possible occurrence when they first program their house. A member who becomes wheelchair-bound will certainly have an easier adjustment if all doors in the house are already wide enough to accept a standard wheelchair and the staircases (if any) have short straight runs with no landings so they can easily accept chair-lifts. If the group anticipates major changes in the division of internal space (such as creating a private apartment for a housekeeper or knocking out walls to combine with the group next door), it

is probably better to choose at the outset a stud wall or frame building rather than a bearing wall structure.

#### A POSSIBLE PROCEDURE:

One way of tackling the problem of programming is for each future group member to keep a detailed diary of her daily routine for a time. It should include what types of spaces she uses, her critique of how

those work for her activities, the kind of spaces she would ideally envision doing those things in. Each member might also make a detailed list of activities she would like to pursue . . . or expects to pursue . . . in the future, and the types of spaces she would want for those. In addition, a complete list from each member of the group of furniture that she would like to keep (and its dimensions) would be helpful, as would a record of the size and type of storage she needs.

Each group works out its own way of negotiating with each other, and its own set of priorities. The above exercises may help each member to articulate what the important issues are for her before the group sits down to discuss them together . . . perhaps speeding the group programming process.

Following is a checklist which groups might use as a springboard for discussing the location, siting, and architecture of their houses.

An addendum to this thesis, under separate cover, presents one Boston group's program and its translation into an architectural design.

### PROGRAMMING CHECKLIST

#### I. LOCATIONAL ISSUES

##### A. Transportation

1. What modes of transportation do group members use now?
2. Does that transportation require parking?
3. What if eventually more car owners move in than those in the original group?
4. What if group members are disabled from driving?
5. Is public transit available?

6. Is the path from the house to public transit barrier-free?
7. What slopes or other barriers are there between the house and the nearest shopping area?
8. Are there sidewalks? High curbs?

B. Resources

1. What community resources are important for each group member?
2. What community resources do group members anticipate using in the future?
3. Is grocery shopping easily accessible?
4. Is medical care easily accessible?
5. Are cultural activities easily accessible? (libraries, museums, recreation centers, parks, theaters, etc.)
6. Will local drug and grocery stores deliver?
7. Are restaurants, churches, drugstores, and banks accessible?
8. Are there home-services available for elderly in the area?
9. Are there nearby work opportunities?

C. Safety

1. Do group members feel that the neighborhood is safe?
2. Is there adequate police protection in the neighborhood?
3. Is there good street lighting?
4. Is traffic heavy?
5. Are sidewalks and streets well-maintained, especially in the winter?



D. Economics

1. What is the tax rate in that municipality as compared to the surrounding communities?
2. Is there a property tax exemption for elderly homeowners? What are its requirements?
3. What is the trend of the condition of the neighborhood?
4. What surtaxes are liable to be levied? (paving, sewers, etc.)
5. Is the area within the jurisdiction of a beneficial group health service?

E. Amenities

1. Is there excessive noise from traffic or neighbors?
2. Is there open space and trees?
3. Are there interesting neighborhood activities for members to watch if housebound?
4. How much of the house and yard receive direct sunlight for a good portion of the day?

II. HOUSE SITE

A. Light

1. What parts of the yard and house face north, south, east, west?
2. Do these exposures correspond with members' planned activities? (painting, gardening, etc.)
3. Does a substantial portion of the house or roof face south or south-southwest (for possible installation of solar collectors)?

B. Outdoor Space

1. What do members do outside? What do they plan to do in the future?

2. Does the yard meet the requirements of these activities (in absolute area, visual privacy, light exposure, etc.)

### C. Parking

1. Is the area for parking adequate for all current car-owning members?
2. Is there additional parking for guests?
3. Is parking conveniently related to the house? for carrying bags in? for rolling a wheelchair in?

## III. HOUSE INTERIOR

### A. General

1. Is space sufficient for members' desired activities?
2. Does the spatial arrangement allow for different group members to engage in different activities simultaneously? (watching TV, using sewing machine, playing piano, entertaining guests, etc.)
3. Is there a convenient space in which a member could privately entertain dinner guests?
4. Does the amount and arrangement of space allow for furniture that members would like to keep?
5. What is the recent heating and cooling cost? Other utilities?
6. Is the house well-insulated thermally? (i.e., weatherstripping on doors and windows, 6 inches of insulation in attic or roof, 2-4 inches in walls?)
7. Are level changes in the house easily negotiable?
8. Are stairs broken into straight runs for easy installation of a chair-lift?
9. Are the walls, floors, and ceilings good sound barriers? (i.e., concrete block or masonry walls, or gypsum board walls with internal sound insulation?)

10. Are floors covered with a non-slip material? (carpeting, in addition to being non-slip, helps cushion falls)
11. Is there a guest room?
12. Is there a ground-floor bedroom?
13. Are light switches near the doors, eliminating groping?
14. Are electrical outlets high (2-1/2 feet) off the floor to minimize bending?
15. Is the heat adjustable for each room? Are the controls easily reached? Is there a thermostat?
16. Are the windows easy to reach to open? to clean?
17. Are doors wide enough for wheelchairs?
18. Are the doors wide enough to move furniture through?
19. Can one see out of doors and windows when seated?
20. Are walls and floors of low-maintenance materials?
21. Is there more than one convenient way to exit in case of fire, especially from areas above ground floor?

B. Kitchen

1. Can group members reach the highest and lowest shelves?
2. Is there enough storage space for food and utensils?
3. Can the group (and/or individual members) sit down to eat in or near the kitchen?
4. Is the kitchen well ventilated (fan in stove hood or window)?
5. Could a person in a wheelchair reach the counters and sink? Is there leg room so she could pull up close enough to use them comfortably?
6. Does the stove have controls (not push-button) located towards the front?

7. Are surfaces easy to clean?
8. Do appliances (washer, dryer, dishwasher, etc.) open at convenient heights?

C. Bathroom

1. Is it easy to get from the bedroom to the bathroom? at night?
2. Does the bathroom have grab bars by the toilet, and tub or shower? If not, is there a vertical surface to one side of the toilet where one might be conveniently installed?
3. Is the bathroom large enough to maneuver a wheelchair in?
4. Is the lavatory low enough to be used by a person in a wheelchair? Is there enough leg room?
5. Is the tub rim low enough to negotiate easily?
6. Does the tub have a non-slip surface?
7. Does the tub or shower have a built-in seat?
8. Are the surfaces in the bathroom easily cleaned?
9. Is there adequate ventilation by window or fan?
10. Are the water temperature controls reliable? Clearly labelled? Easily workable?
11. Is there enough storage in the bathroom (or space for its installation) for the number of people who will be using it?
12. Could a person in a wheelchair see the mirror?

D. For groups considering buying and/or renovating a house, Deirdre Stanforth's book, Buying and Renovating a House in the City: A Practical Guide, Knopf (N. Y. : 1972) is useful for evaluating the condition of houses and their conversion alternatives.

For more information, see Resource Index: Programming.

FOOTNOTES

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- 14 U.S. Department of Housing and Urban Development, "HUD-FHA Program for Unsubsidized Cooperative Housing Fact Sheet", HUD 256-F(3), April 1975.
- 15 Housing...The Cooperative Way, op.cit., p. 50.
- 16 Grezzo, Anthony, Condominiums: Their Management and Development, U.S. Department of Housing and Urban Development (Washington, D.C.: August 1975), p. 10.
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- 21 Neill, D.R., "Report on Housing Needs...", op.cit., p. 9.
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#### CHAPTER FIVE

- 1 U.S. Department of Commerce, A Standard State Zoning Enabling Act Under Which Municipalities May Adopt Zoning Regulations (Washington, D.C.: 1924), p. 4.  
U.S. Department of Commerce, A Standard City Planning Enabling Act (Washington, D.C.: 1928).
- 2 U.S. Department of Commerce, A Standard State Zoning Enabling Act..., op.cit., p. 10.
- 3 Ibid., p. 10.
- 4 Goldstein, op.cit., p. 16.
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- 6 Goldstein, op.cit., p. 14.

- 7 Ibid., p. 12.
- 8 Lauber, D. and F.S. Bangs, Zoning for Family and Group Care Facilities, American Society of Planning Officials, Planning Advisory Report No. 300 (March 1974) p. 18.
- 9 Ibid., p. 16.
- 10 Ibid., p. 18.
- 11 Goldstein, op.cit., p. 68.
- 12 Ibid., p. 16.
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- 14 Ibid., p. 21.
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- 17 conversation with James Gillies, Director, Share-A-Home of America, Inc., Winter Park, Florida, January 15, 1977.
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- 19 Zoning By-Laws of the Town of Concord, Massachusetts
- 20 interview with Paul Minor, Concord, Ma., architect for C.A.R., January 20, 1977.
- 21 Lauber, op.cit., p. 5.
- 22 Morrison, John, "Source Book for Community Residence Development", Massachusetts Division of Community Development (March 1976), p. 10a.
- 23 Spicer, R.B., Zoning for the Elderly, American Society of Planning Officials, Planning Advisory Service Report No. 259, (July 1970) p. 5.
- 24 Morrison, J., "Source Book...", op.cit., p. 10.
- 25 interview with Paul Minor, Concord, Ma., architect for C.A.R., January 20, 1977.
- 26 Schutte, R.M., "Fighting City Hall: When Is a Coop Not a Lodging House?", Cooperative Housing Journal, Vol XIII, No. 2, (Summer 1976) p. 28.
- 27 Ibid., p. 29.

CHAPTER SIX

- <sup>1</sup> Kanter, Rosabeth M., "Getting It All Together: Group Issues in Contemporary Communes", in Kanter (ed.), Communes: Creating and Managing the Collective Lifestyle, Harper and Row (New York: 1973), p. 404.
- <sup>2</sup> Hayden, Dolores, Seven American Utopias, M.I.T. Press (Cambridge, Ma.: 1976), p. 352.
- <sup>3</sup> Ibid., p. 352.
- <sup>4</sup> Howell, S. and Epp, G., Shared Spaces in Housing for the Elderly, unpublished test document, Design Evaluation Group, Department of Architecture, Massachusetts Institute of Technology (Cambridge, Ma.: revised 1976)
- <sup>5</sup> Hayden, op.cit., p. 45.

RESOURCE INDEX

RESOURCES: INFORMATION ABOUT EXISTING GROUP LIVING ARRANGEMENTS

- . (See also articles following)
- . Share-A-Home of America, Inc.  
Jim Gillies  
1950 Lee Road, Suite 215  
Winter Park, Fla 32789
- . The Abbeyfield Society  
In Britain  
35a High Street, Potters Bar  
Herts., EN6 5DL  
England  
In U. S.  
Ms. Patricia MacDonald  
P.O.B. 189  
Mountain Home, Pa. 18342
- . Weinfeld Group Living Resident  
c/o Council for Jewish Elderly  
Jewish Federation of Metropolitan Chicago  
1 S. Franklin St.  
Chicago, Illinois 60606
- . Phila. Geriatric Center Community Housing for the Elderly  
5301 Old York Road  
Philadelphia, Pennsylvania 19141
- . Jewish Council for the Aging of Greater Wash. Group Home Program  
6123 Montrose Road  
Rockville, Maryland 20852
- . Jewish Family and Children's Service Small Group Home Project  
5750 Park Heights Avenue  
Baltimore, Maryland 21215
- . U. S. Dept. of Housing and Urban Development Office of Policy Development and Research, An Evaluation of the Effectiveness of Congregate Housing for Elderly, (unpublished as yet, but available from Urban Systems Design and Engineering, 1218 Massachusetts Ave., Cambridge, Ma. 02138)

RESOURCES: BOSTON AREA GROUPS PRACTICING/STUDYING ALTERNATE HOUSING FOR ELDERLY

- . Alternative Lifestyles  
(A branch of Gray Panthers of Greater Boston)  
c/o Lois Harris  
8 Blanchard Road  
Cambridge, Ma. 02138  
  
Ongoing group discussing alternative living arrangements with an eye to forming a pilot project
  
- . Concord Alternative Residence, Inc.  
c/o Paul Pliner  
333 Thoreau Street  
Concord, Ma. 01742  
  
Non-profit group converting twenty-room house to "boarding house for elderly"
  
- . Dr. Sandra Howell  
Room 3-438  
Massachusetts Institute of Technology  
77 Massachusetts Avenue  
Cambridge, Ma. 02139  
  
Gerontologist interested in piloting and evaluating alternative housing for elderly
  
- . Alternate Lifestyle Study Group  
c/o Frances Ohlrich  
Bunker Hill Community College/Open College  
Charlestown, Ma. 20129  
  
or  
  
Grace Vicary  
55 Harvard Street  
Brookline, Ma.  
  
Group planning exploratory seminar on all aspects of group living for elderly
  
- . Dr. Betty Mandel  
Department of Sociology  
Boston State College  
625 Huntington Avenue  
Boston, Ma. 02115  
  
Current seminar on "Learning with Elders," with emphasis on alternative living arrangements

- . City of Boston Area Agency on Aging  
Commission on Affairs of the Elderly  
One City Hall Square  
Boston, Ma. 02201

Awards grants under Title III of the Older Americans Act as seed money for projects in six areas, one of which is alternative housing for older people.

- . Paul Humphreys, Ph.D.  
Department of Psychology  
University of Chicago  
Chicago, Illinois

- . Greater Boston Community Development  
Mark Mahoney  
Ed Marchand  
227-7897

A non-profit housing development corporation interested in housing alternatives for elderly

RESOURCES: RATIONALE FOR GROUP LIVING

- . Dr. Margaret Huyck  
Department of Psychology  
Illinois Institute of Technology  
Chicago, Illinois  
  
Author of a paper entitled "The Communal Alternative for Older People," presented at the Symposium on Communal Alternatives of the convention of the Am. Psychological Association, New Orleans, La., August 31, 1974.
- . Hochschild, Arlie, The Unexpected Community, Prentice-Hall (Englewood Cliffs, N. J., : 1973.)
- . Shapiro, J. Communities of the Alone, Associated Press (N. Y. : 1971)
- . Neugarten, (ed.), Middle Age and Aging, Univ. of Chicago (Chicago : 1968)  
  
Collection of academic studies of the aging process, including its on-housing needs
- . Gelwicks, Louis E and R. J., Planning Housing Environments for the Elderly, National Council on Aging (Washington, D. C.; 1974)



RESOURCES: FINANCIAL OPTIONS

General:

- . Local or regional Offices of Department of Housing and Urban Development for current Federal subsidies and their requirements
- . Local tax assessor's office for local tax exemption programs for elderly
- . In several states, state housing finance agency (in Massachusetts, Mass. Housing Finance Agency)  
or state public housing agency for possible state-funded subsidies
- . Local non-profit housing corporation for experienced advice, possible collaboration in construction or rehabilitation or housing
- . "Handbook on Developing Senior Citizens Housing"  
Part of a \$10 packet of pamphlets published by New England Non-Profit Housing Development Corp., 11 Depot Street, Concord, N. H. 03301--gives a detailed explanation of financial plan for housing for elderly.
- . People Before Property: A Real Estate Primer and Research Guide, published by Urban Planning Aid, Inc. (639 Massachusetts Avenue, Cambridge, Ma. 02139)--Part I gives a good explanation of basic real estate mechanisms: partnerships, syndication, tax shelters, etc.
- . Communes and Common Sense: A Legal Manual for Communities, published by New Community Projects (32 Rutland Street, Boston, Ma. 02118), for \$2.95. Chapter Four explores some forms of organization available to groups and gives details of how-to.
- . For resources regarding specific financial options, see "Next-Step Sources" paragraph at end of each Option description in Chapter Four.

RESOURCES: ZONING

- . Two groups with experience in zoning appeals:

Concord Alternative Residence, Inc.  
c/o Paul Minor  
333 Thoreau Street  
Concord, Ma. 01742

Share-a-Home of America, Inc.  
c/o James Gillies  
1950 Lee Road, Suite 215  
Winter Park, Florida 32789

- . Two relevant reports on zoning in various U.S. cities and possible future policy:

Zoning for Family and Group Care Facilities, by D. Lauber and F. S. Bangs, Planning Advisory Report #300, March, 1974

Zoning for the Elderly, Planning Advisory Report #259, July, 1970

Xerox copies of both are available at \$7 each from:  
American Society of Planning Officials  
Planning Advisory Service  
1313 E. Sixtieth Street  
Chicago, Illinois 60637

- . Communes and Common Sense: A Legal Manual for Communities, published by New Community Projects (32 Rutland Street, Boston, Ma. 02118) for \$2.95. Chapters One and Five give an excellent view of zoning basics, obstacles confronted by groups, appeals processes, and legal precedents.

RESOURCES: PROGRAMMING

- . Kanter, Rosabeth Moss, Communes: Creating and Managing the Collective Life, Harper and Row (N. Y. : 1973)

A collection of sociological analyses of communal living the world over

- . Hayden, Dolores, Seven American Utopias, M.I.T. Press (Cambridge, Ma. : 1976)

An in-depth historical study of seven utopian communities, including the Shakers, the Oneidas, etc., and emphasizing the relationship between their social structure and their architecture.

- . Housing the Elderly, published by Central Mortgage and Housing Corporation (Montreal Road, Ottawa, Ontario K1A 0P7 CANADA)

A short book with basic design criteria for site, shared spaces, and apartment interiors.

- . Stanforth, Deirdre, Buying and Renovating a House in the City: A Practical Guide, Knopf (N. Y. : 1972)

A detailed explanation of how to evaluate the condition of existing houses and to assess their renovation alternatives.

- . New England Non-Profit Housing Development Corporation, 1 Depot Street, Concord, N. H. 03301 (603) 224-3363

Publishes a \$10 packet of pamphlets on development of housing for elderly, several of which concern programming.

- . Howell, S. and Epp, G., Shared Spaces in Housing for Elderly, unpublished document by Design Evaluation Group, M.I.T., Cambridge, Mass.

A study of the architecture and use of shared spaces in large-scale housing for elderly; many principles also apply at small scale.