



COMMISSION ON DISABILITY ISSUES (CDI) ANNUAL REPORT 2015

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The CDI's primary responsibilities:

1. Increase public awareness of disability-related issues
2. Serve in an advisory capacity on County Government programs, policies, and budget
3. Promote compliance with the requirements of Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 by providing guidance and recommendations to County Government

2015 Highlights and Accomplishments

To fulfill its statutory purpose, the Commission conducted or engaged in numerous activities throughout the course of the year.

- **Increase public awareness of the contributions in our community of persons with disabilities by recognizing outstanding efforts in advancing full participation in community life for all residents**

The Commission held its signature event, the Annual Leadership Awards Program, on October 1, 2015, in celebration of the 25th anniversary of the Americans with Disabilities Act (ADA).

Guest speakers included Carol Beatty, Secretary of the Maryland Department of Disabilities, and Marian Vessels, Director of the Mid-Atlantic ADA Center. Ms. Vessels delivered a keynote address, “Disability Rights ARE Civil Rights,” in which she discussed the impact of the ADA on the ability of people with disabilities to be included in American society and on the challenges that remain. The Commission was presented with a certificate from County Executive Kittleman and with an honorary resolution from the Howard County Council, both in recognition of National Disability Employment Awareness Month.

Trophies from the CDI, as well as certificates from County Executive Kittleman, Senator Barbara Mikulski and Senator Ben Cardin, were given to individuals and businesses in recognition of their contributions to the Howard County community.

- Business Leadership Awards were presented to The Little Lighthouse Child Care Center and to Accessible Resources for Independence, Inc., a Center for Independent Living
- An Accessibility Leadership Award was presented to Susan Potts, Therapeutic Recreation Manager for the Howard County Department of Recreation and Parks
- An Individual Leadership Award was presented to Greg Hlibok, a founding member of the Howard County Association of the Deaf.

- **Increase public awareness of disability-related issues**

Co-sponsored Transition Symposium: On March 21st, the Commission co-sponsored Howard County’s second annual Transition Symposium, “Don’t Panic! Plan Now!” for parents and families of transitioning youth with disabilities. Transitioning youth are students ages 14 to 21 who are preparing for adult life after exiting the school system. Approximately 100 people attended, including family members, educators and service providers. In addition to a keynote address on “Adaptive Behavior and Resiliency,” workshops were offered on the topics of employment, housing, special needs trusts, disability benefits available through the Social Security Administration, the Maryland Developmental Disabilities Administration service delivery system, person-centered planning, and self-advocacy.

Hosted Presentations on Consumer Protection and on SHIP: The CDI hosted two presentations in April. Rebecca Bowman of the Howard County Office of Consumer Affairs discussed ways her office works to assist and protect consumers. Ms. Bowman explained that services are provided free-of-charge, and assistance is provided in the following areas: scam and fraud prevention including charitable giving and tax-related scams, educating the public on consumer rights, mediation of consumer disputes, landlord/tenant relations, registration/licensing of peddlers and solicitors in Howard County, and licensing of trespass tow companies in Howard County. Barbara Albert from the Office on Aging presented information on the Senior Health Insurance Assistance Program (SHIP), which provides services to Medicare beneficiaries of all ages.

Hosted Presentation on Public Transportation: The Commission’s Provider Committee hosted a public transportation presentation in May. Representatives from the Regional Transportation Agency of Central Maryland (RTA) reviewed fixed-route and paratransit services, including differences between ADA and general paratransit, “reminder” calls, “origin to destination” service, pick-up time windows, and the late-cancellation / no-show policy. Questions from the audience indicated a need for outreach to educate the community regarding Howard County’s public transportation services, and of the need for expansion of public transit to employment and educational opportunities in the Baltimore area.

Hosted Presentation on Central Maryland Regional Transit: The CDI hosted an additional transportation presentation in June. Alex Dupree of Central Maryland Regional Transit (CMRT) discussed the mobility management and travel training services available through her organization.

Hosted Presentation on Maryland Developmental Disabilities Administration: In September, the Commission’s Provider Committee hosted a Maryland Developmental Disabilities Administration (DDA) presentation by Karen Lee, a recently-appointed DDA special projects fellow who is working with stakeholders in developing a vision, policy, and strategic plan for integrated employment and other community services. The presentation included discussion of waiver options and service models available to transitioning youth and adults who have DDA funding, recent federal legislation, and other changes impacting service models and expectations, and Maryland’s Employment-First initiative. Questions raised by the audience suggested that the DDA funding system has many complexities and can be very difficult to understand or navigate for individuals with disabilities and their families.

Hosted Presentation on Texting 9-1-1 for the Deaf and Hard of Hearing: During its last quarterly meeting, which took place in October, the Access Committee hosted a breakfast presentation on texting to 9-1-1. The presentation was conducted by a representative from Howard County Association of the Deaf and Maryland School for the Deaf. The presentation provided an opportunity to gain firsthand insight into the challenges that people who are deaf and hard of hearing face, in directly accessing emergency communication services. The presentation also afforded a dialogue with a representative from the County’s emergency call center and an update regarding efforts that are underway to provide better access.

- **Advise on County Government programs and policies**

The Commission chairperson (or designee) was specifically appointed as a participant of the Howard County Transition Council for Youth with Disabilities, established via Executive Order in April 2013. The term of the Transition Council was subsequently extended through December 2015. The Transition Council’s mission is to improve employment and post-secondary education outcomes for transitioning students. The Transition Council and the Commission continue to support expansion of employment opportunities within Howard County government and local businesses for transitioning youth. The Transition Council has recently reached out to the Chamber of Commerce with the goal of engaging local businesses to hire youth with disabilities.

- **Promote compliance with the requirements of Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 by providing informal guidance and recommendations to County Government and other entities**

Reviewed Draft of Clarksville Pike Design Guidelines: In January, the Access Committee met with the Comprehensive and Community Planning Section of the Howard County Department of Planning and Zoning to review and provide input on the preliminary draft of the Clarksville Pike Design Guidelines.

Assessed Pedestrian Access in Downtown Columbia and Submitted Report of Findings to County Executive: In April, the Access Committee conducted a walking tour of downtown Columbia. The Access Committee’s focus was to assess issues that may impede pedestrian access to downtown Columbia. The Access Committee submitted a written report of its findings and recommendations to the County Executive and County Council.

Reviewed Plans for Downtown Columbia Crescent Building and Garage: The Access Committee met with developers, reviewed plans and provided feedback regarding the Downtown Columbia Crescent Building and Garage Redevelopment (the Crescent – Building A & Garage).

Reviewed Vantage House Revitalization Project: In June, the Access Committee met with representatives of Vantage House to discuss the organization’s revitalization project. Vantage House is a not-for-profit Continuing Care Retirement Community that provides residential and continuing care services for 250 seniors; has over 170 employees; hosts student interns; and serves as a place of public accommodations for local entities.

Reviewed Plans for Symphony Woods: The Access Committee met with Symphony Woods developers, reviewed plans and provided feedback and suggestions regarding the Butterfly, (guest services building), the “floating” picnic area, the Caterpillar (tube dividing the park from neighboring Merriweather Post Pavilion) and the Merriground (playscape).

Findings Regarding the Status of People with Disabilities

The Commission remains focused on addressing barriers that prevent Howard County residents with disabilities from becoming full participants in their communities, and from enjoying the same rights and privileges available to all. Based on its work throughout the year and its vision for the future, the Commission finds that:

1. **Legislation and policies continue to impact the lives of citizens who have disabilities.** The Commission welcomes opportunities to advise County Government on policy development and changes, as well as on proposed legislation.
2. **Twenty-five years after the passage of the Americans with Disabilities Act (ADA), people with disabilities continue to face obstacles to becoming full participants in their communities.** The ADA requires that local government entities provide individuals with disabilities equal access to their programs, services, and activities.¹ Some residents are unfamiliar with the ADA and its protections for those who have disabilities; others are unaware of Howard County Government’s commitment to providing facilities, programs and activities that are accessible to all citizens.

Current trends continue to emphasize the need for accessibility and ADA compliance particularly with regard to websites, effective communication, emergency management, reasonable accommodations in the workplace, modifications to policies, procedures, and practices, and the

renovation or building of facilities including those in the public rights-of-way such as sidewalks, bus stops, trails, paths and recreational facilities.

The ADA requires that local government entities take appropriate steps to ensure that communications with individuals who have disabilities are as effective as communications with others.ⁱⁱ This includes providing access to websites and electronic documents.ⁱⁱⁱ Many individuals who have disabilities utilize assistive technology that enables them to use computers. Examples of assistive technology are screen readers, text enlargement software, and computer programs that allow users to control computers with their voice.

As the County considers, develops and launches new websites, attention must continue to be given to accessibility so that all citizens can access the benefit of online information and services. Websites and online services should conform to current standards. The U.S. Department of Justice, which has ADA enforcement authority, recently identified the accessibility of state and local government websites as a regulatory priority.^{iv}

Accessible parking enables individuals who have mobility disabilities to participate more fully in their communities - accessing needed medical and dental care, patronizing local businesses such as restaurants and retail shops, etc. The misuse of accessible, reserved parking spaces intended for citizens who have disabilities and who possess the appropriate Motor Vehicle Administration-issued (MVA) vehicle plate or placard is an ongoing issue. The Commission expresses its sincere appreciation to the Howard County Police Department for partnering with MVA on a quarterly basis to enforce accessible parking space regulations and to raise public awareness of this issue. Increased enforcement efforts are needed. Other states such as Oregon^v and Texas^{vi} have addressed this need by utilizing trained volunteers who have been given the legal authority to issue citations to motorists who violate accessible parking laws.

Of particular concern are local entities that fail to provide the required accessible, reserved parking spaces and/or provide the required parking spaces but fail to install proper, legally-enforceable signage for such spaces. Enforcement of applicable local, state and federal building codes and mandates is essential, including monetary penalties imposed on those who fail to comply.

3. **Community planning and development impacts citizens who have disabilities.** There appears to be some incongruence between the maintenance and updating of existing facilities such as sidewalks and bus stops, and the installation of new pedestrian facilities. Priority must be given to the safety concerns of our citizens and to the accessibility of all facilities in the public rights-of-way. As policies and pedestrian plans are developed, and at different phases of their implementation, the Commission as well as other citizens must be afforded meaningful opportunity to provide input and feedback. In particular, this critical input and feedback should be obtained from citizens with disabilities and older adults, as well as those citizens representing the interests of these groups.
4. **Poverty disproportionately affects people who have disabilities, many of whom are among the County's most vulnerable residents.** Nationally, 28.7% of working-age (ages 18 to 64) adults who have a disability live in poverty, compared to only 13.6% of working-age adults who do not have a disability. At the State level, 21.6% of working-age Marylanders who have a disability live in poverty, compared to only 8.2% of working-age adults who do not have a disability.^{vii}

The Social Security Administration administers two federal income benefits programs, SSI and SSDI, for people who have disabilities. The payment levels barely provide for the most basic of needs, and relegate recipients of these benefits to the bottom of the economic ladder. A single individual whose sole income is from SSI receives a maximum of \$8,796.00 annually,^{viii} which is just 8% of Howard County's median household income of \$109,865.00.^{ix} A single individual whose sole income is from SSDI receives an estimated average annual payment of \$13,992.00 annually,^x which is just 12.7% of Howard County's median household income.

5. **Employment is a critical concern for individuals who have disabilities.** For people with and without disabilities, the opportunity to earn a living and support oneself is a valued and widely-held goal. Work, whether part-time or full-time, helps to define a person and provide a sense of purpose and accomplishment. Employment is also essential to reducing the incidence of poverty and remains a critical concern for individuals who have disabilities, a segment of the population likely to be unemployed or underemployed. Nationally, the labor force participation rate of non-institutionalized civilians age 16 and over who have a disability is just 19.4%, compared to a labor force participation rate of 68.4% for the same age group who do not have a disability.^{xi}

Despite laws prohibiting discrimination, individuals with disabilities continue to encounter discrimination in the workplace. A recent study by Rutgers and Syracuse universities, in which researchers sent fictitious cover letters for advertised jobs, revealed that experienced qualified applicants who disclosed a disability were 34% less likely to get responses from employers than their equally-experienced counterparts who did not disclose a disability.^{xii}

A combination of factors including attitudinal barriers, low expectations, lack of education and training, lack of reliable transportation, and misperceptions regarding reasonable accommodations, all reduce employment opportunities for job seekers with disabilities. Both the SSDI and SSI programs referenced in #4 provide built-in work incentives that allow benefit recipients to work and, in many cases, retain at least a portion of their benefits. Job seekers with disabilities need expanded opportunities to develop the skills and knowledge necessary for jobs that pay a living wage, and are in line with their interests and abilities.

6. **Transitioning youth, with and without disabilities, represent Howard County's future.** Young adults should be encouraged and supported to explore their vocational interests in order to make informed choices for their future. Our youth should have the option of meaningful paid employment, postsecondary education and training, and affordable housing, in the very same Howard County communities in which they were raised and educated. All too often, many young adults with disabilities face very limited housing options: either remaining at home with their parents or living in restrictive group home settings.

Appropriateness, quality, and adequacy of services are critical considerations for transitioning youth and their families. For individuals who are determined eligible for programs funded through the State of Maryland's public mental health system or through the Developmental Disabilities Administration, the availability of services offered by adult service provider agencies within the county is limited. These service provider agencies are recipients of public funding and, as such, should be held to a high standard.

Many innovative educational, employment-related, and community-based opportunities for young adults are located outside of Howard County. Public transportation must be expanded so that youth can easily and safely access these opportunities.

The Commission recognizes County Government for its efforts in providing career-focused opportunities to transitioning youth, including its support of Career Exploration Day, an annual job shadowing event for high school students with disabilities. The Commission acknowledges County Government for hosting Project Search again this year, offering internship opportunities to youth with disabilities and serving as a role model for local employers. Internships enable students to develop marketable job skills and learn about workplace expectations.

- 7. A comprehensive and reliable public transportation system remains a critical concern for residents with disabilities who depend upon public transit to get to and from work, medical appointments, school, etc.** Employment opportunities are severely impacted by inadequate public transit services.

Fixed route system improvements will help transform public transit into a more viable and attractive transportation option. Greater inter-connectivity between the various fixed routes and a reduction in the need for travel to a centralized “transit hub” for transfers are options for making public transit more time-efficient for riders. Expansive areas of Howard County are not served by fixed route transit; this further limits transportation options for those individuals who rely on ADA paratransit, as ADA paratransit mirrors fixed route transit services.

Regional transportation systems must be expanded so that public transit users can easily and affordably access the employment, educational and cultural hubs of the Baltimore and Washington, D.C. areas.

- 8. Accessible, affordable housing remains scarce and unattainable for many people with disabilities, particularly those with extremely low incomes and those who need physically-accessible units.**

A single adult with a disability whose sole income is from SSI or SSDI benefits will find it nearly impossible to obtain housing without a rental subsidy. The cost of a modest 1-bedroom apartment in Maryland is approximately 146% of SSI income – the third highest rate in the nation – and in Columbia, a 1-bedroom apartment costs approximately 183% of SSI income.^{xiii}

The Howard County Housing Choice Voucher rental subsidy (also referred to as “Section 8”) waiting list has been closed to new applicants since June 2012.^{xiv} Unit-based subsidy programs exist in Howard County, but many of these have also closed their waiting lists or have established minimum income eligibility requirements that preclude participation by individuals and families living in poverty. Although closing a waiting list is permissible under the U.S. Department of Housing and Urban Development (HUD) guidelines if the average wait is considered excessive,^{xv} by doing so the opportunity for gathering documentation of need is lost.

For individuals and households with extremely low incomes - those with incomes below 15% of the area median income, housing subsidies are urgently needed. When developing new housing, a percentage of the units need to be targeted to those on the lowest rungs of the economic ladder.

- 9. The availability of mental health services, ranging from prevention to post-treatment support, remains a critical community need.** The Commission expresses its appreciation to County Government for partnering with the Horizon Foundation and Howard County General Hospital to implement recommendations of the county’s Behavioral Health Task Force.^{xvi}

The recreation programs offered by the Department of Recreation and Parks are well-utilized by, and a great asset to, Howard County residents. The Department’s therapeutic recreation programs, in particular, are very welcoming to participants who have disabilities. The programs also serve as a time of respite for families and caregivers. However, if one does not sign up within 30 to 60 minutes of the start of “open registration,” the programs are often filled to capacity and waiting lists for these much-needed services are then created. There is a need for expanded capacity of therapeutic recreation programs.

Recommendations for 2016

Wherefore, based on its findings, the Commission recommends that the County Executive and the County Council:

1. Continue to recognize the needs of, and impact on citizens with disabilities, when developing legislation and making policy decisions.
2. Continue to engage in activities that promote a strong culture of inclusivity and awareness among its employees, citizens and those with whom it does business.
3. Continue to engage in activities that ensure compliance with the Americans with Disabilities Act (ADA), including conducting comprehensive evaluations of existing facilities and policies; developing implementation plans with input from the disability population; and developing policies that are apparent and immediately available to the public. Inform citizens of their protections and of the County’s obligations under the ADA.
4. Promote the accessibility of the County’s website by enlisting individuals with different disabilities to test its pages for ease of use and accessibility barriers and provide feedback.
5. Develop initiatives to increase public awareness of accessible parking space laws, and to increase compliance with parking space and signage requirements among business and commercial property owners. Consider enforcement activities consistent with such initiatives.
6. Increase enforcement efforts of existing pedestrian crosswalk laws using methods that might include, but are not limited to, signage, public messaging, and cameras. Drivers violating pedestrian crosswalk laws jeopardize the safety of our citizens, particularly those who have disabilities.
7. Include funding in the FY17 budget for pedestrian crosswalk law enforcement initiatives.
8. Establish statutory mandates and regulations that extend sidewalk construction requirements and expand areas regarded as project frontage. Such expanded requirements would mean that *during* the construction and expansion phase of any project – not after or during some later phase – developers install and/or improve pedestrian facilities to connect sidewalks along county offices and facilities, stores, hospitals, schools, shopping and eating districts, parks and medical facilities. County Government should enforce sidewalk construction requirements where sidewalks are being installed, and dispense with any and all fee in lieu of construction provision, unless such fees are collected by the County and actually used for road and sidewalk improvements.

9. Require developers and contractors, with respect to physical facilities, to comply with local, state and federal statutory mandates including the Americans with Disabilities Act, and implement a system that enforces compliance before, during and after construction.
10. Conduct an ADA accessibility assessment inclusive of, but not limited to, a review of existing policies, procedures and practices; county-owned or leased facilities; facilities in the public rights-of-way such as sidewalks, bus stops, curb cuts, pedestrian signals; parks, swimming pools and other recreational facilities; and websites. Develop a transition plan, including timelines for bringing matters into compliance and for identifying and documenting barriers to access, creating a comprehensive geo-database that correlates all relevant information of the deficiencies identified with the methods and priorities established within the transition plan. Establish sources of funding by determining which accessibility improvements can be made through general maintenance (installing signs, accessible fixtures, etc.) or as part of the regular administrative duties of staff (e.g. website improvements). Determine which are necessarily parts of a larger capital improvement projects and establish timelines for funding and completion.
11. Expand employment opportunities for job seekers with disabilities, including Project Search graduates, through engagement and initiatives with local privately-owned businesses.
12. Create a non-competitive hiring authority for job seekers with disabilities, similar to ones currently in use in other local jurisdictions such as Montgomery County,^{xvii} to increase paid employment opportunities for individuals with disabilities, including Project Search graduates.
13. Include funding in the FY 17 budget for the hiring of some of the Project SEARCH program graduates. Howard County Government has a responsibility to lead by example in the hiring of qualified jobseekers with disabilities.
14. Develop initiatives designed to increase integrated, affordable and accessible housing opportunities for residents with disabilities whose incomes are below 15% of Howard County's area median income. Seek out available grants and subsidy programs that support these efforts.
15. Include funding in the FY 17 budget for housing initiatives targeted to residents with disabilities whose incomes are below 15% of Howard County's area median income.
16. Include funding in the FY17 budget for the expansion and increased efficiency of fixed route public transportation services, particularly in underserved areas in the County. Collaborate with other jurisdictions to provide riders, including those with disabilities, increased transportation options in accessing employment, educational and cultural hubs in the Baltimore and Washington, D.C. areas.
17. Include funding in the FY17 budget for the expansion of therapeutic recreation programs offered by the Howard County Department of Recreation and Parks.

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- ⁱⁱ U.S. Department of Justice, “Effective Communication,” <http://www.ada.gov/effective-comm.htm>
- ⁱⁱⁱ U.S. Department of Justice, “Accessibility of State and Local Government Websites to People with Disabilities,” <http://www.ada.gov/websites2.htm>
- ^{iv} U.S. Office of Information and Regulatory Affairs, “Fall 2015 Department of Justice Agency Statement of Regulatory Priorities, Civil Rights Division,” http://www.reginfo.gov/public/jsp/eAgenda/StaticContent/201510/Statement_1100.html
- ^v Washington County, Oregon, “Disabled Parking Enforcement,” <http://www.co.washington.or.us/Sheriff/OtherServices/VehiclesParking/disabled-parking-enforcement.cfm>
- ^{vi} Travis County, Texas, “A Report on Enforcement of Handicap Parking Laws in Travis County,” <http://www.constable5.com/docs/hParkReport.htm>
- ^{vii} 2014 Annual Disability Statistics Compendium, “Table 4.1 Poverty – Civilians with Disabilities Ages 18 to 64 Years Living in the Community for the United States and States: 2013,” “Table 4.2 Poverty – Civilians without Disabilities Ages 18 to 64 Years Living in the Community for the United States and States: 2013,” http://www.disabilitycompendium.org/docs/default-source/2014-compendium/2014_compendium.pdf
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- ^{ix} U.S. Census Bureau, “Howard County Quick Facts from the U.S. Census Bureau,” Median household income, 2009-2013, <http://quickfacts.census.gov/qfd/states/24/24027.html>
- ^x Social Security Administration, “Fact Sheet 2016 Social Security Changes,” <https://ssa.gov/news/press/factsheets/colafacts2016.pdf>
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- ^{xii} Rutgers University, Rutgers Today research news article, “Rutgers Study: Employers Discriminate Against Qualified Workers with Disabilities,” <http://news.rutgers.edu/research-news/rutgers-study-employers-discriminate-against-qualified-workers-disabilities/20151104#.VlzStxsm7ct>
- ^{xiii} Technical Assistance Collaborative, Inc., Consortium for Citizens with Disabilities, Housing Task Force, “Priced Out in 2014: The Housing Crisis for People with Disabilities” Report, Table 1: State and Local Housing Market Area Data – 2014, page 29, <http://www.tacinc.org/media/52012/Priced%20Out%20in%202014.pdf>
- ^{xiv} Howard County Government News Release dated 6-5-2012, “Howard County Housing to Close Rental Assistance and Housing Waiting Lists,” <http://www.co.ho.md.us/DisplayPrimary.aspx?id=6442466323>

^{xv} U.S. Department of Housing and Urban Development (HUD), HUD Occupancy Handbook, Chapter 4: Waiting List and Tenant Selection,
http://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/hudclips/handbooks/hsg/4350.3

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<http://howardcountymd.gov/News041415c.htm>

^{xvii} Montgomery County Government Office of Human Resources, “Hiring Preferences,”
<http://www.montgomerycountymd.gov/hr/staffing/career/hiringpreference.html>