



PROTECTION & ADVOCACY PROJECT

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Senate Industry & Business Committee

Senate Bill SCR 4016– February 13, 2023

Testimony of Micah Olson, P&A Position-In Favor

My name is Micah Olson. I am an attorney at Protection and Advocacy. I use a wheelchair and have had personal experience in finding accessible housing in Bismarck and Minot. Previously I worked as an Independent Living Advocate at Independence Inc., Center for Independent Living in Minot, where I often assisted consumers in finding accessible and affordable housing. I am in favor of SCR 4016, a resolution to study affordable, accessible housing.

Before I moved to Minot in June of 2019, I contacted several landlords about options for apartments. I indicated that I wanted a first-floor apartment with a garage. I visited six apartments. All of the apartments I visited would have worked for me, but there were accessibility problems at each of them. Even if an apartment had been designated an accessible unit, several had garages that were located very far away from the building, which would be difficult, especially in the winter. The apartment I chose was the most accessible. It had a garage directly across from the door of the apartment building, which was convenient for me. However, after I moved in, I found that the mailbox was not placed in an accessible location. The mailbox was located about 6 feet in from a curb without a curb cut. I could not get to it with my wheelchair. Also, even though my apartment was supposed to be an accessible unit, my mailbox was on the highest row, and I could not reach it. The management company moved the mailbox to the edge of the curb, so I could reach it and gave me a lower mailbox that I could access either from my car or wheelchair, but the process took several weeks. If I had moved in the winter, the ground would have been frozen and that fix probably would not have been possible until spring.

I moved to Bismarck at the end of December of 2022. When I was looking for an apartment, I only found two viable options. I moved into an apartment that was designated as an accessible unit. However, the apartment is located on the second floor, which will be a problem if the elevator is out of order or if there is a fire. The apartment is also located very far from the elevator, which would be a problem for someone who has difficulty with mobility. Again, I had the highest mailbox, but the mailboxes were in a mailroom, so it was an easier problem to resolve than at my apartment in Minot.

While working at the Center for Independent Living in Minot, I found that there were not many affordable and accessible options for many consumers I worked with to find housing. For example, one wheelchair user required a roll-in shower. We only found one available apartment that had a roll-in shower. However, that apartment was not on the bus route. He did not drive, so he would have to rely on paratransit, which is not always reliable or available. Another consumer chose a less accessible apartment because it was on the bus route, which would give her greater access to transportation. Other consumers identified problems with adequate parking and a lack of curb cuts. Many of these problems should have been identified and corrected when the apartments were built, but they were not.

A study should be conducted to identify issues with affordable, accessible housing in the state and to develop solutions. The study should also include how municipalities are inspecting new developments, and whether developers and management companies are adequately considering all aspects of accessibility when constructing apartment buildings, including the location of accessible units within the building, and the location of garages and common areas, such as mailboxes.