

# **SAH (Specially Adapted Housing) Fact Sheet – October 2008**

## **Part 1 - Specially Adapted Housing**

### ***Eligibility & Statutory Requirements***

#### **1. What is the governing law relating to specially adapted housing for disabled veterans or servicemembers?**

Title 38, United States Code, chapter 21. The original statute was Public Law 702, 80th Congress, dated June 19, 1948. Public Law 109-233, The Veterans Housing Opportunity and Benefits Act of 2006, dated June 15, 2006, and Public Law 110-289, The Economic and Housing Recovery Act of 2008, dated July 30, 2008, amended Public Law 702 and expanded benefit eligibility.

#### **2. Which veterans or servicemembers are basically eligible for the grant?**

The Specially Adapted Housing Grant is available to veterans or servicemembers who are entitled to compensation for permanent and total service-connected disability due to:

- a. The loss, or loss of use, of both lower extremities such as to preclude locomotion without the aid of braces, crutches, canes, or a wheelchair.
- b. Blindness in both eyes having only light perception, plus loss or loss of use of one lower extremity.
- c. The loss, or loss of use, of one lower extremity together with
  - (1) residuals of organic disease or injury, or
  - (2) the loss or loss of use of one upper extremity.

Item (1) and Item (2) above must so affect the functions of balance or propulsion as to preclude locomotion without the aid of braces, crutches, canes, or a wheelchair.

- d. The loss, or loss of use, of both upper extremities, so as to preclude use of the arms at or above the elbows.
- e. The permanent and total disability is due to a severe burn injury (as so determined).

### **3. Who determines the veteran or servicemember's basic eligibility for the grant?**

The current or most recent VA Rating Decision issued by the Veterans Service Center of jurisdiction establishes the veteran's or servicemember's basic eligibility for a Specially Adapted Housing Grant. The VA Rating Decision is subject to review and revision.

### **4. Are there any other statutory requirements for eligibility?**

Yes:

- a. It must be medically feasible for the veteran or servicemember to reside in the house.
- b. The house must be adapted to be suitable to the veteran's or servicemember's needs for living purposes.
- c. It must be financially feasible for the veteran or servicemember to acquire the house, with the assistance provided by the grant.

### ***Specially Adapted Housing Benefit***

### **5. Is there a time limitation or deadline for applying for a Specially Adapted Housing Grant?**

No, there is no time limit on the use of the grant.

### **6. How much specially adapted housing assistance can a veteran or servicemember receive?**

An eligible veteran or servicemember may receive a VA grant of not more than 50 percent of the cost of a specially adapted house, up to the aggregate maximum amount allowable by law. The current maximum grant amount allowable at the time of this publication is \$60,000. This amount will be adjusted annually based on a cost-of-construction index. The first adjustment will occur October 1, 2009, and each October 1 thereafter. Any future adjustments will increase the grant amounts or leave them unchanged.

### **7. How many times may a veteran or servicemember receive specially adapted housing assistance?**

Public Law 109-233 authorized up to three usages of grant benefits. Public Law 110-289 provided for annual increases in the maximum grant amount, to keep pace with the residential cost-of-construction index. When the maximum grant amounts are increased, veterans or servicemembers who have not used the assistance

available to them up to the allowable three times may be entitled to a grant equal to the increase in the maximum grant amount at that time.

## **8. Where may the grant be used?**

Any real property purchased, constructed, or adapted with the proceeds of a specially adapted housing grant must be located:

- a. within the United States, which, for purposes of 38 U.S.C. chapter 21, includes the several States, Territories, and possessions, including the District of Columbia, and the Commonwealths of Puerto Rico and the Northern Mariana Islands; or,
- b. outside the United States, in a country or political subdivision which allows individuals to have or acquire a beneficial property interest, and in which the Secretary, in his or her discretion, has determined that it is reasonably practicable for the Secretary to provide assistance in acquiring specially adapted housing.

## **9. How may the grant be used?**

- a. An eligible veteran or servicemember has the option to use up to the full amount of the grant under any one of the following plans:

Plan (1). The veteran or servicemember may elect to construct a home on land to be acquired for that purpose.

Plan (2). The veteran or servicemember may build a home on land already owned if it is suitable for specially adapted housing.

Plan (3). The veteran or servicemember may remodel an existing home if it can be made suitable for specially adapted housing.

Plan (4). When the veteran or servicemember has already acquired a specially adapted home (without the assistance of a VA grant), the grant may be applied against the unpaid principal mortgage balance of the home.

- b. A temporary grant (TRA) may be available to veterans and servicemembers who are/will be temporarily residing in a home owned by a family member. This assistance may be used to adapt the family member's home to meet the veteran or servicemembers special needs at that time. TRA grants are not subject to the suitability and financial requirements noted in questions 4(b) and (c). The TRA grant program is a pilot program and is scheduled to end on December 31, 2011.

**10. Under Plan (4) above, question No. 9, if a veteran or servicemember already has a specially adapted home that is owned free and clear, how much of the grant, if any, would the veteran or servicemember be entitled to receive?**

It depends on the needs of the veteran or servicemember. Additional adaptations may be installed, if they are determined to be necessary. Should the veteran or servicemember decide to buy or build another specially adapted home, the total benefit, or portions of the maximum grant allowable not yet used, could be applied toward installation of adaptations on that house.

**11. If the maximum grant amount is not used for a specially adapted home, may a second grant be obtained for another home or for further capital improvements on the veteran's or servicemember's present home?**

Yes. Under 38 U.S.C. Chapter 21, the grant, up to the maximum amount, can be used up to three times. For the purpose of the following examples, the current maximum allowable grant amount of \$60,000 is used:

Example (1). If the total cost for the construction and land were \$80,000, the maximum grant would be 50 percent of the \$80,000, or \$40,000. The veteran or servicemember would then be able to claim a further grant of \$20,000 at a later date for the repair or replacement of current adaptations, for the installation of additional adaptations, or for the purchase, construction, or adaptation of another home (as long as he or she has not already received the grant a total of three times).

Example (2). If the veteran or servicemember had \$50,000 of prior grant usage at the time of an increase in the maximum grant amount to \$60,000, the \$10,000 difference may be used to assist in acquiring another adapted home or installing additional adaptations in the same home (as long as he or she has not already received the grant a total of three times).

**12. Is a veteran or servicemember who obtains a specially adapted home entitled to exemption from State real estate taxes?**

This depends on State and local tax laws. There are many States that do provide such relief from taxes, either in whole or in part. The Specially Adapted Housing Agent will be able to provide a veteran or servicemember with more detailed information.

**13. What adaptations are typically considered necessary for specially adapted housing?**

a. Unless there are no-step entries or slopes having less than an 8 percent grade (1:12), at least two [ramps](#) (a vertical platform or similar type lift may be used in lieu of one ramp, but the lift must have a battery or generator backup system) suitable for entry and exit are required, one of which shall be located so as not to expose the

veteran or servicemember to a potential fire hazard, such as placement necessitating passage through a kitchen, garage or utility room containing heating equipment. Ramps or lifts must be permanently installed, treated to prevent slipping when wet, and the slope not to exceed 8 percent. The minimum width acceptable is 3 feet 6 inches (4 feet for new ramps), and railings must be provided if the height and length of the ramp indicate any potential for a hazard. Ramp and lift platforms must be a minimum of 5 feet by 5 feet in size to allow for turning the wheelchair and be equipped with protective railings if the height of the platform presents a potential hazard. There will be no difference in elevation between the interior floor level and exterior platforms. Ramp platforms must be provided every 30 feet of the ramp or walkway and at every 90-degree turn.

b. In all new construction, [doorways](#) must be at least 36 inches wide. Doorways in existing homes must be at least 32 inches wide.

c. Halls must be a minimum of 48 inches wide in all new construction. Hallways in existing homes must be at least 42 inches wide.

d. A [garage or carport](#) should be of sufficient width and height to allow unrestricted wheelchair maneuverability alongside a car and ease of entry and exit with all accessible vans.

e. Passageways between the home proper and the garage or carport should be sheltered to prevent exposure of the veteran or servicemember to direct sunlight or inclement weather.

f. At least one [bathroom](#), convenient to the veteran's or servicemember's bedroom, must contain very generous floor areas providing free wheelchair maneuverability (with at least a 5 foot turning radius), with placement of all fixtures in a manner permitting the veteran or servicemember unimpeded 4 foot access to each fixture. [Bathroom](#) flooring material must be non-slip under both wet and dry conditions. Washbasins of the hung type, rather than pedestal, should be affixed at a height enabling the wheelchair to maneuver below the fixture to allow close approach for washing and shaving convenience. Washbasin drainpipes must be installed to minimize the possibility of abrasions. A mirror, at a suitable level for use from the wheelchair, must be provided and may be achieved by a lower medicine cabinet to which the veteran or servicemember is to have access. [Faucets](#) for the tub and shower also must be accessible from the wheelchair for water temperature control before, as well as during, immersion. Adequate thermostatic or pressure-balance controls must be installed to avoid sudden change in the water temperature. Adequate grab bars, capable of bearing the veteran's or servicemember's weight and conveniently placed, must be installed for the tub and shower. Stall showers must be large enough (5'x 5') to allow for a built-in bench, if desired. There must be no curb between the stall and [bathroom](#) (floor drain can be placed in a back corner of the stall), and the shower stall opening should be the same width as other [doorways](#). The toilet fixture or seat should be raised, if necessary, for the veteran or

servicemember's convenience; armrest, installed in a manner to support the veteran's or servicemember's weight in transferring must be included, and provisions should be made for a suitable back support. Installation of a bidet may be appropriate for certain hand/arm injuries.

g. All hot water pipes, steam pipes, room radiators, or similar items, which may constitute a hazard insofar as burns, abrasions, etc., are concerned, must be concealed or properly covered.

h. Wall switches and electrical outlets should be within reach from the wheelchair, minimum 18 inches and maximum 48 inches, from the floor. Fuse boxes, thermostats, and other utility and appliance controls must be within reach from a wheelchair. Windows should be operable from a wheelchair. Automatically operated entry and garage doors are a great convenience, direct control activated by key or button. Whole house vacuum systems may be appropriate for certain severe burn injuries.

i. [Carpeting](#) installed in specially adapted housing must be of a low pile, closely woven type. Hardwood floors may be appropriate for certain severe burn injuries.

j. At least one automatic smoke detector/fire detection system and/or carbon monoxide detector shall be installed in the unit.

k. Other adaptations with the approval of VA.

NOTE: Veterans or servicemembers who are fitted with lower extremity prostheses, who have loss or loss the use of both arms at or above the elbow, or have severe burn injuries alleviating wheelchair use, may not need some of the above listed requirements but may require other specific types of adaptations. This pamphlet does not go into detail regarding unusual or complex problems, which conceivably can arise. For more information, contact [your local VA Specially Adapted Housing Agent](#). Additional information may be also obtained from [your VA Regional Loan Center](#).

#### **14. What are some other design factors to be considered?**

a. [Level](#) building site.

b. Ample concrete [walks](#).

c. Relatively maintenance free.

d. [Sliding](#) interior doors, easily operable from wheelchair.

e. Zone controlled HVAC system and generator backup.

f. Special adaptation of the kitchen area for the veteran or servicemember's use, if desired.

g. Other design factors with the approval of VA.

### ***How To Apply For Benefits***

#### **15. Where does a veteran or servicemember go to find out if he/she is eligible for a Specially Adapted Housing Grant?**

Any VA office, but preferably the [VA office](#) where the veteran's or servicemember's claim records are located. A determination will be made as to basic eligibility and whether it is medically feasible for the veteran or servicemember to reside in a specially adapted home.

#### **16. How is the veteran or servicemember advised that he/she is eligible for a Specially Adapted Housing Grant?**

A notice of eligibility (rating decision) for specially adapted housing will be sent to the veteran or servicemember. A VA Specially Adapted Housing Agent will visit the veteran or servicemember and counsel him/her in every way possible in using the grant. The veteran or servicemember will also be furnished a [supplemental application form](#) (VA Form 26-4555c, Veteran's Supplemental Application for Assistance in Acquiring Specially Adapted Housing) to be filled out when he/she is ready to obtain the grant. When the veteran's or servicemember's request for the grant is approved, he/she will receive a commitment letter from VA setting forth the terms and conditions under which the funds will be made available. Any contract executed by the veteran or servicemember must include the condition that it is subject to VA approval and his/her obtaining the grant.

**NOTE:** Veterans and servicemembers may not be entitled to reimbursement of certain costs incurred prior to receipt of a disability rating and/or in anticipation of receipt of a grant approval. Please contact VA prior to incurring such costs.

#### **17. Will VA help an eligible veteran or servicemember to pick out a lot, obtain the services of an architect, obtain bids for construction, and arrange necessary financing?**

Yes. Specially Adapted Housing Agents are specialists in this field and will provide assistance to the veteran or servicemember. However the veteran or servicemember is allowed freedom of choice when it comes to location, financing and contractor.

#### **18. Is design assistance for specially adapted housing available from the Department of Veterans Affairs?**

VA Pamphlet 26-13, Handbook for Design: Specially Adapted Housing, provides guidelines, recommendations, and illustrations to assist the physically handicapped veteran or servicemember and the architect/designer to construct or remodel a home so that its design fully meets all of the veteran's or servicemember's special needs.

### ***Financing the Home***

#### **19. Can a veteran or servicemember apply for a GI home loan from a private lender to cover the difference between the total cost of the house and the grant?**

Yes, if he/she is a veteran or servicemember of World War II or later who has GI housing [entitlement](#) and can qualify for a GI home loan.

#### **20. If private financing is not available, can VA make the veteran a direct loan to cover the difference between the total cost of the house and the grant?**

Yes, provided the veteran has GI home loan entitlement and qualifies from a credit standpoint. The maximum direct loan is currently \$33,000.

### ***Other Similar Benefits***

#### **21. Is life insurance available, which would pay off the mortgage on a specially adapted house in case the veteran dies before repaying the loan?**

Yes. Most veterans and servicemembers who receive a Specially Adapted Housing Grant are eligible for [Veterans Mortgage Life Insurance \(VMLI\)](#) covering the unpaid principal, not to exceed \$90,000, on the mortgage loan. VA representatives will explain this program and assist eligible veterans in applying for this protection using VA Form 29-8636 (Veterans Mortgage Life Insurance Statement). However, VMLI can only be issued to veterans age 69 and younger. Once issued, VMLI will remain in effect, regardless of age, if there is mortgage indebtedness. Questions concerning VMLI should be directed to the Insurance Center located in Philadelphia at 1-800-669-8477.

#### **22. Are there other benefits similar to specially adapted housing to which a disabled veteran may be entitled?**

Yes, an eligible veteran or servicemember may be entitled to the Home Improvement and Structural Alterations (HISA) benefit, which has a current maximum of \$4,100 for a service-connected disability and \$1,200 for a nonservice-connected disability. The Prosthetics and Sensory Aids Service at the nearest VA health care facility will furnish additional information concerning this benefit upon

request (including how to file VA Form, 10-0103, Veterans Application for Assistance in Acquiring Home Improvement and Structural Alterations).

**23. If a veteran or servicemember is eligible for a Specially Adapted Housing Grant, may he/she also receive a Special Housing Adaptations Grant?**

No. If a veteran or servicemember qualifies for both benefits, the law limits him/her to the use of the larger grant.

NOTE: A Specially Adapted Housing (SAH) video was developed to introduce the Specially Adapted Housing program to eligible veterans or servicemembers and give VA employees, program participants, and others an overview of the Specially Adapted Housing program. Copies of this video may be obtained by contacting the [VA Specially Adapted Housing Agent](#) or [your VA Regional Loan Center](#). The toll free number for VA is 1-800-827-1000.