



December 15, 2020

RAD PROGRAM NEWS

HUD Posts 2020 RAD Rents for Use in 2021

Today on the [RAD website](#) and also via RADBlast!, the Department of Housing and Urban Development ([HUD](#)) announced that it has posted the [2020 RAD Rents](#), which are used to determine the initial contract rents in the Section 8 Housing Assistance Payment (HAP) contract for public housing properties converting under RAD.

According to the announcement, HUD will utilize these amounts for any new awards starting January 1, 2021. In addition, current awardees that have not yet closed may request to update rents in their existing commitments to enter into HAP (CHAPs) by contacting their assigned transaction manager, closing coordinator, or resourcedesk@RADresource.net.

RAD Rents are reestablished every two years based on public housing congressional appropriations levels. HUD strongly recommends that PHAs review these 2020 RAD rents to evaluate whether these new levels best position properties for long-term preservation.

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GENERAL NEWS

DOJ Files Disability Discrimination Suit Regarding Accessible Design

In a [press release](#) last Friday, the U.S. Department of Justice ([DOJ](#)) announced that it has filed a lawsuit alleging that eight owners of multifamily properties and the architecture firm that designed them have violated the [Fair Housing Act](#) and the [Americans with Disabilities Act](#) (ADA) by failing to design and construct housing units and related facilities with accessible features for people with disabilities.

The Fair Housing Act prohibits discrimination on the basis of disability. The Act also requires housing built after March 1991 to contain accessible features for persons with disabilities, including accessible routes to all units in buildings with elevators. Failure to meet these standards it is considered unlawful discrimination. On the other hand, the ADA requires, among other things, that places of public accommodation, such as rental offices at multifamily complexes designed and constructed for first occupancy after January 26, 1993, be accessible to persons with disabilities.

The lawsuit alleges that at least 15 multifamily senior living properties have significant accessibility barriers, including inaccessible pedestrian routes to building entrances, inaccessible pedestrian routes from apartment units to amenities, inaccessible parking, door openings that are too narrow for a person using a wheelchair, environmental controls that are too high or too low for a person using a wheelchair to reach, and inaccessible bathrooms and kitchens.

The [complaint](#) seeks an order requiring the defendants to bring the properties into compliance with the Fair Housing Act and the ADA and pay monetary damages to persons harmed by the lack of accessibility and civil penalties to the United States to vindicate the public interest. The suit also seeks an order prohibiting the defendants from designing or constructing multifamily properties that discriminates against people with disabilities. The complaint contains allegations of unlawful conduct, which must be proven in court.



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