



May 11, 2021

HCV PROGRAM NEWS

HUD Posts Leasing Potential FAQs to the Data Dashboard Webpage

This week on the [HCV Data Dashboard](#) webpage, the Department of Housing and Urban Development ([HUD](#)) posted a frequently asked questions ([FAQ](#)) document on leasing potential. The two-page guide, dated May 7, 2021, provides an in-depth explanation of HUD’s leasing potential calculation.

According to the document, leasing potential is intended to help PHAs get a quick estimate of the number of additional families their HCV program could assist at any given point in time. This does not account for other actions PHAs could take that utilize program funds without increasing leasing (i.e., adjusting payment standards). To fully utilize HCV program funding, PHAs are encouraged to maintain and update the HCV two-year tool.

GENERAL NEWS

PIH Posts Cares Act Waiver Notice Webinar Presentation

Last Friday on the [Public and Indian Housing COVID-19 Resources](#) webpage, HUD’s Office of Public and Indian Housing ([PIH](#)) [posted](#) the presentation for the Cares Act waiver notice webinar. The 19-page presentation cover the following sections:

- New waivers, alternative requirements, and clarifications
- Program assessments
- Inspections

As you recall, on May 5, 2021, PIH issued Notice [PIH 2021-14](#) to restate and/or revise the COVID-19-related waivers and alternative requirements included in Notice [PIH 2020-33](#), carry forward information on previously specified HUD actions, add new waivers and alternative requirements, and extend the period of availability of most waivers until December 31, 2021.

HUD Charges KS Homeowners Association with Disability Discrimination

In a [press release](#) last Friday, the Department of Housing and Urban Development ([HUD](#)) announced that it is [charging](#) a homeowners association (HOA) in Mission, Kansas, and its board president with violating the [Fair Housing Act](#) for allegedly refusing to allow a resident with a mobility impairment to expand her own sidewalk at her own expense.

According to the press release, the requested modification would have enabled the resident to use her walker and have more stability. HUD’s charge also alleges that, rather than granting the requested accommodation, the HOA retaliated against the resident by removing her from a position on the HOA board and denying her reinstatement request.

HUD’s charge alleges that the HOA required members who sought a modification or accommodation due to a disability to follow the same process as members who sought to remodel a residence for aesthetic reasons. HUD’s charge further alleges that when the homeowner with disabilities provided information explaining that the sidewalk expansion would have “made a big difference in her ability to use her front sidewalk,” the HOA voted against allowing the modification and voted to remove the homeowner from its board.

HUD’s charge will be heard by a United States administrative law judge unless any party elects to have the case heard in federal court. If the judge finds after a hearing that discrimination has occurred, the judge may award damages to the complainant for losses caused by the discrimination. The judge may also order injunctive relief and other equitable relief, as well as payment of attorney fees. In addition, the judge may impose civil penalties to vindicate the public interest.

The Fair Housing Act makes it unlawful to refuse to permit residents to make reasonable modifications to their existing premises when such modifications may be necessary to afford a person with disabilities full enjoyment of a dwelling. The Act also prohibits housing providers from retaliating against persons with disabilities who request to make such modifications.



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