



October 25, 2023

HCV PROGRAM NEWS

HUD Publishes List of New Metropolitan Areas Required to Use SAFMRs

Yesterday we reported that the Department of Housing and Urban Development ([HUD](#)) released a [prepublication copy](#) of a notice listing the new metropolitan areas that will be required to use small area fair market rents ([SAFMRs](#)). Today HUD has officially published the [notice](#) in the *Federal Register*.

According to a [press release](#) issued yesterday, the notice requires an additional 41 metropolitan areas to use SAFMRs under HUD's [2016 SAFMR final rule](#), joining the initial 24 and bringing the total number of metropolitan areas covered by the rule to 65. These areas cover more than 800,000 households or 45 percent of families in the Housing Choice Voucher ([HCV](#)) program. While these 65 metropolitan areas will be required to use SAFMRs to calculate rental assistance, HUD calculates and publishes SAFMRs for all metropolitan areas, which PHAs can voluntarily adopt.

HUD considered the following factors to determine the areas required to use SAFMRs:

- There are at least 2,500 HCVs under lease in the FMR area
- At least 20 percent of the standard quality rental stock within the metropolitan FMR area is in small areas (ZIP codes) where the SAFMR is more than 110 percent of the metropolitan FMR
- The percentage of voucher families living in concentrated low-income areas within the area must be at least 25 percent
- The percentage of voucher holders living in concentrated low-income areas relative to all renters within these areas over the entire metropolitan area exceeds 155 percent
- The vacancy rate for the metropolitan area is higher than four percent

The implementation date of the notice is October 1, 2024, but PHAs have until January 1, 2025, to have their payment standards aligned with the SAFMRs in their operating areas. The press release includes the [list](#) of the 65 metropolitan areas required to use SAFMRs, a [FAQs document](#) for tenants, and a [FAQs document](#) for owners who participate in the HCV program.

GENERAL NEWS

HUD Extends Deadline for Two NOFOs

On the Office of Lead Hazard Control and Healthy Homes ([OLHCHH](#)) webpage, HUD announced that it has extended the deadlines to apply for the [Lead and Healthy Homes Technical Studies Grant program](#) and [Healthy Homes and Weatherization Cooperation Demonstration](#) notices of funding opportunity (NOFOs). The extension is due to maintenance on [grants.gov](#), which will be unavailable from October 28 through October 31, 2023. The new deadline to apply for both NOFOs is **November 6, 2023**.

DOJ Settles Disability Discrimination Suit Against Hawaii Developers

In a [press release](#) last Friday, the Department of Justice ([DOJ](#)) announced that a Hawaii-based developer and other defendants have agreed to pay \$120,000 to settle claims that they violated the [Fair Housing Act](#). The department's lawsuit alleges that the defendants failed to design and build five multifamily housing complexes in Hawaii with required accessible features for persons 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. Failure to meet these standards it is considered unlawful discrimination.

Under the [agreement](#), which must be approved by the U.S. District Court for the District of Hawaii, the defendants are required to make extensive retrofits at the properties, including replacing or modifying steps and overly steep slopes on sidewalks and walkways, lowering mailboxes so that people with disabilities can reach them, and modifying doorways, kitchens, and bathrooms so that persons in wheelchairs can use them. The defendants will also pay \$200,000 for additional accessibility-related improvements at one of the properties.



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