



November 23, 2022

EDITOR'S NOTE

The NMA office will close today at noon for a long holiday weekend. We wish you all a happy Thanksgiving!

GENERAL NEWS

HUD Enters Agreement with HA in GA Resolving Disability Discrimination Findings

In a [press release](#) yesterday, the Department of Housing and Urban Development ([HUD](#)) announced that it has approved a voluntary compliance agreement ([VCA](#)) with a housing authority in Atlanta, Georgia, resolving findings that arose from a compliance review. The findings by HUD's Office of Fair Housing and Equal Opportunity ([FHEO](#)) stated that the housing authority failed to comply with the requirements of Section 504 of the Rehabilitation Act ([Section 504](#)) and Title II of the Americans with Disabilities Act ([ADA](#)) by inadequately monitoring its subrecipient housing providers, which failed to process and delayed reasonable accommodation requests. The review also found insufficient record keeping of such requests as required under HUD regulations.

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination on the basis of disability by recipients of federal financial assistance and requires that recipients of federal financial assistance bring their programs and activities into compliance with federal accessibility requirements. In addition, Title II of the Americans with Disabilities Act (ADA) prohibits state and local governmental entities from discriminating on the basis of disability in all services, activities, and programs.

According to the press release, FHEO's compliance review included over 400 interviews of tenants, staff interviews, interrogatories of property managers, and the review of hundreds of policy and procedure documents. The letter of findings identified numerous issues with the housing authority's oversight and enforcement of Section 504 for its housing partners and specifically identified 15 victims of discrimination based on disability.

The three-year VCA includes a \$2 million victims fund that will pay compensation to the parties outlined in the letter of findings and to additional unidentified parties who have a right to have their accommodation denial reviewed. The VCA also requires extensive changes to the housing authority's monitoring and oversight of its subrecipient housing partners, such as increased training, monthly audits of reasonable accommodation logs, an updated website and grievance policies, and other provisions to ensure that persons with disabilities can request and receive reasonable accommodations.



For help with your PIH Alert subscription, email [Laurie Durrett](#). For questions and comments on content, email [Olga Vélez](#). To view or post job announcements at our website, click [here](#). To view our seminar calendar, click [here](#). To read the NMA blog, click [here](#).



Nan McKay & Associates, 1810 Gillespie Way, Suite 202, El Cajon, CA 92020, USA, 1-800-783-3100

[Unsubscribe](#) [Manage preferences](#)