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GENERAL NEWS

HUD Charges Minnesota Housing Providers with Disability Discrimination

In a [press release](#) Tuesday, the Department of Housing and Urban Development ([HUD](#)) announced that it has charged the owners and managers of a 220-unit apartment building in Minnesota with discriminating against a prospective tenant based on disability by refusing to allow her assistance animal in the unit.

The [Fair Housing Act](#) prohibits discrimination based on disability. This includes refusing to allow reasonable accommodations that would otherwise allow a tenant with a disability an equal opportunity to use and enjoy their housing. A reasonable accommodation includes a waiver of a “no pet” rule for assistance animals. The Act also prohibits statements that indicate a preference or limitation based on disability.

HUD’s [charge](#) alleges that the complainant attempted to rent a unit at the subject property for herself and her husband. However, after she notified the property manager that she had an assistance animal, he said that she could not have an animal in the unit. He then suggested that she apply for an apartment somewhere else. The complainant further alleges that when she elevated the matter to the owner, he allegedly admonished her, saying that she should think of her neighbors who live at the property because it is “animal-free” and asked her why she did not “go and find somewhere else to live.” He exclaimed, “you are welcome, your animal is not!”

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

HUD Posts Section 3 Final Rule Training Series Materials

HUD has posted the materials for all sessions in its “[Section 3 Final Rule Training Series](#),” which is intended for HUD housing and community development (HCD) and public housing authority (PHA) financial assistance recipients. The 90-minute sessions provided an opportunity for participants to ask questions about the training content and receive assistance with implementing Section 3 into their policies and programs. Materials for the following sessions have been posted:

- [HCD & PHA - Session 1](#)
- [HCD & PHA - Session 2](#)
- [HCD & PHA - Session 3](#)
- [HCD - Session 4](#)
- [HCD & PHA - Session 5](#)
- [PHA - Session 6](#)

Click on each link to access the materials for each session, including recordings and transcripts of the trainings.

Section 3 requires that recipients of certain types of HUD financial assistance provide training, employment, contracting, and other economic opportunities to low and very low-income individuals—and to businesses that provide economic opportunities to such persons—to the greatest extent possible. The [final rule](#), which was published on September 29, 2020, updated and streamlined Section 3 regulations and reporting requirements.



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