



September 19, 2023

HCV PROGRAM NEWS

HUD Reminds PHAs of Special Fee for SAFMR-Based Exception Payment Standard

In a [newsletter](#) sent yesterday, the Department of Housing and Urban Development ([HUD](#)) reminded PHAs that Notice [PIH 2023-07](#) includes a provision for PHAs to apply for a special fee funding of up to \$15,000 for the reimbursement of costs associated with the establishment of small area fair market rents ([SAFMRs](#))-based exception payment standards. As stated in the notice:

PHAs are only eligible to apply if these exception payment standards cover the majority of zip codes in the PHA's service area that have SAFMRs above the metropolitan FMR, will result in the PHA administering different payment standards for at least three different geographic areas, and were not established prior to October 1, 2022.

PHAs must apply by Tuesday, **October 31, 2023**. For further details, please refer to the [notice](#). To learn more about how SAFMRs can help your HCV program, watch this [webinar](#).

GENERAL NEWS

HUD Charges NY Owner and Property Manager with Disability Discrimination

In a [press release](#) yesterday, HUD announced that it is [charging](#) the owner and manager of a multi-family property in New York with violating the [Fair Housing Act](#) by refusing to allow a tenant with a disability to live with her assistance animal.

The Fair Housing Act prohibits discrimination based on disability. This includes refusing to provide reasonable accommodation so that persons with disabilities can have an equal opportunity to enjoy their housing. A reasonable accommodation includes waiving a “no pet” policy for assistance animals. The Act also prohibits statements that indicate a preference or limitation based on disability

HUD’s charge alleges that respondents denied the tenant’s request for an assistance animal and then presented her with the option to either terminate the lease early or leave upon the end of the lease term. Although the tenant offered to submit medical documentation supporting her request, the respondents stopped communicating with her instead. Additionally, the charge alleges that respondents made comments indicating a preference for non-disabled tenants.

A United States administrative law judge will hear HUD’s charges unless any party elects to have the case heard in a federal district court. If the administrative law judge finds after a hearing that discrimination has occurred, the judge may award damages to the tenant for 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 a federal court, the judge may also award punitive damages to the complainant.



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