



January 29, 2020

GENERAL NEWS

FHEO Issues Guidance on Assistance Animals

Late yesterday, HUD's Office of Fair Housing and Equal Opportunity ([FHEO](#)) published Notice [FHEO 2020-01](#), addressing requests to have an assistance animal as a reasonable accommodation under the [Fair Housing Act](#). The notice explains certain obligations of housing providers as they relate to animals requested as reasonable accommodations, presenting housing providers with a set of best practices for complying with such requests. The notice replaces HUD's previous guidance outlined in Notice [FHEO 2013-01](#). Yesterday's notice is meant to provide clarity and reduce burdens that housing providers may face when uncertain about the type and amount of documentation they may need and may ask for when an individual requests a service or other assistance animal. The notice is divided into two main sections, Assessing a Person's Request to Have an Animal as a Reasonable Accommodation Under the Fair Housing Act, and Guidance on Documenting an Individual's Need for Assistance Animals in Housing. The first section on assessing the request includes:

- Background information outlining the rationale behind the guidance
- Defining *assistance animal* and *service animal*, and providing a list of questions housing providers can use to determine whether an animal is a service animal under the Americans with Disabilities Act ([ADA](#))
- Defining *reasonable accommodation* and providing guidance to help housing providers analyze reasonable accommodations under the Fair Housing Act for animals other than service animals
- The criteria for assessing whether to grant the requested accommodation, including guidance on how to assess, distinguishing between observable and non-observable disabilities, what information about disability may include, disability determination, documentation from the internet, and information confirming the disability-related need for an assistance animal
- Guidance on types of animals, including how to handle "commonly kept" versus "unique" animals, and when reasonable accommodations would be necessary for unique animals involving unique circumstances

- Other general considerations involved in assessing requests

The section on documenting an individual's need includes:

- A summary of the general information that a housing provider may need to know from a health care professional about the need for an assistance animal in housing
- The disability-related information HUD recommends that individuals seeking reasonable accommodations for support animals ask health care professionals to provide, including additional information if the animal is not a commonly kept animal

The notice also includes an appendix answering some commonly asked questions and issues on the topic, and provides examples for clarification purposes. The notice is effective until amended, superseded, or rescinded.

PH PROGRAM NEWS

CY 2020 Op Sub Tools, Updated SF-424 Now Available

In an email this morning to the Financial Management Division (FMD) [mailing list](#), HUD's Office of Public and Indian Housing (PIH) announced that it has posted operating subsidy tools for calendar year 2020 to the [operating fund web portal](#). The HUD-52723 and HUD-52722 Excel tools are available for download. While HUD posted the PHA tools ahead of schedule, PHAs still have until February 28, 2020, to submit completed tools to their field offices.

As of 2019, the Excel tools and user guides are available only through the web portal. Access to the portal may be requested through the agency's WASS coordinator. Questions may be directed to [REAC](#).

The PIH Office has also posted an updated version of form [SF-424](#), Application for Federal Assistance, dated January 28. The updated version arrives on the heels of the updated [list](#) of certifications and assurances for Line 21 of the form posted last week. You can access the updated form under the heading "Guidance to Assist PHAs in Completing SF-424" on the [2020 subsidy processing page](#) at the [operating fund website](#).

MTW PROGRAM NEWS

HUD Requests Comments on Form-50058 MTW Expansion

Today in a *Federal Register* [notice](#), the Department of Housing and Urban Development (HUD) published for a 30-day comment period an updated draft of [Form HUD-50058 MTW Expansion](#). The draft incorporates comments from previous publications of requests for comments. According to an announcement posted to the Moving to Work Demonstration (MTW) webpage, the new form, which is derived from Form [HUD-50058](#) and [HUD-50058 MTW](#), will be used by MTW Expansion PHAs to submit tenant-level data to HUD in PIC-NG. The form was developed to allow HUD to collect the information needed to evaluate each of the MTW Expansion PHAs and cohorts, as required by Congress. Comments are due by **February 28, 2020**. Further details can be found in the [notice](#).



For help with your PIH Alert subscription, email [Laurie Durrett](#). For questions and comments on content, email [Kaylene Holvenstot](#). 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 United States

You received this email because you are subscribed to PIH Alerts from Nan McKay & Associates .

Update your [email preferences](#) to choose the types of emails you receive.

[Unsubscribe from all future emails](#)