



March 20, 2020

EDITOR'S NOTE

Important Information about COVID-19 and NMA Seminars

At Nan McKay & Associates our number one priority is to protect the health of our customers, employees, and their families. With this in mind, in order to best serve our customers, NMA will temporarily move all of our open enrollment seminars (NMA-sponsored courses) to live webinars. This will allow us to provide you with the quality service NMA is known for while protecting you, our staff, and the community at large.

Starting Monday, March 23, 2020, and extending through Friday, May 31, 2020, all open enrollment classes will be taught as online webinars. This will allow for minimal disruption to you while allowing everyone to join these training classes from their office or home. You will also be able to receive an NMA certification through online exams.

If you have already signed up for a course during the times listed above, look out for an email which will provide you with information about your scheduled webinar time, as well as information on how to join.

If you plan on signing up for a course during the time listed above, we will send out an email shortly after you've completed your registration with information about your scheduled webinar time and further information. Now is a great time to get folks who are working from home certified.

If you have any additional questions, please reach out to sales@nanmckay.com. Thank you for trusting NMA with your training needs and for your understanding and flexibility in these unprecedented times.

The NMA Team

GENERAL NEWS

HUD Posts Additional Guidance on Covid-19

Yesterday, the Department of Housing and Urban Development ([HUD](#)) posted additional guidance on Covid-19 (coronavirus) on its [Covid-19 Information and Resources webpage](#). The new material, titled [Frequently Asked Questions \(FAQ\) About the Coronavirus Disease \(COVID-19\) for Fair Housing Initiatives Program \(FHIP\) Grantees and Applicants](#), is a four-page document that addresses questions and concerns regarding the operations of the FHIP during the global pandemic resulting from COVID-19. This FAQ covers programmatic requirements for existing grantees, updates on the FY 2019 FHIP application evaluation and award process, and the FY 2020 notice of funding availability (NOFA).

According to the document, HUD's Office of Fair Housing and Equal Opportunity ([FHEO](#)) is monitoring the situation closely on a regular basis and will continuously provide updates to this notice as the situation evolves. HUD encourages people to be proactive and refer to official government channels of information. Click [here](#) for the latest updates.

DOJ Files Disability Discrimination Suit against North Dakota Housing Developers

In a [press release](#) dated March 17, the U.S. Department of Justice ([DOJ](#)) announced that it has filed a lawsuit alleging that North Dakota housing developers have violated the [Fair Housing Act](#) and the [Americans with Disabilities Act](#) by failing to design and construct multifamily residential properties and a rental office with accessible features for people 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, including accessible routes without steps to all single-story, ground-floor units and to all units in a building served by an elevator. Failure to meet these standards it is considered unlawful discrimination.

The lawsuit alleges that there are significant physical accessibility barriers at four developments and a rental office designed and constructed by several companies and individuals. These barriers include, among other violations, steps or excessive slopes leading to unit entrances from sidewalks and other public use areas; insufficiently wide openings at interior doors that make them inaccessible for many persons with mobility impairments; inadequate interior space to maneuver a wheelchair; and inaccessible parking. The accessibility violations exist at 116 units constructed over an approximately 15-year period.

The lawsuit seeks a court order prohibiting the defendants from designing or constructing future residential properties that discriminate against persons with disabilities, an order requiring them to make physical modifications to the properties to bring them into compliance, monetary damages to compensate people harmed by the lack of accessibility at the properties, and civil penalties.

Along with the lawsuit, the Department submitted to the court a partial consent decree resolving claims against the architect and engineer involved in the design of one of the four apartment complexes at issue in the lawsuit. The partial consent decree requires, among other provisions, that the architecture and engineering companies contribute to a fund to pay monetary compensation to individuals harmed by the accessibility violations and that the architect company contributes to a fund to pay for modifications to inaccessible features at the buildings.

FAQ Friday

HCV and PH Question: Employment Loss due to COVID-19 Closures

Q: We have a few public housing tenants and HCV participants that are losing employment at this time and it is becoming difficult to verify due to closures. Are there any steps that you can recommend for us to take so that we make sure that we are covered as far as our files are concerned? The ones that we are able to pull off-line we are placing with the paperwork.

A: The information you need can be found in [Notice PIH 2018-18](#). Basically, you would treat this situation like any other income verification issue: by using the verification hierarchy.

First, you run EIV and IVT to ensure there are no discrepancies (unreported income). This is required.

Next, you ascertain whether there is any other online database you can use (e.g., Work Number, etc.). Use of other UIV sources is not mandatory and is based on your PHA's policy. Some PHAs no longer use the Work Number because of the cost.

Next, ask the client if there is anything from the employer in writing, like a notice of lay-off, or a termination letter.

If there is not, send your PHA's verification form to the employer with a copy of the form HUD-9886 signed by the employee and make sure there's a paper trail allowing an auditor to see that you made this attempt.

If you don't get a response, attempt to contact the employer by phone and document that attempt in the file.

Finally, if nothing above has proven successful, you may accept a tenant self-declaration. Some PHAs require that the self-declaration be notarized but this is not a HUD requirement and could be waived under current circumstances if your PHA policy is to require notarization. Remember to have an audit trail in the file to show that you have made a good faith effort to attempt the other levels of verification first.

Our hearts go out to all of the families who have been impacted by the COVID-19 crisis. Stay safe out there, everyone, and together we will weather this storm.



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Nan McKay & Associates 1810 Gillespie Way Suite 202 El Cajon CA 92020 United States

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