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GENERAL NEWS

HUD Settles Disability Discrimination Claims against Maryland Housing Authority

In a [press release](#) yesterday, the Department of Housing and Urban Development ([HUD](#)) announced that it has reached a [voluntary compliance agreement](#) (VCA) with a housing authority in Maryland. The VCA settles allegations that the PHA denied the reasonable accommodation requests of tenants with disabilities, failed to ensure program accessibility in existing facilities, and failed to make an adequate number of accessible units available.

[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.

The case began when HUD conducted a compliance review to determine if the PHA was in compliance with Section 504 and the ADA. The Department’s review identified a lack of accessibility throughout the PHA’s Housing Choice Voucher (HCV), Project-Based Voucher (PBV), Moderate Rehabilitation (Mod Rehab), and Public Housing (PH) programs. Additionally, the review revealed that the PHA staff routinely failed to respond to the reasonable accommodation requests of tenants.

Under the terms of the [agreement](#), the PHA will:

- Ensure that at least five percent of its PH, PBV, and Mod Rehab units are fully accessible, and at least two percent are designated sensory accessible.
- Hire an independent licensed architect to evaluate and design the accessible retrofitting of existing units and common areas.
- Work with disability rights organizations to recruit landlords with accessible units into the HCV program.
- Set up a \$200,000 compensation fund for HCV, PBV, Mod Rehab, and PH participants who were denied reasonable accommodations.
- Create a \$200,000 modification fund for its HCV program to pay the costs for tenants who need reasonable accommodations and modifications.
- Appoint a VCA coordinator and a fair housing compliance coordinator during the seven-year term of the agreement.
- Develop policies pertaining to nondiscrimination and accessibility, reasonable accommodations, effective communication, transfers, and assistance animals and post the policies on its website.
- Ensure that all PHA staff attend annual fair housing training.



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

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