



March 2, 2020

PH PROGRAM NEWS

PIH Issues Notice on 2020 Operating Fund Grant Eligibility Calculations

Late Friday HUD's Office of Public and Indian Housing (PIH) issued [Notice PIH 2020-03](#) to provide instructions for calculating operating fund (OpFund) grants for calendar year (CY) 2020. Compared to [Notice PIH 2018-23](#) on the same subject, this notice includes the following changes and additions:

- The subject of the document has been changed from Public Housing Operating Subsidy Eligibility Calculations for Calendar Year (CY) 2019 to Public Housing Operating Fund (OpFund) Grant Eligibility Calculations and Processing for Calendar Year (CY) 2020.
- Mixed finance modernization: This section pertains to a subset of mixed finance projects by which a PHA disposes of conventional public housing units and returns them after modernization to the PHA's inventory as mixed financed public housing units.
- EnVision Center participation: This provides guidance on the topic, such as how units used for EnVision Center activities will be classified.
- MTW Alternative Operating Subsidy (AOS) agencies' submission of form HUD-52723 for CY 2020 OpFund grant eligibility: The submission timeline of form HUD-52723 and the required support documentation of MTW AOS calculations of CY 2020 OpFund grant eligibility.
- The General Depository Agreement (GDA) – form HUD-51999. This guidance ensures that all program receipts associated with public housing are covered by a GDA.

Instructions for completing Excel tools and other required documents, submission deadlines, and guidance materials related to various formula elements are posted to the [2020 operating fund grant processing webpage](#). Failure to meet the posted submission deadline are grounds to reject OpFund to a PHA.

HUD will notify PHAs via the Financial Management Division (FMD)'s [mailing list](#) when it has generated its list of projects determined to be eligible for 2020 OpFund. If you see any errors on the list, you should notify your HUD field office within 10 business days after the list is published.

GENERAL NEWS

HUD Awards \$36 Million Under ROSS-SC Program

In a [press release](#) last Thursday, the Department of Housing and Urban Development (HUD) announced that it has awarded \$36 million in grants to PHAs, nonprofit organizations, resident associations, and tribal grantees across the nation to hire or retain service coordinators to help residents achieve economic and housing independence.

The funding is provided under the Resident Opportunities and Self-Sufficiency–Service Coordinators (ROSS-SC) program, which supports local, innovative strategies that link housing assistance with public and private resources to enable participating families to increase their earned income, reduce or eliminate the need for welfare assistance, and make progress toward achieving economic independence and housing self-sufficiency. Service coordinators help each participant advance towards these goals in ways that best fit their needs, personal priorities, and interests.

More than \$10 million of the funding is being awarded to grantees located in Opportunity Zones. You can see a complete list of grant funding by state at the bottom of the [press release](#).

HUD Charges New York Landlord with Disability Discrimination

In a [press release](#) posted last Thursday, HUD announced that it is [charging](#) a property owner in New York with discrimination on the basis of disability. HUD's charge alleges that the owner violated the [Fair Housing Act](#) by denying a reasonable accommodation request of a resident with mental disabilities. HUD's charge further alleges that the owner attempted to charge the resident extra fees for having an assistance animal, made threats to intimidate and deter her from exercising her fair housing rights, and eventually evicted her.

The case came to HUD's attention when a woman with disabilities filed a complaint alleging that prior to moving into her apartment, she had informed the owner that her dog was an assistance animal and that he could not charge her a pet fee. After she moved into her apartment, the owner required her to sign a second lease which specified that she would be responsible for paying a monthly pet fee of \$50, a cleaning charge of \$575, and a \$350 pet security deposit.

The charge further alleges that the woman was required to sign a "Lease Addendum For Dog In Apartment" that stated the monthly pet fee was temporarily waived, but she could be charged the monthly fee retroactively if she discussed the accommodation/waiver of the fee with other tenants. Despite initially waiving the monthly pet fee, the landlord eventually voided the waiver and demanded that she pay it. According to the charge, after she refused to pay the fees, the owner terminated her lease and later threatened to sue her if she attempted to enforce her rights under the Act in court.

Under the Fair Housing Act, it is unlawful to deny or limit housing to persons with disabilities, which includes refusing to make reasonable accommodations in policies or practices. Allowing people with disabilities to have assistance animals that perform work, tasks, or provide disability-related emotional support is considered a reasonable accommodation under the Act. The Act also prohibits housing providers from threatening and coercing persons who seek to exercise their fair housing rights.

HUD Settles Discrimination Claims against California Housing Providers

In another [press release](#) posted last Thursday, HUD announced that it has approved a [conciliation agreement](#) between a property owner and its leasing company settling claims that the leasing agent allegedly denied a father of two children the opportunity to rent a condominium.

The case came to HUD's attention after a father of two children and his father-in-law filed a complaint alleging that the father was denied the opportunity to rent a condominium because he has two young daughters who would be living with him part-time. The father alleged that the leasing agent refused to consider his application for the unit, saying, "I don't want to waste your time or mine. Sorry." The owner and leasing company deny that they discriminated against the family but agreed to settle the complaint.

Under the terms of the agreement, the owners and brokerage agency will pay \$10,000 to the father and will revise their fair housing policy to contain provisions that there are no preferences against renting or selling properties to families with children. In addition, representatives of the owners and their leasing agents will attend fair housing training.

The [Fair Housing Act](#) prohibits housing providers from denying or limiting housing to families with children under age 18, including refusing to negotiate and making discriminatory statements based on familial status.



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