



FAIR HOUSING

YOUR MONTHLY UPDATE TO HOUSING NEWS, INFORMATION AND EVENTS

August 2018

HUD Steps Up Enforcement Actions in July

Adapted from a HUD Press Release dated July 27, 2018.

WASHINGTON – The U.S. Department of Housing and Urban Development (HUD) announced it has approved settlement agreements with several housing providers in July.

The Fair Housing Act makes it unlawful to discriminate in the sale, rental, and financing of dwellings, and in other housing-related transactions, based on disability. This includes refusing to make reasonable accommodations in rules, policies, practices, or services or facilities related to housing.

“Denying persons with disabilities the accommodations they need or failing to build accessible housing

violates the law,” said Anna María Farías HUD’s Assistant Secretary for Fair Housing and Equal Opportunity. “Hopefully, the settlements we’re announcing today will help housing providers recognize their obligation to comply with the nation’s fair housing laws and make a commitment to meeting that obligation.”

The agreements announced are:

Rancho Cordova, California

HUD approved a [Conciliation Agreement](#) with the owners of an apartment settling allegations that the owners demanded a tenant with disabilities remove her assistance animal from the property. Among other things, the

Conciliation Agreement provides that the tenant will receive \$10,000 and the property owners will revise their reasonable accommodation policies and receive training to ensure compliance with the Fair Housing Act.

San Diego, California

HUD approved a [Conciliation Agreement](#) with the owners of another apartment complex resolving allegations they

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STATES PASS ASSISTANCE/SERVICE ANIMAL LAWS

Congratulations to the following states with General Assemblies that have adopted bills in 2018 on misrepresentation of assistance animals: [Alabama](#), [Arizona](#), [Hawaii](#), [Indiana](#), [Kentucky](#), [Minnesota](#), [Oklahoma](#), [South Dakota](#), [Washington](#) and [Wisconsin](#). A broader bill on misrepresentation of disabilities passed in [West Virginia](#). And, [Mississippi](#) came up with new definitions and [New York](#) is forming a commission.



HUD Enforcement Actions (continued)

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denied a tenant's reasonable accommodation request to move to a ground-floor unit due to a mobility disability. Under the agreement, Property West Residential Management Company will pay the woman \$6,500. In addition, leasing and management staff at the complex will undergo fair housing training.

Pocatello, Idaho

HUD approved a [Conciliation Agreement](#) with the owners of rental properties in Pocatello, settling allegations that they denied the request of a tenant with disabilities to keep an emotional support animal. The tenant alleged that the owners initially denied her request, but later agreed to grant her request, imposing numerous terms and conditions that violated the Fair Housing Act. Under the agreement, the owners will pay the woman \$6,000 and revise their rental procedures to be consistent with the Fair Housing Act.

Honolulu, Hawaii

HUD approved a [Voluntary Compliance Agreement](#) (VCA) between the Hawaii Disability Rights Center and the Hawaii Public Housing Authority (HPHA). Under the VCA, HPHA will work cooperatively to resolve issues pertaining to a compliance review which found that HPHA failed to comply with the requirements of Section 504 of the Rehabilitation Act of 1973.

Among other findings, the compliance review revealed that HPHA did not have an adequate percentage of accessible units available for residents with disabilities.

Also under the VCA, HPHA will contract with an expert accessibility consultant to ensure that it meets its accessibility mandates, including conducting assessments of residents' accommodation needs.



Because of the length of this HUD press release, there will not be an article regarding HOPA this month. For more information on HOPA, [click here](#).

Future editions of the Fair Housing Update will deal with topics specific to senior manufactured home communities. Feel free to send ideas for topics to Rick Robinson at robinson@mfghome.org.

If you have any questions regarding Fair Housing or would like back issues, please contact MHI's Senior Vice President of State and Local Affairs and General Counsel, Rick Robinson at robinson@mfghome.org.

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