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Housing and Community Services

HUD Contract Administration Section

www.ohcs.oregon.gov

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SECTION 8 PROGRAM UPDATES

REVISED EIV NOTICE H 2013-06

This is a reminder that on March 12, 2013 HUD posted a revised EIV Notice H 2013-06. This notice supersedes Notices H 2008-03, H 2009-20, H 2010-10, and H 2011-21. Notice 2010-08 is still in effect. The notice can be accessed at <http://portal.hud.gov/hudportal/documents/huddoc?id=13-06hsgn.pdf>

SERVICE ANIMALS AND ASSISTANCE ANIMALS FHEO NOTICE RELEASED

Notice FHEO-2013-01 was issued on April 25, 2013. The subject of the notice is Service Animals and Assistance Animals for People with Disabilities in Housing and HUD-Funded Programs,

This notice explains certain obligations of housing providers under the Fair Housing Act (FHAct), Section 504 of the Rehabilitation Act of 1973 (Section 504), and the Americans with Disabilities Act (ADA) with respect to animals that provide assistance to individuals with disabilities. The Department of Justice's (DOJ) amendments to its regulations for Titles II and III of the ADA limit the definition of "service animal" under the ADA to include only dogs, and further define "service animal" to exclude emotional support animals. This definition, however, does not limit housing providers' obligations to make reasonable accommodations for assistance animals under the FHAct or Section 504. Persons with disabilities may request a reasonable accommodation for any assistance animal, including an emotional support animal, under both the FHAct and Section 504. In situations where the ADA and the FHAct/Section 504 apply simultaneously (e.g., a public housing agency, sales or leasing offices, or housing associated with a university or other place of education), housing providers must meet their obligations under both the reasonable accommodation standard of the FHAct/Section 504 and the service animal provisions of the ADA. (Taken from FHEO-2013-01, 1. Purpose)

HUD REORGANIZATION AND OFFICE CLOSURES

Wednesday, April 24, 2013, HUD announced a major restructuring of their field offices. Implementation is due to begin this Fall with the closure of 16 small field offices, including the one in Spokane, WA. Over the next 2 ½ years, the Office of Multifamily Housing Programs will be consolidated into 5 HUBs and 5 satellite offices, for a total of 10 offices. Staff will be given the option of retirement for those that are eligible, a buy-out for those who do not wish to relocate, or relocation to one of the 10 field offices if they wish to continue their HUD careers. Read the full press release at

http://portal.hud.gov/hudportal/HUD?src=/press/press_releases_media_advisories/2013/HUDNo.13-054.

The two Federal Registers that contain the postings can be accessed at:

<http://www.gpo.gov/fdsys/pkg/FR-2013-04-30/pdf/2013-10057.pdf>

<http://www.gpo.gov/fdsys/pkg/FR-2013-04-26/pdf/2013-09799.pdf>

PBCA CONTRACT UPDATE

On Friday, April 19, 2013, the U.S. Court of Federal Claims ruled in favor of the government, upholding HUD's authority to use a NOFA process in selecting Performance-Based Contract Administrators (PBCAs). The plaintiffs in the case have indicated that they may file an appeal with the U.S. Court of Appeals for the Federal Circuit. The plaintiffs have until June 28, 2013 to file the appeal. HUD has not announced their intentions at this point. HUD posted the following statement on April 22, 2013 to their website.

On Friday, April 19, 2013, the Court of Federal Claims validated HUD's method of awarding contracts to administer the Department's project-based rental assistance programs. The Court found that these contracts are cooperative agreements and therefore, the manner in which HUD awarded these contracts is proper.

It is HUD's objective to offer a competitive process that ensures the continued delivery of high quality, cost-effective, products and services to residents of project-based Section 8 assisted housing and to property owners. It is the Department's intent to institute a performance-based approach to these contract awards to conform to current market conditions and to seek significant annual cost savings of more than \$100 million on behalf of the American taxpayer.

Further details regarding the timeline of events will follow.

HUD REGION X WEBSITE

The HUD Region X website has lots of good information that pertains to Oregon affordable housing owners. There have been many updates since the last OHCS memo was sent. To keep up on the latest information, click the links below:

<http://portal.hud.gov/hudportal/HUD?src=/states/shared/working/r10/mf/whatsnew>

<http://portal.hud.gov/hudportal/HUD?src=/states/shared/working/r10/mf/xmfhsgmanageinfo>

INDUSTRY TRAINING OPPORTUNITIES

- Many training opportunities can be found online by using one of the search engines.
- The following link will take you to a Calendar of Events on the HUD RHIIP website (go to RHIIP Support and Training at the bottom of the page):
http://portal.hud.gov/hudportal/HUD?src=/program_offices/housing/mfh/rhiip/mfhrhiip

If you have problems with any of the links in this memo, try the following:

- 1. First, hold down the Ctrl key and click on the link, or***
- 2. If #1 did not work, highlight the link and copy/paste it into the browser address bar.***