



# Section 8 Landlord Newsletter

MAY/JUNE 2019

Housing Authority of the City of Los Angeles

[www.hacla.org](http://www.hacla.org)

## Reasonable Accommodation

### **What is a "reasonable accommodation" for purposes of the federal Fair Housing Act?**

A "reasonable accommodation" is a change, exception, or adjustment to a rule, policy, practice, or service that may be necessary for a person with a disability to have an equal opportunity to use and enjoy a dwelling, including public and common use spaces. Since rules, policies, practices, and services may have a different effect on persons with disabilities than on other persons, treating persons with disabilities exactly the same as others will sometimes deny them an equal opportunity to use and enjoy a dwelling.

The Act makes it unlawful to refuse to make reasonable accommodations to rules, policies, practices, or services when such accommodations may be necessary to afford persons with disabilities an equal opportunity to use and enjoy a dwelling. To show that a requested accommodation may be necessary, there must be an identifiable relationship, or nexus, between the requested accommodation and the individual's disability.

**Example 1:** A housing provider has a policy of providing unassigned parking spaces to residents. A resident with a mobility impairment, who is substantially limited in her ability to walk, requests an assigned accessible parking space close to the entrance to her unit as a reasonable accommodation. There are available parking spaces near the entrance to her unit that are accessible, but those spaces are available to all residents on a first come, first served basis. The provider must make an exception to its policy of not providing assigned parking spaces to accommodate this resident.

**Example 2:** A housing provider has a policy of requiring tenants to come to the rental office in person to pay their rent. A tenant has a mental disability that makes her afraid to leave her unit. Because of her disability, she requests that she be permitted to have a friend mail her rent payment to the rental office as a reasonable accommodation. The provider must make an exception to its payment policy to accommodate this tenant.

**Example 3:** A housing provider has a "no pets" policy. A tenant who is deaf requests that the provider allow him to keep a dog in his unit as a reasonable accommodation. The tenant explains that the dog is an assistance animal that will alert him to several sounds, including knocks at the door, sounding of the smoke detector, the telephone ringing, and cars coming into the driveway. The housing provider must make an exception to its "no pets" policy to accommodate this tenant.

**Source:** Examples no. 1 – 3, Joint Statement of the Department of Housing and Urban Development and the Department of Justice, May 17, 2004

**Known and Apparent Disabilities:** If the disability of the individual requesting an accommodation is apparent or known by the person considering the request, and it is also readily apparent or known how the requested accommodation is necessary to afford the individual with a disability equal opportunity to use and enjoy a dwelling or housing opportunity, then the person considering the request may not request any additional information about the requestor's disability or the disability-related need for the accommodation. Known means that the person considering the request is personally aware of the disability or the need for the accommodation.

Continued on page 2

**Continued:**

Apparent means that either the disability or the need for the accommodation is obvious, although the person considering it did not know about it before the request was made. For example, if a tenant with quadriplegia who uses a power wheelchair goes in person to the off-site management office for their apartment building and requests an accommodation in the form of moving to a first-floor apartment, and the management office knows that the apartment building does not have a functional elevator, the management office may not request further information about the disability before evaluating the request for an accommodation.

**Source:** <https://www.dfeh.ca.gov/wp-content/uploads/sites/32/2018/12/FurtherModTextFairHousingReg.pdf> (for definitional use only; not yet adopted)

## Interactive Process

If an owner denies a reasonable accommodation request:

1. The family may contact their Section 8 Advisor (“Advisor”) for help with an owner who refuses to allow any modification at all.
2. The Advisor or Ombudsperson will encourage the owner to refer to the Fair Housing brochure included in his owner’s packet and/or to contact his or her personal attorney or a Fair Housing organization for further guidance.
3. If the owner still refuses to allow the accommodation, the Advisor or Ombudsperson will provide the family information on how to file a housing discrimination complaint and/or refer the participant to HUD, DFEH or a Fair Housing agency to make a complaint.

## Fair Housing Laws

The Fair Employment Housing Act protects tenants from illegal discrimination and harassment in housing based on a mental or physical disability. Discrimination includes, but is not limited to, the following actions:

- 1 Refusal to rent, lease, or sell housing accommodations.
- 2 Refusal to negotiate for the sale, rental, or lease of housing accommodations.
- 3 Representation that a housing accommodation is not available for inspection, sale, or rental when that housing accommodation is in fact available.
- 4 Provision of inferior terms, conditions, privileges, facilities, or services in connection with the housing accommodations.
- 5 Cancellation or termination of a sale or rental agreement.
- 6 Failure to design and construct multi-family dwellings in a manner that allows access to and use of person with disabilities.
- 7 Provision of segregated or separated housing accommodations.
- 8 Refusal to permit, at the expense of the person with disabilities, reasonable modifications of existing premises occupied or to be occupied by the person with disabilities, when the modifications may be necessary to afford the person with disabilities full enjoyment of the premises.

For more information contact the Department of Fair Employment and Housing Toll Free: (800) 884-1684, TTY: (800) 700-2320, online: [www.dfeh.ca.gov](http://www.dfeh.ca.gov).

For more information about the HACLA’s reasonable accommodation process, please contact:

**Accessibility (Section 504) Coordinator**  
Housing Authority of the City of Los Angeles  
2600 Wilshire Boulevard, 3rd Floor, Los Angeles, CA 90057  
Telephone: (213) 252-1879 TTY: (213) 252- 5313;  
E-mail: [coordinator@hacla.org](mailto:coordinator@hacla.org)

## HACLA's Mission

The Housing Authority of the City of Los Angeles (HACLA) was established in 1938 by City of Los Angeles Resolution No. 1241. HACLA has grown to become one of the nation's largest and leading public housing authorities, providing the largest supply of quality affordable housing to residents of the City of Los Angeles.

HACLA's annual budget is more than \$1 billion. Its funds come from five main sources: HUD's annual operating subsidy, HUD's annual Capital Fund, Section 8 administrative fees, rent from public housing residents plus other programs and capital grants from various sources. HACLA continues to explore alternative funding sources and has built numerous key partnerships with City and State agencies, nonprofit foundations, community-based organizations and private developers.

HACLA is committed to preserving, enhancing, and expanding deeply affordable housing and improving the quality of life for Angelenos with a focus on **People, Place, and Pathways to Opportunity**.

HACLA provides more than a place to live. It offers a range of programs specifically for low income, homeless, disabled, children and seniors such as: Family Self-Sufficiency Program (FSS), Homeless Program, Homeownership Program, Housing Opportunities for Persons with Aids (HOPWA), Tenant-Based Supportive Housing, Project-Based Voucher Assistance, Continuum of Care, Moderate Rehabilitation Single Room Occupancy Program, HUD-Veteran Affairs Supportive Housing (HUD-VASH), Project-Based Voucher - Rental Assistance Demonstration (PBV-RAD), Family Unification Program (FUP) and Mainstream 5 Year.

## 90 Day Notice & Rent Stabilization Ordinance

For properties subject to the Rent Stabilization Ordinance (RSO), a landlord may only terminate a tenancy based on a reason allowed in Section 151.09 of the Los Angeles Municipal Code (LAMC). A 90 day notice given to S8 tenants citing that the landlord no longer wishes to participate in the S8 Voucher Program is not allowable as that is not a valid RSO tenant termination reason. Consequently, HACLA cannot process the termination of the HAP contract for this reason.

If you seek to recover possession of the rental unit for personal or family use, then you must file a "Landlord Declaration of Intent to Evict" with the Los Angeles Housing and Community Investment Department (HCIDLA). **This provision applies to all units in the building, not only the S8 unit.**

Under the RSO if you wish to stop participating in the Section 8 program, you may need to pay your tenant (s) relocation assistance. **To find out if your property is covered by the RSO (rent controlled)**, please contact the Housing + Community Investment Department (HCIDLA) at (866) 557-7368.

## HAP Contract Provisions

Based on the U.S. Department of Housing and Urban Development (HUD), housing assistance payments shall only be paid to the owner while the family is residing in the contract unit. The Housing Authority shall not pay a housing assistance payment to the owner for any month after the month when the family moves out.

If the Housing Authority determines that the owner is not entitled to the housing assistance payment or any part of it, the Housing Authority, in addition to other remedies, may deduct the amount of the overpayment from any amounts due the owner (including amounts due under any other Section 8 assistance contract).

## Lead Hazard Remediation Program (LHRP)

The LHRP available at HCIDLA provides grants to landlords to make their properties lead-safe and to eliminate health and safety hazards. If you would like to speak to HCIDLA about this program you can call at (213) 808-8935 or the toll-free hotline at: (866) 557-RENT (7368).

Join HACLA on Twitter @hacla1938. [www.twitter.com/hacla1938](http://www.twitter.com/hacla1938)

## Homeless Incentive Program

The Homeless Incentive Program (HIP) encourages landlord acceptance of homeless applicants with a voucher issued by the HACLA. The HIP provides landlords up to one month's rent as an incentive to hold a vacant unit for one of HACLA's homeless applicants. The holding fee incentive is:

SRO	0-bdr	1-bdr	2-bdr	3-bdr	4-bdr
\$868	\$1,158	\$1,384	\$1,791	\$2,401	\$2,641

### HIP also provides:

- Move-in assistance (security deposit, essential furnishings, utility assistance).
- Financial assistance to mitigate damage caused by tenant during their occupancy.

To participate or obtain additional information, please e-mail [hip@hacla.org](mailto:hip@hacla.org), call (213) 252-1619, or visit the website:

<http://www.hacla.org/homelessinitiatives>

## 2019 Landlord Seminars

The Landlord Seminars are designed to explain how the Section 8 Program works from the landlord's perspective. The schedule of the 2019 seminars is listed below. **Please note this year's schedule includes quarterly Saturday sessions.**

Dates	Time	Location
Thursday, June 13th	10am	South Office: 19600 Hamilton Ave., Torrance, CA 90502
Saturday, July 13th	9am	2600 Wilshire Blvd. Board Room, Los Angeles, CA 90057
Wednesday, August 21st	10am	Valley Office: 6946 Van Nuys Blvd., Ste 100, Van Nuys, CA 91405
Tuesday, September 10th	10am	2600 Wilshire Blvd. Board Room, Los Angeles, CA 90057
Thursday, October 10th	10am	South Office: 19600 Hamilton Ave., Torrance, CA 90502
Saturday, November 2nd	9am	2600 Wilshire Blvd. Board Room, Los Angeles, CA 90057
Wednesday, December 11th	10am	Valley Office: 6946 Van Nuys Blvd., Ste 100, Van Nuys, CA 91405

The dates of the Landlord Orientation are also posted on our website at:

<http://www.hacla.org/ownerorientation>

You must reserve a seat to attend one of the seminars by calling (213) 252-8708, and selecting option 2. When calling, please leave a contact phone number. The schedule is subject to change.

### The Housing Authority will be closed on:

Monday, May 27th In Observance of Memorial Day

You must report address and telephone number changes even if you are receiving your Housing Assistance Payments (HAP) via direct deposit by calling (213) 252-8708

Comply with Fair Housing Laws. Owners can visit the Office of Fair Housing and Equal Opportunity (FHEO) website at the U.S. Department of Housing and Urban Development (HUD): [www.hud.gov](http://www.hud.gov)

Property listing service is available online at:

<http://www.hacla.org/propertylistings>. Basic property listing service is free of charge. Monitor your listings and remove any outdated listings that are unavailable. Login regularly to update or list new vacancies.

If you suspect anyone of committing fraud, you can call (800) 461-9330 or file a report online at: [www.convercent.com/report](http://www.convercent.com/report). Your name will remain anonymous.