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OFFICE OF HOUSING MANAGEMENT MEMORANDUM # 2014-B-07

To: All Federally Assisted Housing Companies
Owners, Managing Agents and Site Managers

From: Linda Kedzierski, Federal Programs Coordinator

Date: December 17, 2014

Subject: **Waiting List Management**

On November 28, 2014, HUD has released **HUD HSG Notice 14-16 Waiting List Administration** which can be found on HUD's HUD Clips web site at :
<http://portal.hud.gov/hudportal/documents/huddoc?id=14-16hsgn.pdf>.

Although this Notice does not mandate any new practices for multifamily property owners/agents, it does provide additional guidance regarding opening/closing waiting lists, placing applicants on the waiting list and applicant outreach. It was published in response to community concerns that people with disabilities may be at a disadvantage regarding waiting list placement. HUD is providing options for owners/agents to help address these concerns.

The Notice stresses that any communications regarding the opening of the waiting list and other outreach efforts should be created in such a way as to ensure compliance with HUD's fair housing requirements. This means that notices and other communications are provided in a manner that ensures meaningful access for persons with disabilities and for people with Limited English Proficiency.

HUD cautions owner/agents against opening the waiting list and accepting applications for very limited periods (such as one day) which can create disorderly and unsafe application processes.

Owners/agents may want to consider alternatives such as making applications available in advance, offering multiple venues for application submission and accepting both online and physical submission of the application. Application lotteries or other random selection procedures are discussed including information about how to ensure compliance when using those methods.

HUD reiterates that all advertising must include the HUD-approved Equal Housing Opportunity logo, slogan or statement.

In addition to the information provided in HUD HSG Notice 14-16, owners/agents should review other guidance provided in the HUD Handbook 4350.3, Revision 1, Change 4, Chapter 2 – specifically Paragraph 2-29 which addresses communicating with people with disabilities.

Paragraph 2-29-C-3 specifically states: “Written communications must state that the owner does not discriminate against persons with disabilities. (See suggested language in Exhibit 2-3.)”

Paragraph 2-29-C-4 states: “Owners, managing entities, or projects with 15 or more employees must ensure that written communications identify an employee named to coordinate compliance with nondiscrimination requirements. (See Exhibit 2-3.)”. This person is usually referred to as the Section 504 Coordinator.

Examples provided by HUD also indicate the following requirements in Paragraph 2-29-C-5: “Owners must ensure that any fact sheets, brochures, notices, literature or publicity of any kind accomplish the following:

- a) Give information concerning the existence and location of services, activities, and facilities that have features that make them accessible to persons with disabilities.
- b) State that the owner does not discriminate on the basis of disability in admission or access to the project.
- c) Give the name, address, and telephone number of the employee designated to coordinate the owner’s efforts to comply with Section 504.”

If you have any questions regarding this memorandum, please contact Linda Kedzierski at Linda.Kedzierski@nyshcr.org.



cc: R. McCurnin, R. Damico, L. Rosen