

From: Frances Espinoza <fespinoza@northtexasfairhousing.org>
Subject: RE: Inquiry: #530962 / - Community for Permanent Supported Housing v. Dallas Housing Authority
Date: May 15, 2017 at 1:59:27 PM CDT
To: "Clear, Val S" <Scott.Clear@hud.gov>
Cc: "CPSH (Creating Home for Adults w/ IDD)" <admin@txcpsh.org>
Resent-From: <admin@txcpsh.org>

Mr. Clear,

Below are responses to the questions you emailed to me on May 3, 2017.

1. Community for Permanent Supported Housing (CPSH) is not alleging a class complaint. CPSH alleges that Dallas Housing Authority (DHA) denied an exception to a policy that affects any current and future constituents of CPSH that seek to use a project based voucher to rent from a close family member.

2. The applicants to DHA's request for proposals are not the people with disabilities. Applicants are those that seek to provide housing for people with disabilities. Applicants responded to a request for proposals issued by DHA. DHA is in possession of the applications. These applications may or may not have information about potential individual tenants because the tenants are not applying for the grant, the potential housing providers are applying for the grant.

3. Olmstead requires public agencies to provide services and programs that integrate people with disabilities into the community. The program that would have been supported by DHA's request for proposals would have been one avenue for addressing the housing needs for people with disabilities and integrating them into the community. To determine whether DHA is meeting the intent of Olmstead one must look at when and how DHA is increasing the integrated housing opportunities to meet the desired housing for people with intellectual and developmental disabilities (IDD). <https://portal.hud.gov/hudportal/documents/huddoc?id=OlmsteadGuidnc060413.pdf>

CPSH alleges that by cancelling the program, DHA is not meeting the

thresholds required by Olmstead. People with disabilities that could have been housed by this program have lost this opportunity. Whether specific people with disabilities were institutionalized does not address whether DHA is meeting Olmstead's requirements.

Sincerely,

Frances Espinoza
Executive Director
North Texas Fair Housing Center
8625 King George Drive, Ste 130
Dallas, TX 75235
(469) 941-0375 x304
www.northtexasfairhousing.org

From: Clear, Val S [mailto:Scott.Clear@hud.gov]
Sent: Wednesday, May 3, 2017 1:10 PM
To: Frances Espinoza <fespinoza@northtexasfairhousing.org>
Cc: Banis, Patrick L <Patrick.L.Banis@hud.gov>
Subject: Inquiry: #530962 / - Community for Permanent Supported Housing v. Dallas Housing Authority

We are in receipt of this case and it has been assigned to me for intake purposes. I am requesting the following additional information:

- The complaint appears to make an attempt at framing a class complaint by identifying all other persons with intellectual or developmental disabilities as aggrieved persons. Since the request in the complaint is for a reasonable accommodation, the standard is that each request is evaluated separately on its own merits. So, unless I can be convinced otherwise, I will need specific information on each one of the aggrieved.
- The Complainant indicated there were "approximately six"

applications submitted by the deadline. For each of the applicants, I need to know the following information:

- The name, address and telephone number for the intellectually/developmentally disabled individual. If that person has a parent or other guardian, the name(s), addresses and telephone numbers of the parent(s) or guardians.
- The address for which the proposal was made.
- The nature of the request for reasonable accommodation, and to whom it was made, and approximately when it was made.
- Please identify which one(s) of the intellectually/developmentally disabled individuals were institutionalized and would have benefited from a community approach similar as that allowed in *Olmstead*.

Please respond to these requests by May 15, 2017, in order for this case to proceed in a timely fashion.

Don't hesitate to contact me with any questions.

Sincerely,

V. Scott Clear,
Equal Opportunity Specialist
Fair Housing and Equal Opportunity
U.S. Department of Housing and Urban Development
801 Cherry Street
Unit 45, Suite 2500
Fort Worth, TX 76102
Direct: (817) 978-5439
Facsimile: (817) 978-5739
scott.clear@hud.gov