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OFFICE OF THE ASSISTANT SECRETARY
FAIR HOUSING AND EQUAL OPPORTUNITYMEMORANDUM FOR: Richard Singer, Director, Jacksonville Office of
Fair Housing and Equal Opportunity, 4.6ETHRU: William E. Wynn
William E. Wynn, Deputy Assistant Secretary for
Enforcement and Compliance, ECFROM: Peter Kaplin
Peter Kaplin, Director, Office of HUD Program Compliance, ECCSUBJECT: Technical Guidance Memorandum: 86-11
Admission of Children to Section 202 Projects for Elderly and
Disabled Persons

I am responding to your telephone inquiry regarding admission of children to projects for elderly and disabled persons funded under the Section 202 Program.

We have discussed this issue with the Elderly and Disabled Housing Division and their position is as follows:

When an applicant for a Section 202 project is otherwise eligible and there is an appropriately sized unit available, that applicant shall not be rejected solely on the basis of a child being a member of the household. For example, an applicant who is physically disabled and a wheelchair user applies for a unit in an elderly and disabled project. The applicant is married and has one child, the accessible unit is available and has two bedrooms (although two bedroom units are rare in 202 projects). This family could not be rejected solely on the basis that they have a child. Had this project had only one bedroom or efficiency units, then the application could be rejected based on the lack of appropriately sized units.

I hope this information is useful. If you have additional questions please contact Robert Ardinger of my staff at (FTS) 755-5404.

cc: Augustus Clay
Region IVHOUSING COMPLIANCE
DIVISION

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