

mississippi development authority

MISSISSIPPI

FAIR HOUSING AND EQUAL OPPORTUNITY



Policy and Procedures
Community Services Division

Table of Contents

Community Services Division Compliance Bureau Contact Information	3
Introduction	4
Analysis of Impediments to Fair Housing Choice and New AFFH Rule	5
HUD’s Affirmatively Furthering Fair Housing New Rule	5
Summary of Fair Housing Law and Regulations	6
Fair Housing and Fair Housing Act	8
How to File a Fair Housing Complaint	11
Americans With Disabilities Act (ADA).....	12
Equal Opportunity.....	16
Equal Access	16
Section 504	17
Reasonable Accommodations under the Fair Housing Act	19
Limited English Proficiency Guidance	21
Affirmatively Furthering Fair Housing and Sub-recipient Requirements	25
Fair Housing Compliance	27
Fair Housing Contact Resources	28
SAMPLE Fair Housing Resolution	29
SAMPLE Fair Housing Proclamations.....	30
Limited English Proficiency Access Plan Guidance	32
Sample Notice Under ADA	37
Sample Grievance Procedures Under ADA.....	38
I Speak Language Cards	39
HUD Fair Housing Complaint Form	42
Housing Posters English	54
Housing Posters Spanish	55
Housing Posters Vietnamese	56
ACS 2012 LEP Map	57



Mississippi Development Authority

Community Services Division
Post Office Box 849
Jackson, Mississippi 39205-0849
www.mississippi.org/csd

Phone: 601-359-3179
Fax: 601-359-3108
Hearing Impaired: 601-359-3119 (TTY)

Compliance Bureau Staff

Ray Robinson, Jr. – Manager, Compliance Bureau.....601-359-9273
Tammie Lawrence – Compliance Program Manager.....601-359-9339
Frednia Perkins - Compliance Program Manager.....601-359-9324
Angela Reed – Compliance Program Manager.....601-359-2351
Shirley Thompson – Compliance Program Manager601-359-9312



INTRODUCTION

On April 11, 1968, President Lyndon Johnson signed the Civil Rights Act of 1968, which was meant as a follow-up to the Civil Rights Act of 1964. The 1968 act expanded on previous acts and prohibited discrimination concerning the sale, rental, and financing of housing based on race, religion, national origin, sex, (and as amended) handicap and family status. Title VIII of the Act is also known as the Fair Housing Act (of 1968).

As a grant recipient of federal funds from the U.S. Department of Housing and Urban Development (HUD), the Mississippi Development Authority (MDA), Community Services Division (CSD) must ensure compliance with all legislation providing Fair Housing and Equal Opportunity and must ensure that individuals are not discriminated against or excluded from participation in Community Development Block Grant (CDBG) project-related activities on the basis of race, color, religion, sex, disability, familial status or national origin.

All State and Local Governments receiving CDBG funds must certify to affirmatively further fair housing per (24 CFR 570.487 and 24 CFR Part 91.325 (a)(1) of the federal regulations and adhere to all fair housing laws and authorities.

Non-discrimination and Equal Opportunity - laws require that no person or protected group is denied benefits such as employment, training, housing or contracts generated by any Federally-funded activity.

Affirmative activities - are actions taken to address past instances of possible Fair Housing and Equal Opportunity (FHEO) discrimination or noncompliance or to aid in meeting the intent of FHEO provisions. Sub-recipients must maintain comprehensive records of all non-discrimination and affirmative activities conducted in conjunction with their CDBG related project.

This Fair Housing Policy and Procedures Manual is designed to provide the general guidance in assisting all Local Units of Government and funded Sub-recipients Fair Housing Compliance.

Equal Housing Opportunity Statement: We are pledged to the letter and spirit of U.S. policy for the achievement of equal housing opportunity throughout the Nation. We encourage and support an affirmative advertising and marketing program in which there are no barriers to obtaining housing because of race, color, religion, sex, handicap, familial status, or national. The Mississippi Development Authority does not discriminate on the basis of disability in the admissions or access to or treatment or employment in its programs or activities.



ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

In accordance with the Fair Housing Act, the Secretary requires that states administer all programs and activities related to housing and community development in a manner to affirmatively further the policies of the Fair Housing Act. Residents of the State of Mississippi are protected from discrimination in housing choice by the federal Fair Housing Act, which includes protections based on race, color, religion, national origin, sex, disability, and familial status. As part of the certification to Affirmatively Further Fair Housing, states are required to complete and submit with their Consolidated Plan, an Analysis of Impediments to Fair Housing Choice and take actions to overcome the effects of any impediments identified through that analysis.

An Impediments to fair housing choice is:

- Any actions, omissions, or decisions taken because of race, color, religion, sex, disability, familial status, or national origin which restrict housing choices or the availability of housing choices

The requirements for the Analysis of Impediments include:

- States are to assume the responsibility of fair housing planning by conducting an analysis to identify impediments to fair housing choice within their jurisdictions;
- States are strongly encouraged to annually update their analysis of impediments and take appropriate actions to overcome the effects of any impediments identified through their analyses, maintaining records reflecting the analyses and related actions; and
- States are to ensure that Local Units of Government funded by the state comply with the certification requirements.

The State of Mississippi Analysis of Impediment (AI) and Fair Housing Action Plan can be downloaded from the MDA website at www.mississippi.org/csd.

HUD's New Affirmatively Furthering Fair Housing (AFFH) Rule

The U.S. Department of Housing and Urban Development (HUD) has released a final rule to equip communities that receive HUD funding with the data and tools that will help them to meet long-standing fair housing obligations in their use of HUD funds. HUD will provide publicly open data for grantees to use to assess the state of fair housing within their communities and to set locally-determined priorities and goals.

The rule responds to recommendations of the Government Accountability Office and stakeholders for HUD to enhance its fair housing planning obligations by providing greater clarity and support to jurisdictions receiving HUD funding, and facilitating local decision-making on fair housing priorities and goals. The process for developing the required AFFH plan will begin in **2018**. Once the plan has been approved by HUD, policy and procedures guidebook will be revised accordingly.



SUMMARY OF FAIR HOUSING LAWS AND REGULATIONS

Title VI of the Civil Rights Act of 1964: This Act provides that no person shall be excluded from participation, denied program benefits, or subject to discrimination based on race, color, and/or national origin under any program or activity receiving Federal financial assistance. In certain situations, failure to ensure that persons who are Limited English Proficient (LEP) can effectively participate in, or benefit from, Federally-assisted programs may violate Title VI's prohibition against national origin discrimination.

Title VIII of the Civil Rights Act of 1968 (The Fair Housing Act), as amended, protects citizens from housing discrimination in the sale, rental, and financing of dwellings, and in other housing-related transactions, based on race, color, national origin, religion, sex, familial status (including children under the age of 18 living with parents or legal custodians, pregnant women, and people securing custody of children under the age of 18), and disability.

Section 504 of the Rehabilitation Act of 1973. Section 504 of the Rehabilitation Act of 1973, as amended, provides "No otherwise qualified individual with a disability in the United States ... shall, solely by reason of his or her disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance...". HUD's regulations implementing the Section 504 requirements can be found at 24 CFR Part 8.

Section 3 of the Housing and Urban Development Act of 1968, as amended September 2, 1992, is a statutory provision which requires that, to the greatest extent feasible, opportunities for training, employment, contracting and other economic opportunities be given to low and moderate income residents of the project area and contracts for work in connection with the project be awarded to eligible business concerns which are located in, or owned in substantial part, by persons residing in the project area. Implementing regulations are published at 24 CFR 135 of the Federal Regulations.

Section 3 requires that employment and training consideration be given to qualified low and moderate income residents of the project area. These requirements apply only to new hires as a result of the Federally-funded project. While Section 3 specifies Sub-recipient objectives of hiring at least 30 percent of new hires for the project from Section 3 eligible individuals, it is stressed that this is an objective based upon the Sub-Sub-recipients' good faith efforts. Review of efforts that fall short of this percentage will be considered, with proper justification, indicating the absence of employment opportunities, the lack of qualified individuals or other documentation indicating that a good faith effort to comply with this requirement was achieved.

Section 109 of the Housing and Community Development Act of 1974 provides that no person shall be excluded from participation (including employment), denied program benefits or subjected to discrimination on the basis of race, color, national origin or sex under any program or activity funded by Title I of the Housing and Community Development Act of 1974.



The American Disability Act of 1990, as implemented by 28 CFR 35 and 130, dated July 26, 1991, prohibits discrimination against individuals with disabilities in private sector employment, all public services, public accommodations, transportation and telecommunications. A person with a disability is someone who has a physical or mental impairment that substantially limits that person in some major life activity, or has a record of such impairment, or is regarded as having such impairment.

The Architectural Barriers Act of 1968 guarantees handicapped individuals access to and use of all facilities altered, built, designed or leased by a Federal grant or loan, in whole or in part, are subject to the requirements under Section 502 of the Rehabilitation Act of 1973, as amended.

The Age Discrimination in Employment Act of 1967, as amended, prohibits workers age 40-70 from arbitrary age discrimination in hiring, discharge, pay, promotions, fringe benefits and other aspects of employment for private employers of 20 or more workers.

Title IX of the Education Amendments Act of 1972, prohibits discrimination on the basis of sex in education programs or activities that receive Federal financial assistance.

PRESIDENTIAL EXECUTIVES ORDER

Executive Order 11063 prohibits discrimination in the sale, leasing, rental, or other disposition of properties and facilities owned or operated by the Federal government or provided with Federal funds.

Executive Order 11246, as amended, bars discrimination in Federal employment because of race, color, religion, sex, or national origin.

Executive Order 12892, as amended, requires Federal agencies to Affirmatively Further Fair housing in their programs and activities, and provides that the Secretary of HUD will be responsible for coordinating the effort. The Order also establishes the President's Fair Housing Council, which will be chaired by the Secretary of HUD.

Executive Order 12898, requires that each Federal agency conduct its program, policies, and activities that substantially affect human health or the environment in a manner that does not exclude persons based on race, color, or national origin.

Executive Order 13166, eliminates, to the extent possible, Limited English Proficiency as a barrier to full and meaningful participation by beneficiaries in all Federally-assisted and federally conducted programs and activities.

Executive Order 13217, requires Federal agencies to evaluate their policies and programs to determine if any can be revised or modified to improve the availability of community-based living arrangements for persons with disabilities.



THE FAIR HOUSING ACT

The Fair Housing Act set forth at **Sec. 800. [42 U.S.C. 3601]**, protects citizens from housing discrimination on the basis of race, color, national origin, religion, gender, familial status or disability. Federal laws prohibit discrimination and encourages individuals to learn more about their fair housing rights and to report any violation of their rights.

Fair Housing applies to the locality as a whole and not just those activities that are Federally-funded by CDBG. Implementing fair housing activities is an essential part of the CDBG Sub-recipient's responsibilities. Fair housing actions should increase housing opportunities and affirmatively promote fair housing throughout the entire local housing market at all income levels.

All Sub-Sub-recipients and local units of government should inform their citizens and be aware that the Fair Housing Act prohibits the following:

IN THE SALE AND RENTAL OF HOUSING: No one may take any of the following actions based on race, color, national origin, religion, sex, familial status or disability:

- Refuse to rent or sell housing;
- Refuse to negotiate for housing;
- Make housing unavailable;
- Deny a dwelling;
- Set different terms, conditions or privileges for sale or rental of a dwelling;
- Provide different housing services or facilities;
- Falsely deny that housing is available for inspection, sale, or rental;
- For profit, persuade owners to sell or rent (blockbusting); or
- Deny anyone access to or membership in a facility or service (such as a multiple listing service) related to the sale or rental of housing.

IN MORTGAGE LENDING: No one may take any of the following actions based on race, color, national origin, religion, sex, familial status or disability:

- Refuse to make a mortgage loan;
- Refuse to provide information regarding loans;
- Impose different terms or conditions on a loan, such as different interest rates, points, or fees;
- Discriminate in appraising property;
- Refuse to purchase a loan; or
- Set different terms or conditions for purchasing a loan.



IT IS ILLEGAL FOR ANYONE TO:

- Threaten, coerce, intimidate or interfere with anyone exercising a fair housing right or assisting others who exercise that right.
- Advertise or make any statement that indicates a limitation or preference based on race, color, national origin, religion, sex, familial status, or handicap. This prohibition against discriminatory advertising applies to single-family and owner-occupied housing that is otherwise exempt from the Fair Housing Act.
- Threaten, coerce, intimidate or interfere with anyone exercising a fair housing right or assisting others who exercise that right.
- Advertise or make any statement that indicates a limitation or preference based on race, color, national origin, religion, sex, familial status, or disability. This prohibition against discriminatory advertising applies to single-family and owner-occupied housing that is otherwise exempt from the Fair Housing Act.

REASONABLE ACCOMMODATION FOR PERSONS WITH DISABILITIES - If you or someone residing with you has a physical or mental disability including hearing, mobility and visual impairments, cancer, chronic mental illness, AIDS, AIDS Related Complex or a developmental disability that substantially limits one or more major life activities, your landlord cannot:

- Refuse to let you make reasonable modifications to your housing or common use areas, at your expense, if necessary for you to fully use the housing. (The landlord can require you to restore the property to its original condition at your expense when you move.)
- Refuse to make reasonable accommodations in rules, policies, practices or services if necessary for a person with a disability to use the housing on an equal basis with a person without a disability.
- Make inquiries into your disability beyond documentation of a connection between your disability and the requested accommodation or modification.

Examples: A building with a "no pets" policy must allow a visually impaired tenant to keep a guide dog.

An apartment complex that offers tenants ample, unassigned parking must honor a request from a mobility-impaired tenant for a reserved space near his/her apartment if necessary to assure that he/she can have access to his/her apartment. However, housing need not be made available to a person who is a direct threat to the health or safety of others or who currently uses illegal drugs.



REQUIREMENTS FOR NEW BUILDINGS: In buildings that are ready for first occupancy after March 13, 1991, and have an elevator and four or more units:

- Public and common areas must be accessible to persons with disabilities
- Doors and hallways must be wide enough for wheelchairs

ALL UNITS MUST HAVE:

- An accessible route into and through the unit;
- Accessible light switches, electrical outlets, thermostats and other environmental controls;
- Reinforced bathroom walls to allow later installation of grab bars; and
- Kitchens and bathrooms that can be used by people in wheelchairs.

If a building with four or more units has no elevator and will be ready for first occupancy after March 13, 1991, these standards apply to ground floor units. These requirements for new buildings do not replace any more stringent standards in State or local law.

FAMILIAL STATUS (FAMILIES WITH CHILDREN): If you are the parent, a person who has legal custody (including guardianship) or are the designee of a parent or legal custodian living in a household with one or more children under 18 years of age, you are covered by familial status protection.

This protection also extends to pregnant women and any person in the process of securing legal custody of a minor child, including adoptive or foster parents. The Fair Housing Act specifically exempts some senior housing facilities from liability for familial status discrimination, allowing them to legally refuse to rent or sell housing to families, but the facility or community must qualify for this elderly housing exemption.

Exemption: Housing for older persons is exempt from the prohibition against familial status discrimination if:

- The HUD Secretary has determined that it is specifically designed for and occupied by elderly persons under a Federal, State or local government program; or
- It is occupied solely by persons who are 62 or older or it houses at least one person who is 55 or older, in at least 80 percent of the occupied units, and adheres to a policy that demonstrates an intent to house persons who are 55 or older.
- A transition period permits residents on or before September 13, 1988, to continue living in the housing, regardless of their age, without interfering with the exemption.



FAIR HOUSING COMPLIANT PROCESS

If You Think Your Rights Have Been Violated

HUD is ready to help with any problem of housing discrimination. You have one year after an alleged violation to file a complaint with HUD, but you should file it as soon as possible. If you think your rights have been violated, the Housing Discrimination Complaint Form is available for you to download at www.hud.gov/fairhousing complete online and submit;

or write HUD at:

Mail: **U.S. Department of Housing and Urban Development
Office of Fair Housing and Equal Opportunity – Intake Branch
40 Marietta Street, 16th Floor
Atlanta, GA 30303**

Fax: **(202) 485-9080 OR (202) 485-9081**

Scan/email to: ComplaintsOffice04@hud.gov

File a housing discrimination complaint online at www.hud.gov

What to Tell HUD:

- Your name and address
- The name and address of the person your complaint is against (the respondent)
- The address or other identification to the housing involved
- A short description to the alleged violation (the event that caused you to believe your rights were violated)
- The date(s) to the alleged violation

If You Are a Person with A Disability HUD also provides:

- A toll-free TTY phone for the hearing impaired: 1-800-927-9275
- Interpreters
- Tapes and braille materials
- Assistance in reading and completing forms

What Happens when You File a Complaint?

HUD will notify you when it receives your complaint. Normally, HUD also will:

- Notify the alleged violator of your complaint and permit that person to submit an answer
- Investigate your complaint and determine whether there is reasonable cause to believe the Fair Housing Act has been violated
- Notify you if it cannot complete an investigation within 100 days of receiving your complaint



AMERICANS WITH DISABILITIES ACT (ADA) STATE AND LOCAL GOVERNMENTS REQUIREMENTS

The Americans with Disabilities Act (ADA) gives civil rights protections to individuals with disabilities that are like those provided to individuals on the basis of race, sex, national origin, and religion. It guarantees equal opportunity for individuals with disabilities in employment, public accommodations, transportation, State and local government services, and telecommunications.

I. Employment

- Employers with 15 or more employees may not discriminate against qualified individuals with disabilities. For the first two years after July 26, 1992, the date when the employment provisions of the ADA go into effect, only employers with 25 or more employees are covered.
- Employers must reasonably accommodate the disabilities of qualified applicants or employees, unless an undue hardship would result.
- Employers may reject applicants or fire employees who pose a direct threat to the health or safety of other individuals in the workplace.
- Applicants and employees are not protected from personnel actions based on their current illegal use of drugs. Drug testing is not affected.
- Employers may not discriminate against a qualified applicant or employee because of the known disability of an individual with whom the applicant or employee is known to have a relationship or association.
- Religious organizations may give preference in employment to their own members and may require applicants and employees to conform to their religious tenets.
- Complaints may be filed with the Equal Employment Opportunity Commission. Available remedies include back pay and court orders to stop discrimination.

II. Public Accommodations

- Public accommodations such as restaurants, hotels, theaters, doctors' offices, pharmacies, retail stores, museums, libraries, parks, private schools, and day care centers, may not discriminate on the basis of disability, effective January 26, 1992. Private clubs and religious organizations are exempt.
- Reasonable changes in policies, practices, and procedures must be made to avoid discrimination.



- Auxiliary aids and services must be provided to individuals with vision or hearing impairments or other individuals with disabilities so that they can have an equal opportunity to participate or benefit, unless an undue burden would result.
- Physical barriers in existing facilities must be removed if removal is readily achievable (i.e., easily accomplishable and able to be carried out without much difficulty or expense). If not, alternative methods of providing the services must be offered, if those methods are readily achievable.
- All new construction in public accommodations, as well as in "commercial facilities" such as office buildings, must be accessible. Elevators are generally not required in buildings under three stories or with fewer than 3,000 square feet per floor, unless the building is a shopping center, mall, or a professional office of a health care provider.
- Alterations must be accessible. When alterations to primary function areas are made, an accessible path of travel to the altered area (and the bathrooms, telephones, and drinking fountains serving that area) must be provided to the extent that the added accessibility costs are not disproportionate to the overall cost of the alterations. Elevators are required as described above.
- Entities such as hotels that also offer transportation generally must provide equivalent transportation service to individuals with disabilities. New fixed-route vehicles ordered on or after August 26, 1990, and capable of carrying more than 16 passengers, must be accessible.
- Public accommodations may not discriminate against an individual or entity because of the known disability of an individual with whom the individual or entity is known to have a relationship or association.
- Individuals may bring private lawsuits to obtain court orders to stop discrimination, but money damages cannot be awarded.
- Individuals can also file complaints with the Attorney General who may file lawsuits to stop discrimination and obtain money damages and penalties.

III. Transportation

Public Bus Systems

- New buses ordered on or after August 26, 1990, must be accessible to individuals with disabilities.
- Transit authorities must provide comparable paratransit or other special transportation services to individuals with disabilities who cannot use fixed route bus services, unless an undue burden would result.



- New bus stations must be accessible. Alterations to existing stations must be accessible. When alterations to primary function areas are made, an accessible path of travel to the altered area (and the bathrooms, telephones, and drinking fountains serving that area) must be provided to the extent that the added accessibility costs are not disproportionate to the overall cost of the alterations.
- Individuals may file complaints with the Department of Transportation or bring private lawsuits.

Public Rail Systems

- New rail vehicles ordered on or after August 26, 1990, must be accessible.
- Existing rail systems must have one accessible car per train by July 26, 1995.
- New rail stations must be accessible with new bus stations, alterations to existing rail stations must be made in an accessible manner.
- Existing "key stations" in rapid rail, commuter rail, and light rail systems must be made accessible by July 26, 1993, unless an extension of up to 20 years is granted (30 years, in some cases, rapid and light rail).
- Existing intercity rail stations (Amtrak) must be made accessible by July 26, 2010.
- Individuals may file complaints with the Department of Transportation or bring private lawsuits.

Privately Operated Bus and Van Companies

- New over-the-road buses ordered on or after July 26, 1996 (July 26, 1997, for small companies), must be accessible. After completion of study, the President may extend the deadline by one year, if appropriate.
- Other new vehicles, such as vans, must be accessible, unless the transportation company provides service to individuals with disabilities that is equivalent to that operated for the general public.
- Other private transportation operations, including station facilities, must meet the requirements for public accommodations.
- Individuals may file complaints with the Attorney General or bring private lawsuits under the public accommodations procedures.



IV. State and Local government operations

- State or Local governments may not discriminate against qualified individuals with disabilities. All government facilities, services, and communications must be accessible consistent with the requirements of section 504 of the Rehabilitation Act of 1973.
- Individuals may file complaints with Federal agencies to be designated by the Attorney General or bring private lawsuits.

V. Telecommunications Relay Services

- Companies offering telephone service to the general public must offer telephone relay services to individuals who use telecommunications devices for the deaf (TDD's), (TTY) or similar devices.
- Individuals may file complaints with the Federal Communications Commission.

HOW TO FILE AN ADA COMPLAINT WITH THE U.S. DEPARTMENT OF JUSTICE

You can file an Americans with Disabilities Act complaint alleging disability discrimination against a State or local government or a public accommodation (including, for example, a restaurant, doctor's office, retail store, hotel, etc.) online, by mail, or fax. Please keep a copy of your complaint and the original documents for your own records.

To file an ADA complaint electronically go to: <http://www.ada.gov/complaint/>

To file an ADA Complaint by Fax: (202) 307-1197

To file an ADA Complaint by mail:

US Department of Justice
950 Pennsylvania Avenue, NW
Civil Rights Division Disability Rights Section – 1425 NYAV
Washington, D.C. 20530

ARCHITECTURAL BARRIERS ACT OF 1968 (ABA)

The Architectural Barriers Act of 1968 (ABA) requires that certain buildings financed with Federal funds must be designed, constructed, or altered in accordance with standards that ensure accessibility for persons with physical disabilities. The ABA covers any building or facility financed in whole or in part with Federal funds, except privately-owned residential structures. Covered buildings and facilities designed, constructed, or altered with CDBG funds are subject to the ABA and must comply with the Uniform Federal Accessibility Standards (UFAS). In practice, buildings built to meet the requirements of Section 504 and the ADA, will conform to the requirements of the ABA.



EQUAL EMPLOYMENT

Nondiscrimination is a requirement of employment and employment practices. Employment opportunities may not be denied on the basis of race, color, national origin, sex, age, religion, familial status, or disability. Affirmative action and equal employment opportunity policies are fundamental aspects of CDBG funded activities.

The Americans with Disabilities Act modifies and expands the Section 504 Rehabilitation Act of 1973 to prohibit discrimination against “a qualified individual with a disability” in employment and public accommodations. The ADA requires that an individual with a physical or mental impairment who is otherwise qualified to perform the essential functions of a job, with or without reasonable accommodation, be afforded equal employment opportunity in all phases of employment.

The Equal Employment Opportunity Act empowers the Equal Employment Opportunity Commission (EEOC) to bring civil action in Federal court against private sector employers after the EEOC has investigated the charge, found “probable cause” of discrimination, and failed to obtain a conciliation agreement acceptable to the EEOC. It also brings Federal, State, and local governments under the Civil Rights Act of 1964.

Steps that can be taken to prevent discrimination in employment include the following:

- Review of jurisdictional employment policies and procedures for discriminatory intent or practice and document review;
- Advertise employment opportunities and/or to recruit employees for project-related positions;
- Develop and maintain employment data that indicates staff composition by race, sex, handicap status and national origin; and
- An Equal Employment Opportunity Poster must be displayed in a prominent place at the office of the Sub-recipient.

Specifically, Section 504 has a number of general prohibitions against employment discrimination. Sub-recipients must ensure that the following items are adhered to:

- No qualified individual with a disability shall, solely on the basis of their disability be subject to discrimination in employment under any program or activity that receives Federal assistance.
- A Local Unit of Government cannot legally limit, segregate or classify applicants or employees in any way that negatively affects their status or opportunities because of disability.



In pre-employment and employment activities, discrimination based on a disability must not occur and reasonable accommodations must be made to the physical or mental limitations of otherwise qualified individuals unless it creates undue hardship for the Sub-recipient. HUD regulations specify that an employer is prohibited from discrimination in recruiting, advertising and processing of applications in the following instances:

- Hiring, upgrading, promoting, tenure, demotion, transfer, layoffs, termination right or return from layoffs, illness, and rehiring;
- Rates of pay and any other forms of compensation;
- Job assignments, classifications and descriptions, organizational structures, lines, progression, and seniority lists;
- Leaves of absence, sick leave, or any other leave;
- Fringe benefits available by virtue of employment;
- Selection and financial support for training, including apprenticeship, professional meetings, conferences, and other related activities and selection for leaves of absence for training;
- Employer sponsored activities (including social or recreation programs); and
- Any other term, condition, or privilege of employment.

Local Governments may not participate in a contractual or other relationship that subjects qualified disabled applicants or employees to discrimination. Reasonable accommodation, under Section 504, in employment is determined on a case-by-case basis. It means reasonable modifications on the job or in the workplace to enable a disabled person to perform the job for which she/he is qualified. Section 504 does not require the hiring or promotion of someone simply because she/he has a disability.



EQUAL ACCESS

The U.S. Department of Housing and Urban Development (HUD) enforces regulations that ensure its core programs are open to all eligible individuals regardless of actual or perceived sexual orientation or gender identity. The regulations were published in a final rule entitled “Equal Access to Housing in HUD Programs regardless of Sexual Orientation or Gender Identity” and include the following provisions:

- A general equal access provision which requires housing that is funded by HUD or subject to a mortgage insured by the Federal Housing Administration (FHA) to be made available without regard to actual or perceived sexual orientation, gender identity, or marital status;
- Clarification that the terms “family” and “household,” as used in HUD programs, include persons regardless of actual or perceived sexual orientation, gender identity, or marital status;
- Prohibition on owners and operators of HUD-funded housing or housing insured by FHA from asking about an applicant’s or occupant’s sexual orientation or gender identity for the purpose of determining eligibility or otherwise making housing available; and
- Prohibition on FHA lenders from taking into account actual or perceived sexual orientation or gender identity in determining the adequacy of a potential borrower’s income.

HOW TO FILE A COMPLIANT

If you believe a housing provider or FHA-insured lender violated this rule or otherwise denied housing to someone because of actual or perceived sexual orientation, gender identity, or marital status, contact your local HUD office or HUD’s Office of Fair Housing and Equal Opportunity for help at (800) 669-9777 or (800) 927-9275 (TTY). www.hud.gov/lgbthousingdiscrimination

Section 3 of the Housing and Urban Development Act of 1968 requires the provision of training, employment and other economic opportunities that arise through HUD-financed housing and community development assistance to lower-income residents of the project area, particularly residents of government-subsidized housing, to the greatest extent feasible and consistent with Federal, State, and local laws and regulations. It is important to document efforts made to comply with Section 3 through recordkeeping. Files should contain memoranda, correspondence, advertisements, etc., illustrating contractor and subcontractor attempts to hire low income residents and business concerns. ***Please refer to the CSD Section 3 Policy and Procedures for complete Section 3 Guidance.**



SECTION 504

Section 504 of the Rehabilitation Act of 1973, prohibits discrimination based on disability in any program or activity receiving federal financial assistance, All of Section 504's nondiscrimination, program accessibility, and reasonable accommodation requirements that apply to housing facilities, equally apply to the operation of non-housing facilities or programs.

Facility is defined under Section 504 as any portion of a building, equipment, roads, walkways, parking lot or other real property.

Accessible for non-housing purposes means that a facility or portion of a facility can be approached, entered, and used by individuals with physical handicaps. Non-housing programs as well as existing facilities in which they are situated must be readily accessible to and usable by persons with disabilities.

In order to make its facilities accessible, a Sub-recipient may need to relocate programs to accessible facilities or accessible portions of facilities; Acquire or build new facilities that are accessible; or selectively alter facilities to make them accessible to persons with mobility of sensory impairments. All Sub-Sub-recipients must adhere to the following Section 504 requirements to ensure effective communication with persons with disabilities.

Telephone Communication With Persons With Hearing Impairments - Persons with all types of disabilities must be able to communicate with the recipient. Where the recipient communicates with applicants and beneficiaries of the project by phone, a TTY is required. Where such contact is infrequent, the recipient may instead use a TTY relay service.

Required TTY Action - Each Sub-recipient should examine its community and the nature of the grant-funded activity to determine whether to purchase a TTY or use the Mississippi Relay Service. Whichever alternative is chosen, the recipient must make the public aware of how persons with hearing impairments may contact them. **Mississippi Relay is a free service that provides full telephone accessibility to people who are deaf, hard-of-hearing, deaf-blind, and speech-disabled. This service allows text-telephone (TTY) users to communicate with standard telephone users through specially trained relay operators.*

Mississippi Relay Customer Service

- **800-676-3777**
- **Email: Sprint.TRSCustServ@sprint.com**
- **Español: 800-676-4290**
- **Speech-disabled: 877-787-1989**
- **Voice Carry-Over: 866-931-9027**



Communicating with Persons with Hearing, Visual and Manual Impairments - Section 504 regulations also require that the recipient “furnish appropriate auxiliary aids where necessary to afford an individual with handicaps an equal opportunity to participate in, and enjoy the benefits of, a program or activity receiving Federal financial assistance.” [24 CFR 8.6(a)(1)] This means that the recipient must make arrangements in advance of all public meetings to offer, on request and as appropriate, sign language interpreters or other assistance.

These services do not have to be provided automatically for every meeting, but the willingness to make accommodation for persons with hearing, visual, or manual impairments must be offered in public announcements about public meetings. In addition, all public meetings must be held in a location, which is accessible to all individuals.

Required Action for Communicating with Persons with Hearing, Visual -In every public meeting notice, the recipient must include a statement to the effect that persons with hearing, visual or manual impairments who wish to participate in the meeting should contact the recipient by a certain date so that appropriate communication assistance can be arranged. The recipient must be ready to back up that commitment with the necessary assistance.

If there are no requests for assistance, the meeting can proceed without making special arrangements. The meeting must be held in a location accessible to all individuals. During regular monitoring of the grant, the state must see evidence that the required notice has been made and, if a request was made for assistance, how the recipient responded.

Employment Practices Subject to Section 504 - Employment practices of the recipient, including recruitment, testing, physical examinations and hiring, are all subject to requirements of Section 504. The recipient must make reasonable accommodations for the needs of employees with disabilities. “Reasonable accommodation” means that the recipient is not required to take any actions that will result in a fundamental alteration in the nature of a program or activity or in undue financial or administrative burdens.

SECTION 504 - Self-Evaluation

MDA has conducted a self-evaluation of its programs, services, and activities to determine if they are programmatically and physically accessible to persons with disabilities. In turn, it requires each of its Sub-recipient to conduct a self-evaluation as well. If a Sub-recipient has not already performed a Section 504 self-evaluation of programs, services, and activities to determine if they are programmatically and physically accessible to person with disabilities, they must conduct such evaluation and document all needs.



If a Sub-recipient has already performed a self-evaluation, a new one is not required, unless facilities have been altered. Sub-recipients can complete the self-evaluation guide, provided within this manual to adopt and use in their own programs. Sub-recipients should also involve persons with disabilities in these evaluations. While performing the self-evaluation, Sub-recipients should conduct a careful inspection of the following to determine if they are free from discriminatory effects and practices:

- Employment and personnel policies and practices;
- Programs and activities;
- Benefits and service delivery; and
- Contractual agreements.

Tip: Conduct a “walk-through” of the process required for participation in the service or program to assess its accessibility. Analyze the physical path traveled, as well as the administrative requirements, service delivery, eligibility criteria, and application procedures. In the course of the self-evaluation, if the Sub-recipient identifies any policies and practices that are found to be discriminatory or contrary to Section 504 requirements, it must take steps to remedy the discrimination.

SECTION 504 - TRANSITION PLAN

If structural barriers have been identified during the self-evaluation process and cannot be removed with nonstructural solution, a transition plan must be completed and made available for public review and comment. The plan must address the following items:

- Identification of physical obstacles in the facilities that limit program accessibility;
- Description of the method that will be used to make facilities accessible;
- Specify a schedule to achieve full program compliance; and, if the plan is longer than one year, identify steps to be taken during each year;
- Indicate the person responsible for implementing the plan; and
- Identify the person or groups with whose assistance the plan was prepared.

The Sub-recipient is not necessarily required to make every part of an existing facility accessible if that is not structurally possible, but Sub-recipients must address how persons with disabilities will be assured access. The transition plan must involve persons with disabilities and/or representative organizations.



SECTION 504 REQUIREMENTS FOR SUB-SUB-RECIPIENTS WITH 15 OR MORE EMPLOYEES

Designation of responsible employee - The recipient must designate one employee as the person responsible for coordinating all Section 504 responsibilities.

Adoption of grievance procedures - Each recipient must adopt a grievance procedure. The procedure must incorporate due process standards and allow for quick and prompt resolution of any complaints of alleged discrimination based on disability.

Public Notice requirements - The recipient must publish a notice to notify the public and any individuals and groups which may be affected that it does not discriminate on the basis of disability. These individuals and groups include employees, union, professional organizations and potential program participants

The notice must be published at the start of the grant period unless the recipient has published one for a prior grant and the required information (e.g., the name of the Section 504 coordinator) is unchanged. After the initial notice has been published, notice must be given on an ongoing basis, such as through printing of a nondiscrimination statement on all employee recruiting announcements, application forms and on official stationary used for general communications from the recipient to the public and constituent organizations.

Reasonable Accommodations Under The Fair Housing Act

The Department of Justice (DOJ) and the Department of Housing and Urban Development (HUD) are jointly responsible for enforcing the Federal Fair Housing Act, which prohibits discrimination in housing on the basis of race, color, religion, sex, national origin, familial status, and disability. One type of disability discrimination prohibited by the Act is the refusal to make reasonable accommodations in rules, policies, practices, or services when such accommodations may be necessary to afford a person with a disability the equal opportunity to use and enjoy a dwelling. HUD and DOJ frequently respond to complaints alleging that housing providers have violated the Act by refusing reasonable accommodations to persons with disabilities.

The Act prohibits housing providers from discriminating against applicants or residents because of their disability or the disability of anyone associated with them and from treating persons with disabilities less favorably than others because of their disability. The Fair Housing Act's protection against disability discrimination covers not only home seekers with disabilities, but also buyers and renters without disabilities who live or are associated with individuals with disabilities.

Any person or entity engaging in prohibited conduct – i.e., refusing to make reasonable accommodations in rules, policies, practices, or services, when such accommodations may be necessary to afford a person with a disability an equal opportunity to use and enjoy a dwelling may be held liable unless they fall within an exception to the Act's coverage.



Courts have applied the Act to individuals, corporations, associations and others involved in the provision of housing and residential lending, including property owners, housing managers, homeowners and condominium associations, lenders, real estate agents, and brokerage services. Courts have also applied the Act to state and local governments, most often in the context of exclusionary zoning or other land-use decisions.

The Act defines a person with a disability to include: (1) individuals with a physical or mental impairment that substantially limits one or more major life activities; (2) individuals who are regarded as having such an impairment; and (3) individuals with a record of such an impairment. The term “physical or mental impairment” includes, but is not limited to, such diseases and conditions as orthopedic, visual, speech and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, Human Immunodeficiency Virus infection, mental retardation, emotional illness, drug addiction (other than addiction caused by current, illegal use of a controlled substance) and alcoholism.

WHAT IS A REASONABLE ACCOMMODATION?

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.

Under the Act, a resident or an applicant for housing makes a reasonable accommodation request whenever he/she makes clear to the housing provider that he/she is requesting an exception, change, or adjustment to a rule, policy, practice, or service because of his/her disability. He/She should explain what type of accommodation he/she is requesting and, if the need for the accommodation is not readily apparent or not known to the provider, explain the relationship between the requested accommodation and his/her disability.

A housing provider is only obligated to provide a reasonable accommodation to a resident or applicant if a request for the accommodation has been made. Under the Fair Housing Act, it is usually unlawful for a housing provider to (1) ask if an applicant for a dwelling has a disability or if a person intending to reside in a dwelling or anyone associated with an applicant or resident has a disability, or (2) ask about the nature or severity of such persons’ disabilities.



When a person with a disability believes that he/she has been subjected to a discriminatory housing practice, including a provider's wrongful denial of a request for reasonable accommodation, he/she may file a complaint with HUD within one year after the alleged denial or may file a lawsuit in Federal district court within two years of the alleged denial. If a complaint is filed with HUD, HUD will investigate the complaint at no cost to the person with a disability.

There are several ways that a person may file a complaint with HUD:

- Call Toll Free at 1.800.669.9777 or 1.800.927.9275 TTY;
- Online complaint form <http://www.hud.gov>;
- By mailing a completed complaint form or letter to:

**Office of Fair Housing and Equal Opportunity
Department of Housing and Urban Development
451 Seventh Street, S.W., Room 5204
Washington, DC 20410-2000**

**Upon request, HUD will provide printed materials in alternate formats (large print, audio tapes, or Braille) and provide complainants with assistance in reading and completing forms.*

The Civil Rights Division of the Justice Department brings lawsuits in Federal courts across the country to end discriminatory practices and to seek monetary and other relief for individuals whose rights under the Fair Housing Act have been violated. To alert the Justice Department to matters involving a pattern or practice issues that may be appropriate for *amicus* participation, contact:

**U.S. Department of Justice
Civil Rights Division
Housing and Civil Enforcement Section- G St.
950 Pennsylvania Avenue, N.W.
Washington, DC 20530**

For more information on the types of housing discrimination cases handled by the Civil Rights Division, please refer to the Housing and Civil Enforcement Section's website at: <http://www.usdoj.gov>



Limited English Proficiency (LEP)

Title VI of the Civil Rights Act of 1964 is the Federal Law that protect individuals from discrimination on the basis of their race, color, or national origin in programs that receive Federal financial assistance. In certain situations, failure to ensure that persons who are LEP can effectively participate in, or benefit from, Federally-assisted programs may violate Title VI's prohibition against national origin discrimination. Executive Order (EO) 13166, signed on August 11, 2000, directs all Federal agencies, including the Department of Housing and Urban Development (HUD), to work to ensure that programs receiving Federal financial assistance provide meaningful access to LEP persons.

Limited English Proficiency Persons are those persons who, as a result of national origin, do not speak English as their primary language and who have a limited ability to speak, read, write, or understand. For purposes of Title VI and the LEP Guidance, persons may be entitled to language assistance with respect to a particular service, benefit, or encounter. All programs and operations of entities that receive financial assistance from the Federal government, including but not limited to, state agencies, local agencies and for-profit and non-profit entities, must comply with the Title VI requirements.

The American Community Survey (ACS) analysis for 2012, identifies 10 of Mississippi counties that meet the threshold of 5% of population who speak a language at home other than English as their primary language and speak English "not well" or "not at all" (Spanish). Sub-recipients in the following counties of DeSoto, Forest, Harrison, Hinds, Jackson, Jones, Madison, Rankin, Scott and Yazoo, must provide outreach in Spanish as well as English. Please see ACS within this manual for LEP Counties.

All Sub-recipients are required to make reasonable efforts to provide language assistance to ensure meaningful access for LEP persons to the recipient's programs and activities. To do this, the recipient should:

- 1. Conduct the four-factor analysis;**
- 2. Develop a Language Access Plan (LAP); and**
- 3. Provide appropriate language assistance.**

The actions that the Sub-recipient may be expected to take to meet its LEP obligations depend upon the results of the four-factor analysis including the services the recipient offers, the community the recipient serves, the resources the recipient possesses, and the costs of various language service options. All organizations would ensure non-discrimination by taking reasonable steps to ensure meaningful access for persons who are LEP. A Sub-recipient may conduct an individualized assessment that balances the following four factors:

1. The number of LEP persons served or encountered in the eligible service population
2. The frequency with which LEP persons come into contact with the program;
3. The nature of the program, activity, or service provided by the program; and
4. The resources available and costs to the recipient.



Language assistance that a Sub-recipient may provide to LEP persons includes, but is not limited to:

- Oral interpretation services;
- Bilingual staff;
- Telephone service lines interpreter;
- Written translation services;
- Notices to staff and the public of the availability of LEP services; or
- Referrals to community liaisons proficient in the language of LEP persons

The table below sets forth "safe harbors" for written translations.

Size of Language Group and Recommended Provision of Written Language Assistance

1,000 or more in the eligible population in the market area or among current beneficiaries	Translated vital documents
More than 5% of the eligible population or beneficiaries <i>and</i> more than 50 in number	Translated vital documents
More than 5% of the eligible population or beneficiaries <i>and</i> 50 or less in number	Translated written notice of right to receive free oral interpretation of documents.
5% or less of the eligible population or beneficiaries and less than 1,000 in number	No written translation is required.

LANGUAGE ASSISTANCE PLAN (LAP PLAN)

After completing the four-factor analysis and deciding what language assistance services are appropriate, a recipient may develop an implementation plan or LAP to address identified needs of the LEP populations it serves. Some elements that may be helpful in designing an LAP include:

- Identifying the points and types of contact the agency and staff may have with LEP persons;
- Identifying ways in which language assistance will be provided;
- Outreaching effectively to the LEP community;
- Training staff;
- Determining which documents and informational materials are vital;
- Translating informational materials in identified language(s) that detail services and activities provided to beneficiaries (e.g., model leases, tenants' rights and responsibilities brochures, fair housing materials, first time homebuyer guide);



- Providing appropriately translated notices to LEP persons (e.g., eviction notices, security information, emergency plans);
- Providing interpreters for large, medium, small, and one-on-one meetings;
- Developing community resources, partnerships, and other relationships to help with the provision of language services; and
- Making provisions for monitoring and updating the LAP, including seeking input from beneficiaries and the community on how it is working and on what other actions should be taken.

WHAT ARE VITAL DOCUMENTS?

A vital document is any document that is critical for ensuring meaningful access to the Sub-recipients' major activities and programs by beneficiaries generally and LEP persons specifically. Where appropriate, Sub-recipients are encouraged to create a plan for consistently determining what documents are "vital" to the meaningful access of the LEP populations they serve. If the prospective beneficiary's response indicates a need for language assistance, the recipient may want to give applicants or prospective beneficiaries a language identification card (or "I speak" card).

Language identification cards invite LEP persons to identify their own language needs. Such cards, for instance, might say "I speak Spanish" in both Spanish and English, "I speak Vietnamese" in both Vietnamese and English, etc. To reduce costs of compliance, the federal government has made a set of these cards available on the Internet or you can download the cards from the MDA website at www.mississippi.org/csd under Fair Housing Compliance.

If a person believes that a HUD Federally-assisted entity is not taking reasonable steps to ensure meaningful access to LEP persons, that individual may file a complaint with HUD's local Office of FHEO. For contact information of the local HUD office, go to the HUD Website or call the Housing Discrimination Office toll free hotline at: 800.669.9777 (voice) Or 800.927.9725 TTY).

HUD's Office of FHEO will conduct an investigation or compliance review whenever it receives a complaint, report, or other information that alleges or indicates possible noncompliance with Title VI obligations by a Sub-recipient. If HUD's investigation or review results in a finding of compliance, HUD will inform the Sub-recipient in writing of its determination.

If an investigation or review results in a finding of noncompliance, HUD also will inform the Sub-recipient in writing of its finding(s) and identify steps that the Sub-recipient must take to correct the noncompliance. In a case of noncompliance, HUD will first attempt to secure voluntary compliance through informal means. If the matter cannot be resolved informally, HUD may then secure compliance by:



- Terminating the financial assistance of the Sub-recipient, only after the Sub-recipient has been given an opportunity for an administrative hearing; and/or
- Referring the matter to the Department of Justice.

Title VI is the enforceable statute by which HUD investigates complaints alleging a Sub-recipient's failure to take reasonable steps to ensure meaningful access to LEP persons. In evaluating the evidence in such complaints, HUD will consider the extent to which the Sub-recipient followed the LEP Guidance or otherwise demonstrated its efforts to serve LEP persons.

Affirmatively Furthering Fair Housing (AFFH) Sub-Recipient Requirements

All Sub-Sub-recipients who receive CDBG Federal funds from CSD are required to comply with all Fair Housing laws and Affirmatively Further Fair Housing requirements. No Federally-funded project is exempt from these requirements. Federal statute at Section 106(d)(5) of the Housing and Community Development Act requires that no funds may be distributed by the state to any unit of general local government unless the locality certifies that it will Affirmatively Further Fair Housing. Federal Regulation at 24 CFR part 570.487(b)(2) requires that units of general local government shall develop proposed actions to Affirmatively Further Fair Housing at the local level for state review and approval. States and Local Governments receiving CDBG funds must certify that they will affirmatively further fair housing (24 CFR 570.487 and 24 CFR Part 91.325 (a)(1)).

All Sub-Sub-recipients must certify that they will **Affirmatively Furthering Fair Housing** in the community according to Title VIII of the Civil Rights Act of 1968. This requirement dictates some form of action to be taken by the Sub-recipient, not just passive compliance with existing laws and ordinances. Fair housing choice is the ability of persons of similar income levels to have available to them a like range of housing choices regardless of race, color, national origin, religion, sex, familial status or disability. Local Units of Government, because of their influence and power are in the most effective position to promote fair housing.

All Sub-Sub-recipients are required to complete the following Affirmatively Furthering Fair Housing requirements:

1. Adopt a Fair Housing Resolution/Fair Housing Plan

The Sub-recipient must adopt and publish a Fair Housing Resolution. The resolution should be published in a newspaper of general circulation or posted in prominent locations throughout the community. When adopted at an open meeting, the Local Unit of Government publicizes the community's commitment to fair housing. A Sample resolutions is provided within this policy manual.



2. Display Fair Housing Posters in a Public Area of the Community

The Sub-recipient must prominently display Fair Housing Posters at City Hall and/or the County Court House and other locations within the funded community (i.e. construction job sites). *Posters need to be displayed in the public area year round in both* English and Spanish. Posters are available on the MDA website in various languages at www.mississippi.org/csd.

3. Fair Housing Month Proclamation/Resolution

The Sub-recipient must pass a proclamation and/or resolution declaring the Month of April as Fair Housing month for the municipality for each year the project remains open.

4. Conduct Fair Housing Activities

The Sub-recipient must undertake one or more activities to affirmatively further fair housing to ensure that all citizens in your community are aware that affirmatively furthering fair housing is a priority. Discretion is left at the local level to determine the appropriateness of the activity(ies) that are chosen. The Sub-recipient must document said activity for monitoring purposes.

**CSD recommends that the Sub-recipient review the State of Mississippi's Fair Housing Plan when planning the required Fair Housing Activity. The Fair Housing Plan is part of the State of Mississippi's Analysis of Impediments to Fair Housing Choice Study. The AI can be found at www.mississippi.org/csd*

5. Distribute the Fair Housing Brochures.

Distribute the Fair Housing Brochures at City Hall and/or County Court House and other locations within the funded community and submit documentation that this was completed. Brochures may be obtained from the Mississippi Development Authority (CSD) website or obtain the "Know Your Rights" booklets from HUD. Distribution sites may include, but are not limited to: City/Town Hall; Public Library; Post Office; Chamber of Commerce; Lending Institutions and Real Estate Offices

The Sub-recipient must have all documentation available for monitoring purposes to ensure that all activities for Fair Housing Compliance have been conducted and/or completed. The State will consider the locality to have met its certification to Affirmatively Further Fair Housing if the locality has carried out the state recommended actions.

CSD encourages the Sub-recipient to evaluate and/or consider the following additional actions:

- **Review the State of Mississippi Analysis of Impediments of Fair Housing Choice** and generate Fair Housing Activities based on the State's Fair Housing Plan.
- **Review local zoning laws and building codes and procedures** to determine if such contribute to or detract from fair housing choice.
- **Review lending practices of financial institutions** serving the community for evidence of discriminatory practices.



- **Review sales and rental practices** within the community for discriminatory practices.
- **Sponsor a free Affirmatively Further Fair Housing training** or workshop in your community. Market the training to all residents in the community through newspaper, radio advertisements, and other media outlets.
- **Provide housing counseling to minority and non-English speaking residents** to help them find housing outside areas of concentration.

AFFIRMATIVELY FAIR HOUSING DOCUMENTATION AND RECORDKEEPING

All *Sub-Sub-recipients* must *document all actions* and correspondence related to Fair Housing activities. The file may include the variety of the following information:

- The community's Fair Housing Resolution or Proclamation;
- Documentation that Sub-recipient's Staff are trained in Fair Housing practices;
- Fair housing posters, a list where such are posted or to which organizations or entities they have been mailed with the mailing dates;
- Documentation of any Fair Housing complaints that may have been filed against the Sub-recipient and resolution of those complaints;
- Notes regarding phone calls made and responses received;
- Letters mailed to various groups;
- Press releases;
- Newspaper articles related to Fair Housing;
- PSAs and a list of stations to which they were sent;
- Minutes of a Fair Housing committee or task force meetings and a list of members;
- Paid newspaper advertisements about AFFH;
- Newspaper notices requesting persons to serve on an AFFH committee;



- Copies of the Federal and State Fair Housing Laws, which can be a reference for other actions or requests by residents; and
- The names, addresses, and telephone numbers of citizen groups concerned with housing issues: *e.g., fair housing groups, tenant associations, builders, real estate personnel; organizations representing specific populations groups, e.g., minorities, women, senior citizens; and other local organizations, e.g., advocacy groups, unions, voter's leagues.*

ADDITIONAL FAIR HOUSING COMPLIANCE AND RECORDKEEPING REQUIREMENTS

The Community Services Division will monitor all Sub-recipients to ensure fair housing requirements have been conducted. Monitoring may include Desk Reviews and On-site Reviews. The Sub-recipient must maintain all fair housing related documentation for CSD review and ensure all activities have been conducted prior to the Close-out of the federally funded project. The following records must be maintained by the Sub-recipient in a separate equal opportunity and fair housing file:

- Documentation of the action(s) the Sub-recipient has taken to affirmatively further fair housing, including records on funds provided, if any, for such actions; and
- Demographic data (actual survey or latest Census/American Community Survey data) depending on the project undertaken may include:
- The population of the jurisdiction of the unit of general local government receiving CDBG funds;
- The minority population of the locality (number and percentage);
- The target area population;
- The minority population of the target area (number and percentage);
- The number of disabled, elderly households, and female-headed households in the target area; and



DIRECT BENEFIT RECORDKEEPING

It is important that Sub-recipient maintain statistical information on the persons benefiting from the project be maintained and updated throughout the implementation of the project. Even if the project activities meet the “presumptive benefit” test for proving LMI benefits and surveys have not been conducted or statistical data on beneficiaries has not been collected, benefit data for fair housing and equal opportunity purposes must be maintained.

Sub-recipients should note that those benefiting from the project must be determined. A Project Benefit Profile must be maintained for each activity except administration, planning, and contingency. For direct benefit activities, provide data on the extent to which persons have applied for benefits and participated in or benefited from any program or activity funded in whole or in part with CDBG funds. Records must be kept by race, ethnicity, and gender of heads of households.

SECTION 504 RECORDKEEPING

The following records must be maintained by the Sub-recipient in a separate 504 file:

- A copy of the self-evaluation;
- A copy of the transition plan;
- A list of interested persons who were consulted;
- A description of areas and buildings examined and any problems identified;
- A description of modifications made and remedial steps taken to comply with the regulations; and

EMPLOYMENT AND CONTRACTING RECORDKEEPING

Data on employment of the local government that is carrying out an activity funded in whole or in part with CDBG funds. The data to be maintained in the files includes:

- A description of the local government work force in percentage by race, gender, job title, salary, and hire date;
- The percentage of minorities in the jurisdiction of the unit of general local government that is receiving CDBG funds and the percentage of minorities working for that unit of general local government;
- The number of project area residents employed with CDBG funds (i.e Section 3);
- Documentation of the affirmative actions the Sub-recipient has taken to overcome the effects of prior discrimination as determined through a formal compliance review or court proceeding, where the Sub-recipient has previously discriminated against persons on the grounds of race, color, national origin, or sex in administering a program or activity funded in whole or in part with CDBG funds.



FAIR HOUSING RESOURCES

U.S. Department of Housing and Urban Development (HUD)

Five Point Plaza
40 Marietta Street, 16th Floor
Atlanta, GA 30303-2806
Telephone at 1-800-440-8091
1-800-927-9275 **TTY**

Mississippi Center for Justice

Address (Jackson Office):

5 Old River Place
Suite 203 (39202)
P.O. Box 1023
Jackson, MS 39215-1023
Telephone: (601) 352-2269
Fax: (601) 352-4769

Mississippi Center for Justice

Address (Biloxi Office):

3 Division Street
Biloxi, MS 39530-296
Telephone: (228) 435-728
Fax: (228) 435-7285

Mississippi Center for Justice

Address (Indianola Office):

120 Court Avenue
Indianola, MS 38751
Telephone: (662) 887-6570
Fax: (662) 887-6571

Mississippi Center for Legal Services

Address:

111 East Front Street
Hattiesburg, MS 39403

Telephone: (601) 545-2950

Website: <http://www.mslegalservices.org>

HEED

Housing Education and Economic Development

Address:

3405 Medgar Evers Boulevard
Jackson, MS 39283

Telephone: (601) 981-1960

Website: <http://www2.netdoor.com/~heed/>

Institute for Disability Studies

Address:

The University of Southern Mississippi
3825 Ridgewood Road, Suite 729
Jackson, MS 39211

Telephone: (601) 432-6876

Toll Free: (866) 671-0051

TTY: (888) 671-0051

Website: <http://www.usm.edu/disability-studies>



SAMPLE FAIR HOUSING RESOLUTION

LET IT BE KNOWN TO ALL PERSONS OF the **CITY/COUNTY** of _____ that discrimination on the basis of race, color, religion, gender or national origin in the sale, rental, leasing or financing of housing or land to be used for construction of housing or in the provision of brokerage services is prohibited by Title VIII of the 1968 Civil Rights Act (Federal Fair Housing Law).

It is the policy of the **CITY/COUNTY** of _____ to encourage equal opportunity in housing for all persons regardless of race, color, religion, gender or national origin. The Fair Housing Amendments Act of 1988 expands coverage to include disabled persons and families with children. Therefore, the **CITY/COUNTY** does hereby pass the following Resolution.

BE IT RESOLVED that within available resources the **CITY/COUNTY** will assist all persons who feel they have been discriminated against because of race, color, religion, gender, national origin, disability or familial status to seek equity under Federal and State laws by referring them to the U.S. Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity, Compliance Division.

BE IT FURTHER RESOLVED that the **CITY/COUNTY** shall publicize this Resolution and through this publicity shall encourage owners of real estate, developers, and builders to become aware of their respective responsibilities and rights under the Federal Fair Housing Law and amendments and any applicable state or local laws or ordinances.

SAID CITY/COUNTY will, at a minimum: 1. Adopt and publicize the Fair Housing Resolution; 2. Post Fair Housing Posters in prominent public areas; 3. Provide Fair Housing Brochures Fair Housing information to the public; 4. Declare April as Fair Housing Month by Proclamation or Resolution; and 5. Conduct at least one (1) Fair Housing activity and document said activity.

EFFECTIVE DATE:

This Resolution shall take effect _____

Attest

Chief Elected Official



Fair Housing Month Sample Proclamations:

Sample One:

FAIR HOUSING MONTH

WHEREAS, April marks the anniversary of the passage of the Fair Housing Act of 1968, which sought to eliminate discrimination in housing opportunities and to affirmatively further housing choices for all Americans; and

WHEREAS, the ongoing struggle for dignity and housing opportunity for all is not the exclusive province of the Federal government; and

WHEREAS, vigorous local efforts to combat discrimination can be as effective, if not more so, than Federal efforts; and

WHEREAS, illegal barriers to equal opportunity in housing, no matter how subtle, diminish the rights of all;

NOW, THEREFORE, BE IT RESOLVED,

that in the pursuit of the shared goal and responsibility of providing equal housing opportunities for all men and women, the (city council/Board of Aldermen/Board of Supervisors) of (name of community), Mississippi, does hereby join in the national celebration by proclaiming

APRIL, (Year)

as

FAIR HOUSING MONTH

and encourages all agencies, institutions and individuals, public and private, in (name of community) to abide by the letter and the spirit of the Fair Housing law.

Signed and sealed this ___ day of April, _____.



Sample Two Proclamation

WHEREAS, April 11, 2016, marks the 43rd anniversary of the passage of the U.S. Fair Housing Law, Title VIII of the Civil Rights Act of 1968, as amended, which enunciates a national policy of Fair Housing without regard to race, color, creed, national origin, sex, familial status, and handicap, and encourages fair housing opportunities for all citizens; and

NOW, THEREFORE, I, (or we) (name, title) of the (state/city/county) of (name), do hereby resolve that April 2011, being Fair Housing Month, begins a year-long commemoration of the U.S. Fair Housing Law in (name of town) and urge all citizens to wholeheartedly recognize this celebration throughout the year.

APPROVED this (date) day of (Month), 2016

Note: Update the year and number of the anniversary in each subsequent proclamation.



SAMPLE

Select type of report (Four-Factor Analysis or Four-Factor Analysis and Language Access Plan)

FOUR-FACTOR ANALYSIS

And

LANGUAGE ACCESS PLAN

**FOR LIMITED ENGLISH PROFICIENCY
PERSONS**

**COMMUNITY DEVELOPMENT
BLOCK GRANT PROGRAM**

COMMUNITY NAME

Purpose: In compliance with Executive Order 13166, Community Name has developed the following Language Access Plan (LAP) for Limited English Proficiency (LEP) persons.



History: Title VI of the Civil Rights Act of 1964 is the federal law which protects individuals from discrimination on the basis of their race, color, or national origin in programs that receive federal financial assistance. In certain situations, failure to ensure that persons who have limited English proficiency can effectively participate in, or benefit from, federally assisted programs may violate Title VI's prohibition against national origin discrimination. Persons who, as a result of national origin, do not speak English as their primary language and who have limited ability to speak, read, write, or understand English may be entitled to language assistance under Title VI in order to receive a particular service, benefit, or encounter.

Community Name Four-Factor Analysis: The following Four-Factor Analysis will serve as the guide for determining which language assistance measures the Community Name will undertake to guarantee access to the Community Name Community Development Block Grant (CDBG) programs by LEP persons. The table below sets forth "safe harbors" for written translations.

Size of Language Group and Recommended Provision of Written Language Assistance

1,000 or more in the eligible population in the market area or among current beneficiaries	Translated vital documents
More than 5% of the eligible population or beneficiaries <i>and</i> more than 50 in number	Translated vital documents
More than 5% of the eligible population or beneficiaries <i>and</i> 50 or less in number	Translated written notice of right to receive free oral interpretation of documents.
5% or less of the eligible population or beneficiaries and less than 1,000 in number	No written translation is required.

1. Number or proportion of LEP persons served or encountered in the eligible service population (served or encountered includes those persons who would be served by the recipient if the person received education and outreach and the recipient provided sufficient language services).

Select the paragraph(s) below that best describe your methodology. Delete the other paragraph(s). These paragraphs may be modified or replaced with narrative that more accurately reflects the community's methodology. Replace the shaded areas with information about your community.

Currently, the U.S. Census does not provide data regarding Limited English Proficiency below the County Level. Therefore, for determining the LEP population, Community Name utilized the following method(s) to determine the LEP population in Community Name.

Individuals conducting income surveys in the project area were asked to determine if any LEP households were located in the potential project area. According to surveyors,



there were number of LEP households households located in the proposed project area. This does/does not represent a threshold population of LEP residents.

Local elected officials, clergy, medical personnel, and school administrators were polled by telephone/questionnaire to request input regarding their knowledge of LEP households within the community and/or proposed project area(s). Based on the results of the telephone poll/questionnaires, there are an estimated number of LEP households households located in Community Name. This does/does not represent a LEP threshold population.

County Name utilized Census 2000 Special Tabulation 194 and Table 4, Table 4, Language Spoken at Home and Ability to Speak English for Population 5 Years and Over. Based on this data, County Name does/does not meet the 1,000 or 5% LEP persons threshold for any languages or Language(s) identified.

2. The frequency with which the LEP persons come into contact with the program. **Select the paragraph(s) below that best describe your methodology. Delete the other paragraph(s). These paragraphs may be modified or replaced with narrative that more accurately reflects the community's methodology.**

The proposed project does include acquisition, relocation, housing rehabilitation, and/or water/sewer hookups. Therefore, residents are likely to have considerable direct contact with the program and its staff.

The proposed project is an infrastructure project that does not provide direct assistance to individuals. As a result, LEP persons rarely come into contact with the CDBG program. However, all citizen participation activities are open to the general public.

3. The nature and importance of the program, activity, or service provided by the program. **Select the paragraph(s) below that best describe your methodology. Delete the other paragraph(s). These paragraphs may be modified or replaced with narrative that more accurately reflects the community's methodology. Replace the shaded areas with information about your community.**

The proposed project does provide direct assistance to project area beneficiaries related to housing/hookups/acquisition; therefore, the nature of the activity or service is of significant importance to the proposed project area(s) residents.

The proposed project does not provide direct assistance to individuals. As a result, LEP persons rarely come into contact with the CDBG program. However, all citizen participation activities are open to the general public.



4. The resources available and costs to the recipient.

Currently, internet sites can be utilized to translate some written materials. Additionally, local volunteers have been identified to provide oral translation services at public meetings and during conversations with LEP residents during the implementation of the proposed project. Furthermore, many of the common forms used in the implementation of a CDBG project are available in multiple languages on the HUD and DOL websites. Additionally, translation activities are an eligible CDBG administrative expense. Therefore, limited LAP measures are reasonable given the resources available to Community Name.

Once the Four-Factor Analysis has been completed, the community must determine if a LAP is required. If the community determines that a LAP is **not** required, then the certification below should be signed and dated by the chief elected official and the Four-Factor Analysis should be kept in the Fair Housing and Equal Opportunity CDBG program file.

If the Four-Factor Analysis identifies a LEP threshold population and/or if the nature of the program activities is such that a LAP is triggered, please delete the certification below and complete the LAP section at the end of this sample document.

Certification: Based on the above Four-Factor Analysis, the **Community Name** is not required to develop a LAP. However, the **Community Name** will make all reasonable attempts to accommodate language access needs of residents requesting oral translation during citizen participation activities.

Chief Elected Official Signature

Date



Language Access Plan: As a result of the preceding Four-Factor Analysis, **Community Name** has identified the following types of language assistance to be provided on an as needed basis by **Community Name** throughout the implementation of the CDBG program:

Select the paragraphs below that best describe your planned activities. Delete the other paragraph(s). These paragraphs may be modified or replaced with narrative that more accurately reflects the community's planned activities. Replace the shaded areas with information about your community.

- *All CDBG citizen participation documents, project-related resolutions, public notices, and amendments will be published in **LEP language identified** on bulletin boards at the **City Hall/County Courthouse** and in public places throughout the proposed project area(s) and/or the community.*
- *Additionally, all published citizen participation advertisements will include a statement in **LEP language identified** indicating other program materials are available in **LEP language identified** upon request.*
- *All citizen participation notices will include a statement that translators will be available at public meetings upon prior request.*
- *If needed, a translator may be retained to provide oral translation in the field during the implementation of the project activities (**generally for housing rehabilitation, hookups, acquisition, and relocation projects only**).*
- *If other populations of LEP persons are identified in the future, **Community Name** will consider additional measures to serve the language access needs of those persons.*

Chief Elected Official Signature

Date Adopted



~SAMPLE NOTICE UNDER ADA~

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT

In accordance with the requirements of title II of the Americans with Disabilities Act of 1990 ("ADA"), the **[name of public entity]** will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

Employment: **[name of public entity]** does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under title I of the ADA.

Effective Communication: **[Name of public entity]** will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in **[name of public entity's]** programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

Modifications to Policies and Procedures: **[Name of public entity]** will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in **[name of public entity]** offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of **[name of public entity]**, should contact the office of **[name and contact information for ADA Coordinator]** as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the **[name of public entity]** to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden. Complaints that a program, service, or activity of **[name of public entity]** is not accessible to persons with disabilities should be directed to **[name and contact information for ADA Coordinator]**.

[Name of public entity] will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.



~SAMPLE GRIEVANCE PROCEDURE UNDER ADA~

**[Name of Public Entity]
Grievance Procedure Under The Americans with Disabilities Act**

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA"). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the **[name of public entity]**. The **[e.g. State, City, County, Town]**'s Personnel Policy governs employment-related complaints of disability discrimination.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request. The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

**[Insert ADA Coordinator's name]
ADA Coordinator [and other title if appropriate]
[Insert ADA Coordinator's mailing address]**

Within 15 calendar days after receipt of the complaint, **[ADA Coordinator's name]** or [his/her] designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, **[ADA Coordinator's name]** or [his/her] designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the **[name of public entity]** and offer options for substantive resolution of the complaint.

If the response by **[ADA Coordinator's name]** or [his/her] designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the **[City Manager/County Commissioner/ other appropriate high-level official]** or [his/her] designee.

Within 15 calendar days after receipt of the appeal, the **[City Manager/County Commissioner/ other appropriate high-level official]** or [his/her] designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the **[City Manager/County Commissioner/ other appropriate high-level official]** or [his/her] designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by **[name of ADA Coordinator]** or [his/her] designee, appeals to the **[City Manager/County Commissioner/ other appropriate high-level official]** or [his/her] designee, and responses from these two offices will be retained by the **[public entity]** for at least three years.



2004 Census Test	United States Census 2010 LANGUAGE IDENTIFICATION FLASHCARD
<input type="checkbox"/> ضع علامة في هذا المربع إذا كنت تقرأ أو تتحدث العربية.	1. Arabic
<input type="checkbox"/> Խնդրում ենք նշում կատարել այս քանակությունը, եթե խոսում կամ կարդում եք հայերեն:	2. Armenian
<input type="checkbox"/> যদি আপনি বাংলা পড়েন বা বলেন তা হলে এই বাক্সে দাগ দিন।	3. Bengali
<input type="checkbox"/> ឈ្មួញបញ្ជាក់ក្នុងប្រអប់នេះ បើអ្នកអាន ឬនិយាយភាសា ខ្មែរ ។	4. Cambodian
<input type="checkbox"/> Motka i kahhon ya yangin ûntûngnu' manaitai pat ûntûngnu' kumentos Chamorro.	5. Chamorro
<input type="checkbox"/> 如果你能读中文或讲中文，请选择此框。	6. Simplified Chinese
<input type="checkbox"/> 如果你能讀中文或講中文，請選擇此框。	7. Traditional Chinese
<input type="checkbox"/> Označite ovaj kvadratić ako čitate ili govorite hrvatski jezik.	8. Croatian
<input type="checkbox"/> Zaškrtněte tuto kolonku, pokud čtete a hovoříte česky.	9. Czech
<input type="checkbox"/> Kruis dit vakje aan als u Nederlands kunt lezen of spreken.	10. Dutch
<input type="checkbox"/> Mark this box if you read or speak English.	11. English
<input type="checkbox"/> اگر خواندن و نوشتن فارسی بلد هستید، این مربع را علامت بزنید.	12. Farsi

DB-3309

U.S. DEPARTMENT OF COMMERCE
Economics and Statistics Administration
U.S. CENSUS BUREAU

<input type="checkbox"/>	Cocher ici si vous lisez ou parlez le français.	13. French
<input type="checkbox"/>	Kreuzen Sie dieses Kästchen an, wenn Sie Deutsch lesen oder sprechen.	14. German
<input type="checkbox"/>	Σημειώστε αυτό το πλαίσιο αν διαβάζετε ή μιλάτε Ελληνικά.	15. Greek
<input type="checkbox"/>	Make kazye sa a si ou li oswa ou pale kreyòl ayisyen.	16. Haitian Creole
<input type="checkbox"/>	अगर आप हिन्दी बोलते या पढ़ सकते हैं तो इस बक्स पर चिह्न लगाएँ।	17. Hindi
<input type="checkbox"/>	Kos lub voj no yog koj paub twm thiab hais lus Hmoob.	18. Hmong
<input type="checkbox"/>	Jelölje meg ezt a kockát, ha megérti vagy beszéli a magyar nyelvet.	19. Hungarian
<input type="checkbox"/>	Markaam daytoy nga kahon no makabasa wenno makasaoka iti Ilocano.	20. Ilocano
<input type="checkbox"/>	Marchi questa casella se legge o parla italiano.	21. Italian
<input type="checkbox"/>	日本語を読んだり、話せる場合はここに印を付けてください。	22. Japanese
<input type="checkbox"/>	한국어를 읽거나 말할 수 있으면 이 칸에 표시하십시오.	23. Korean
<input type="checkbox"/>	ໃຫ້ໝາຍໃສ່ຊ່ອງນີ້ ຖ້າທ່ານອ່ານຫຼືປາກົດພາສາລາວ.	24. Laotian
<input type="checkbox"/>	Prosimy o zaznaczenie tego kwadratu, jeżeli posługuje się Pan/Pani językiem polskim.	25. Polish

DB-3309

U.S. DEPARTMENT OF COMMERCE
Economics and Statistics Administration
U.S. CENSUS BUREAU

EQUAL HOUSING
OPPORTUNITY

<input type="checkbox"/>	Assinale este quadrado se você lê ou fala português.	26. Portuguese
<input type="checkbox"/>	Însemnați această căsuță dacă citiți sau vorbiți românește.	27. Romanian
<input type="checkbox"/>	Пометьте этот квадратик, если вы читаете или говорите по-русски.	28. Russian
<input type="checkbox"/>	Обележите овај квадратик уколико читате или говорите српски језик.	29. Serbian
<input type="checkbox"/>	Označte tento štvorček, ak viete čítať alebo hovoriť po slovensky.	30. Slovak
<input type="checkbox"/>	Marque esta casilla si lee o habla español.	31. Spanish
<input type="checkbox"/>	Markahan itong kuwadrado kung kayo ay marunong magbasa o magsalita ng Tagalog.	32. Tagalog
<input type="checkbox"/>	ทำเครื่องหมายในช่องสี่เหลี่ยมนี้หากคุณอ่านหรือพูดภาษาไทย.	33. Thai
<input type="checkbox"/>	Maaka 'i he puha ni kapau 'oku ke lau pe lea fakatonga.	34. Tongan
<input type="checkbox"/>	Відмітьте цю клітинку, якщо ви читаете або говорите українською мовою.	35. Ukrainian
<input type="checkbox"/>	اگر آپ اردو پڑھتے یا بولتے ہیں تو اس خانے میں نشان لگائیں۔	36. Urdu
<input type="checkbox"/>	Xin đánh dấu vào ô này nếu quý vị biết đọc và nói được Việt Ngữ.	37. Vietnamese
<input type="checkbox"/>	באצייכנט דעם קעסטל אויב איר לייענט אדער רעדט אידיש.	38. Yiddish

DB-3309

U.S. DEPARTMENT OF COMMERCE
Economics and Statistics Administration
U.S. CENSUS BUREAU





Housing Discrimination Complaint Form

The Fair Housing Act makes it unlawful to discriminate in housing because of these **protected classes**:

- Race
- Color
- National Origin
- Religion
- Sex
- Familial status (families with children under the age of 18, or who are expecting a child)
- Disability (if you or a person you are associated with has a disability)

It is unlawful to do the following because of the **protected classes** identified above:

- Refuse to rent to you or sell you housing
- Tell you housing is unavailable when in fact it is available
- Show you apartments or homes only in certain neighborhoods
- Set different terms, conditions, or privileges for sale or rental of a dwelling
- Provide different housing services or facilities
- Advertise housing to preferred groups of people only
- Refuse to provide you with information regarding mortgage loans, deny you a mortgage loan, or impose different terms or conditions on a mortgage loan
- Deny you property insurance
- Conduct property appraisals in a discriminatory manner
- Refuse to make reasonable accommodations or permit reasonable modifications for persons with a disability if the accommodation or modification (structural change) is necessary to afford such person a reasonable and equal opportunity to use and enjoy a dwelling.



- Fail to design and construct housing in an accessible manner
- Harass, coerce, intimidate, or interfere with anyone exercising or assisting someone else with his/her fair housing rights

If you believe your rights have been violated, complete the following form and send it to HUD by mail, fax, or email, or file your complaint directly online:

Mail: U.S. Department of Housing and Urban Development
Office of Fair Housing and Equal Opportunity – Intake Branch
40 Marietta Street, 16th Floor
Atlanta, GA 30303

Fax: (202) 485-9080 OR (202) 485-9081

Scan/email to: ComplaintsOffice04@hud.gov

OR

File your housing discrimination complaint **online** at www.hud.gov

Download our FHEO mobile app for iPhone or Android.



Instructions:

(Please type or print) Read this form carefully. Try to answer all questions. If you do not know the answer or a question does not apply to you, leave the space blank. You have one year from the most recent date of the alleged discrimination to file a complaint. Your form should be signed and dated.

How did you learn you could file a housing discrimination complaint?

(Ex: Fair housing brochure, FHIP, housing provider, HUD office, newspaper, TV, radio, Internet, friend, state or local government, another federal agency, another investigation)

Personal Information:

Your name is: (Mr./Mrs./Ms./Miss)

(First)

(Middle name or initial)

(Last)

Your mailing address is _____

(City)

(State)

(Zip)

Your daytime telephone number is: _____ Your mobile number is: _____

Your email address is: _____

Who else lives with you?

Write "None" if you live alone.

Name Relationship (ex. Son, Wife) Date of birth, if a minor

Name Relationship (ex. Son, Wife) Date of birth, if a minor

Name Relationship (ex. Son, Wife) Date of birth, if a minor

Name Relationship (ex. Son, Wife) Date of birth, if a minor



Who else can we contact if we cannot reach you?

Name of 1st alternate contact Relationship (ex. Neighbor, friend)

(Address) (City) (State)
(Zip)

Telephone number (Indicate Work, cell, or home) email address

Name of 2nd alternate contact Relationship (ex. Neighbor, friend)

(Address) (City) (State)
(Zip)

Telephone number (Indicate Work, cell, or home) email address

What happened to you?

For example, were you denied a loan? Refused an opportunity to rent or purchase housing? Falsely told that housing was unavailable? Briefly describe what happened.



What is the basis (reason) for the discrimination? Did it happen because of (*check only the reason which applies*). . .

Race. *If the reason was your race, what is your race?* _____

Color. *If the reason was your color, what is your color?* _____

National origin. *If the reason was your national origin, what is your country of ancestry?* _____

Sex. *If the reason was your sex (gender), what is your sex (gender)?* _____

LGBT issue?

Sexual harassment issue?

Domestic violence issue?

Religion. *If the reason was your religion, what is your religion?* _____

Familial status. *“Familial status” means minor children in the household, a pregnant female, or a person acquiring custody of a minor child.*

Disability. *If the reason was your disability, is it _____physical or _____ mental?*

Did you request an accommodation or modification due to your disability? If so, what did you request?

What was the housing provider's response to your request? _____



___ **Retaliation** because you . . .

___ Previously filed a housing discrimination complaint?

___ Testified or otherwise participated in a previous discrimination investigation?

___ Opposed or objected to discrimination?

Why do you believe the reason(s) you checked above is the cause of the discrimination? For example, if you checked “disability,” why do you believe the housing provider had a problem with your disability?

Who do you believe discriminated against you? For example, was it a property manager, owner, real estate agent, bank, company, housing authority, or some other organization?

Name(s) and title(s) (if any)

(Address) (City) (State)
(Zip)

Telephone number email address

Where did the alleged act of discrimination occur? For example, was it an apartment complex? Single-family home? Mobile home park? Housing authority? Bank? Provide the address.

(Address)

(City) (County) (State) (Zip)



When did the most recent act of discrimination occur? Enter the date.

____/____/____
(Month) (Day) (Year)

Describe what happened on that date.

Is the alleged discrimination continuous or ongoing? __ Yes __ No

Please sign and date:

I declare under penalty of perjury that I have read this complaint (including any attachments) and that it is true and correct.

Signature

Date



English Poster

U. S. Department of Housing and Urban Development



**EQUAL HOUSING
OPPORTUNITY**

We Do Business in Accordance With the Federal Fair Housing Law

(The Fair Housing Amendments Act of 1988)

**It is illegal to Discriminate Against Any Person
Because of Race, Color, Religion, Sex,
Handicap, Familial Status, or National Origin**

- In the sale or rental of housing or residential lots
- In the provision of real estate brokerage services
- In advertising the sale or rental of housing
- In the appraisal of housing
- In the financing of housing
- Blockbusting is also illegal

Anyone who feels he or she has been discriminated against may file a complaint of housing discrimination:

1-800-669-9777 (Toll Free)
1-800-927-9275 (TTY)

**U.S. Department of Housing and
Urban Development
Assistant Secretary for Fair Housing and
Equal Opportunity
Washington, D.C. 20410**

Previous editions are obsolete

form HUD-928.1 (2/2003)



Spanish Poster

U. S. Department of Housing and Urban Development



IGUALDAD DE OPORTUNIDAD EN LA VIVIENDA

Conducimos nuestros negocios de acuerdo a la Ley Federal de Vivienda Justa

(Acta de enmiendas de 1988 de la Ley Federal de Vivienda Justa)

Es ilegal discriminar contra cualquier persona por razón de su raza, color, religion, sexo, incapacidad física o mental, la presencia de niños menores de 18 años o de mujer embarazada en su familia o su origen nacional

- En la venta o renta de vivienda y terrenos residenciales
- En los servicios de corretaje que prestan vendedores de vivienda
- En los anuncios de venta o renta de vivienda
- En la valoración de vivienda
- En la financiación de vivienda
- También es ilegal forzarle a vender o rentar su vivienda diciendole que gente de otra raza, religion o grupo étnico se están mudando en su vecindario
- Amenazar o interferir con la persona para que no registre su queja

Cualquier persona que sienta que fue discriminada debe de enviar su queja de discriminación:

1-800-669-9777 (llamada gratis)
1-800-927-9275 (TDD llamada gratis)

U.S. Department of Housing
and Urban Development
Assistant Secretary for Fair Housing and
Equal Opportunity
Washington, D.C. 20410

Previous editions are obsolete

form HUD-928.1A (2/2003)



Vietnamese Poster

Bộ Gia Cư và Phát Triển Đô Thị Hoa Kỳ
Vietnamese



CƠ HỘI
GIA CƯ CÔNG BẰNG

Chúng Tôi Kinh Doanh Theo Đúng
Luật Gia Cư Công Bằng Liên Bang
(Đạo Luật Tu Chính Gia Cư Công Bằng năm 1988)

Sẽ là trái phép khi Kỳ Thị Với Bất Kỳ Ai
Do Chủng Tộc Màu Da Tôn Giáo Giới Tính
Tật Nguyên, Tình Trạng Gia Đình, hay Quốc Tịch Gốc

- | | |
|--|---|
| <ul style="list-style-type: none"> ■ Trong việc bán hay cho thuê nhà hay khu dân cư | <ul style="list-style-type: none"> ■ Trong cung cấp dịch vụ môi giới bất động sản |
| <ul style="list-style-type: none"> ■ Trong quảng cáo việc bán hay cho thuê nhà | <ul style="list-style-type: none"> ■ Trong định giá nhà |
| <ul style="list-style-type: none"> ■ Trong cho vay mua nhà | <ul style="list-style-type: none"> ■ Ép giá (vì lý do chủng tộc) cũng là trái phép |

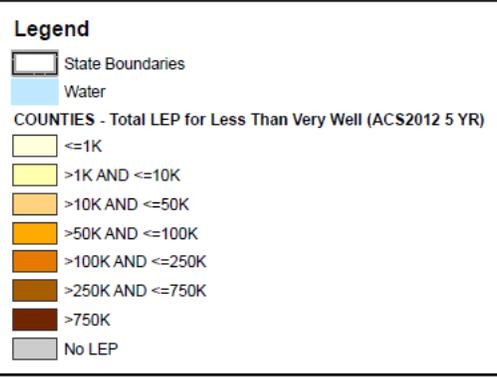
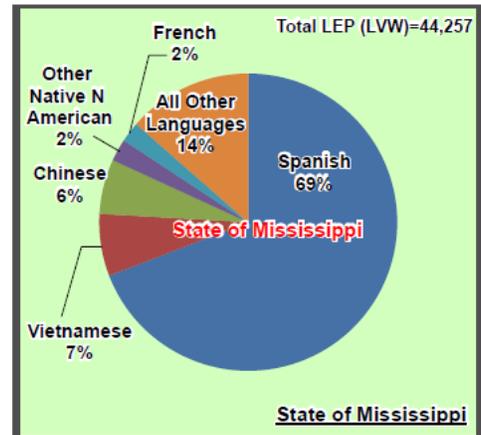
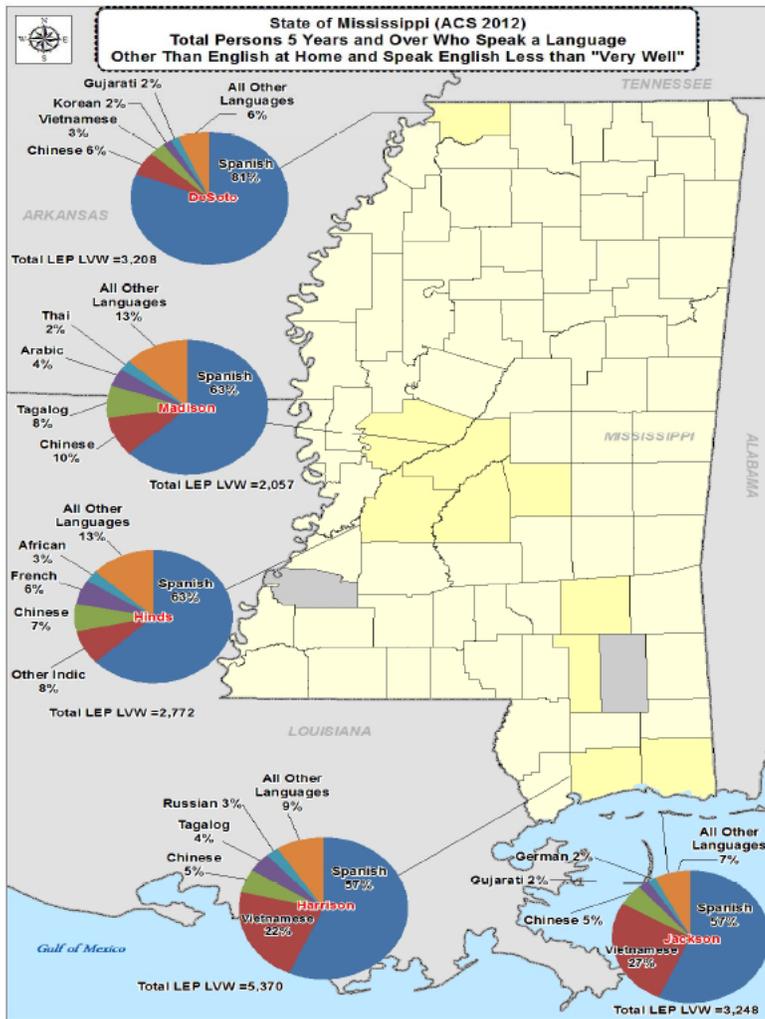
Bất kỳ ai cảm thấy mình bị kỳ thị có thể nộp khiếu nại về việc kỳ thị trong gia cư:
1-800-669-9777 (Miễn cước)
1-800-927-9275 (TTY)

U.S. Department of Housing and
Urban Development
Assistant Secretary for Fair Housing and
Equal Opportunity
Washington, D.C. 20410

Các ấn bản cũ là lỗi thời

mẫu HUD-928.1 (2/2003)





***Pie Charts represent Counties with the highest percent of LEP individuals by languages spoken.**

Source: U.S. Census 2008-2012 American Community Survey Data Table B16001
LANGUAGE SPOKEN AT HOME
BY ABILITY TO SPEAK ENGLISH FOR THE POPULATION 5 YEARS AND OVER.
 The estimates from the ACS are based on a sample survey and hence are subject to sampling error.

