# Affirmatively Furthering Fair Housing (AFFH)

*Affirmatively furthering fair housing* (24 C.F.R. § 5.152) means taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics. Specifically, affirmatively furthering fair housing means taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws. The duty to affirmatively further fair housing extends to all of a program participant's activities and programs relating to housing and urban development.



***Fair housing choice is not only about combating discrimination***

Fair housing choice involves individuals and families having the information, opportunity, and options to live where they choose without unlawful discrimination and other barriers related to race, color, religion, sex, familial status, national origin, or disability, and that their choices realistically include housing options in integrated areas and areas with access to opportunity.   
Fair housing choice encompasses (1) actual choice, which means the existence of realistic housing options; (2) protected choice, which means housing that can be accessed without discrimination; and (3) enabled choice, which means realistic access to sufficient information regarding options so that any choice is informed. For persons with disabilities, fair housing choice and access to opportunity include access to accessible housing and housing in the most integrated setting appropriate to an individual’s needs.



# Fair Housing Plan Components

1. Cover sheet and Certification
2. Summary of fair housing issues and capacity: NC State Impediments to Fair Housing Choice and Local issues if different from the State Impediments to Fair Housing Choice (<http://portal.ncdenr.org/c/document_library/get_file?uuid=5cb596be-f737-4a42-ad40-c0bab9d0c36a&groupId=14655572>).
3. Analysis of data:
   1. NC State data
   2. Local data and local knowledge
4. Fair housing data:
   1. Contributing factors to the issues
   2. Existing programs or activities that are supporting Fair Housing if any
5. Identification of fair housing priorities and goals: SMART Goals – Fair Housing Activities
6. Summary of community participation

***Action must be meaningful and strategic to AFFH. A strategy that may affirmatively furthering fair housing in one context may not work in another. Additionally, to affirmatively further fair housing, actions need to be meaningful. This means that they are designed and can be reasonably expected to achieve a material positive change.***

# Fair Housing Plan (FHP)

1. **Cover sheet and Certification**

Grantee: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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(Fair Housing Officer)

Contact Email: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Contact Phone #: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Telecommunications Device for the Deaf (TDD)/Teletypewriter (TTY) number:

Period covered by this plan:

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| Check one: |  |
| Initial |  |
| Amended |  |
| Renewal FHP |  |

1. To the best of its knowledge and belief, the statements and information contained herein are true, accurate, and complete and the program participant has developed this analysis in compliance with the requirements of 24 C.F.R. § 5.152 or comparable replacement regulations of the Department of Housing and Urban Development;
2. The program participant will take meaningful actions to further the goals identified in its analysis conducted in accordance with the requirements in 24 C.F.R. § 5.152 and 24 C.F.R. §§ 91.225(a)(1), 91.325(a)(1), 91.425(a)(1), 570.487(b)(1), 570.601, 903.7(o), and 903.15(d), as applicable.

Approved and adopted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name and Title

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature and Date

1. **Summary of fair housing issues and capacity: NC State Impediments to Fair Housing Choice and Local issues if different from the State Impediments to FH (Indicate what fair housing goals were selected by program participant(s) in recent Analyses of Impediments, Fair Housing plans, or other relevant planning documents. Indicate what Impediments the town identify with from current NC State Impediments to Fair Housing Choice, if the Town does not identify itself with any of the state, describe local impediments that local government is currently aware of, what did you do to address those impediments in the past?)**

**State of North Carolina Impediments**

#### Private Sector

***Impediment 1*: Discrimination in the rental housing market on the basis of race and disability.** This impediment was identified through review of responses to the 2015 North Carolina Fair Housing Survey and complaints filed with the Department of Housing and Urban Development (HUD), and in consultation with participants in the 2015 Fair Housing Forum meetings.

***Impediment 2*: Lack of reasonable accommodation and modification.** This impediment was identified through review of responses to the 2015 North Carolina Fair Housing Survey and complaints filed with the Department of Housing and Urban Development (HUD), and in consultation with participants in the 2015 Fair Housing Forum meetings.

***Impediment 3*: Lack of understanding of fair housing law in rural areas of the state, both among housing consumers and housing providers.** This impediment was identified in review of responses to the 2015 North Carolina Fair Housing Survey and in consultation with participants in the 2015 Fair Housing Forum meetings.

***Impediment 4*: Black and Hispanic residents experience higher rates of home purchase loan denials than white and non-Hispanic residents, leading to lower rates of homeownership.** This impediment was identified through a review of data gathered under the Home Mortgage Disclosure Act (HMDA) and responses to the 2015 North Carolina Fair Housing Survey.

#### Public Sector

***Impediment 1*: Limited fair housing infrastructure serving rural state residents.** This impediment was identified through a review of the organizations and agencies dedicated to promoting fair housing choice in the state, as well as in consultation with the Fair Housing Project of Legal Aid NC.

***Impediment 2*: Limited understanding of duty to affirmatively further fair housing.** This impediment was identified through review of responses to the 2015 North Carolina Fair Housing Survey and in consultation with participants in the 2015 Fair Housing Forum meetings.

***Impediment 3*: Lack of understanding of fair housing law by units of local government in non-entitlement areas.** This impediment was identified through a review of responses to the 2015 North Carolina Fair Housing Survey and in consultation with participants in the 2015 Fair Housing Forum meetings.

**Local Impediments (**Describe the Fair Housing issues known by the Town/City/County**):**

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1. **Analysis of data** *(Data collection. A demographic summary that includes demographic patterns and trend over time, total population including age and sex, Race/Ethnicity, National origin, Limited English Proficient, location of homeowners and renters and the trends, persons with disability and households with children*):
   1. *NC State data.* Review NC State Analysis of Impediments data and include information that pertains to your locality, if any available. Otherwise use U.S Census data or other data that provides information about the protected classes (**Protected Characteristics** are race, color, religion, sex, familial status, national origin, having a disability, and having a type of disability. (24 C.F.R. § 5.152). Other resources:

The grantees should use the NC State Analysis of Impediments information (<http://portal.ncdenr.org/web/wi/cdbg-i-compliance1>), American Fact Finder (<https://factfinder.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=t>), Opportunity website (<http://esrifederal.maps.arcgis.com/apps/webappviewer/index.html?id=852f6731b72f465ab2fbbe76d4269f00>), or HUD data (<https://egis.hud.gov/affht/>).

**Compare Municipality data with the State data. Are there any similarities? Or any data that stands out from the grantee that is not reflected on the State?**

* 1. *Local data and local knowledge.*Local data refers to metrics, statistics, and other quantified information that are relevant to the program participant’s geographic areas of analysis that can be found through a reasonable amount of search, are readily available at little or no cost, and are necessary for the completion of the FHP. Local knowledge refers to information to be provided by the program participant that is known or becomes known to the program participant, relates to the participant's geographic areas of analysis and is necessary for the completion of the FHP. Local knowledge includes information that is gathered through the community participation process and by consulting local, state, or regional planning departments, academics, and others with knowledge of the local areas or whose work impacts on housing*.*

**A complete analysis includes NC State data, local data and local knowledge**

1. **Assessment of data**:

**For each fair housing issue resulted from the data analysis, prioritize the identified contributing factors. Justify the prioritization of the contributing factors that will be addressed by the goals set below. Give the highest priority to those factors that limit or deny fair housing choice or access to opportunity, or negatively impact fair housing or civil rights compliance. Select only the contributing factors from the category that makes reference to your fair housing issues:**

Contributing factors to the Fair Housing issues/impediments: Identify the contributing factor (s) to the issues/impediments from the list below and provide a brief explanation how it is affecting your community. If you choose multiple factors, you should number the factors from 1-10 (one (1) being the highest priority). If the contributing factors are outside of the ability of the grantee to control or influence the factors must still be identified.

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| **Fair Housing Issues** |
| * **Segregation** |
| * **Racially or ethnically concentrated areas of poverty (R/ECAPs)** |
| * **Disparities in Access to Opportunity** |
| * **Disproportionate Housing Needs** |
| * **Publicly Supported Housing Location and Occupancy** |
| * **Disability and Access Issues** |
| * **Enforcement, Outreach Capacity, and Resources** |

* 1. Evaluate each of the contributing factors listed, and considered any other factors affecting the jurisdiction:

*Example:*

***Fair Housing Issues:*** *Fair Housing Outreach*

***Possible Contributing Factor****:*

*\* Lack of local private fair housing outreach and enforcement*

*\* Lack of local public fair housing enforcement*

*(in this case you should numbered (1 & 2) the contributing factors under the* **Enforcement, Outreach Capacity, and Resources category)**

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| **Contributing Factors of Segregation** |
| * Community Opposition |
| * Displacement of residents due to economic pressures |
| * Lack of community revitalization strategies |
| * Lack of private investments in specific neighborhoods |
| * Lack of public investments in specific neighborhoods, including services or amenities |
| * Lack of regional cooperation |
| * Land use and zoning laws |
| * Lending Discrimination |
| * Location and type of affordable housing |
| * Occupancy codes and restrictions |
| * Private discrimination |

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| **Contributing Factors of Raciallyor ethnically concentrated areas of poverty (R/ECAPs)** |
| * Community Opposition |
| * Deteriorated and abandoned properties |
| * Displacement of residents due to economic pressures |
| * Lack of community revitalization strategies |
| * Lack of private investments in specific neighborhoods |
| * Lack of public investments in specific neighborhoods, including services or amenities |
| * Lack of regional cooperation |
| * Land use and zoning laws |
| * Location and type of affordable housing |
| * Occupancy codes and restrictions |
| * Private discrimination |

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| **Contributing Factors of Disparities in Access to Opportunity** |
| * Access to financial services |
| * The availability, type, frequency, and reliability of public transportation |
| * Lack of private investments in specific neighborhoods |
| * Lack of public investments in specific neighborhoods, including services or amenities |
| * Lack of regional cooperation |
| * Land use and zoning laws |
| * Lending Discrimination |
| * Location of employers |
| * Location of environmental health hazards |
| * Location of proficient schools and school assignment policies |
| * Location and type of affordable housing |
| * Occupancy codes and restrictions |
| * Private discrimination |

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| **Contributing Factors of Disproportionate Housing Needs** |
| * The availability of affordable units in a range of sizes |
| * Displacement of residents due to economic pressures |
| * Lack of private investments in specific neighborhoods |
| * Lack of public investments in specific neighborhoods, including services or amenities |
| * Land use and zoning laws |
| * Lending Discrimination |

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| **Contributing Factors of Publicly Supported Housing Location and Occupancy** |
| * Admissions and occupancy policies and procedures, including preferences in publicly supported housing |
| * Land use and zoning laws |
| * Community opposition |
| * Impediments to mobility |
| * Lack of private investment in specific neighborhoods |
| * Lack of public investment in specific neighborhoods, including services and amenities |
| * Lack of regional cooperation |
| * Occupancy codes and restrictions |
| * Quality of affordable housing information programs |
| * Siting selection policies, practices and decisions for publicly supported housing, including discretionary aspects of Qualified Allocation Plans and other programs |
| * Source of income discrimination |

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| **Contributing Factors of Disability and Access Issues** |
| * Access to proficient schools for persons with disabilities |
| * Access to publicly supported housing for persons with disabilities |
| * Access to transportation for persons with disabilities |
| * Inaccessible government facilities or services |
| * Inaccessible sidewalks, pedestrian crossings, or other infrastructure |
| * Lack of affordable in-home or community-based supportive services |
| * Lack of affordable, accessible housing in range of unit sizes |
| * Lack of affordable, integrated housing for individuals who need supportive services |
| * Lack of assistance for housing accessibility modifications |
| * Lack of assistance for transitioning from institutional settings to integrated housing |
| * Land use and zoning laws |
| * Lending Discrimination |
| * Location of accessible housing |
| * Occupancy codes and restrictions |
| * Regulatory barriers to providing housing and supportive services for persons with disabilities |
| * State or local laws, policies, or practices that discourage individuals with disabilities from being placed in or living in apartments, family homes, and other integrated settings |

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| **Contributing Factors** **of** **Enforcement, Outreach Capacity, and Resources**  1 |
| * Lack of local private fair housing outreach and enforcement   2 |
| * Lack of local public fair housing enforcement |
| * Lack of resources for fair housing agencies and organizations |
| * Lack of state or local fair housing laws |
| * Unresolved violations of fair housing or civil rights law |
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* 1. Existing programs or activities that are supporting Fair Housing if any (Describe):

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1. **Identification of fair housing priorities and goals: SMART Goals – Fair Housing Activities:**

**Fair Housing Activities effective once the grant contract has been signed by grantee and NC DEQ/DWI – CDBG-I:**

**Mandatory FH activities (Three (3) quarters before the Fair Housing Plan submission)**:

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| Establishing and publishing the grantee’s fair housing complaint procedure and TDD number in the local newspaper | 1st quarter |
| Community Participation: Complete activities to obtain residents input about fair housing. Local Government Board must provide the grant administrator with suggestions of activities to encourage resident participation. The meeting with the board must be documented with certified meeting minutes. The community participation process must be documented, too, and it must be included in the Fair Housing Plan document by the submission date. | 2nd quarter |
| Fair Housing document completion and submission. | 3rd quarter |

List the activities the recipient will undertake to affirmatively further fair housing in the recipient’s community. Activities should be planned for the life of the grant beginning with the quarter in which the grant agreement was signed and should be listed by quarter with at least one activity per quarter. (For *example*, Quarter 1, Jan –Mar 2009: Distribute fair housing brochures to public library and local banks). The first activity ***must***be establishing and/or publishing the grantee’s fair housing complaint procedure and TDD number in the local newspaper. In addition, the grantee ***must***have at least one activity for community outreach for fair housing in the form of a workshop or designated fair housing program event within an identified quarter, please include the community outreach activity on the fair housing activities table. Many recipients have chosen to do this particular activity in the quarter containing April to celebrate National Fair Housing Month. Besides the required Fair Housing activities, all the Fair Housing activities shall be focused to meet the goals to Affirmatively Further Fair Housing based on the Fair Housing issues from data analysis, or current impediments from the State of North Carolina Analysis of Impediments, and the contributing factors.

After identifying fair housing issues and contributing factors, program participants must establish specific fair housing goals.

The goals set must be directly related to overcoming the significant contributing factors identified by the program participant and the related fair housing issues.

***After identifying fair housing issues and prioritizing identified contributing factors and justify the prioritization:***

***\* Establish one or more fair housing goals for each identified fair housing issues with significant contributing factors***

***\* Discuss how each goal is designated to overcome the identified contributing factor and address the related housing issue***

***\* Identify metrics, milestones, and a timeline for results***

***\* For joint or regional plans identify the responsible party for each goal established in the Fair Housing Plan.***

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| **SMART Goals**  Characteristics of Effective Goals | |
| **Specific** | Provide enough detail to establish what the community wants to accomplish. Specific goals are more easily measured than vague goals. Provide the necessary specificity either in the statement of the goal itself or in the metrics and milestones that you identify to measure achievement of the goal. |
| **Measurable** | Develop one or more specific metric(s) and milestone(s) that can be used to measure success in achieving the goal. |
| **Action-Oriented** | Goals should describe measures to be taken, rather than simply express an aspiration for change. The goal may call for very specific actions (fund 30 units of affordable housing in the Bolten neighborhood) or describe a broader objective that will subsequently be translated into specific action steps (increase educational opportunities in the Tricorner neighborhood). |
| **Realistic** | Understand and explain the limitations of the situation, including those set by available resources, capacity, and political will. |
| **Time-Bound** | Establish a deadline and a specific timeframe for the achievement of each of the fair housing goals set. |

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| **Goal** | **Contributing Factor** | **Fair Housing Issue(s)** | **Metrics, Milestones, and Timeframe for Achievement** | **Responsible Program Participant(s)** |
| **Example: Increase Local Fair Housing Enforcement Efforts** | Location and Type of Affordable Housing;  Lack of local private fair housing outreach and enforcement | Enforcement, Outreach Capacity, and Resources | Increase in number of fair housing workshops; Increase in fair housing supportive services  hold at least one fair housing workshop for landlords and real estate agents annually; work in collaboration with other agencies advocating for affordable and fair housing  to increase  awareness and educate about Fair Housing for the life of the grant. | **Town Council**  **Public Housing Authority.** |

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| **Quarterly Fair Housing Activity** | **Months** | **Year** | **Estimated Cost** | **Actual Cost** |
| Establishing and publishing the grantee’s fair housing complaint procedure and TDD number in the local newspaper | ***July -Sept*** | ***20xx*** | ***$xxxx*** | ***$xxxx*** |
| Community Participation: Complete activities to obtain residents input about fair housing. Local Government Board must provide the grant administrator with suggestions of activities to encourage resident participation. The meeting with the board must be documented with certified meeting minutes. The community participation process must be documented, too, and it must be included in the Fair Housing Plan document by the submission date. | ***Oct - Dec*** | ***20xx*** | ***$xxxx*** | ***$xxxx*** |
| Fair Housing document completion and submission. | ***Jan -March*** | ***20xx*** | ***$xxxx*** | ***$xxxx*** |
| **Add other FH activities to meet proposed goals** |  |  |  |  |
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1. **Summary of community participation (1. Describe outreach activities undertaken to encourage and broaden meaningful community participation in the FHP process, including the types of outreach activities and dates of public hearings or meetings. Identify media outlets used and include a description of efforts made to reach the public, including those representing populations that are typically underrepresented in the planning process such as persons who reside in areas identified as R/ECAPs, persons who are limited English proficient (LEP), and persons with disabilities. Briefly explain how these communications were designed to reach the broadest audience possible. 2. Provide a list of organizations consulted during the community participation process and comments/suggestions from these organizations. 3. How successful were the efforts at eliciting meaningful community participation? If there was low participation, provide the reasons. 4. Summarize all comments obtained in the community participation process. Include a summary of any comments or views not accepted and the reasons why):**

*Community participation, as required in §5.158, means a solicitation of views and recommendations from members of the community and other interested parties, a consideration of the views and recommendations received, and a process for incorporating such views and recommendations into decisions and outcomes. For HUD regulations implementing the Housing and Community Development Act of 1974, the statutory term for “community participation” is “citizen participation,” and, therefore, the regulations in 24 CFR parts 91, 92, 570, 574, and 576 use this term*

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**Important Information:**

**Community Participation, Consultation, and Coordination**

For the purposes of the rule, “community participation” means a solicitation of views and recommendations from members of the community and other interested parties, a consideration of the views and recommendations received, and a process for incorporating such views and recommendations into decisions and outcomes. 24 C.F.R. § 5.152

**Best Practices for Meaningful Community Participation.** Community participation processes will differ depending on the local context. Each geographic area has its own assets and challenges; however, the following principles are widely applicable regardless of the diverse nature of these areas:

***Work with existing networks and community leaders.*** While program participants may understand the value of community input, it can be daunting to engage marginalized populations for the first time and ensure an inclusive planning process. To strengthen the effectiveness of this process, program participants may find it useful to work through trusted networks of existing community-based organizations that serve and organize in diverse communities. Building relationships with local leaders may help illuminate barriers to engagement and ways to bridge the divide. Ask local elected officials for assistance in leveraging their networks and seek out relationships with underrepresented groups.

***Prioritize inclusivity and transparency.*** Communicate what is being done and what will be done in the future. Use clear language and terminology that people can understand. When there are LEP persons in the

jurisdiction, translate materials and provide interpretation at community meetings. Ensure that all announcements are in an accessible format and that meetings are held in physically accessible and easily accessed locations.

***Listen.*** Hear out dissenters. Try to find out the root cause of people’s concerns so that they may be addressed. Be aware of the historical roots of mistrust or misgivings in your community. Work with marginalized groups to identify any barriers to engagement and ways to promote inclusion. Build trust by attending community gatherings and cultural events as a participant to listen and learn.

***Build capacity.*** Training, education, and technical assistance will facilitate participation and engagement by groups and organizations with limited bandwidth, experience, or resources. Capacity building will also equip the next generation of leaders and empower citizens to continue to speak for their community. HUD intends to provide technical assistance on ways to encourage participation by the groups that otherwise may not participate.

***Consider alternative approaches.*** Interactive and nontraditional approaches can be a useful way to expand your reach and build rapport.

***Constantly ask: “Who is missing?”.*** Identify and figure out why certain voices and interests are absent from the conversation and find ways to bring them into the discussion.

***Keep accurate records of the views and recommendations being expressed.*** Community participation is only effective when decision makers are aware of the views and recommendations being expressed.

***Consultation****.* The local jurisdiction shall consult with community-based and regionally-based organizations. These organizations should represent protected class members, and organizations that enforce fair housing laws, such as state or local fair housing enforcement agencies, including participants in: Fair Housing organizations and other public and private fair housing service agencies, to the extent that such entities operate within the grantee’s area.

***Other Considerations****.* Establishing a schedule - Key milestones in the community participation process may be include: \*Reaching out to the community and nonprofit leaders \* Surveying community members and residents \* Contacting relevant stakeholders from the private sector and anchor institutions \* Meeting with decision-making agents \* Holding public meetings and town hall with community members and other stakeholders \* Generating media attention in support of the FHP process. Types of organizations and Stakeholders: \*Fair Housing and other civil rights organizations \* Organizations that represent race or national origin groups, or women \* Disability rights organizations \* Social service providers that assist members of protected classes \* Organizations that represent LGBT individuals \* Religious congregations \* Housing developers \* Real estate agents \* Community organizing groups \* Labor unions \* Universities and anchor institutions \* Property managers \* Financial Institutions \* Elected officials and \* Other government agencies. Educating Stakeholders about AFFH – Program participants should educate the community about: \* Important opportunities assessed in the FHP linked to housing: Good jobs, Quality schools, Reliable and accessible transportation, Healthy environments, Low poverty neighborhoods \* Why Zip Code Matters? Your zip code may determine access to: Education quality, Income level, Earnings potential, Health, Quality of life, Safety, Access to healthy foods.

For additional best practices on community participation, see the <https://www.hudexchange.info/resource/3817/econ-planning-suite-citizen-participation-and-consultation-toolkit/>, HUD Sustainable Communities Initiative Resource Library <https://www.hudexchange.info/programs/sci/resources/equity-and-engagement/> , and Policy Link’s <http://www.policylink.org/sites/default/files/COMMUNITYENGAGEMENTGUIDE_LY_FINAL%20%281%29.pdf>