

City of Tuscaloosa
Affirmative Marketing Policy for
Affordable Housing Programs
Amended May 12, 2015

Note: Affirmative Marketing procedures do not apply to families with Section 8 tenant-based rental housing assistance or families with tenant-based rental assistance provided with HOME funds.

I. Purpose

In accordance with Homes Investment Partnership (HOME), Community Development Block Grant (CDBG), Community Development Block Grant Disaster Recovery (CDBG-DR), and Emergency Solutions Grant (ESG) Programs and in furtherance of the City of Tuscaloosa's (COT) commitment to non-discrimination and equal opportunity in housing, COT has established procedures to affirmatively market units acquired, rehabilitated, constructed or otherwise assisted under the HOME, CDBG, CDBG-DR, and ESG funds. COT is also committed to the goals of increasing housing opportunities for persons with limited English proficiency, low income residents and underrepresented racial and ethnic groups. These goals will be achieved through the implementation of the City's Affirmative Marketing Policy for Affordable Housing Programs.

II. Regulatory/Statutory Bases

A. HOME Program

Subrecipients through the COT's HOME Investment Partnerships programs of any rental and homebuyer project containing five or more units shall adopt the affirmative marketing procedures and requirements as specified in the HOME Final Rule 92.351 for their project.

B. CDBG Program

The Housing and Community Development Act of 1974, as amended, requires from each federal grantee, through the Consolidated Plan, to certify the following:

1. Examine and attempt to alleviate housing discrimination within their jurisdiction;
2. Promote fair housing choice for all persons;
3. Provide opportunities for all persons to reside in any housing development regardless of race, color, religion, sex, disability, familial status, or national origin;
4. Promote housing that is accessible to and useable to persons with disabilities; and
5. Comply with the non-discrimination requirement of the federal Fair Housing Act.

C. CDBG-DR Program

The Housing and Community Development Act of 1974, as amended, requires from each federal grantee, through the Consolidated Plan, to certify the following:

1. Examine and attempt to alleviate housing discrimination within their jurisdiction;
2. Promote fair housing choice for all persons;
3. Provide opportunities for all persons to reside in any housing development regardless of race, color, religion, sex, disability, familial status, or national origin;
4. Promote housing that is accessible to and useable to persons with disabilities; and
5. Comply with the non-discrimination requirement of the federal Fair Housing Act.

D. ESG Program

As a requirement for participating in HUD's many housing and community development programs, agencies receiving funding under the COT's ESG program shall utilize affirmative marketing procedures to ensure non-discrimination in housing or service directly or indirectly. The basic requirement is that agencies look at the demographics of their service area. If a minority group makes up more than 1% of the population, a marketing plan has to be set up for this group.

III. Policy on Nondiscrimination and Accessibility

With respect to the treatment of all applicants, the Subrecipient will not discriminate against any individual or family because of race, color, national origin, religion, gender, disability, familial status, or presence of children in a household, sexual orientation, gender identity, or marital status. Reasonable accommodations will be offered to all disabled persons who request accommodations due to disability at any time during the application, resident selection and rent up process.

IV. Training

1. The Subrecipient shall provide property management staff with all relevant regulations and Fair Housing provisions. All property management staff shall be required to follow the procedure and policies adopted by each Subrecipient.
2. On-site training programs shall include marketing, outreach, data collection, reporting, and record keeping. Property management staff shall annually receive instruction regarding fair housing laws and the Development's Affirmative Marketing Plan. The Subrecipient shall certify annually to the City of Tuscaloosa Office of Federal Programs or Recovery Operations Department, that this training has taken place.

V. Marketing and Outreach



1. Any advertising and all written communications shall display the Equal Housing Opportunity logo or the phrase "Equal Housing Opportunity" and the accessibility logo when appropriate.
2. Consistent with the resident population this Development of affordable housing was designed to serve, the marketing of (Project Name) will ensure equal access to appropriate size units for all persons in any category protected by federal, state, and local laws governing discrimination. There shall be no local residency requirements for applicants nor will preference be given to local residents for this Development.

Special marketing outreach consideration will be given to the following underserved populations:

- a. African-Americans
 - b. Native Americans
 - c. Hispanics
 - d. Asians and Pacific Islanders
 - e. Persons with Disabilities
3. Marketing shall include the use of newspapers of general circulation in the **City of Tuscaloosa**. **Affirmative marketing is to commence at least 30 days prior to general marketing procedures. Owners should continue outreach activities for as long as or whenever units are available.**

Note: Subrecipient of projects that have their own Affirmative Marketing Plan, please submit in place of this document for the city's review and approval.

The Subrecipient will place notices in newspapers, specialized publications, ad newsletters to reach potential residents. Applications, notices, and all publications will include a Fair Housing and Equal Opportunity logo, and the Accessibility logo. Community media advertisement of the projects will be through the following local newspapers:

- a. _____ (example: Tuscaloosa News)
- b. _____ (example: Birmingham News)
- c. _____ (example: Crimson White – U of A paper)

4. The Subrecipient will contact local civic and community organizations representative of the ethnic and cultural diversity of the area in order to disseminate information about the Development. Groups representing persons with disabilities and the elderly will also be contacted. Where necessary and in consultation with, the Subrecipient will publish its marketing materials in multiple languages in order to better reach potential applicants who may be limited in English proficiency.

To further inform the groups least likely to apply for the available housing, the following local organizations will be contacted with housing information:

Name of Organization	Population Served
a. Various City of Tuscaloosa – Behavioral Health/Developmental Disabilities	Persons with Disabilities
b. Various Senior Adult Activity centers throughout the City	Seniors
c. The Salvation Army	Homeless
d. Tuscaloosa Housing Authority	Section 8 Households
e. SAN, INC (d.b.a. Turning Point)	Victims of Domestic Violence
f. Various places of worship and employment centers	All

5. Other neighborhood-based nonprofit housing agencies that will maintain waiting lists or make referrals for below market rate housing will be contacted.

Agency Name	Address	Telephone
a. Community Service Programs of West Alabama	601 Black Bears Way Tuscaloosa, AL	(205) 752-5429
b. Tuscaloosa Housing Authority	570 60th Street Tuscaloosa, AL	(205) 758-1829
c. Habitat for Humanity of Tuscaloosa County	1120 35th Street Tuscaloosa, AL	(205) 349-4620
d. Westside Cultural Development Corporation	3101 Martin Luther King Jr. Boulevard Tuscaloosa, AL	(205) 562-3215
e. Family Counseling Services of Tuscaloosa County	2020 Paul Bryant Drive Tuscaloosa, AL	(205) 752-2504

6. Minority Business Enterprises and Women Business Enterprises

The Managing Agent will take all necessary affirmative steps to assure that minority firms, women's business enterprises, and labor surplus area firms are used when possible.

Affirmative steps shall include:

- a. Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
- b. Assuring that small and minority businesses and women's business enterprises are solicited whenever they are potential sources;
- c. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority business, and women's business enterprises;
- d. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority business, and women's business enterprises;
- e. Using the services and assistance of the Small Business Administration, and the Minority Business Development Agency of the Department of Commerce; and
- f. Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (e)(2) (i) through (v) of this section.

VI. Race and Ethnic Data Collection and Reporting

1. Any family who asks shall receive an application package containing the following: Instruction sheet; Application; Income Summary; and form HUD-27061-H "Race and Ethnic Data Reporting Form" (Attached). The Owner and Managing Agent are required to offer each household member the opportunity to complete the form. Parents or guardians are to complete the form for children under the age of 18. Completed documents for the entire household shall be stapled together and placed in the household's file.
2. _____ will serve as coordinator for the marketing of (Project Name) as well as oversee the admission of residents. _____ will keep the Owner apprised of the occupancy process through monthly marketing reports which will include the number of applicants to (Project Name), unit preference, number of actual occupants, ineligible applicants, and cancellations.

VII. Compliance Assessment

1. The Subrecipient will review the Affirmative Marketing Plan every five years and update as needed to ensure compliance. The advertising sources will be included in the review to determine if past sources should be changed or expanded.
2. The Subrecipient will annually assess the success of affirmative marketing actions for (Project Name). If the demographic data of the applicants and residents vary by _____% from the jurisdiction's population data, advertising efforts and outreach will be targeted to

underrepresented groups in an attempt to balance the applicants and residents with the demographics of the jurisdiction.

VIII. Record Keeping

1. (Project Name) shall establish and maintain an Affirmative Marketing file to hold advertisements, flyers, and other public information documents to demonstrate that the appropriate logo and language have been used. Additionally, (Project Name) shall keep records describing actions taken of its activities in implementing the affirmative marketing plan, including other community outreach efforts and its annual analysis.
2. (Project Name) shall keep up-to-date records based on census data, applications, and surveys about community residents, applicants, residents of the project, and records about tenant selection or rejection.
3. The Subrecipient shall provide City staff access to any pertinent books, documents, papers or other records of their HOME, CDBG, CDBG-DR, and ESG fund-assisted properties or programs as necessary for determining compliance with civil rights and nondiscrimination requirements.

IX. City Monitoring

All Subrecipients of rental properties and/or homeowner properties containing five or more CDBG and HOME-funded units/homes will be required to submit a copy of an active Affirmative Marketing Plan/Procedure with their application for funding. The City will review and approve the submitted Affirmative Marketing Plan/Procedure. If the Plan is not approved the City cannot fund the submitted application.

Once funded, the City will conduct a site visit (at least annually) to review the records that describe the actions taken by the Subrecipient to affirmatively market units/homes and assess the results of the Subrecipient actions. Activities funded with CDBG-DR funds will be monitored on site until all units/homes have been occupied and met occupancy thresholds and the project has been closed out.

X. Non-Compliance

The City will analyze the records provided by the Subrecipient to determine compliance. If the Affirmative Marketing Plan is found to be non-compliant, the City will require that all federal sourced funding be recaptured and will disallow future participation in the City's program. Additionally, the City may refer the matter to HUD and/or a Fair Housing Rights Organization.

Instructions for the Race and Ethnic Data Reporting (Form HUD-27061-H)

A. General Instructions:

This form is to be completed by individuals wishing to be served (applicants) and those that are currently served (tenants) in housing assisted by the Department of Housing and Urban Development.

Owner and agents are required to offer the applicant/tenant the option to complete the form. The form is to be completed at initial application or at lease signing. In-place tenants must also be offered the opportunity to complete the form as part of the next interim or annual recertification. Once the form is completed it need not be completed again unless the head of household or household composition changes. There is no penalty for persons who do not complete the form. However, the owner or agent may place a note in the tenant file stating the applicant/tenant refused to complete the form. **Parents or guardians are to complete the form for children under the age of 18.**

The Office of Housing has been given permission to use this form for gathering race and ethnic data in assisted housing programs. Completed documents for the entire household should be stapled together and placed in the household's file.

1. The two ethnic categories you should choose from are defined below. You should check one of the two categories.
 1. **Hispanic or Latino.** A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race. The term "Spanish origin" can be used in addition to "Hispanic" or "Latino."
 2. **Not Hispanic or Latino.** A person not of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.
2. The five racial categories to choose from are defined below: You should check as many as apply to you.
 1. **American Indian or Alaska Native.** A person having origins in any of the original peoples of North and South America (including Central America), and who maintains tribal affiliation or community attachment.
 2. **Asian.** A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam
 3. **Black or African American.** A person having origins in any of the black racial groups of Africa. Terms such as "Haitian" or "Negro" can be used in addition to "Black" or "African American."
 4. **Native Hawaiian or Other Pacific Islander.** A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.
 5. **White.** A person having origins in any of the original peoples of Europe, the Middle East or North Africa.