

State of Connecticut Department of Housing

Fair Housing Action Plan Guidelines

A Fair Housing Action Plan (FHAP) is a requirement for all applicants receiving DOH housing funds. The Applicant is required to comply with State and federal laws that promote racial integration and to affirmatively further fair housing in all housing projects.

A FHAP consists of the following documents:

1. Certification to Affirmatively Further Fair Housing - (Certification form attached)
2. Affirmative Fair Housing Marketing Plan - (AA-5 form attached)
3. Tenant Selection Methodology
4. Fair Housing Policy Statement - (Guidelines attached)
5. Discrimination Complaint Procedure
6. Fair Housing Activities

All of these documents must be submitted in order to have a complete FHAP. Listed below are instructions for completing each requirement.

1. Certification to Affirmatively Further Fair Housing - Applicants must certify that they will affirmatively further fair housing by creating a Fair Housing Action Plan. The Affirmatively Further Fair Housing Certification Form can be used to meet this requirement. See Attachment A.

2. Affirmative Fair Housing Marketing Plan

Applicants marketing five or more rental units or scattered site dwelling units must carry out an affirmative program to attract prospective buyers or tenants of all majority and minority groups in the housing market area. To this end, the applicant must create an Affirmative Fair Housing marketing Plan (AFHMP). The AFHMP must identify those groups of persons normally not likely to apply for the housing without special outreach efforts, because of existing neighborhood racial or ethnic patterns, location of housing in the Primary Metropolitan Statistical Area, price or other factors. It must include affirmative marketing strategies to inform members of these groups of the available housing and make them feel welcome to apply. Twenty percent (20%) of the total number of units to be constructed and/or rehabilitated must be targeted to the groups identified in the Plan as "least likely to apply". The affirmative marketing strategies must be consistent with the requirements of the CT Fair Housing Regulations. The AFHMP must also include a commitment to provide fair housing training for the Fair Housing Officer.

See Attachment B - Form AA-5.

3. Tenant Selection Methodology

The Tenant Selection Methodology, along with the Affirmative Fair Housing Marketing Plan, determines who will have the opportunity to apply for state-funded housing and who will ultimately be selected. The Tenant Selection Methodology must be consistent with the requirements of Sections 8-37ee-303, 304 and 305 of the CT Fair Housing Regulations. Also refer to Part 9 of the AA-5 form for further instructions on how to complete the Tenant Selection Methodology.

4. Fair Housing Policy Statement

The Fair Housing Policy Statement must be consistent with the requirements of Section 8-37ee-311 of the CT Fair Housing Regulations. It must also include the name, title, address, phone number and email address of the person assigned the fair housing responsibilities.

See Attachment C - The Fair Housing Policy Statement Guidelines and Sample.

5. Discrimination Complaint Procedure

The applicant must submit a Discrimination Complaint Procedure. The Procedure must include the designation of a Fair Housing Officer to handle all fair housing complaints and activities. The Fair Housing Officer must be identified by name, title, address, phone number and email address.

The Fair Housing Officer must be responsible for the intake and processing of all housing complaints as well as implementation of the Fair Housing Action Plan activities. While not expected to be an expert in fair housing laws, at a minimum, the Fair Housing Officer must be familiar with the complaint process and federal and state laws, which address fair housing.

Housing discrimination complaint forms such as Forms HUD-903.1 and HUD-903.A (Spanish version) from the Federal Housing and Urban Development (HUD) and any guidance for filing a complaint published by the State of Connecticut Commission on Human Rights and Opportunities (CHRO) must be made available to all residents of this project. As well as a summary of actions which constitute housing discrimination, and instructions for completing and filing housing discrimination complaints.

The Fair Housing Officer must advise the complainant of the option of filing directly with the HUD, CHRO, or the Connecticut Equal Employment Opportunity Commission or with all agencies simultaneously. The Fair Housing Officer is expected to reasonably assist the complainant in submitting the complaint to the appropriate body by providing assistance in explaining the form and/or contacting the appropriate office and allowing the use of agency phones for communication. If a complaint is filed, a record must be kept showing the date, time, nature of the complaint and decision made in the complaint process.

The Discrimination Complaint Procedure must include the process for the expeditious resolution of complaints to ensure that legal options for filing complaints with enforcement agencies are not restricted.

6. Fair Housing Activities

The applicant must provide a written description identifying any developments, initiatives, or actions taken in the past 2 years by the Applicant and Co-Sponsor to promote the principles of fair housing.

Certification to Affirmatively Further Fair Housing

Attachment A

The **<Applicant Name>** by the creation and implementation of this Fair Housing Action Plan hereby certifies it shall affirmatively further fair housing. It shall be the policy and commitment of the **<Applicant Name>** to ensure that fair and equal housing opportunities are granted to all persons, in all housing opportunities and development activities, regardless of race, color, religion, gender, sexual orientation, gender identity or expression, marital status, lawful source of income, familial status, national origin, ancestry, age or mental or physical disability. This shall be done through a program of education, an analysis of impediments, and designation of a Fair Housing Officer and development of a procedure for complaints of discrimination. This plan will incorporate the directives of state and federal laws and executive orders, including, but not limited to:

- (a) Title VI of the Civil Rights Act of 1964
- (b) The Fair Housing Act – Title VIII of the Civil Rights Action of 1968, as amended
- (c) Executive Order 11063, as amended by Executive Order 12259
- (d) Section 104(b) of Title I of the Housing and Community Development Act of 1974, as amended
- (e) Section 3 of the Housing and Urban Development Act of 1968, as amended
- (f) Section 504 of the Rehabilitation Act of 1973, as amended
- (g) Title II of the Americans with Disabilities Act of 1990
- (h) Age Discrimination Act of 1975, as amended
- (i) Executive Order 11246 (as amended by Executive Orders 12375 and 12086) Equal Opportunity Under HUD contracts and HUD-assisted Construction Contracts
- (j) Executive Order 12892, Leadership and Coordination of Fair Housing
- (k) Connecticut General Statutes 46a-64c as amended

The <**Applicant Name**> commits to providing and promoting racial and economic integration in any housing development financially supported with state funding and will take affirmative steps to reach beneficiaries from all racial and ethnic groups as well as the physically or mentally handicapped and families with children and to reach a broad range of income eligible beneficiaries for appropriate and applicable housing opportunities.

The <**Applicant Name**> shall carry out an affirmative program to attract prospective buyers or tenants of all majority and minority groups in the housing market area. To this end, the applicant shall create an Affirmative Fair Housing Marketing Plan (AFHMP). The AFHMP must identify those groups of persons normally not likely to apply for the housing without special outreach efforts, because of existing neighborhood racial or ethnic patterns, location of housing in the Primary Metropolitan Statistical Area, price or other factor. It must include affirmative marketing strategies to inform members of these groups of the available housing and make them feel welcome to apply. Twenty percent (20%) of the total number of units to be constructed, rehabilitated or marketed must be targeted to the groups identified in the Plan as "least likely to apply." The Affirmative marketing strategies must be consistent with the requirements of the CT Fair Housing Regulations.

The <**Applicant Name**> will adopt a Fair Housing Policy Statement. The applicant will display Fair Housing posters identifying its Fair Housing Officer by name, title, address, phone number and email address in prominent locations.

The <**Applicant Name**> will commit to providing a Discrimination Complaint Procedure, which includes designation of a Fair Housing Officer. The Fair Housing Officer will be provided fair housing training as part of this designation.

In addition, all advertising of residential real estate owned by the applicant for sale, rent or financing in connection with this project will contain the Fair Housing logo, equal opportunity slogan as a means of educating the home seeking public that the property is available to all persons regardless of race, color, religion, sex, mental or physical disability, sexual orientation, gender identity or expression, familial status, marital status, national origin, age, ancestry, or lawful source of income. All bid advertisements by the applicant shall include the phrase "Equal Opportunity/Affirmative Action Employer." The type of logo, statement or slogan will depend on the type of media being used (visual or auditory). All logos/statements shall appear at the end of the advertisement.

Amendments

The <**Applicant Name**> shall amend and revise the FHAP as necessary to keep current with state and federal affirmative action and equal opportunity laws, policies, and procedures.

<Applicant Name>
<Title>

<Date>

<Co-Applicant Name>
<Title>

<Date>

Affirmative Fair Housing Marketing Plan (FORM AA-5)

Applicant Name: _____	
Project Name: _____	
1. INTRODUCTION	
<p>DOH and CHFA are legislatively mandated under Section 8-37ee of the Connecticut General Statutes and the Connecticut Fair Housing Act, 46a-64b et seq. to promote fair housing choice and racial and economic integration in all housing funded in whole or in part by the state of Connecticut. Further, owners of state assisted housing are responsible for including in their Affirmative Fair Housing Marketing Plan provisions for the recruitment of an applicant pool that includes residents of municipalities of relatively high populations of those that would be least likely to apply. These groups include White (Non-Hispanic) and members of minority groups: Blacks (Non-Hispanic), American Indians/Alaskan Natives, Hispanics and Asian/Pacific Islanders in the Metropolitan Statistical Area (MSA) or housing market area who may be subject to housing discrimination. At least 20 percent of the units must be targeted to the group(s) identified as "least likely to apply." Groups "least likely to apply" include people with disabilities and families with children.</p>	
2. APPLICATION AND PROJECT IDENTIFICATION	
A. Applicant Information	B. Project or Application Number:
Name:	Number of Units:
Address (City, State & Zip Code):	Price or Rental Range of Units From \$ To \$
Telephone #:	
C. Project Information	D. Date of Initial Occupancy
Name of Project	Approximate Starting Dates
Address (City, State & Zip Code)	Advertising: Occupancy:
County:	E. Managing/Sales Agent Name:
Census Tract:	Managing/Sales Agent Address: (City, State & Zip Code)
F. Housing or Expanded Housing Market Area	

3. DETERMINING TYPE OF AFFIRMATIVE MARKETING PLAN

A. Indicate type of Project: Project Plan Scattered site units

4. DIRECTION OF MARKETING ACTIVITY

A. Complete Worksheet 1 (attached) to determine who is least likely to apply.

B. Indicate below which group(s) in the housing market area are least likely to apply for the housing because of its location and other factors without special outreach efforts.

- White (non-Hispanic); Black Non-Hispanic; American Indian or Alaskan natives; Hispanic; Asian or Pacific Islander; People with disabilities; Families with children (See instructions if this is elderly or elderly/disabled housing)

5. MARKETING PROGRAM

A. COMMERCIAL MEDIA

Check the media to be used to advertise the availability of this housing.

- Newspaper(s)/Publication(s) Radio TV Web-based ads
 Other (specify)

NAME OF COMMERCIAL MEDIA OUTLET(1)	RACIAL/ETHNIC IDENTIFICATION OF READERS/AUDIENCE (2)	SIZE/DURATION OF ADVERTISING (3)	MEDIA TARGETED TO PEOPLE WITH DISABILITIES/FAMILIES WITH CHILDREN (4)

B. BROCHURE, SIGNS, AND FAIR HOUSING POSTER:

(1) Will brochures, leaflets, or handouts be used to advertise? Yes No
 If yes, attach a copy and a list of where the brochures, leaflets or handouts are distributed.

(2) For project sign; Indicate sign size _____
 Attach a photograph of project sign.

(3) Fair Housing Posters which include both state and federally protected classes must be conspicuously displayed whenever sales/rentals and showings take place.

Where will they be displayed? Sales/Rental Office(s); Real Estate Office(s); Model Unit(s); Other _____



C. COMMUNITY CONTACTS

To further inform the group(s) least likely to apply about the availability of the housing, the applicant agrees to establish and maintain contact with the groups/organizations listed below that are located in the housing market area of SMSA. If more space is needed, attach an additional sheet. Notify DOH of any changes in this list. Attach a copy of correspondence to be mailed to these groups/organizations. (Provide all requested information).

Name of Group/Organization (1)	Group Identification (2)	Approximate Date of Contact or Proposed Contact (3)	Person Contacted or To Be Contacted (4)
Address & Telephone # (5)	Method of Contact (6)	Indicate how organization will assist in implementing the marketing programs (7)	

6. ANTICIPATED OCCUPANCY/RESULTS

State in number of units the racial/ethnic mix of occupants anticipated as a result of the implementation of this affirmative marketing plan.

[] White (non-Hispanic); [] Black Non-Hispanic; [] American Indian or Alaskan natives; [] Hispanic; [] Asian or Pacific Islander; [] People with disabilities; [] Families with children (See instructions for Block 4B if this is elderly or elderly/disabled housing);

7. EVALUATION OF MARKETING ACTIVITIES

Explain the evaluation process you will use to determine whether your marketing activities have been successful in attracting the group(s) least likely to apply, how often you will make this determination, and how you will make decisions about future marketing based on the evaluation process.

8. EXPERIENCE AND STAFF INSTRUCTIONS

A. Staff training and Assessment:

- 1) Has staff been trained on the use of this AFHMP? Yes No

- 2) Is there ongoing training on the use of this AFHMP and the fair housing laws?
 Yes No

- 3) If yes, who provides it?

- 4) Do you periodically assess staff skills, including their understanding of the use of this AFHMP and their responsibilities when using it? Yes No

- 5) If yes, how and how often?

- 6) Has staff been trained on tenant selection or the program requirements for homeownership units or homeownership assistance in accordance with the project's policies? Yes No

- 7) What staff positions are/will be responsible for determining eligibility for rental units, homeownership or rehab assistance?

9. ADDITIONAL CONSIDERATIONS (To be submitted by housing operator, if different from applicant)

- A. Submit a Fair Housing Policy Statement.
- B. Submit a list of fair housing trainings attended by staff.
- C. Submit an Affirmative Action Policy Statement.
- D. Submit an ADA Grievance Procedure.
- E. Submit an ADA Notice.
- F. Submit eligibility requirements for the program or project.

10. SIGNATURES (By signing this form, the applicant agrees, after appropriate consultation with DOH to change any part of the AFHMP covering a multifamily project to assure continued compliance with the CT Fair Housing Regulations).

Signature of Person Submitting Plan:
Name (Type or Print):
Title and Company:
Date:
Signature of Project Operator/Manager:
Name (Type or Print):
Title and Company:
Date:

FOR AGENCY USE ONLY	
Approved by:	Disapproved by:
Signature:	Signature:
Name:	Name:
Title:	Title:
Date:	Date:

Worksheet 1: Determining Demographic Groups Least Likely to Apply for Housing Opportunities
(See AFHMP Block 4A)

In the respective columns below indicate the percentage of each demographic group for the project (if occupied), waiting list (for existing projects), census tract, housing market area, and expanded housing market area (if the latter is needed to create a more diverse housing market area in terms of race, color, national origin, religion, sex, disability, or familial status).

Wherever possible, statistics should be obtained from a local planning office, Community Development Block Grant Consolidated Plan, or another official source such as the U.S. Census Bureau (please see <http://quickfacts.census.gov/qfd/states/09000.html>).

If there is a significant under-representation of any demographic group in the project and/or on its waiting list relative to the surrounding housing market area, then those groups(s) that are under-represented will be considered “least likely to apply” without targeted outreach and marketing, and will be so identified in Block 4b of the AFHMP. See Part 4 of the AA-5 Instructions for further guidance.

Attach maps showing both the Housing Market Area and Expanded Housing Market Area.

Demographic Characteristics	Column 1	Column 2	Column 3	Column 4	Column 5
	Project % (If this is an initial AFHMP, skip this column)	Waiting List % (If this is an initial AFHMP, skip this column)	Census Tract %	Housing Market Area %	Expanded Housing Market Area % (if used);
White					
American Indian or Alaskan Native					
Asian					
Black of African-American					
Native Hawaiian or Other Pacific Islander					
Hispanic or Latino					

Persons with disabilities					
Families with children					
Other					

Instructions for Completing Worksheet 1

Wherever possible, demographic statistics should be obtained from a local planning office, Community Development Block Grant Consolidated Plan, or another official source such as American Fact Finder which can be found on the www.census.gov website at <http://quickfacts.census.gov/qfd/states/09000.html>

“Least likely to apply” means that there is an identifiable presence of a specific demographic group in the housing market area, but members of that group are not likely to apply for the housing without targeted outreach, including marketing materials in other languages for limited English proficient individuals, and alternative formats for persons with disabilities. Reasons for not applying can include, but are not limited to, insufficient information about housing opportunities, language barriers, or transportation impediments. If there is no identifiable presence of a specific demographic group in the housing market area, there is no requirement to reach out to that group. For example, if there are no American Indians or Alaskan natives in the housing market area, there is no need to reach out to that group.

Column 1—Project %

For entities who are proposing to use its funding for existing rental units, the respondent should indicate the demographic composition of the project. If this is an initial AFHMP for rental units or an AFHMP for homeownership units or homeownership assistance do not fill out Column 1.

Column 2—Waiting List %

If this is an initial AFHMP for rental units, homeownership units, or homeownership assistance do not fill out Column 2. If there is an existing waiting list because this AFHMP is for existing rental units or a continuation of an existing homeownership or homeownership assistance program include the demographics of the existing waiting list in Column 2.

Column 3—Census Tract %

Include the percentage of each of the groups in the census tract where the project or scattered site housing is located. If this is scattered site housing, see the AA-5

instructions with regard to Part 3A. If there is no one from the group living in the census tract, write in 0. However, for some census tracts, the percentage of the group may be less than 0 but still have an identifiable presence in the census tract. For example, the percentage of Whites may be 98%, the percentage of Latinos 1.8%, and the percentage of Blacks or African-Americans .2%. Blacks or African-Americans are an identifiable presence even though the percentage of the population in the census tract is less than 0.

Column 4—Housing Market Area %

A housing market area is the area (not necessarily the census tract, but the entire geographic area) from which the owner or manager of the project may reasonably expect to draw a substantial number of its applicants. For homeownership units and homeownership assistance, the housing market area must include the entire town or municipality applying for the financial assistance. Do not use an expanded housing market area for homeownership units or homeownership assistance.

See the instructions for Column 3 for information on census data to include.

Column 5—Expanded Housing Market Area %

If a housing market area is not demographically diverse in terms of race, color, national origin, religion, sex, disability, or familial status, an expanded housing market area must be used. An expanded housing market area is a larger geographic area that may provide additional diversity. Respondents should indicate the housing or expanded housing market area in which the housing is/will be located, e.g., "City of _____" for housing market area, or "City of _____" and "County of _____" for expanded housing market area.

See the instructions for Column 3 for information on the information to include from the Census data.

Determining who is least likely to apply

Compare groups within rows/across columns on Worksheet 1 to identify any underrepresented group(s) relative to the surrounding housing market area. These are the group(s) "least likely to apply" for the housing without targeted outreach and marketing. For example, if the percentage of Whites in the project is 30% and the percentage of Whites on the waiting list is 25%, but the percentage of Whites in the housing market area is 75% and the percentage of whites in the expanded housing market area is 95%, Whites will be one of the groups least likely to apply because Whites are underrepresented in the project and on the waiting list compared to their representation in the market area and the expanded market area.

FORM AA5 Instructions
DOH Affirmative Fair Housing Marketing Plan

Part 1 - Introduction

DOH and CHFA are legislatively mandated under Section 8-37ee of the Connecticut General Statutes and the Connecticut Fair Housing Act, 46a-64b et seq. to promote fair housing choice and racial and economic integration in all housing funded in whole or in part by the state of Connecticut. Further, owners of state assisted housing are responsible for including in their Affirmative Fair Housing Marketing Plan provisions for the recruitment of an applicant pool that includes residents of municipalities of relatively high populations of those that would be least likely to apply. These groups include White (Non-Hispanic) and members of minority groups: Blacks (Non-Hispanic), American Indians/Alaskan Natives, Hispanics and Asian/Pacific Islanders in the Metropolitan Statistical Area (MSA) or housing market area who may be subject to housing discrimination. At least 20 percent of the units must be targeted to the group(s) identified as "least likely to apply." Groups "least likely to apply" include people with disabilities and families with children.

In addition, even though housing providers and developers are not required to market to all protected classes, all participants must not discriminate based on race, color, religion, sex, national origin, ancestry, sexual orientation, creed, marital status, learning disability, mental or physical disability, including but not limited to blindness, age, family status, marital status, sexual orientation, age, lawful source of income, or gender identity or expression.

The applicant shall describe on this form the activities it proposes to carry out during marketing, and, where applicable, the initial sales, application , or rent-up period. The marketing program should also assure that any group(s) of person normally NOT likely to apply for the housing without special outreach efforts (because of existing neighborhood racial or ethnic patterns, location of housing in the Primary Metropolitan Statistical Area, price or other factors), know about the housing, feel welcome to apply and have the opportunity to buy, rent, or apply for rehabilitation funds. In addition to the specific advertising activities, please describe activities relating to instructions and or training that is provided to staff on fair housing.

Marketing activities are required throughout the life of the mortgage, assistance agreement or regulatory agreement - whichever is longer. The AFHMP must be available for public inspection.

In filling out this form, in addition to these instructions, recipients should use the following for guidance:

1. Conn. Agencies Regs. §§8-37ee-1 – 17 and 300 –314;
2. HUD’s Multifamily Asset Management and Project Servicing Handbook--4350.3 Rev. 1, Change 2 for additional assistance with tenant selection policies.

Introduction

The AA-5 is to be used to market the following types housing for which an entity receives financial assistance:

- rental units--rental projects of five or more units or five or more scattered site rental units;
- homeownership units—five or more units in a subdivision or scattered site receiving development assistance; and
- homeownership assistance—assistance to purchase or rehabilitate homeownership units.

Part 2 - Application and Project Identification

2A—For all proposed projects, the applicant is the name of the entity applying for or receiving the financial assistance. The address is the telephone number, address, city, state, and zip code of the entity applying for or receiving the housing assistance.

2B—The Project or Application Number is the project or application number assigned by DOH or the entity providing the financial assistance. If this is a new project or application, the project or application number is TBD or to be decided.

Price or Rental Range of Units—For rental units, put in the total rent to be charged for the units including the rent paid by the tenant and the amount of the housing subsidy. If the application is for homeownership units, put in the range of home sales prices. For homeownership assistance, write in NA or not applicable.

2C—This portion of the AA-5 asks for information about the project or program applying for financial assistance. For example, the name of the entity making the application is the Town of Wallingford even though the Town will be sub-contracting with a subsidized housing provider to use the money to rehab existing rental units. Include the address, county and census tract where the project is located.

2D—For rental units or homeownership units, the applicants/recipients must state the date of initial occupancy of the project. If this is an initial AFHMP, specify the date initial occupancy is projected to begin. Under “Approximate Starting Dates,” state the date advertising is scheduled to begin to groups targeted for special outreach followed by the approximate date on which applicants will be notified of their acceptance or placement on the waiting list. If this is an annual AFHMP or updated AFHMP, fill in the

date the project was first occupied under "Initial Occupancy." Advertising must begin at least 90 days prior to occupancy or prior to a waiting list opening.

For homeownership assistance, include information on the approximate starting date of the advertising the availability of the housing assistance. Advertising must begin at least 90 days prior to the date the funds will be available. Do not fill out the portion of 2D which requests information on the approximate starting date of occupancy.

2E—This box is to be completed only if the applicant/recipient is not going to be implementing the AFHMP or the applicant/recipient will not be managing the units.

2F—Part F asks the applicant/recipient to identify the housing market area or the expanded housing market area. All applicants for financial assistance for rental units or homeownership units must complete the section asking for a housing market area. A **housing market area** is the area (not necessarily the census tract, but the entire geographic area) from which the owner or manager of the project may reasonably expect to draw a substantial number of its applicants. If a housing market area is not demographically diverse in terms of race, color, national origin, religion, sex, disability, or familial status, an **expanded housing market area** must be used. An expanded housing market area is a larger geographic area that may provide additional diversity. Respondents should indicate the housing or expanded housing market area in which the housing is/will be located, e.g., "City of _____" for housing market area, or "City of _____" and "County of _____" for expanded housing market area.

For homeownership assistance, the housing market area is the entire town or municipality applying for the financial assistance. Do not use an expanded housing market area.

Part 3 – Determining Type of Affirmative Marketing Plan

3A—Applicants for rental or homeownership units in a subdivision should check that this is a project plan. Applicants for rental units, homeownership units, homeownership assistance that are not in a subdivision should check that this is scattered site units. Applicants for homeownership units or homeownership assistance are to submit individual annual plans based on the racial composition of each census tract where the housing will be built. For example, if a builder plans to construct units in minority and non-minority census tracts, separate plans shall be submitted.

Part 4 - Direction of Marketing Activity

Block 4a– Complete Worksheet 1 in accordance with instructions.

Block 4b– Using the information from the completed Worksheet 1, respondents should identify the demographic group(s) least likely to apply for the housing without special outreach efforts by checking all that apply by identifying which groups. Those “least likely to apply” typically will be those groups with the smallest presence in the housing project, census tract, housing market area or expanded housing market area.

If this is a project built or created for the elderly or the project is built for the elderly and disabled, the complex does not have to market to families with children so long as the complex complies with one of the following:

1. The complex is solely occupied by persons sixty-two years of age or older; or
2. The complex has 80% of its units occupied by persons fifty-five years of age or older.

Part 5 - Marketing Program

The applicant shall describe the marketing program to be used to attract all segments of the eligible population, especially those groups designated in Part 4 of the Plan as “least likely to apply.” Marketing must include the dissemination of information to the largest city located in the nearest Primary Metropolitan Statistical Area, Regional Planning Area and any other area likely to contain high percentages of members of the group identified as least likely to apply and where public transportation or public highways/job availability make it likely that members of these groups will wish to move.

5A—The applicant shall state: the type of media to be used: the name of newspapers; call letters of radio or TV stations; the identity of the circulation or audience of the media identified in the AFHMP, e.g., White (Non-Hispanic), Black (Non-Hispanic), Hispanic, Asian-American/Pacific Islander, American Indian/Alaskan Native, persons with disabilities, and families with children; and the size or duration of newspaper advertising or length and frequency of broadcast advertising. Advertisements in newspapers must be displayed or appear where they are most likely to be read or seen - not only in the classified section. In addition, all advertisements must be placed on www.cthousingsearch.org.

5B—All brochures, signs, and advertisements must include the U.S. Department of Housing and Urban Development approved Fair Housing logo or slogan or statement and all advertising depicting persons shall depict persons of majority and minority groups. Fair housing posters which include both state and federally protected classes must be placed at the project site and rental offices. Contact more than three commercial media outlets. Use additional sheets as necessary.

5C—Community contacts should include individuals or organizations that are well known in the project area or the locality and that can inform people within groups

considered “least likely to apply.” Such contacts may include, but need not be limited to: neighborhood, minority and women’s agencies, social clubs, homeless shelters, social service agencies, health clinics, religious groups, legal services, and individuals who are connected with these organizations and/or are well known in the market area or expanded housing market area. There must be an effort to identify and contact several individuals and organizations associated with the group least likely to apply, not just one or two groups and use additional sheets to report on this as necessary. A sample community contact letter is attached.

The applicant shall send a notification to all housing market area community resource contacts at the start of construction or at least 90 days prior to the opening of the waiting list or to the date the funds will be available. This notification shall include: (i) basic information concerning the Project (e.g., number of units, approximate date of occupancy, income levels to be served), (ii) information that they are being contacted because they may be interested in participating in the applicant affirmative marketing efforts, and (iii) advice that they will be contacted later concerning their desire to participate in this effort. The notice shall also provide the name of a person to contact for further information.

The applicant shall send a second notification to its community resource contacts at approximately 50 percent of completion of construction. This notification shall contain: (i) an update on the notification provided in the first notification, (ii) a proposed report on the Project, and (iii) a narrative concerning the Project (e.g., rent levels amenities, availability of transportation).

Six weeks before the estimated beginning of leasing, sales, or the availability of funds for homeownership assistance, the applicant shall send a third notification to all community resource that have been identified as possibly helpful in the affirmative marketing efforts (not necessarily limited to those contacts that have played an active role). This notification shall include: (i) a copy of any sales or rent-up brochure for the Project, (ii) the precise dates for sales or rent-up, (iii) a brief description of how an applicant may apply for the housing and (iv) the name of a person to contact for further information. A description of the selection criteria and selection process must also be included in this letter.

The applicant must solicit eligible applicants who may be referred to them by groups or organizations in the community.

Applicants must submit a Notification of Intent to begin marketing to the department, no later than 90 days prior to engaging in sales or rental or marketing activities.

Where relevant, information may be provided in both English and Spanish.

The AFHMP shall provide for follow up from outreach agencies to determine the effectiveness of referrals (via letter).

Part 6 - Anticipated Occupancy/Results

Anticipated occupancy results are a measure of the effectiveness of the implementation of the AFHMP. If the applicant elects to use indicators of effectiveness that differ from those described in this plan, such indicators shall be described at the bottom of the second page. Such indicators should be used to assess the effectiveness of specific aspects of the affirmative marketing program to attract to the housing persons targeted for special outreach, e.g., media advertising, use of minority-owned media, community contacts, etc.

The description should include a brief statement of the method to be used (e.g., survey of applicant, tenant questionnaire or the like).

Part 7 – Evaluation of Marketing Activities

Respondents should explain the evaluation process to be used to determine if they have been successful in attracting those groups identified as least likely to apply. Respondents should also explain how they will make decisions about future marketing activities based on the Evaluations.

Part 8 - Experience and Staff Instructions

8(1)—Staff must be trained on the use of this AFHMP, not the use or creation of an AFHMP, in general. If the staff has not been trained on the use of this AFHMP, please explain why there has been no training and indicate when and what future trainings are planned.

8(2 - 5)--Guidance to staff must include information regarding Section 8-37ee-1 –17 and Section 8-37ee-300-314, federal, state, and local fair housing laws and the use of this AFHMP. Copies of any written materials should be submitted with the plan, if such materials are available.

8(6 – 7)—Staff must be trained on the use of the eligibility requirements for the projects for which the entity is receiving financial assistance, not on the eligibility under fair housing or state and federal public housing rules in general.

Part 9 - Additional Considerations

Fair Housing Policy Statement, Affirmative Action Policy Statement, ADA Grievance Procedure, and ADA Notice

In this section, the housing operator, if a different entity than the applicant, must provide a Fair Housing Policy Statement, Affirmative Action Policy Statement, ADA Grievance Procedure, and ADA Notice and the Tenant Selection Plan which must be posted at the housing project at all times where members of the public can view them. They must also be disseminated to staff engaged in the sale or rental of properties and posted wherever applications available to the public. A list of fair housing trainings attended by staff must also be submitted with this Plan.

Eligibility requirements for the program or project

For guidance on how to develop a tenant selection methodology or other eligibility criteria for the project, applicants/recipients should begin by consulting Conn. Agencies Regs. §8-37ee-304 and HUD's Occupancy Requirements of Subsidized Multifamily Housing Programs Handbook--4350.3 Rev. 1, Change 2.

Pursuant to §8-37ee-304(b) and (c) applicants may use a point system or random selection for rental units. If applicants/recipients are using a point system, they must use the one set out in §8-37ee-304(b) unless the applicant/recipient applies for and receives approval from the department that the proposed system does not violate the intent of the AFHMP and the fair housing laws.

Part 10 – Signatures

Both the applicant for the funds and the housing provider or housing manager must sign the AFHMP at the bottom and date it. Both the applicant for the funds and the housing provider or housing manager assume full responsibility for its implementation. DOH may at any time monitor the implementation of the AFHMP and request modifications in its format or content, where the department deems necessary.

Other Requirements

Application Process:

The application period for all prospective applicants shall extend for at least 90 days prior to the start date of accepting applications. An application deadline must be established.

Anyone seeking to apply must be able to do so, and assistance must be provided to anyone who requests help with completing the form.

Applications must be stamped, and each person must be given a receipt with the date and time the application was received.

Tenant selection shall occur at least 30 days before occupancy.

Records:

Initial AFHMP records, including the implementation of the Plan, must be maintained for at least three years. Thereafter this Plan must remain in full force and effect throughout the remainder of the affordability period of the housing for which it was designed. Revisions to the Plan may be made with DOH approval.

Reporting Requirements:

For the initial marketing, three reports regarding racial and economic integration shall be submitted to the DOH prior to final occupancy. One after the period for submission of applications, one after pre-screening, and one after final selection. DOH will determine whether or not the recipient has made a good faith effort in trying to reach members of groups identified as "least likely to apply". In such cases where these efforts are determined to be insufficient, additional outreach efforts will be required. Such additional outreach efforts may delay the occupancy of units.

Once the project is in occupancy, recipients are required to collect racial and economic data from both tenants and persons on the waiting list. This information must be reported to DOH annually, before October thirty-first for the year ending the preceding September thirtieth. The data shall include information for households entering the development and in occupancy during the previous September thirtieth and shall contain the current percentages of those "least likely to apply" that are residing in the project and are on the waiting list. Additionally, you must submit an evaluation of whether your marketing activities for that year, if any, were effective in attracting least likely to apply applicants. If found ineffective, then you must state how you will make changes in your strategies for future marketing efforts.

All elements listed below must be included in the applicant's Fair Housing Policy Statement:

- The Fair Housing Policy Statement must include the applicant/developer's commitment to promote Fair Housing choice, and not to discriminate against any person as prohibited in General Statutes 46a-64c as amended.
- Protected classes listed must include: race, creed, color national origin, ancestry, sex, marital status, age, lawful source of income, familial status, sexual orientation, gender identity or expression and physical or mental disability. The provisions of 46a-64c should be specifically included in the pledge.
- Identifies the person assigned Fair Housing responsibilities by name, position, address, telephone and email.
- It is signed and dated by Board President, CEO or other comparable party.
- Includes a Discrimination Complaint Procedure section, which includes a progress report on the number of complaints filed, if any, actions taken and status of each complaint.
- States how the policy shall be disseminated and displayed.
- It is revised as needed.

<Print on Applicant's Letterhead>

Fair Housing Policy Statement Sample

It is the policy of the **<Applicant Name>** to promote fair housing opportunities and to encourage racial and economic integration in all its programs and housing development activities.

Programs funded and administered by this **<Applicant Name>** must comply with the provisions of Section 46a-64c of the C.G.S., and with related state and federal laws and regulations that prohibit discriminatory housing practices.

The **<Applicant Name>** or any of subrecipient of the **<Applicant Name>** will carry out an affirmative marketing program to attract prospective buyers or tenants of all majority or minority groups, without consideration of race, creed, color national origin, ancestry, sex, marital status, age, lawful source of income, familial status, sexual orientation, gender identity or expression and physical or mental disability in all programs and housing development activities funded or administered by the **<Applicant Name>**.

<Fair Housing Officer's Name> is responsible for the enforcement and implementation of this policy. The **<Title of Fair Housing Officer>** may be reached at **<Phone Number>** or **<Email Address>**.

Complaints pertaining to discrimination in any program funded or administered by this **<Applicant Name>** may be filed with the **<Fair Housing Officer's Name>**. The **<Applicant Name>**'s Grievance Procedure will be utilized in these cases.

Complaints also may be filed with the Commission on Human Rights and Opportunity, Special Enforcement Unit, 25 Sigourney Street, Hartford, CT 06106, Telephone (860) 541-3403.

A copy of this policy statement will be given annually to all **<Applicant Name>** employees and they are expected to fully comply with it. In addition, a copy will be posted throughout the **<Applicant Name>**'s offices.

Revised **<Date Revised>**

<Date>

<Name and Title of Executive Director/CEO>

THIS STATEMENT IS AVAILABLE IN LARGE PRINT OR ON AUDIO TAPE by contacting **<Name, Address, Phone Number>**.

POLICIES GOVERNING ADMISSION TO
DEVELOPMENTS OPERATED BY
THE HOUSING AUTHORITY/AGENCY OF THE TOWN OF XXXXXXX

INTRODUCTION

The Housing Authority/Agency of the Town/City of XXXXX (or Company Name) operates the following housing programs which are governed by these policies:

INSERT PROPERTIES AND APPLICABLE HOUSING PROGRAM

These policies apply equally to all developments unless otherwise specified. The State Sponsored housing complexes are obligated to follow the applicable state statutes and regulations for the each program. The State Sponsored portfolio was transferred to Connecticut Housing Finance Authority/Agency (CHFA) in 2003.

Statutes, Regulations and Assistance Agreement

The Elderly Housing Program is subject to Sections 8-112a through 8-119c of the Connecticut General Statutes. The Elderly Housing Program is subject to the State of Connecticut's "Regulations for the Elderly Housing Program." Every Elderly Housing complex is also subject to the provisions of the Assistance Agreement executed between the Owner and the original authorizing state agency (Dept. of Community Affairs, Department of Housing or DOH). The Assistance Agreements were transferred along with the portfolio to CHFA in 2003.

The Moderate Rental Housing Program is subject to Sections 8-39 and 8-69 through 8-81 of the Connecticut General Statutes. The Moderate Rental Housing Program is subject to the State of Connecticut's "Regulations for the Moderate Rental Housing Program". A Moderate Rental Housing complex is also subject to the provisions of the Loan Documents or Assistance Agreement executed between the Owner and the original authorizing state agency (Dept. of Community Affairs, Department of Housing or DOH). The Assistance Agreements were transferred along with the portfolio to CHFA in 2003.

INSERT OTHER PROGRAMS AS APPLICABLE

FAIR HOUSING

The XXXXXXXX Housing Authority/Agency (or Company Name) will operate its programs within the Fair Housing regulations under Section 8-37ee-1 through Section 8-37ee-17 and Section 8-37ee-300 through Section 8-37ee-314 of the Regulations of Connecticut State Agencies.

This Authority/Agency shall not, on account of age, ancestry, color, sex, race, creed, marital status, sexual orientation, national origin or religion, lawful source of income, familial status, learning disability, physical or mental disability, sexual orientation, or gender identity or expression.

- Deny to any family¹ the opportunity to apply for housing, nor deny to any qualified applicant the opportunity to lease housing suitable to its needs;
- Provide housing which is different from that provided others;
- Subject a person to segregation or disparate treatment;
- Restrict a person's access to any benefit enjoyed by others in connection with the housing program;
- Treat a person differently in determining eligibility or other requirements for admission;
- Deny a person access to the same level of services;
- Deny a family a reasonable accommodation/modification.

The Authority/Agency will identify and eliminate situations or procedures that create a barrier to equal housing opportunity for all.

In making reasonable accommodations or modifications for otherwise qualified persons with disabilities, the Authority/Agency is not required to:

- Take any action that would result in a fundamental alteration in the nature of the program;
- Take any action that would result in an undue financial and administrative burden on the Authority/Agency.

The Authority/Agency office, community rooms, common laundry rooms, meeting rooms and all common areas must be accessible and available for use by residents with a full range of disabilities to the greatest extent possible.

¹ "Family" as used in this document is the same as the definition used in Conn. Reg. §8-37ee-1(4) which is "a household consisting of one or more persons."

Protected Classes	Federal or CT. Law	Property not covered ²	Remedy
Race	Federal: 42 U.S.C. §1982 (Civil Rights Act of 1866)	None	Federal court
	State: Con.Gen.Stat. 46a-58a	None	State court or CHRO ³
Race, Color, National Origin, Ancestry, Sex, Religion	Federal: 42 U.S.C. §3604	Federal: Owner occupied bldgs. with 4 units or less; single family homes	Federal court or HUD ⁴
	State: Con.Gen.Stat. 46a-64c	State: Owner occupied bldgs. with 2 units or less; owner occupied rooming house	State court or CHRO
Familial Status or the presence of children	Federal: 42 U.S.C. §3604	Federal: Owner occupied bldgs. with 4 units or less; single family homes	Federal court or HUD
	State: Con.Gen.Stat. 46a-64c	State: owner occupied 4 units or less; elderly housing	State court or CHRO
Disability	42 U.S.C. §3604	Federal: Owner occupied bldgs with 4 units or less; single family homes	Federal Court or HUD
	29 U.S.C. §794	Federal: All housing <u>not</u> receiving federal money	Federal court
	State: Con.Gen.Stat. 46a-64c	State: Owner occupied bldgs. with 2 units or less; owner occupied rooming house	State court or CHRO
Marital Status (except an unmarried unrelated man and woman)	State: Con.Gen.Stat. 46a-64c	State: Owner occupied bldgs. with 2 units or less; owner occupied rooming house	State court or CHRO
Sexual Orientation	State: Con.Gen.Stat. 46a-81e	State: Owner occupied bldgs. with 4 units or less	State court or CHRO
Age (except minors)	State: Con.Gen.Stat. 46a-64c	State: Owner occupied bldgs. with 2 units or less; owner occupied rooming house; elderly housing	State court or CHRO
Lawful source of income	State: Con.Gen.Stat. 46a-64c	State: Owner occupied bldgs. with 2 units or less; owner occupied rooming house	State court or CHRO
Gender identity or expression	State: Con.Gen.Stat. 46a-64c	State: Owner occupied bldgs. with 2 units or less; owner occupied rooming house	State court or CHRO

¹The exemptions from the law are complicated, and properties which are listed as exempt under fair housing laws may be covered by other civil rights laws.

³ Connecticut Commission on Human Rights and Opportunities

⁴ Department of Housing and Urban Development

OPENING AND CLOSING WAITING LISTS

The Authority/Agency, at its discretion and in accordance with the fair housing laws and the statutes and regulations governing the applicable housing program, may restrict application intake, suspend application intake, and close waiting lists in whole or in part.

The Authority/Agency will update the waiting list at least once per year by removing the names of those individuals/families that are no longer interested, no longer qualify for housing or cannot be reached by telephone or mail. The waiting list will be purged by notifying every family on the list that they are liable to be purged unless they contact the housing provider within a certain period of time. The mailing will ask for current information and confirmation of continued interest.

If an applicant fails to respond to a mailing from the Authority/Agency within the time specified, they will be removed from the waiting list. If a letter is returned by the Post Office without a forwarding address, the applicant will be removed without further notice and the envelope and letter will be maintained in the file. If a letter is returned with a forwarding address, it will be re-mailed to the address indicated.

At the time of initial intake, the Authority/Agency will advise families of their responsibility to notify the Authority/Agency when mailing address or phone numbers change.

If the Authority/Agency's waiting lists have sufficient applicants at all bedroom sizes, and has racial and economic diversity as required by Con. Gen. Stat. 8-37bb, and that there are sufficient families who are least likely to apply on the list or near the top of the list such that they might be housed within the next year then the Authority/Agency may elect to:

1. Close the waiting list completely;
2. Close the list during certain times of the year; or
3. Restrict intake by type of project or by size and type of dwelling unit.

A decision to open/close the waiting lists will be publicly announced.

APPLICATION PROCESS

The application process is governed by the fair housing laws and particularly the requirement that all housing providers provide reasonable accommodations to applicants to ensure that they qualify for housing to the greatest extent possible.

- The application period shall extend for 90 days unless the number of applications received exceeds the number of units in the complex by at least three times and there is a sufficient number of applicants who meet the criteria of least likely to apply as defined in the Affirmative Fair Housing Marketing Plan. Announcement of the closing the waiting list shall be made in the same manner as the announcement of the opening of the waiting list.
- Applications may be provided by any staff member but applications will be checked for completeness by appointment only (*INSERT SPECIFIC INFO REGARDING APPOINTMENTS*).
- Anyone seeking to apply shall be given the opportunity to do so as long as the waiting list is open for the type of housing and the bedroom size required.
- Anyone needing help in filling out the forms shall be assisted and all announcements of the opening of waiting lists or notices that applications are being taken shall state that assistance shall be given to anyone needing help.
- Each application received shall be immediately dated and time stamped.
- Each applicant shall be given a receipt with the date and time on it.
- Each applicant shall have a control number assigned in chronological order.
- A file shall be opened for each applicant. The file shall remain confidential information and shall be kept in a locked drawers or, if kept electronically, password protected.
- Selection shall occur at least thirty (30) days before scheduled occupancy to prevent vacancies.

ELIGIBILITY FOR ADMISSION

In determining eligibility for admission, owners must not adopt any admission criteria which discriminates or has the effect of discriminating against any family based upon age, ancestry, color, sex, race, creed, marital status, sexual orientation, national origin, religion, lawful source of income, familial status, learning disability, physical or mental disability, sexual orientation, or gender identity or expression. In addition, the owner has an obligation to make reasonable accommodations in its screening criteria to ensure that people with disabilities are able to use and access the housing.

Legal screening criteria includes, but is not limited to:

- A. Income eligibility;
- B. Number of people in the family that conforms to the occupancy standards which are appropriate to the vacant unit.
- C. Demonstrated ability to pay rent on time;
- D. References from former landlords;
- E. Credit checks, except that a lack of credit history, as opposed to a poor credit history, is not sufficient grounds to reject an applicant;
- F. Satisfactory housekeeping habits based on visits to the applicant's current residence. However, if the owner uses home visits as a screening criteria, the owner must visit the home of every applicant who is considered for tenancy;
- G. For State Sponsored Elderly properties applicants must be a person who is sixty-two years of age or older, or a person who has been certified by the Social Security Board as being totally disabled under the Federal Social Security Act or certified by any other federal board or agency as being totally disabled. [CGS sec. 8-113a];
- H. Ineligibility because of a conviction of a current household member of drug-related criminal activity for the production or manufacture of illegal drugs;
- I. Ineligibility because a current household member is subject to a lifetime registration requirement under a state sex offender registration program;
- J. Ineligibility because a current household member has engaged in criminal activity that is a threat to the health or safety of other tenants;
- K. Ineligibility because the family has a pattern of eviction from housing or termination from residential programs within the past five years (considering all relevant circumstances)

Illegal screening criteria include but are not limited to:

- A. Residency requirements;
- B. Proof of U.S. citizenship;
- C. Working individuals or families;
- D. Limits on sources of income that will be considered so long as the income is legal;
- E. Ability to live independently;
- F. Ability to assist in building, construction, or maintenance;

EXCEPTION FOR ELDERLY HOUSING:

CHFA may, for periods of up to one year, authorize an owner to admit persons who are less than sixty-two years of age but not less than fifty-five years of age (near elderly) provided that the owner submits an application approved by the chief executive officer of the municipality in which the owner is located demonstrating that:

- a. the owner is not able to attract an adequate number of elderly persons to occupy the project who are also diverse racially and economically and,

- b. the owner has (1) published a notice, at least once each week during the thirty days preceding the submission of its application, in one or more newspapers having a substantial circulation in the municipality, indicating that the units are available and, (2) sent such notice, at least thirty days preceding submission of its application, to each housing Authority/Agency, municipal developer or non-profit corporation operating an elderly housing project of fifty or more units pursuant to Connecticut General Statutes and having fifty or more units. [CGS Sec. 8-115a] and (3) the owner has used its Affirmative Fair Housing Marketing Plan to attract an adequate number of elderly persons who are least likely to apply to the project.

- c. No person admitted to such project pursuant to these provisions shall be evicted from or denied continued occupancy of such project solely because such person is less than sixty-two years of age but not less than 55 years of age.

VERIFICATION OF INFORMATION

All information from each applicant must be verified in writing. Any information relative to the acceptance or rejection of an applicant must be documented and placed in the applicant's file. This may include reports of interviews, letters or telephone conversations (by housing Authority/Agency staff) with reliable sources. These reports must minimally include the name and title of the individual contacted, date of contact and a summary of the information received.

Sources of information may include, but are not limited to, the applicant (by means of an interview or home visit), landlords, employers, family social workers, parole officers, credit bureaus, court records, drug treatment centers, clinics, physicians, police department or agencies that provide such information, where necessary. Appropriate releases will be obtained from the applicant. An owner is not entitled to obtain medical records of any kind.

If an applicant must be disabled to qualify for a property, the owner may obtain proof of disability such as a letter awarding disability benefits, a statement from a treating medical professional that the person is disabled, or other documentation of disability that does not include medical records. *If the owner elects to use a credit bureau or any agency whose business is considered that of a credit bureau, denial notices must conform to the requirements of the Fair Credit Reporting Act.*

NOTIFICATION OF APPLICANT

Each applicant determined to be eligible shall be promptly notified by the Authority/Agency of such determination and of the approximate date of occupancy, insofar as that date can be reasonably determined.

OCCUPANCY STANDARDS

The number bedrooms required to accommodate each family shall be determined by the square footage requirements per person as stated in the state building code.

TENANT SELECTION METHODOLOGY

For purposes of fairness and equity, an owner may use either a point system or a purely random lottery selection method.

Placing applicants on the waiting list on a first come, first serve basis is never permitted.

POINT SYSTEM

If the owner elects to use a point system, the owner must use the following procedures to assign applicants to the waiting list:

1. Create a tenant application that asks for information regarding qualification for a preference under the point system. Such application must also contain a list of verifications that will be accepted to receive a preference under the point system.
2. Check the verifications of all applicants to determine if the household qualifies for a particular preference;
3. Assign points based upon the preferences;
4. Order the waiting list according to the number of points assigned;
5. In the case of a tie score, a lottery shall determine the place of an applicant on the waiting list among applicants with the same score.

Owners must use the following point system to assign applicants a place on the waiting list:

The XXX Housing Authority/Agency uses the following point system for selection of applicants for tenancy:

- ❖ SUBSTANDARD HOUSING..... 25 point maximum
 - condemned or verified serious housing code violations 25
 - inadequate heating, plumbing, or cooking facilities 20
- ❖ LIVING SITUATION.....25 point maximum
 - living in documented physically or emotionally abusive situation 25
 - living in a shelter or transitional housing 25 points
 - living in temporary housing with others because of conditions
 - ◆ beyond applicant's control (condemnation, foreclosure, fire, loss of job, etc.) 20 points
 - living in overcrowded conditions in own housing unit
 - ◆ (e.g. 1.5 persons per room) 15 points
- ❖ INCOME/RENT RATIO.....15 point maximum
 - currently paying more than 50% of income for rent or housing 15 points
 - currently paying between 31-50% of income for rent/housing 10
- ❖ (OPTIONAL) Resident or Least Likely To Apply Applicant.....10
(If this resident selection category is used, the 10 points shall be awarded to both residents and least likely to apply applicants.)

Subjective scoring is not allowed.

Any changes to the point system must be approved by the state.

No current applicants on the waiting list shall be displaced when the waiting list is re-opened.

Random Selection Method – Lottery

If an owner selects the random selection method, they shall order the waiting list in the following manner:

The XXX Housing Authority/Agency uses the lottery system for selection of applicants for tenancy. The following steps are taken by the XXX Housing Authority/Agency:

1. Determine the income eligibility of all applicants;
2. Pre-screen/interview for credit worthiness and other reasonable common rental or ownership criteria; and for verification of applicant information.
3. Put all applicants with favorable interviews, that is, having no ground for disqualification back in the pool and choosing by a lottery system.
4. The XXX Housing Authority/Agency will seek third party services where feasible to conduct the lottery.

DENIAL OF ADMISSION

Applicants deemed ineligible, for whatever reason(s), shall be notified in writing of the reason(s) for rejection and their right to appeal. The HOUSING AUTHORITY/AGENCY will inform applicants that an appeal must be made within 10 business days. This will also allow the applicant's return to the applicant pool if they prevail.

An impartial hearing officer shall be chosen by the HOUSING AUTHORITY/AGENCY who shall issue a written opinion within five days of the hearing. All appeals should be heard within five days of the request.

At the hearing, the hearing officer consideration shall be given to:

- 1) Any requests for a reasonable accommodation that would result in the owner waiving consideration of past behavior unless the behavior, if continued, would pose a threat the health of safety of others;
- 2) Any information that shows that the reason for the disqualification was the result of circumstances outside of the family's control including but not limited to late or non-payment of rent/mortgage because of loss or reduction in employment, medical or disability related issues which resulted in non-payment or late payment of bills, timing of receipt of public benefits which resulted in late payment of bills or rent;
- 3) Any information which shows a change in circumstance that would ensure that the reason for disqualification would not recur including but not limited to the ouster or banning of the household member creating the reason for disqualification, drug or alcohol treatment, medical treatment of the condition causing the reason for the disqualification,

- 4) Any information which demonstrates that the reason for the disqualification was the result of domestic violence;
- 5) Any other information which shows that the reason for the disqualification is not likely to recur.

The HOUSING AUTHORITY/AGENCY shall keep the following materials on file for at least three years:

- 1) application;
- 2) initial rejection notice;
- 3) any applicant reply;
- 4) the recipient's final response; and
- 5) all interview and verified information on which the rejection was based.

INSUFFICIENT NUMBER OF LEAST LIKELY TO APPLY APPLICANTS (Sec. 8-37ee-306)

Each Owner shall evaluate its waiting list for each development to determine whether or not the waiting list provides for racial and economic diversity. If the Authority/Agency finds it has an insufficient number of least likely to apply applicants:

- (a) The Authority/Agency will use its Affirmative Fair Housing Marketing Plan to market its units;
- (b) The Authority/Agency will make sure its efforts meet time and durational requirements;
- (c) The Authority/Agency will amend or enhance the marketing approach when found deficient; and document any particular local, regional, and/or market reasons for the failure of the Affirmative Fair Housing Marketing Plan to attract a sufficient pool of applicants who are least likely to apply.
- (d) The Authority/Agency shall develop and maintain adequate documentation in a manner prescribed by DOH of its good faith efforts.

COLLECTION OF SECURITY DEPOSITS

The amount of the security deposit is limited by statute.