The Affirmative Marketing Rule

Highlights of 2015 Changes

February 23, 2015
Self Test: How Much Do you Know?

- True or False: The New Rule is effective April 1, 2015.
- True or False: The New Rule requires use of the newest version of the 935.2A form.
- True or False: The New Rule uses Zip Codes to determine the market area for persons least likely to apply.
- True or False: The New Rule provides different methods for determining “least likely to apply” populations in developments beginning lease up, with less than 40 units, and those which may have insufficient tenant data.
- True or False: The New Rule requires Owners to translate all of their marketing materials.
Welcome and Training Overview

Introduction

- Laura DeBellas, Fair Housing Team Lead
- Stephanie Naquin, Director of Multifamily Compliance
Welcome and Training Overview

- First Session: Affirmative Marketing
  - The basics of Affirmative Marketing
  - Highlights of the new rule and a preview of the AFHM Tool
  - How monitoring will be affected
  - Q&A session
Affirmative Marketing Basics

HUD's guiding regulations:


- FHA Insured properties: 24 CFR 203.12

- HOME properties: 24 CFR 92.351, 24 CFR 92.504


- General guidance: The Fair Housing Act, HUD Memo 11063, 935.2A, HUD Affirmative Marketing FHEO Memos (most recently September 22, 2014), HUD's 8025.1 Rev-2
Affirmative Marketing Basics

- The Basics of Affirmative Marketing:

  - Housing opportunities should be advertised and offered to all persons, regardless of race, color, religion, sex, disability, familial status, or national origin.
Affirmative Marketing Basics

Structure of the Rule:

- (a) – (c): Applicability and plan format
- (d)(1) – (5): Tool methodology
- (e): Other “least likely to apply” groups
- (f)(1) – (5): Marketing and Outreach
- (g)(1) – (2): Timeframes
- (h)(1) – (2): Biennial plan review
- (i): Recordkeeping requirements
- (j): Exceptions to Affirmative Marketing
§10.617(a) – (c)

(a) **Effective April 1, 2015**, compliance is required for all Developments with five (5) or more total units to further the objectives of Title VIII of the Civil Rights Act of 1968 and Executive Order 13166.

(b) ...Must develop and carry out an Affirmative Fair Housing Marketing Plan to provide for marketing strategies and documentation of outreach efforts to prospective applicants identified as “least likely to apply”.

- Must provide for affirmative marketing to persons with disabilities
- May be required to market to veterans or other special populations
- General definition of “least likely to apply” groups:

  Based on your completed Worksheet 1, indicate which demographic group(s) in the housing market area is/are least likely to apply for the housing without special outreach efforts. (check all that apply)

  - [ ] White
  - [ ] American Indian or Alaska Native
  - [ ] Asian
  - [ ] Black or African American
  - [ ] Native Hawaiian or Other Pacific Islander
  - [ ] Hispanic or Latino
  - [ ] Persons with Disabilities
  - [ ] Families with Children
  - [ ] Other ethnic group, religion, etc. (specify)
§10.617(a) – (c)

- (c) Owners are encouraged to use *any version of the 935.2A*
- Owners participating in HUD funded programs *must use the version required by the program* (HOME, PRA 811, Section 8, etc.)

Note to all applicants/respondents: This form was developed with Nuance, the official HUD software for the creation of HUD forms. HUD has made available instructions for downloading a free installation of a Nuance reader that allows the user to fill-in and save this form in Nuance. Please see [http://portal.hud.gov/hudportal/documents/huddoc?id=nuancereaderinstall.pdf](http://portal.hud.gov/hudportal/documents/huddoc?id=nuancereaderinstall.pdf) for the instructions. Using Nuance software is the only means of completing this form.

**Affirmative Fair Housing Marketing Plan (AFHMP) - Multifamily Housing**

<table>
<thead>
<tr>
<th>1a. Project Name &amp; Address (including City, County, State &amp; Zip Code)</th>
<th>1b. Project Contract Number</th>
<th>1c. No. of Units</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1d. Census Tract</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1e. Housing/Expanded Housing Market Area</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Housing Market Area:</td>
<td></td>
<td></td>
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<tr>
<td>Expanded Housing Market Area:</td>
<td></td>
<td></td>
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OMB Approval No. 2529-0013  (exp.12/31/2016)
§10.617 (d)(1) – (5)

- (d)(1) – (5) – Department tool methodology

- Defines how “least likely to apply” groups will be determined
- 20% threshold for comparison if population is ≥1%

- Defines the housing market area
- MSA if in an MSA, County if not in an MSA

- Sets two types of comparative criteria
  - One for Established Developments
    - Compares Tenant Pool Data to MSA or County
  - One for New Developments (in initial lease up or not occupied)
    - Compares Census Tract to MSA or County
      (Why? No Tenant Data)
§10.617 (d)(1) – (5)

- (d)(1) – (5) – Department tool methodology

- Exceptions for Established Developments (Compare Census Tracts to MSA or County)
  - Developments with less than 40 units
  - Developments with insufficient or inaccurate tenant data

- Examples:
  - Large percentage of household demographic information largely collected as “N/A” in relation to the number of development units
  - Developments affected by unforeseen circumstances (disaster, high vacancy rates, etc.)
Examples

- An Owner’s tenant pool shows that 5% of the residents in a development are African American and census data shows that 8% of the population in the MSA are African American.

Should African Americans be designated as a group "least likely to apply" under the rule?

\[ (8 \times 20\% = 1.6\%; \ 8\%-1.6\% = 6.4\% ) \]

Yes. 5% is less than 6.4% - African Americans are underrepresented if the development data shows that
Examples

- County data shows 70% of the population in the County is Hispanic; the new development’s census tract shows that 52% of the new development’s census tract is Hispanic.

Should Hispanics be designated as a group "least likely to apply" under the rule?

\[(70 \times 20\% = 16\%; \ 70\% - 16\% = 56\%)\]

Yes. 52% is less than 56%. Hispanics are underrepresented by more than 20% when compared to the County as a whole.
The Department’s Tool

- Information Systems (IS) has released the online tool for testing.

In the tool, you will enter:

- Your Development’s name or, for New Development properties and exceptions, the census tract number

Your "least likely to apply" result will auto-populate for you.
A Quick look at the AFHM Tool

http://www.tdhca.state.tx.us/pmcomp/forms.htm

Compliance Forms

Single Audit

- Audit Certification Form (PDF)
- Audit Requirements and Checklist (PDF)

Program Forms

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- Employment Verification (PDF) or (DOC)
- Income Verification for Households with Section 8 Certificates (PDF) or (DOC)
- Release and Consent (PDF) or (DOC)

Compliance Forms for Multifamily Properties

Affirmative Marketing Tools

- Affirmative Marketing Web Tool
- Outreach Census Data (XLS)
A Quick look at the AFHM Tool

Existing Developments

- New Developments
- Unoccupied
- Less than 40 units
- Insufficient data
A Quick look at the AFHM Tool

Affirmative Marketing Tool

Select a property from the drop down menu. If a property is unoccupied, a new construction property beginning lease up, or in the census tract of the development. Select Go to view results for groups considered underrepresented in your development market.

Or, enter a census Trac

The Census Tract, County, and MSA designation are displayed below. This information is based on CMTS property information provided is not in an MSA, use the MSA dropdown to widen the report to include areas in a nearby MSA. You may choose to feature. This is not required under the Rule.

<table>
<thead>
<tr>
<th>Property:</th>
<th>CMTS #</th>
<th>Total Units</th>
<th>Vacant Units</th>
<th>Date Updated</th>
<th>Census Tract</th>
<th>County</th>
<th>MSA</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1500</td>
<td>197</td>
<td>13</td>
<td>12/17/2014</td>
<td>48201510200</td>
<td>HARRIS</td>
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<table>
<thead>
<tr>
<th>Tenant Pool vs. MSA</th>
<th>% Development</th>
<th>% MSA</th>
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<tbody>
<tr>
<td>Persons with Disabilities</td>
<td>0.49</td>
<td>9.32</td>
</tr>
<tr>
<td>Black / African American</td>
<td>13.73</td>
<td>17.28</td>
</tr>
<tr>
<td>Hispanic</td>
<td>14.71</td>
<td>35.41</td>
</tr>
<tr>
<td>Asian</td>
<td>0.49</td>
<td>6.57</td>
</tr>
</tbody>
</table>
A Quick look at the AFHM Tool

Affirmative Marketing Tool
02/09/2015

Select a property from the drop down menu. If a property is unoccupied, a new construction property beginning lease up, or the census tract of the development. Select Go to view results for groups considered underrepresented in your development market.

The Census Tract, County, and MSA designation are displayed below. This information is based on CMTS property information provided is not in an MSA, use the MSA dropdown to widen the report to include areas in a nearby MSA. You may choose feature. This is not required under the Rule.
A Quick look at the AFHM Tool

Affirmative Marketing Tool
02/09/2015

Select a property from the drop down menu. If a property is unoccupied, a new construction property beginning lease up, the census tract of the development. Select Go to view results for groups considered underrepresented in your development.

Select a development
Or, enter a census tract

The Census Tract, County, and MSA designation are displayed below. This information is based on CMTS property information provided is not in an MSA, use the MSA dropdown to widen the report to include areas in a nearby MSA. You may choose feature. This is not required under the Rule.

Census Tract: 48201211300

<table>
<thead>
<tr>
<th>County</th>
<th>Harris</th>
</tr>
</thead>
<tbody>
<tr>
<td>MSA</td>
<td>Houston-The Woodlands-Sugar Land, TX</td>
</tr>
</tbody>
</table>

As a reminder, persons with disabilities will always appear in your results and must always be included in your affirmative marketing. Results will not display for any populations representing less than 1% of the total population of the County or MSA. These populations

Least Likely to Apply | % Census Tract | % MSA |
-----------------------|---------------|------|
Persons with Disabilities | 25.88         | 9.32 |
White                  | 17.06         | 60.12|
Hispanic               | 27.76         | 35.41|
Asian                  | 0.00          | 6.57 |
How these changes affect monitoring:

- **Compliance will look for:**

  - Evidence that the least likely to apply populations on the AFHMP have been analyzed as shown in the rule (you are encouraged to attach your results page to your AFHMP)
  
  - Evidence that the proper methodology was used:
    - By size (over 40 units?)
    - Available data (no reason to assume data is erroneous or insufficient?)
    - By type (new construction or unoccupied?)
  
  - Evidence that families with children have been considered (as appropriate)
§10.617(e)

- Other Groups:

- (e) Other determinations of “least likely to apply”. If the owner identifies other ethnic and/or religious groups that may be underrepresented and chooses to incorporate such group(s) into the Affirmative Marketing Plan, the Owner must perform and document a reasonable process by which the groups were identified.

Targeted Marketing Activity

ased on your completed Worksheet 1, indicate which demographic group(s) in the housing market area is/are least likely to apply for the housing without special outreach efforts. (check all that apply)

- White
- American Indian or Alaska Native
- Asian
- Black or African American
- Native Hawaiian or Other Pacific Islander
- Hispanic or Latino
- Persons with Disabilities
- Families with Children
- Other ethnic group, religion, etc. (specify)
§10.617 (f)(1) – (5)

(f) Marketing and Outreach

- (f)(1) The plan must include special outreach efforts to the "least likely to apply" populations through specific media, organizations, or community contacts…
- (f)(2) Developments must utilize methods of outreach throughout the MSA or, where subdivided into a Metropolitan Division, such Division or county…
- (f)(3) Developments must consider how Limited English Proficiency may affect populations least likely to apply, including ways it plans to mitigate language barriers related to advertising and community outreach.
- (f)(4) Development Owners must allow applicants to submit applications via mail or at the Development site or leasing office…
- (f)(5) Marketing must include the FH logo, give contact info for reasonable accommodations, and provide English/Spanish contact info.
§10.617 (f)(1) – (5)

(f) Marketing and Outreach

- (f)(1) The plan must include special outreach efforts to the "least likely to apply" populations through specific media, organizations, or community contacts…

Worksheet 3: Proposed Marketing Activities – Community Contacts (See AFHMP, Block 4b)

For each targeted marketing population designated as least likely to apply in Block 3b, identify at least one community contact organization you will use to facilitate outreach to the particular population group. This could be a social service agency, religious body, advocacy group, community center, etc. State the names of contact persons, their addresses, their telephone numbers, their previous experience working with the target population, the approximate date contact was/will be initiated, and the specific role they will play in assisting with the affirmative fair housing marketing. Please attach additional pages if necessary.

<table>
<thead>
<tr>
<th>Targeted Population(s)</th>
<th>Community Contact(s), including required information noted above.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</table>
§10.617 (f)(1) – (5)

(f) Marketing and Outreach

- (f)(1) The plan must include special outreach efforts to the "least likely to apply" populations through specific media, organizations, or community contacts…

Worksheet 4: Proposed Marketing Activities – Methods of Advertising (See AFHMP, Block 4c)

Complete the following table by identifying your targeted marketing population(s), as indicated in Block 3b, as well as the methods of advertising that will be used to market to that population. For each targeted population, state the means of advertising that you will use as applicable to that group and the reason for choosing this media. In each block, in addition to specifying the media that will be used (e.g., name of newspaper, television station, website, location of bulletin board, etc.) state any language(s) in which the material will be provided, identify any alternative format(s) to be used (e.g. Braille, large print, etc.), and specify the logo(s) (as well as size) that will appear on the various materials. Attach additional pages, if necessary, for further explanation. Please attach a copy of the advertising or marketing material.

<table>
<thead>
<tr>
<th></th>
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<tr>
<td>Newspaper(s)</td>
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<td></td>
<td></td>
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<tr>
<td>Radio Station(s)</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TV Station(s)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
§10.617 (f)(1) – (5)

(f) Marketing and Outreach

- (f)(2) Developments must utilize methods of outreach throughout the MSA or, where subdivided into a Metropolitan Division, such Division or county. Efforts can be made beyond these areas at the discretion of the Owner. *While these areas may be very large, in many instances outreach in areas located in another county or across town are necessary to effectively reach the identified population.*

You can:

- Use the mapping feature in the Tool to help you think about how/where to market and outreach to “least likely to apply groups”
- Use the Excel file made available by the Department to review other areas you might consider including in marketing and outreach & to help you consider families
§10.617 (f)(1) – (5)

(f) Marketing and Outreach

- (f)(3) Developments must consider how Limited English proficiency may affect populations least likely to apply, including ways it plans to mitigate language barriers related to advertising and community outreach. Such information should be included in the Affirmative Marketing Plan as an additional consideration or as an attachment to the plan.

You can:

- Use American FactFinder to generate results using the American Community Survey (5 year data has the lowest margin of error)
- Use the Excel file made available by the Department to review whether “least likely to apply” groups
(f) Marketing and Outreach

(f)(4) Development Owners must allow applicants to submit applications via mail or at the Development site or leasing office; if the Development is electronically equipped, the Development may also allow applications to be submitted via email, website form, or fax.

- Applications can be deferred pending receipt of an application fee.
- Applications must state available alternate means of submission and include address, email, or other necessary contact information on the form or its attached leasing criteria.
- If the Development chooses to use an electronic application, prior approval from the Department is required.
§10.617 (f)(1) – (5)

Online Application
Fill out the form below or download applications here:

Download Application
Download International Application

If you prefer not to submit an online application, download an application from the link above and...

mail to: Valencia Apartments
(OR) Fax to: [insert fax number]
Email: [insert email address]

Social Security numbers and Dates of Birth may be omitted and called in during business hours at [insert phone number] (9AM - 5PM Weekdays).

The application approval process begins when we have received the completed Application and the non-refundable Application Fee of $20. The submission of the Application and the Application Fee does not guarantee your assignment to an Apartment Home. You will receive a confirmation once you have been assigned an Apartment Home or if your application is placed on the waitlist. Please note that assignments are made on a first come first serve basis.

I have read and understand the Rental Application Acknowledgement stated above. By signing this application, you declare that all your statements in this application are true and complete.

Applicant Full Name (Printed)    Applicant Signature    Date
Representative Signature

Applications can be returned in person at 1005 W. Smith Bastrop, TX 78619 during office hours of M-F from 9-5 or Saturdays from 1-4. Applications can also be mailed to: Contracted Management, Inc. at P.O. Box 395 Bastrop, TX 78619. Applications will be processed once the application fee has been paid for all prospective residents over the age of 18.
§10.617 (f)(1) – (5)

(f) Marketing and Outreach

(f)(5) Advertisements and/or marketing materials used must include the Fair Housing logo and give contact information that prospective tenants can access if reasonable accommodations are needed in order to complete the application process. The contact information must be in English or Spanish, at a minimum.

- You can access the FH Logo on the FH page: http://www.tdhca.state.tx.us/fair-housing/downloads.htm

Want to share additional sample forms? Please contact us.

Downloads

- HUD Fair Housing Logo (hud.gov)
§10.617 (f)(1) – (5)

Individuals with a disability wishing to request a reasonable accommodation to complete the application process should contact the Apartment Manager at (512) 999-9999.

Personas que hablan español y requieren un intérprete, favor llamar a (Nombre del Administrador) al siguiente número (512) 999-9999.

Para solicitar un apartamento favor llamar a (Nombre del Administrador) al siguiente número (512) 999-9999. Para solicitar una adaptación o modificación razonable, favor llamar (Nombre del Contacto RA) al siguiente número (512) 999-9940.
§10.617 (f)(1) – (5)

Step 1 – Run the TDHCA AFHM Tool:

Affirmative Marketing Tool
02/11/2015

Select a property from the drop down menu. If a property is unoccupied, a new construction property beginning lease up, or a property with fewer than 40 the census tract of the development. Select Go to view results for groups considered underrepresented in your development or area to whom you must af market.

Or, enter a census Tract: 48X0000000

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<table>
<thead>
<tr>
<th>Property</th>
<th>Tenant Pool vs. MSA</th>
</tr>
</thead>
<tbody>
<tr>
<td>CMTS #</td>
<td>Least Likely to Apply</td>
</tr>
<tr>
<td>1500</td>
<td>Persons with Disabilities</td>
</tr>
<tr>
<td>197</td>
<td>Black / African American</td>
</tr>
<tr>
<td>13</td>
<td>Hispanic</td>
</tr>
<tr>
<td>12/17/2014</td>
<td>Asian</td>
</tr>
<tr>
<td>48201510200</td>
<td>MSA</td>
</tr>
</tbody>
</table>
§10.617 (f)(1) – (5)

Step 2 - Look at Suggested Outreach and Marketing Areas
§10.617 (f)(1) – (5)

http://www.tdhca.state.tx.us/pmcomp/forms.htm

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Compliance Forms for Multifamily Properties

Affirmative Marketing Tools

- Affirmative Marketing Web Tool
- Outreach Census Data (XLS)
§10.617 (f)(1) – (5)

<table>
<thead>
<tr>
<th>County</th>
<th>Census Tract</th>
<th>White</th>
<th>White - %</th>
<th>African American</th>
<th>AA - %</th>
<th>American Indian Alaska Native</th>
<th>Al AN - %</th>
<th>Asian</th>
<th>Asian - %</th>
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<td>Brazoria County</td>
<td>4809966002</td>
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<tr>
<td>Harris County</td>
<td>48201350100</td>
<td>7687</td>
<td>50.3</td>
<td>2553</td>
<td>16.7</td>
<td>60</td>
<td>0.4</td>
<td>3392</td>
<td>22.2</td>
</tr>
</tbody>
</table>
§10.617 (f)(1) – (5)
§10.617 (f)(1) – (5)
§10.617 (f)(1) – (5)

Step 3 - Find Outreach Partners
§10.617 (f)(1) – (5)
§10.617 (f)(1) – (5)
§10.617 (f)(1) – (5)

Ridgemont Early Childhood Center

The Starting Place for Bright Futures

The Ridgemont Early Childhood Center houses a multi-service learning center where children and families grow together as a community of learners.
§10.617 (f)(1) – (5)
§10.617 (f)(1) – (5)

Step 4 – Review Media & Advertising Options
§10.617 (f)(1) – (5)

Step 5 – Fill out your Affirmative Marketing Plan

### Affirmative Fair Housing Marketing Plan (AFHMP) - Multifamily Housing

<table>
<thead>
<tr>
<th>1a. Project Name &amp; Address (including City, County, State &amp; Zip Code)</th>
<th>1b. Project Contract Number</th>
<th>1c. No. of Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>Made Up Development&lt;br&gt;Houston, TX 78888</td>
<td>CMTS 1500</td>
<td>197</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>1d. Census Tract</th>
</tr>
</thead>
<tbody>
<tr>
<td>48201510200</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>3b. Targeted Marketing Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Based on your completed Worksheet 1, indicate which demographic group(s) in the housing market area is/are least likely to apply for the housing without special outreach efforts. (check all that apply)</td>
</tr>
<tr>
<td>□ White&lt;br&gt;□ American Indian or Alaska Native&lt;br&gt;□ Native Hawaiian or Other Pacific Islander&lt;br&gt;□ Families with Children</td>
</tr>
</tbody>
</table>

§10.617 (f)(1) – (5)

6. Evaluation of Marketing Activities

Explain the evaluation process you will use to determine whether your marketing activities have been successful in attracting individuals 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.

The regional manager will receive and track referral sources and review this plan in 2 years to determine: 1) Which referral sources were successful in referring “least likely to apply” groups, and 2) Whether there has been any positive change in the property's tenant pool demographics. If there has been no change or only a limited amount of success, the regional manager will:

1) Complete an evaluation of efforts to date, including a review of the media and outreach organizations/contacts used and what has been successful in bringing more "least likely to apply" groups to the property,

2) Gather a list of new community resources that might work with "least likely to apply" groups, and

3) Revise the plan to include new strategies and more frequent outreach efforts (i.e., more coordinated events or outreach efforts quarterly rather than annually).
§10.617 (f)(1) – (5)

8. Additional Considerations is there anything else you would like to tell us about your AFHMP to help ensure that your program is marketed to those least likely to apply for housing in your project? Please attach additional sheets, as needed.

In looking at 5 year ACS data for languages spoken at home, the regional manager found that 248,366 residents of the MSA who speak an Asian or Pacific Islander dialect identified themselves as speaking English "less than well". Fifty census tracts in the Houston MSA include over 1,000 households speaking English "less than well", the top 10 of which include census tracts in Brazoria, Fort Bend, and Harris Counties. The property distributed fliers translated into three primary Asian dialects to outreach partners serving these areas. 5 year ACS data also showed that 769,535 residents of the MSA who speak Spanish identified themselves as speaking English "less than well". Two hundred ninety one census tracts in the Houston MSA include over 1,000 households speaking English "less than well". Since Spanish is the language in greatest demand based on ACS data, the property will translate one of its property brochures into Spanish and serve prospective residents by setting up an account with the Red Cross Language Bank for translation services.
§10.617 (f)(1) – (5)

<table>
<thead>
<tr>
<th>Group</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Asian</td>
<td>Ridgemont Early Childhood Center (Silvia Bland, 713-661-5595, P.O. Box 515 Houston, TX 76123); Silvia is the Bilingual Coordinator.  Contact will begin on April 1, 2015. A property tour will be scheduled for Ridgemont participants. Daya (Carole Ameen, 713-333-3445, P.O. Box [redacted] Houston, TX 78682); Ms. Ameen is the housing counselor at Daya. (Continued...)</td>
</tr>
<tr>
<td>Persons with Disabilities</td>
<td>Tri-County Services (Joan Watson, 936-665-8991, 1020 Riverwood Ct Conroe, TX 77344); Ms. Watson is the housing referral and intake coordinator for the Riverwood day center and has worked with individuals with chronic mental illness for 2 years. Contact will begin on April 1, 2015. Ms. Watson will distribute property brochures to tenants seeking housing.</td>
</tr>
<tr>
<td>Hispanic</td>
<td>Hispanic Health Coalition (Mariana Luz, 713-666-7894, 2624 Loop E Houston, TX 77169); Ms. Luz coordinates 3 regional health fairs throughout the MSA area that include health centers, housing agencies, and employment agencies. The property will host a booth during the first fair on November 1, 2015 and will attend the 2 following health fairs.</td>
</tr>
<tr>
<td>Black / African American</td>
<td>S.H.A.P.E. Community Center (Jonathan Everly, 713-662-3343, 333 Almeda Houston, TX 77004); Mr. Everly coordinates the youth aftercare program and will send home brochures to parents advertising our rental property. Attendance at S.H.A.P.E.'s community fair event is being discussed for May 5, 2015.</td>
</tr>
</tbody>
</table>
§10.617 (f)(1) – (5)

<table>
<thead>
<tr>
<th>Newspaper(s)</th>
<th>Asians (Chinese) - Copy attached</th>
</tr>
</thead>
<tbody>
<tr>
<td>Southern Chinese Daily News</td>
<td></td>
</tr>
<tr>
<td>Radio Station(s)</td>
<td>Hispanic (Spanish) - Copy of announcement attached</td>
</tr>
<tr>
<td>KLOL-FM 101.1 FM</td>
<td></td>
</tr>
<tr>
<td>TV Station(s)</td>
<td></td>
</tr>
<tr>
<td>Electronic Media</td>
<td>African Americans</td>
</tr>
<tr>
<td>S.H.A.P.E. Bulletin</td>
<td></td>
</tr>
<tr>
<td>Bulletin Boards</td>
<td></td>
</tr>
<tr>
<td>Hispanic Chamber</td>
<td></td>
</tr>
<tr>
<td>Brochures, Notices, Flyers</td>
<td>Persons with Disabilities - Brochure attached</td>
</tr>
<tr>
<td>Tri County Service Brochure</td>
<td></td>
</tr>
<tr>
<td>Other (specify)</td>
<td>Asians - Sign in sheet attached</td>
</tr>
<tr>
<td>Open House for Ridgemont</td>
<td></td>
</tr>
</tbody>
</table>
§10.617 (f)(1) – (5)

Affirmative Marketing Tool
02/12/2015

Select a property from the drop down menu. If a property is unoccupied, a new construction property beginning lease up, or a property with fewer than 40 units, enter the census tract of the development. Select Go to view results for groups considered underrepresented in your development or area to whom you must affirmatively market.

Select a development  Go  Or, enter a census Tract: 48279950300  Go

The Census Tract, County, and MSA designation are displayed below. This information is based on CMTS property information. If the property or census tract provided is not in an MSA, use the MSA dropdown to widen the report to include areas in a nearby MSA. You may choose to widen your marketing area by using this feature. This is not required under the Rule.

As a reminder, persons with disabilities will always appear in your results and must always be included in your affirmative marketing. Results will not display for any populations representing less than 1% of the total population of the County or MSA. These populations will not be required in your affirmative marketing.

The report above shows the groups to whom you must affirmatively market based on a comparison of your tenant data pool or census tract to the applicable County or MSA area as identified in the Rule. You must select these groups on the HUD 935.2A form as groups least likely to apply.

The census tracts provided for outreach consideration represent nearby neighborhoods identified in the U.S. Census as having the greatest number of the groups who are least likely to apply at your development based on its location or the demographic make up of its tenant pool. The identified neighborhoods may represent a first step for planning meaningful outreach and marketing for your development.

Census Tract: 48279950300

<table>
<thead>
<tr>
<th>County</th>
<th>Lamb</th>
</tr>
</thead>
<tbody>
<tr>
<td>MSA</td>
<td>Not in an MSA</td>
</tr>
</tbody>
</table>

Optional: Select the nearest MSA to view larger areas to which you might market your property:

Select an MSA  Go

Census Tract vs. County

<table>
<thead>
<tr>
<th>Least Likely to Apply</th>
<th>% Census Tract</th>
<th>% County</th>
<th>Tract for Outreach Consideration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Persons with Disabilities</td>
<td>12.87</td>
<td>12.71</td>
<td>48279950600</td>
</tr>
<tr>
<td>Hispanic</td>
<td>40.19</td>
<td>51.73</td>
<td>48279950500</td>
</tr>
</tbody>
</table>

Map Census Tracts
§10.617 (f)(1) – (5)

**Emergency & Homeless Services**

Emergency housing resources such as short-term rental payments (including eviction relief and legal aid services), homeless shelters, and other basic necessities for low-income Texans.

**STEP 2** Enter your city or county:

City: [ ] OR County: [LAMBLamb]

**STEP 3** Find Help

**Assistance Provider Results**

<table>
<thead>
<tr>
<th>Texas Information and Referral Network (Dial 2-1-1)</th>
<th>City</th>
<th>Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>South Plains Community Action Association, Inc.</td>
<td>AUSTIN</td>
<td>1 - (877) 541-7905</td>
</tr>
<tr>
<td>South Plains Area Agency on Aging</td>
<td>LEVELLAND</td>
<td>1 - (806) 894-6104</td>
</tr>
<tr>
<td>Legal Aid of Northwest Texas - Plainview Office</td>
<td>LUBBOCK</td>
<td>1 - (806) 762-8721</td>
</tr>
<tr>
<td></td>
<td>PLAINVIEW</td>
<td>1 - (806) 293-8491</td>
</tr>
</tbody>
</table>
§10.617 (f)(1) – (5)

Search by Service Type:
Click on the icons below to search for services by Category:

- Housing & Shelter
- Food Assistance
- Financial & Legal
- Employment Help
- Health Services
- Mental Health Services
- Crises & Emergency
- Child Care & Education
- Aging & Disability
- Veterans Assistance

OR you can Search by Keyword and Zip Code:
Enter a keyword AND zip code below to search for services:

Enter Keyword:  
AND  
Enter Zip Code:  
SEARCH

Still not finding what you need?
DIAL 2-1-1
How these changes affect monitoring:

- **Compliance will look for:**
  - Community contacts at organizations you will use to help facilitate your outreach (at least one should be noted for each group but more are encouraged)
  - Advertising or marketing materials distributed in the MSA or County, as documented by:
    - Letters, event listings, online listings, copies of publications or media announcements, or other sufficient evidence
  - Samples of property brochures or marketing materials (showing English/Spanish contact and RA information and the FHEO logo)
  - Plans that include considerations for limited English proficiency (as an attachment or in Section 8 of the 935.2A)
Affirmative Marketing Timeframes

- *(g)* Timeframes
  - *(g)(1)* An Owner must begin its affirmative marketing efforts for each of the identified populations at least six months prior to the anticipated date the first building is to be available for occupancy.
  - As a condition of an award to a new Development, the Board may require affirmative marketing efforts to begin more than six (6) months prior to the anticipated date the first building is to be placed in service;
Affirmative Marketing Timeframes

(g) Timeframes

(g)(2) An Owner must update its Affirmative Marketing Plan and populations that are least likely to apply at least every two (2) years from the effective date of the current plan or, for HUD/USDA properties, as otherwise required by HUD/USDA.
Affirmative Marketing Timeframes

- **(h) Biennial Plan Review.**
  - The plan must include how, and by whom, data will be collected and evaluated, how often the plan will be re-evaluated, and how the re-evaluation will be completed.
  - If a population remains underrepresented, there has been a negative change, or only a limited amount of success, the Owner must:
    - **(h)(1) Complete an evaluation of efforts to date and gather a list of community resources available for use**
    - **(h)(2) Revise the Affirmative Marketing Plan to include a:**
      - Wider distribution area,
      - New strategies for outreach,
      - More frequent outreach efforts.
Affirmative Marketing Timeframes

- (i) Record keeping.
  - Owners must maintain records of each Affirmative Marketing Plan and specific outreach efforts completed for the greater of 3 years or the recordkeeping requirement identified in the LURA.

- (j) Exception to Affirmative Marketing.
  - If the development has closed its waiting list, Affirmative Marketing is not required. Affirmative Marketing is required as long as the Owner is accepting applications, has an open waiting list, or is marketing prior to placement in service as required under paragraph (g)(1) of this section.
How these changes affect monitoring:

- Compliance will look for:
  - The current and previous affirmative marketing plan (with back up from the Department Tool) showing evidence of an evaluation and changes made as a result of the evaluation (if property results were unchanged or showed a small level of success).
Things to Consider

- In some areas and developments, the Tool will reflect White or Non-Hispanic as a "least likely to apply" population.
- Outreach agencies will likely not only serve the identified “least likely to apply” population.
- Affirmative marketing is about developing opportunities for inclusion, not exclusion. Your affirmative marketing goals should never affect a tenant’s eligibility for housing.
- The data published for the tenant pool is only as good as your data entry in CMTS. If your CMTS data needs updating or fixing, use census tract data and note your use of the alternative methodology.
Things to Consider

- In some areas and developments, the Tool will reflect White or Non-Hispanic as a "least likely to apply" population.
- Outreach agencies will likely not only serve the identified “least likely to apply” population.
- Affirmative marketing is about developing opportunities for inclusion, not exclusion. Your affirmative marketing goals should never affect a tenant’s eligibility for housing.
- The data published for the tenant pool is only as good as your data entry in CMTS. If your CMTS data needs updating or fixing, use census tract data and note your use of the alternative methodology.
Best Practices

- Invest some time in finding good community partners who want news of your vacancies. Take time to learn about your partners' needs.
- In outreach letters, include when applications will be accepted and describe your basic eligibility information; include information on how applicants can apply, send a brochure, and include the Fair Housing logo.
- Review your advertising materials for potential problems with representative language or photo models (if you use human models).
- Work to establish understanding and trust with your partners. Do they understand how your program works? Are they likely to refer applicants? Why or why not?
- Collect information on how an applicant heard about your development; if you see positive results in your tenant pool data during your bi-annual review, it will help you determine which relationships are working and which may need to be re-evaluated.
Self Test: How did you do?

- **True:** The New Rule is effective April 1, 2015.
- **False:** The New Rule requires use of the newest version of the 935.2A form.
- **False:** The New Rule uses Zip Codes to determine the market area for persons least likely to apply.
- **True:** The New Rule provides different methods for determining “least likely to apply” populations in developments beginning lease up, with less than 40 units, and those which may have insufficient tenant data.
- **False:** The New Rule requires Owners to translate all of their marketing materials.
Questions?

A list of FAQs will be posted and a survey will be emailed out following our training series on the new rules.

Contact:
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laura.debellas@tdhca.state.tx.us

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(512) 475-2330
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