

OFFICE OF THE GOVERNOR

ROBERT BENTLEY
GOVERNOR



STATE OF ALABAMA

ALABAMA DEPARTMENT OF ECONOMIC
AND COMMUNITY AFFAIRS

JIM BYARD, JR.
DIRECTOR

April 11, 2016

TO: Interested Parties

FROM: Jim Byard, Jr.
Director

SUBJECT: Fair Housing and Equal Opportunity Information

April is Fair Housing Month. In recognition of this, the Governor of Alabama has issued a Proclamation in honor of Fair Housing Month in the State of Alabama. This Proclamation recognizes the significance of fair housing, and encourages all Alabamians to observe and support both the letter and spirit of the Fair Housing Laws. Attached is a copy of the Governor's Proclamation. We encourage all grant recipients and interested parties to help us observe and support Fair Housing Month.

Each applicant for, and recipient of, U.S. Department of Housing and Urban Development (HUD) grant funds is expected to carry out the various "fair housing" and "equal opportunity" provisions of the Housing and Community Development Act of 1974, as amended, and other applicable civil rights laws and regulations. The attachment to this memorandum identifies and briefly summarizes a variety of statutory requirements, along with measures or actions that can be undertaken at the local government level to assure compliance. In particular, the Fair Housing Act requires that each grant recipient work diligently to affirmatively further fair housing within its local jurisdiction by developing voluntary programs to achieve fair housing goals. Information on this attachment will assist local governments in achieving those goals.

Also, attached herewith are Equal Housing Opportunity posters that are published in both English and Spanish language versions. These posters should be displayed within the grant recipient's local government buildings and other public facilities.

If you have questions or need additional information, please contact Dr. Kathleen Rasmussen in ADECA's Community and Economic Development Division at 334-353-0323 or at Kathleen.rasmussen@adeca.alabama.gov.

JB:KAR:tmn
Attachments

Fair Housing and Equal Opportunity

The U.S. Department of Housing and Urban Development (HUD) has put forth non-discrimination requirements that were compiled from a number of different federal laws designed to protect each individual's right to fair housing and equal opportunity. These laws include the following:

Title VIII of the Civil Rights Act of 1968 (the Fair Housing Act), as amended, prohibits discrimination in the sale, rental, advertisement, and financing of residential real estate on the basis of race, color, religion, sex, or national origin. The **Fair Housing Amendments Act of 1988** extended this protective coverage to disabled individuals and families with children.

Title VI of the Civil Rights Act of 1964 provides that no person shall be excluded from participation in, be denied the program benefits of, nor be subjected to discrimination on the basis of race, color, or national origin under any program receiving federal financial assistance.

Section 504 of the Rehabilitation Act of 1973, as amended, prohibits discrimination based on disability in any program or activity receiving federal financial assistance.

Section 109 of Title I of the Housing and Community Development Act of 1974, as amended, prohibits discrimination on the basis of race, color, national origin, sex, or religion in programs and activities receiving financial assistance from HUD.

Section 3 of the Housing and Urban Development Act of 1968, as amended, requires that recipients of certain HUD financial assistance, to the greatest extent feasible, provide job training, employment, and contracting opportunities for low or very-low income residents in connection with federally-financed projects and activities in their neighborhoods.

The Age Discrimination Act of 1975, as amended, prohibits discrimination on the basis of age in programs or activities receiving federal financial assistance.

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

Executive Order 11246, as amended, bars discrimination in federal employment because of race, color, religion, sex, or national origin during the performance of federal or federally-assisted contracts in excess of \$10,000.

The Office of Management and Budget's "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards" (the Super Circular) includes requirements to maximize the use of small, minority-owned, and female-owned businesses in procurement and contracting with federal funds.

In the State's efforts to comply with these various laws and additional HUD program-related requirements, ADECA conducted an *Analysis of Impediments to Fair Housing Choice (AI)* during

2014-2015, which has been published and can be accessed on the ADECA website at www.adeca.alabama.gov. The AI is used to assist the State in determining what barriers confront Alabama's citizens who are seeking affordable housing for themselves and/or their families. It can also be used to determine what tools can be utilized to assist local communities and their citizens in addressing and/or eliminating such barriers.

Contained on the below *List of Required Activities to Affirmatively Further Fair Housing* are two (2) activities to be implemented as a means for a community to comply with HUD's requirement to affirmatively further fair housing within its jurisdiction. Each community that receives CDBG grant program funds from ADECA in PY2015 and/or subsequent years will be required to implement the following two (2) activities:

LIST OF REQUIRED ACTIVITIES TO AFFIRMATIVELY FURTHER FAIR HOUSING:

1. Issue a "Fair Housing Month" proclamation during the month of April.
2. Publish and/or display bilingual fair housing information for non-English speaking residents in the community.

Further, ADECA requests that each CDBG-funded community implement at least two (2) additional fair housing activities. Each community may select the activities contained on the below *List of Suggested Activities to Affirmatively Further Fair Housing* with the intent that these activities are designed to provide assistance in satisfying the requirements of the Fair Housing Act. However, each community might find it necessary to modify one or more of the suggested activities to address the special needs and demands within that particular community. Also, this list of activities is not meant to be all inclusive, and other activities may be devised and implemented based upon each community's needs.

Each CDBG-funded community must document the fair housing actions that it implements, and those documents are to be retained in the community's CDBG grant program file that is maintained on the CDBG-funded project. That file must be made available to the public, and in accessible formats. The community will also be monitored by ADECA for compliance with these fair housing and equal opportunity requirements during the CDBG grant process. Additionally, such information and documentation could also be required to be submitted to ADECA at various times throughout that process.

LIST OF SUGGESTED ACTIVITIES TO AFFIRMATIVELY FURTHER FAIR HOUSING:

Design and air radio or television public service announcements on fair housing.

3. Develop a public information program on fair housing by using local media (newspapers, radio stations, billboards), bulletin boards, churches, utility bill mailings, and other similar measures to ensure that all segments of the community - particularly real estate brokers, landlords, financial lending institutions, and the minority community - are aware of fair housing requirements.

4. Examine local zoning ordinances and make necessary changes to guard against exclusionary or discriminatory zoning practices that impact fair housing.
5. Enact and enforce a local fair housing ordinance and/or resolution.
6. Form a local task force to develop a fair housing assistance program within the community.
7. Provide fair housing counseling that assists minorities in finding housing outside of areas of minority concentration.
8. Develop local fair housing enforcement and complaint resolution mechanisms so that they include the following activities:
 - (i) advertise how fair housing enforcement and complaint processes work,
 - (ii) establish a procedure for investigating fair housing complaints, or partner with a regional Fair Housing Initiative Program (FHIP) office located within Alabama to do so,
 - (iii) develop fair housing complaint forms,
 - (iv) notify residents where to file complaint forms and who to contact regarding fair housing complaints,
 - (v) pursue resolution of fair housing complaints,
 - (vi) monitor for compliance, and
 - (vii) document and maintain records on these processes.
9. Survey the special housing needs of minorities, women, families, elderly, and disabled residents within the community so as to determine any effects of fair housing discrimination on those populations, and to determine methods to address the effects.
10. Maintain continual contact with local banking and financial lending institutions, including pay-day lenders, to ensure non-discrimination and equal treatment in their lending rates and loan approvals for use in housing purchases, particularly those involving black, Hispanic, and female householders/loan applicants.
11. Provide and/or conduct outreach and education activities for prospective housing consumers on the topic of how to acquire and maintain good credit for use in the rental or purchase of housing, and maintain information on those outreach and education activities undertaken and their numbers of participants.
12. Provide and/or conduct outreach and education activities for the community's prospective housing consumers on the topic of predatory-style lending, and maintain information on those outreach and education activities undertaken and their numbers of participants.

13. Provide and/or conduct outreach and education activities for housing providers and housing consumers on the topic of actions that are in violation of fair housing laws, and maintain information on those outreach and education activities undertaken and their numbers of participants.

14. Work with the regional Fair Housing Initiative Program (FHIP) offices in conducting fair housing audit testing and enforcement activities within the community to determine the number of properties that are in violation of fair housing laws and disability standards, and track the outcome of these activities by maintaining information on:

- (i) the resources committed to the testing and enforcement activities,
- (ii) the number of audit tests undertaken,
- (iii) the properties identified as being in compliance or out of compliance with fair housing laws and disability standards,
- (iv) the number and types of violations found,
- (v) the protected classes impacted by the violations, and
- (vi) the actions taken to address the out-of-compliance properties.

15. Include language on the community's website concerning fair housing that:

- (i) notes that discrimination in the housing market is illegal under federal and state fair housing laws, and local ordinances if applicable,
- (ii) describes who is covered/defines the classes that are protected under the fair housing laws,
- (iii) provides examples of violations, and
- (iv) provides information on how to register complaints pertaining to fair housing law violations.

16. Distribute the Fair Housing-Rental Units posters (enclosed herewith) to landlords and apartment complexes within the community, and request that they display those posters on their premises as a way to promote compliance with fair housing laws.

17. Discuss fair housing issues at local government public hearings, and distribute or otherwise make available HUD's fair housing brochures to attendees.

18. Promote and encourage the accessibility of CDBG Program-related and fair housing-related information to the local CDBG-funded project's beneficiaries, and to persons with disabilities and persons with limited English proficiency.

19. When conducting the pre-bid meeting for construction activities that are included in the local CDBG-funded project, inform the attendees of:

- (i) the 24 CFR Part 570.507(c) and HUD Form 2516 requirements to engage minority-owned businesses in prime contractor and sub-contractor activities on the project, and

- (ii) the HUD Section 3 requirement to help foster economic development, neighborhood economic improvement, and individual self-sufficiency by providing job training, employment, and contracting opportunities for low- or very low-income residents in connection with projects and activities in their neighborhoods.

For additional information on the topic of fair housing and equal opportunity, ADECA encourages you to access HUD's website at http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp, and ADECA's website at <http://www.adeca.alabama.gov/Divisions/ced/cdp/Pages/CDBG-Current-Forms-and-Sample-Documents.aspx#Fair>.



Proclamation

By the Governor of Alabama

WHEREAS, the month of April is recognized throughout these United States of America as Fair Housing Month; and

WHEREAS, Title VIII of the Civil Rights Act of 1968, as amended, set forth a national policy of fair housing without regard to race, color, national origin, religion, sex, familial status, or disability; and

WHEREAS, the State of Alabama continues to affirmatively further fair housing for its citizens; and

NOW, THEREFORE, I, Robert Bentley, Governor of Alabama, do hereby proclaim April 2016, as

Fair Housing Month

in the State of Alabama.

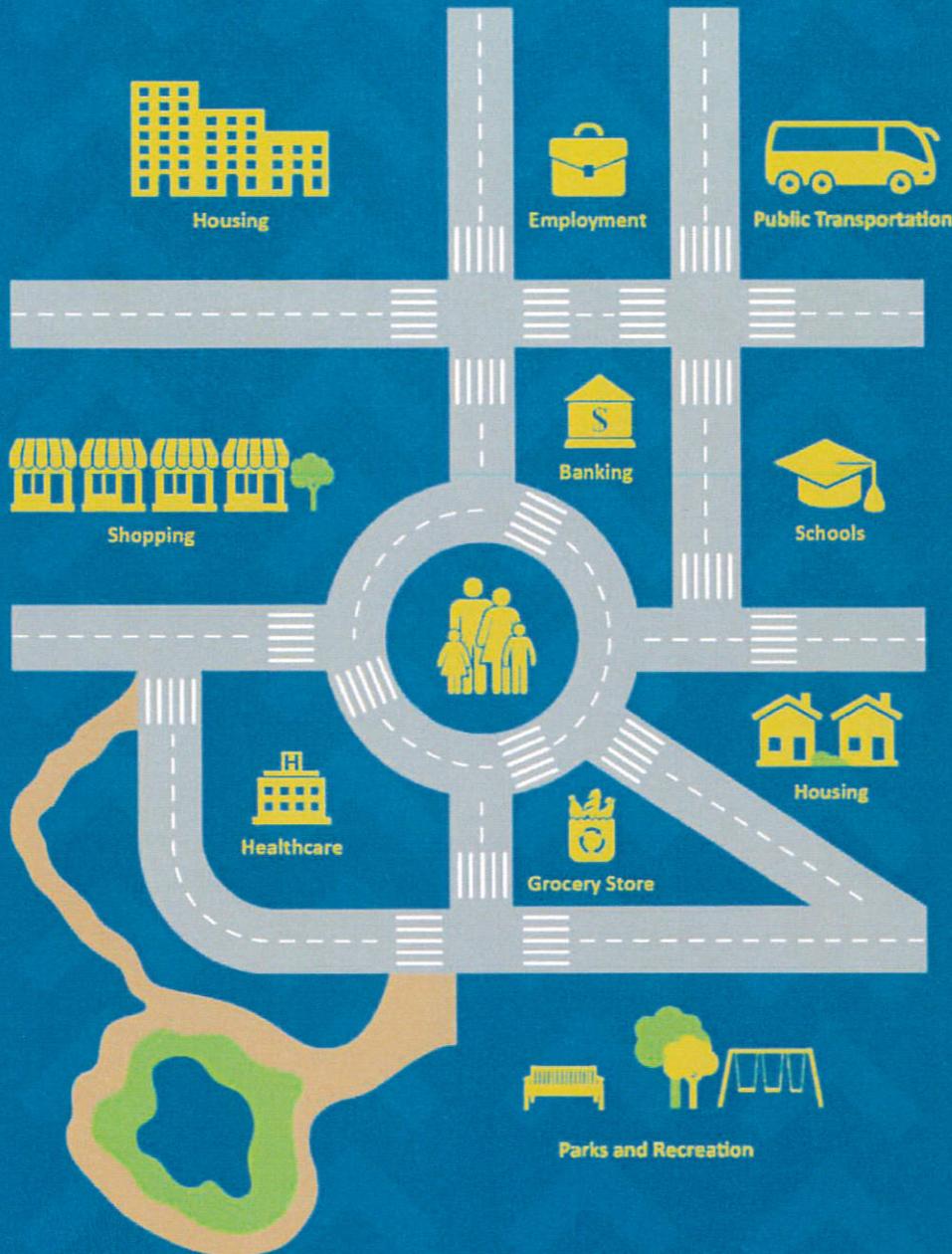


Given Under My Hand and the Great Seal of the Office of the Governor at the State Capitol in the City of Montgomery on the 1st day of March 2016.

Robert Bentley
Robert Bentley, Governor

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

APRIL IS FAIR HOUSING MONTH



SHARED OPPORTUNITY IN EVERY COMMUNITY



If you believe you may be a victim of housing discrimination, because of race, color, national origin, religion, sex, disability or familial status, contact HUD at: 1-800-669-9777 | 1-800-927-9275 (TTY) | www.hud.gov/fairhousing



THESE APARTMENTS ARE FOR RENT

without regard to color, race, national origin,
religion, sex, familial status, or disability.

ESTOS APARTAMENTOS SON PARA EL ALQUILER

sin respeto al color, raza, origen nacional,
religión, sexo, estado familiar, o inhabilidad.

Title VIII of the Civil Rights Act of 1968 (the Fair Housing Act) prohibits housing discrimination.

HUD Can Help. If you think your fair housing rights have been violated, call 1-800-669-9777 or visit www.hud.gov/fairhousing.

El Título VIII del Acto de las Derechas Civiles de 1968 (el Acto Justo de la Cubierta) prohíbe la discriminación de la cubierta.

HUD Puede Ayudar. Si usted piensa las sus derechas justas de la cubierta se han violado, llaman 1-877-669-9777 o visitan www.hud.gov/fairhousing.





**EQUAL HOUSING
OPPORTUNITY**

**We Do Business in Accordance With the Federal Fair
Housing Law**

(The Fair Housing Amendments Act of 1988)

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

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

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

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

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



WHEN WE EMBRACE DIVERSITY, WE BUILD STRONGER COMMUNITIES.

Studies show that diversity helps broaden children's social networks by creating opportunities for interaction across racial and ethnic lines. And that in turn contributes to greater tolerance, fair-mindedness and openness. Housing discrimination deters the creation of diverse communities. The federal Fair Housing Act prohibits discrimination because of race, color, religion, national origin, sex, familial status or disability. To file a discrimination complaint or to learn more about fair housing and diverse communities, contact HUD or your local fair housing center.

Visit hud.gov/fairhousing or call
the HUD Hotline **1-800-669-9777** (English/Español)

FAIR HOUSING IS YOUR RIGHT. USE IT!



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National Fair Housing Alliance



SCAN HERE FOR
MORE INFO

A public service message from the U.S. Department of Housing and Urban Development in partnership with the National Fair Housing Alliance.



CUANDO CELEBRAMOS LA DIVERSIDAD, CREAMOS **COMUNIDADES MÁS FUERTES.**

Estudios demuestran que la diversidad ayuda a ampliar las destrezas sociales de los niños, ya que crea oportunidades de interacción entre razas y etnias. Eso a su vez contribuye a desarrollar una mayor tolerancia, apertura y mentalidad justa. La discriminación en la vivienda impide la creación de comunidades diversas. La Ley Federal de Igualdad de Vivienda prohíbe la discriminación por motivos de raza, color, religión, nacionalidad, sexo, situación familiar o discapacidad. Para presentar un reclamo por discriminación o conocer más sobre la igualdad de vivienda y las comunidades diversas, comunícate con HUD o con tu centro local de igualdad de vivienda.

Visita hud.gov/fairhousing o llama a la línea directa
de HUD **1-800-669-9777** (English/Español)

LA IGUALDAD DE VIVIENDA ES TU DERECHO. ÚSALO.



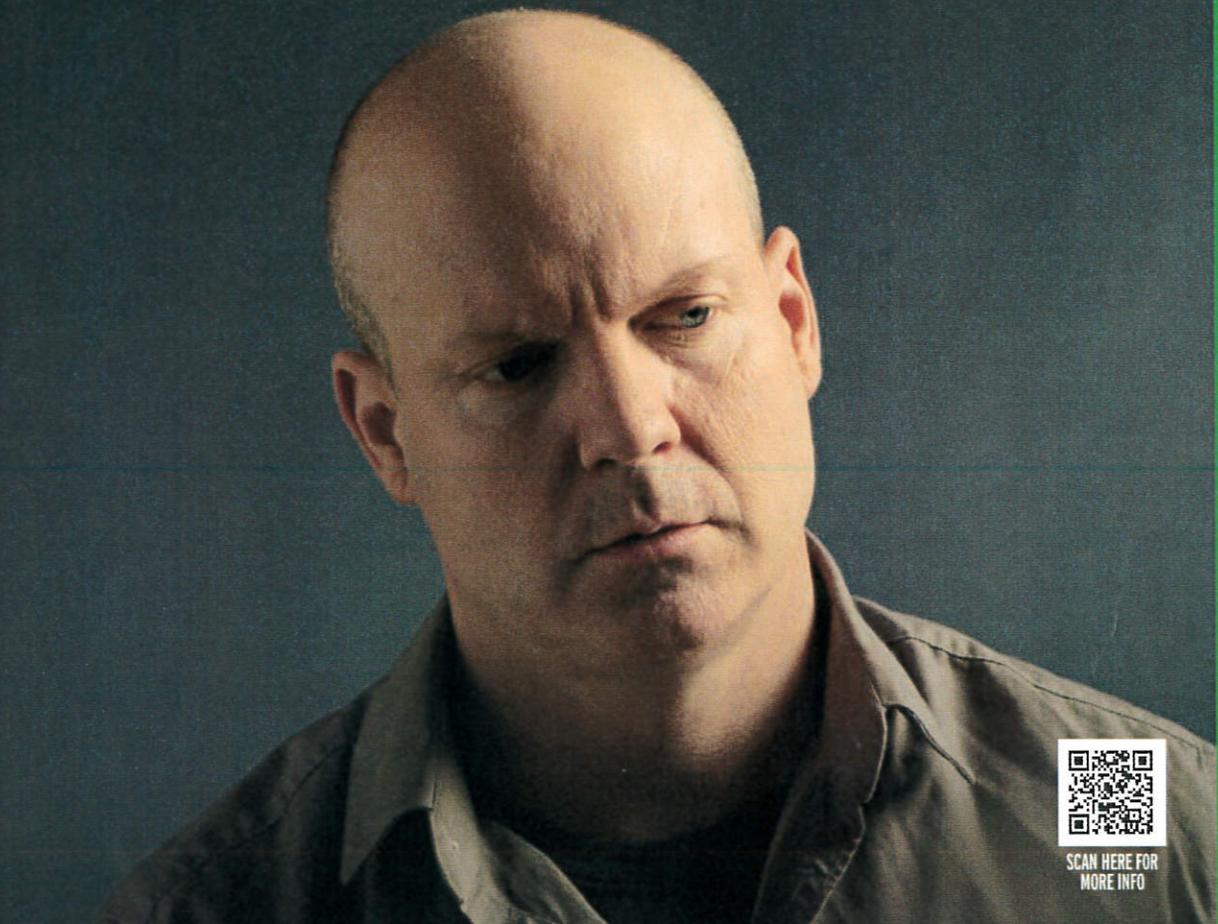
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National Fair Housing Alliance



ESCANEAR AQUÍ
PARA OBTENER
MÁS INFORMACIÓN

Un mensaje de servicio público del Departamento de Vivienda y Desarrollo Urbano de los Estados Unidos, en asociación con la Alianza Nacional de Igualdad de Vivienda.

3 TOURS. 2 PURPLE HEARTS. 1 EVICTION NOTICE.



SCAN HERE FOR
MORE INFO

When my landlord found out I had Post-Traumatic Stress Disorder (PTSD), I received an eviction notice. That's when I called HUD for help. If you feel that you've been discriminated against because of a mental or emotional injury or disability, report it to HUD or your local fair housing center.

Visit **hud.gov/fairhousing** or call
the HUD Hotline **1-800-669-9777** (English/Español)

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3 SERVICIOS. 2 CORAZONES PÚRPURA. 1 AVISO DE DESALOJO.

Cuando mi propietario se enteró de que yo tenía Síndrome de Estrés Post Traumático, recibí un aviso de desalojo. Entonces llamé a HUD para pedir ayuda. Si crees que puedes ser víctima de discriminación debido a una lesión o discapacidad mental o emocional, repórtalo a HUD o a tu centro local de igualdad de vivienda.

Visita hud.gov/fairhousing o llama a la línea directa de HUD **1-800-669-9777** (English/Español)

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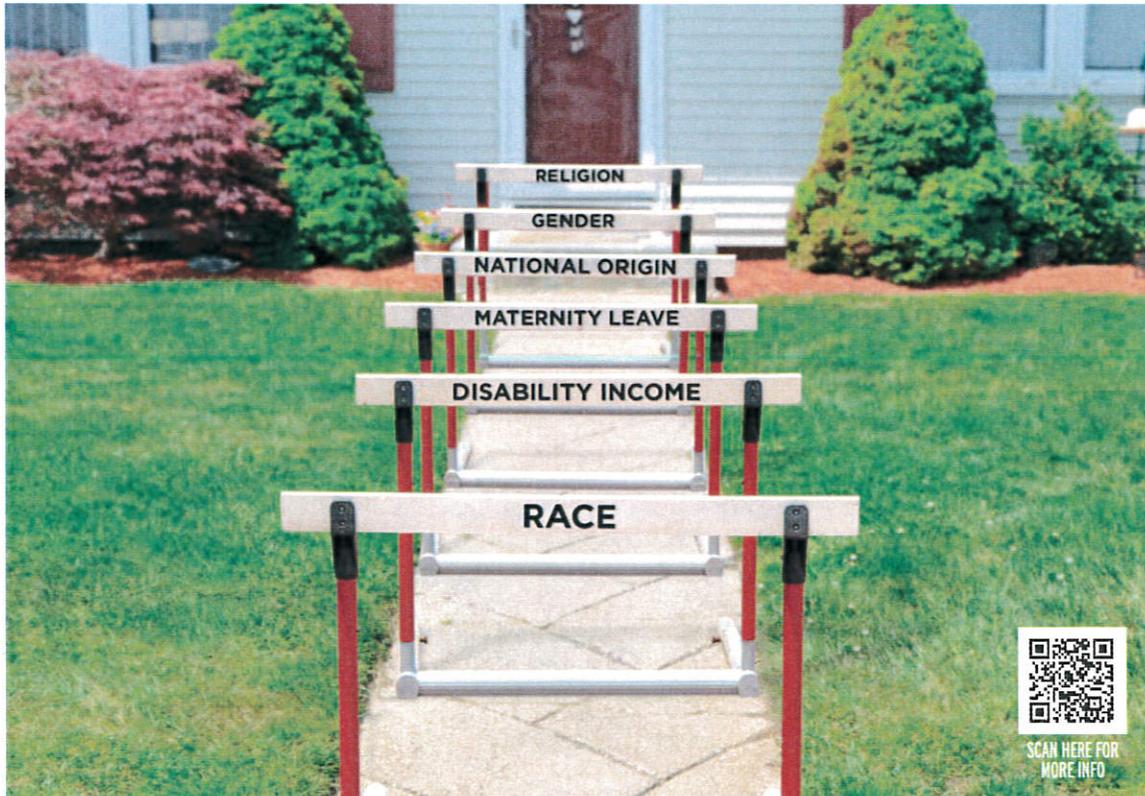
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FAIR HOUSING IS YOUR RIGHT. USE IT!



A public service message from the U.S. Department of Housing and Urban Development in partnership with the National Fair Housing Alliance. The federal Fair Housing Act prohibits discrimination because of race, color, religion, national origin, sex, familial status or disability. For more information, visit www.hud.gov/fairhousing.

WHAT'S PREVENTING YOU FROM GETTING A HOME LOAN?



TAKE ACTION AGAINST LENDING DISCRIMINATION.

Some hurdles are expected in the race to purchase a home. But if you feel that you've been denied financing of a home because of race, color, national origin, religion, sex, familial status or disability, or because of the racial or ethnic composition of your neighborhood, that's against the law. Report it to HUD or your local fair housing center.

Visit hud.gov/fairhousing or call the HUD Hotline **1-800-669-9777** (English/Español)

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¿QUÉ TE IMPIDE OBTENER UN PRÉSTAMO DE VIVIENDA?



ACTÚA CONTRA LA DISCRIMINACIÓN EN LOS PRÉSTAMOS.

Se espera que haya algunos obstáculos en el proceso de compra de una vivienda. Pero si sientes que te han negado financiación debido a raza, color, nacionalidad, religión, sexo, situación familiar o discapacidad, o debido a la composición racial o étnica de tu vecindario, eso es ilegal. Repórtalo a HUD o a tu centro local de igualdad de vivienda.

Visita hud.gov/fairhousing o llama a la línea directa de HUD **1-800-669-9777** (English/Español)

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Un mensaje de servicio público del Departamento de Vivienda y Desarrollo Urbano de los Estados Unidos, en asociación con la Alianza Nacional de Igualdad de Vivienda. La Ley Federal de Igualdad de Vivienda prohíbe la discriminación por motivos de raza, color, religión, nacionalidad, sexo, situación familiar o discapacidad. Para más información, visita www.hud.gov/fairhousing.

TODOS PROSPERAN EN UNA COMUNIDAD ACTIVA.



Todos queremos tener acceso a oportunidades en nuestros vecindarios, como escuelas, atención de salud, viviendas, alimentos, empleos y transporte de calidad. Sin embargo, en muchas comunidades estos recursos están muy limitados. Sea parte de este movimiento para garantizar que todos vivamos en viviendas seguras y tengamos acceso a oportunidades que nos ayuden a tener éxito.

Conozca cómo involucrarse en hud.gov/fairhousing

EQUIDAD DE VIVIENDA. OPORTUNIDAD COMPARTIDA EN CADA COMUNIDAD.



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Un mensaje de servicio público del Departamento de Vivienda y Desarrollo Urbano de los Estados Unidos en asociación con la Alianza Nacional de Equidad de Vivienda. La Ley Federal de Equidad de Vivienda prohíbe la discriminación por motivos de raza, color, religión, nacionalidad, sexo, situación familiar o discapacidad. Para más información, visite www.hud.gov/fairhousing.



A ZIP CODE SHOULD NOT DETERMINE A CHILD'S FUTURE.

Many variables can shape a child's outcome in life—like the zip code where a child grows up. That's because not all neighborhoods have the same opportunities and resources, such as quality schools, transportation, housing, healthcare, food and jobs. The good news is that there are many ways to improve our communities so that everyone has a fair chance to succeed, regardless of zip code. You can play a vital role in your local community.

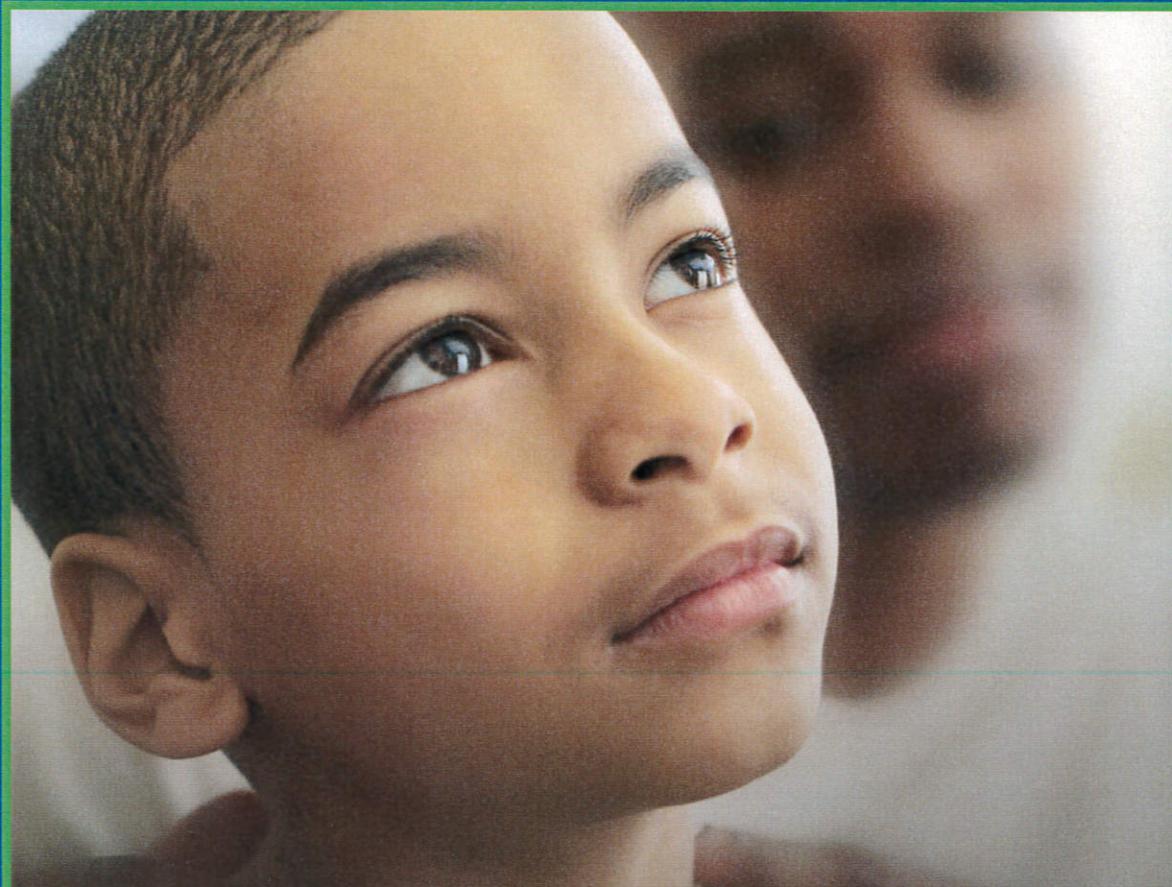
Find out how at:
hud.gov/fairhousing



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LGBT Equal Access to HUD Programs



The U.S. Department of Housing
and Urban Development enforces
regulations that ensure its
programs are open to all
eligible individuals regardless
of actual or perceived sexual
orientation or gender identity.



EQUAL HOUSING
OPPORTUNITY

www.hud.gov/lgbthousingdiscrimination

HUD's regulations requiring equal access to LGBT persons include the following:

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

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



www.hud.gov/lgbthousingdiscrimination