OFFICE OF THE GOVERNOR

ROBERT BENTLEY
GOVERNOR

STATE OF ALABAMA

ALABAMA DEPARTMENT OF ECONOMIC AND COMMUNITY AFFAIRS

JIM BYARD, JR.
DIRECTOR

March 31, 2011

**TO:** Interested Parties

**FROM:** Jim Byard, Jr.
Director

**SUBJECT:** Fair Housing and Equal Opportunity

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. The Proclamation recognizes the significance of fair housing and encourages all Alabamians to observe and support both the letter and spirit of the Fair Housing Law. Attached is a copy of the Governor's Proclamation. We encourage all grantees, as well as interested parties, to help us observe and support Fair Housing Month.

It is the Mission of the Department of Housing and Urban Development to promote non-discrimination and ensure fair housing and equal opportunity for all. HUD is charged by law to implement and enforce a wide array of civil rights laws and regulations, not only for members of the public in search of fair housing, but for HUD funded grant recipients as well. HUD rules further require that recipients of federal financial assistance comply with civil rights related program requirements. The Fair Housing Act specifies that the Secretary of HUD shall administer programs and activities relating to housing and community development in a manner that affirmatively furthers the policies outlined in the Act. This responsibility is ultimately assigned to the State through its Consolidated Plan and provides for the administration of Alabama's HUD Programs. HUD's non-discrimination requirements are compiled from a number of different federal laws designed to protect each individual's right to fair housing and equal opportunity. These laws include:

**Title VIII of the Civil Rights Act of 1968 (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 handicapped individuals and families with children as well.

**Title VI of the Civil Rights Act of 1964** provides that no person shall be excluded from participation, be denied program benefits, or 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 Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments** (Common Rule) includes requirements to maximize the use of small, minority and female owned businesses in procurement and contracting with federal funds.

Each applicant and recipient of HUD 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. 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 grantee will work diligently to affirmatively further fair housing within its local jurisdiction by developing voluntary programs to achieve fair housing goals.

On the following page is a list of fair housing actions as suggested by Alabama's HUD programs. The activities are designed to provide assistance in satisfying the requirements of the Fair Housing Act. However, you may find it necessary to modify one or more of the activities to address the special needs and demands of your community.

The grantee must document the action taken in its program file to be made accessible to its citizens. Also attached are Equal Housing Opportunity posters in English and Spanish language versions which should be displayed within local governmental buildings and other public facilities.

**SUGGESTED ACTIONS TO AFFIRMATIVELY FURTHER FAIR HOUSING**

1. Issue a Fair Housing Month Proclamation by city, town, or county.

2. Design radio or television spots for public service announcements on fair housing.

3. Publish and display bilingual housing information for non-English speaking residents in the community.

4. Provide housing counseling to help minorities find housing outside areas of concentration.

5. Enact a local fair housing ordinance substantially equivalent to the federal law.

6. Develop local enforcement and complaint resolution mechanisms.

7. Develop a fair housing assistance program. Monitor compliance and pursue discrimination complaints.

8. Develop a public information program using local newspapers, radio stations, bulletin boards, churches, utility bill mailings, and the like to ensure that all segments of the community are aware of fair housing requirements, especially real estate brokers, landlords, financial institutions, and the minority community.

9. Survey the special housing needs of minorities and women, determining any effects of discrimination.

10. Sponsor fair housing poster contests to be held during Fair Housing Month in April of each year.

We encourage you to visit HUD and ADECA websites for additional information at http://www.hud.gov/offices/fheo/index.cfm and http://www.adeca.alabama.gov/C10/FORMS%20and%20sample%20documents/default.aspx

JB:GA:sp
Attachments

# Proclamation

## By the Governor of Alabama

*WHEREAS, the month of April is recognized throughout the 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, nationality, religion, gender, familial status or disability; and*

*WHEREAS, the State of Alabama continues to affirmatively further fair housing for its citizens:*

*NOW, THEREFORE, I, Robert Bentley, Governor of Alabama, do hereby do proclaim the month of April, 2011, as*

## Fair Housing Month

*in the State of Alabama, in recognition of the significance of fair housing to our way of life and encourage the citizens of our state to observe and support both the letter and spirit of the Fair Housing Law as an expression of the individual rights guaranteed by the United States Constitution and the Constitution of the State of Alabama.*

OFFICE OF THE GOVERNOR
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 10th day of March 2011.*

Robert Bentley

*Governor Robert Bentley*

U. S. Department of Housing and Urban Development

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

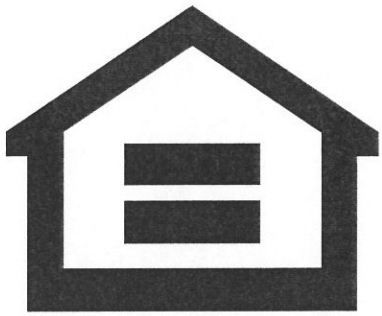
- In the sale or rental of housing or residential lots
- In advertising the sale or rental of housing
- In the financing of housing
- In the provision of real estate brokerage services
- In the appraisal of housing
- Blockbusting is also illegal

**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**

U. S. Department of Housing and Urban Development



# IGUALDAD DE OPORTUNIDAD EN LA VIVIENDA

**Conducimos nuestros negocios de acuerdo a la Ley Federal de Vivienda Justa**

(Acta de enmiendas de 1988 de la Ley Federal de Vivienda Justa)

## Es ilegal discriminar contra cualquier persona por razon de su raza, color, religion, sexo, incapacidad fisica o mental, la presencia de niños menores de 18 años o de mujer embarazada en su familia o su origen nacional

- En la venta o renta de vivienda y terrenos residenciales
- En los anuncios de venta o renta de vivienda
- En la financiamiento de vivienda
- Amenazar o interferir con la persona para que no registre su queja
- En los servicios de corretaje que prestan vendedores de vivienda
- En la valoracion de vivienda
- Tambien es ilegal forzarle a vender o rentar su vivienda diciendole que gente de otra raza, religion o grupo etnico se estan mudando en su vecindario

Cualquier persona que sienta que fue discriminada debe de enviar su queja de discriminacion:

1-800-669-9777 (llamada gratis)
1-800-927-9275 (TDD llamada gratis)

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and Urban Development
Assistant Secretary for Fair Housing and
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