

FAQs Accompanying Affirmative Fair Housing Marketing Plan Guidance and Instructions for Section 811 Project Rental Assistance Demonstration (PRA Demo) Programs

- 1. Question: Several Grantees asked why affirmative fair housing outreach to those least likely to apply is necessary since the underlying goal of the PRA Program is to serve those people with disabilities who cannot live in the community without the affordable housing and community based support services provided through the PRA Program.**

Answer: Within any of the Grantees' specific target populations, there may be subpopulations of persons who are "least likely to apply" to the program such as persons who have limited English proficiency, persons who have difficulty communicating because of their disability and others. This Guidance asks Grantees to consider their target population(s) and determine whether there are subpopulations who, on the basis of race, color, national origin, religion, sex, disability or familial status, may be hampered in their ability to apply to the program and to develop special outreach strategies to reach these subpopulations. Grantees and/or their partners may already have such special outreach strategies in place, which can be included in the Affirmative Fair Housing Marketing Plan.

- 2. Question: Several Grantees indicated that they do not conduct marketing or outreach because their target populations are determined by their state's Olmstead-related Settlement Agreements with the Department of Justice.**

Answer: Some Settlement Agreements include a broad population for which outreach is required, e.g. homeless persons with disabilities living on the street. Some are more limited such as those covering only persons residing in one or more institutions. In either case, Grantees can still ensure their program includes special outreach efforts to affirmatively market to those persons covered by the Settlement Agreement who are least likely to apply within the target population, even if these outreach activities are limited.

- 3. Question: Grantees indicated concern that the HUD approval process for the Affirmative Fair Housing Marketing Plan would be lengthy and delay program start-up.**

Answer: HUD is committed to ensuring the approval process does not delay program start-up for Grantees under the demonstration year. Once the Cooperative Agreement is signed, FY 2012 Grantees may begin implementation including outreach and marketing. The Affirmative Fair Housing Marketing Plan must be submitted to HUD within three (3) months of signing the

Cooperative Agreement. HUD will review draft Plans within one month. During this review period, prior to formal plan approval, Grantees may continue to implement their program.

4. Question: Some Grantees have already conducted outreach and have developed waiting lists of persons in their target population for PRA units. How are these impacted?

Answer: FY12 Grantees may retain their existing waiting lists for PRA units and continue with current practices of outreach and waitlist management. Affirmative fair housing outreach shall be implemented once the Affirmative Fair Housing Marketing Plan is approved by HUD.

5. Question: Can FHEO provide further guidance as to when a group is “underrepresented” in order to determine whether the outreach efforts have been successful or not. Is there a percentage threshold HUD uses to make this determination?

Answer: As indicated in the Guidance, Grantees will evaluate their affirmative fair housing outreach activities and make a determination as to whether these activities have been successful. HUD does not provide a threshold percentage for several reasons. First, a specific percentage change in a state where the “least likely to apply” population is a very small percentage of the target population may have a different meaning than the same percentage change in a state where the “least likely to apply” population is a larger percentage of the target population. Second, it is possible that despite diligent efforts to reach a certain “least likely to apply” population, a state may find the population remains underrepresented in the final applicant or tenant pool. It is more important that the Grantee evaluate and try to understand the results of their special outreach efforts than to meet any specific threshold.

6. Question: Several Grantees indicated that outreach would be conducted by community based organizations and that the Grantee had limited influence over this activity.

Answer: Despite these challenges, it remains the responsibility of the Grantee to formulate and submit an Affirmative Fair Housing Marketing Plan to HUD for approval. The Grantee must also monitor the outreach activities of the community based organizations or the Grantee’s state health and/or human services partners to ensure that the Affirmative Fair Housing Marketing Plan is followed. For example, the Grantee may require that the organizations submit a list of outreach activities that they are conducting and copies of outreach materials that they are using.

7. Question: One Grantee asks whether they will be required to complete HUD-935.2A?

Answer: No, the PRA Program will not be using HUD-935.2A. HUD is developing a new form for grantees to complete. It will also include the questions from the Guidance. The new form will be number HUD-92243-PRA.

8. Question: Are Grantees limited to the demographic categories listed in #4 on page 5/6 of the instructions?

Answer: The goal of affirmative fair housing outreach is to achieve a condition in which individuals in the target population have a like range of housing choices available to them regardless of their race, color, national origin, religion, sex, familial status, or disability. For the purpose of the PRA demonstration, HUD is asking grantees to evaluate outreach based on race, color, national origin, religion, sex, and familial status. However, Grantees may choose to add any of the other demographic categories listed above in order to reach “least likely to apply” populations. Grantees may also find it necessary to reach out to a particular sub-population of one of these categories. HUD understands that data may be difficult to secure for the target population or the “least likely to apply” populations; however, the data that can be secured should be described in the Grantee’s Plan.

9. Question: One Grantee requests clarification if affirmative fair housing outreach includes performing special outreach efforts to persons with Limited English Proficiency (LEP).

Answer: Yes. Affirmative fair housing outreach to persons with LEP is considered a special outreach effort. If a Grantee determines that there is a presence of LEP populations within their own unique target populations, then special outreach efforts need to be performed and these efforts can be described in the Affirmative Fair Housing Marketing Plan. For example, if a grantee’s target population includes persons with disabilities living on the street, and the grantee is aware that there is a significant Hispanic population living on the streets, it may choose to hire a bilingual English/Spanish staff person to conduct special outreach efforts.