Best Practices for Language Access and Limited English Proficiency (LEP)

Inclusiveness is the bedrock of fair housing laws and regulations. FHIP and FHAP programs and services must be readily accessible to complainants coming forward with fair housing concerns including those with limited English proficiency (LEP). Federal laws protect the rights of persons with LEP and require FHIPs and FHAPs to provide language assistance.

Defining LEP

LEP is defined for persons who, as a result of national origin, do not speak English as their primary language and who have a limited ability to speak, read, write, or understand. According to 2019 estimates, 8.2% of people in the United States reported speaking English less than “very well.”

FHIPs and FHAPs must:

- Examine the public-facing services that your agency provides
- Identify the language needs within your service area
- Develop and implement a system of resources to provide meaningful access by LEP persons
- Remove language-restricted barriers to housing

Best Practices

To achieve those goals, consider the following,

- FHIP/FHAP Management
  - Identify at least three of the most common languages spoken in your jurisdiction. 
    LEP.gov has data maps for language access on the state and local levels.
  - Conduct an agency self-assessment to create or update your language access plan that ensures effective communication at all points of contact between LEP persons and the agency. Use the Language Access Assessment and Planning Tool for Federally Conducted and Federally Assisted Programs for additional guidance.
    - Share your plan and train your staff and other stakeholders regarding requirements, procedures, and available tools to ensure everyone provides high-quality customer services to all your clients.

1 HUD’s Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient (LEP) Person

2 U.S. Census Bureau; American Community Survey, “2019:ACS 1-Year Estimates Data Profiles”
• Intake and investigative processes
  o Provide information and materials that reflect your community:
    ▪ Website to include a link to HUD’s Complaint Filing in Languages Other than English
    ▪ Pre-complaint questionnaires and notification letters in languages other than English
    ▪ FAQs or outward facing information regarding the fair housing complaint process in languages other than English
  o Provide prompt access to staff or translators who speak languages other than English. Consider telephonic translation services to provide on-the-spot translation services to triage complaints during intake and to interview LEP parties during an investigation.
  o Have language identification and “I Speak” cards readily available at public-facing areas to quickly triage an aggrieved party’s language needs. Additional information can be found on the LEP.gov page.

• Conciliation
  o Clearly and plainly state the purpose and possible outcomes of the conciliation process for the complainant. Have a translator available during each conciliation discussion.
  o Agreement should be prepared in both English and the LEP party’s primary language.

• Education and outreach materials
  o Translate all education and outreach materials to the most common languages spoken in your jurisdiction.
    ▪ Utilize existing translated outreach materials from FHEO’s LEP website and NFHA’s Fair Housing Resource Center
  o Conduct virtual and in-person outreach workshops in the appropriate language(s).
  o Work with grassroots community-based organizations to determine the fair housing needs of the LEP community.
  o Schedule outreach opportunities in places with significant numbers of LEP persons