

**OKLAHOMA HOUSING FINANCE AGENCY  
HOME DEPARTMENT**

<b>Chapter 23</b>	
	<b>Reference: Fair Housing Act 24 CFR, Part 100-115</b>
<b>Subject: Affirmative Fair Housing and Marketing</b>	

**General Requirements**

The Fair Housing Act (42 USC 3601-3620): Prohibits discrimination in the sale or rental of housing, the financing of housing or the provision of brokerage services against any person on the basis of race, color, religion, sex, national origin, handicap, or familial status. Furthermore, Section 104(b)(2) of the Act requires that each Awardee certify to OHFA that it is affirmatively furthering fair housing. The certification specifically requires Awardees to conduct a fair housing analysis, develop a fair housing plan, take appropriate actions to overcome the effects of any impediments identified and maintain records on the analysis, plan and actions in this regard. Fair Housing Act implementation regulations for HUD programs may be found in 24 CFR, Part 100-115.

**Procedures**

For each FY the Awardee has received a HOME contract from OHFA, Awardee must provide documentation of steps taken to affirmatively further fair housing.

Each Awardee must adopt and follow affirmative marketing procedures and requirements for rental and homebuyer projects containing five (5) or more HOME-assisted housing units. Affirmative marketing requirements and procedures also apply to all HOME-funded programs, including, but not limited to, tenant-based rental assistance and down payment assistance programs. Rental projects must not only adopt but also follow their Affirmative Marketing Plan in their Tenant Selection Plan.

The certification of compliance with the Fair Housing Act was included in the OHFA contract. Outlined below are procedures for Awardees to analyze needs and suggested implementation action steps.

\ Needs Assessment

\ Are minorities totally absent as residents of your

**Notes**

community? If so, why?

- { Do all or most of the minorities in your community live in one neighborhood?
- { Are realtors hesitant to show minorities rental or ownership units in certain areas of town or in certain apartment buildings or subdivisions?
- { Do banks and savings and loans consistently fail to provide mortgage money or home improvement loans in certain areas of the community?
- { Is publicly assisted housing absent in your community?
- { Are some public housing projects in the community all minorities and/or all non-minorities?
- { Are minorities discouraged from living in your community because public services and facilities located in or serving minority areas are of a lesser quality or quantity than those serving predominantly non-minority areas?
- { Do minorities work in your community but live elsewhere?
- { Do landlords not rent to female-headed households with children?
- { Does the community's zoning hinder multifamily construction or the construction of modest single-family units or prohibit mobile homes?
- { Has the community failed to adopt and enforce a fair housing ordinance?
- { Does your agency assist people who believe they have encountered housing discrimination?

{ Suggested Implementation Action Steps -

Implementation of a fair housing program will depend upon the answers to your needs assessments.

- { Advocate the development and enactment of a local fair housing ordinance that is at least equivalent to the federal fair housing law and preferably one with enforcement mechanisms and penalties.
- { Advocate the revision of housing authority formal and informal policies and practices so that public housing units are not assigned to cause or perpetuate racially or ethnically separate treatment of housing opportunities.
- { Review the formal and informal policies and procedures guiding the operation of the Section 8 existing program to ensure that race or ethnicity is not an eligibility criterion for the program and/or some units participating in the program.
- { Work with developers and residents to ensure new assisted housing is located outside areas of minority or low-income concentration.
- { Advocate the review of local zoning and discuss the impacts of existing zoning on multifamily and/or less expensive single-family construction. Modify zoning to permit or facilitate such construction.
- { Review rehabilitation program to ensure it serves very low-income minority residents as well as low- and moderate-income minorities and non-minorities.
- { Advocate the review of local practices with respect to the capital improvements program and general revenue projects to ensure HOME funds are not being used in place of, rather than to supplement, these programs in minority areas.
- { 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 realtors, landlords, financial institutions, and the minority community.
- { Develop a fair housing assistance program to

make housing opportunities in non-minority areas known to minorities, to monitor compliance, and to pursue discrimination complaints.

- { Conduct a meeting with financial institutions serving the community to discuss the implications of the Community Reinvestment Act and their need to broaden lending practices to all geographic locations and support community revitalization efforts.
- { Survey the special housing needs of minorities and women, determining any effects of discrimination.
- { Develop or fund a fair housing or human relations organization.
- { Develop a monitoring procedure for compliance with Fair Housing laws.
- { Contact community-based organizations operating in nearby communities to determine their perceptions of housing opportunities for minorities in the community and solicit their assistance in improving these opportunities.
- { Develop incentives for developers of new housing for low-moderate income persons.
- { Sponsor fair housing sessions for landlords and/or real estate brokers.
- { Sponsor a special public relations/ information event on fair housing particularly during April which is Fair Housing Month.
- { Develop and make available to the public brochures on Fair Housing laws.
- { Design and distribute fair housing brochure(s) directed at the general public, landlords, real estate agents and/or potential victims of housing discrimination.
- { Advocate the formatting of a local Human Rights Commission.

- { Work with Oklahoma Real Estate Commission, local Board of Realtors, Community Housing Resource Board, Human Rights Commission, vocational college to hold fair housing training for landlords and real estate agents.
- { Provide seminar on fair housing for the general public.
- { Commemorate Fair Housing Month (April) with press releases, public service announcements, flyers, proclamations, and special public relations/information events.
- { Publish the fact that there is a State Fair Housing Law and give names and telephone numbers of officials responsible for enforcement. Work with the State Human Rights Commission to disseminate their brochures and provide their training.

For more information on activities to further fair housing, contact the Fair Housing Information Clearinghouse by calling 1-800-245-2691 and register as a user. The Clearinghouse collects guidebooks, manuals and audiovisual materials. A bibliographic database of these materials can be easily searched to provide individuals with specific material to use in their fair housing work. In addition, registered users will receive the Clearinghouse's quarterly newsletter Fair Housing Update, free of charge.

#### { Documentation

- { Awardees must document community efforts to enact fair housing requirements.
- { For documentation, it is suggested that Awardees focus public information activities in two areas:
  - ⇒ Specific population groups known to have suffered from discriminatory practices in the past.
  - ⇒ Groups directly involved in housing-

related activities.

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### **Additional Resources:**

- Understanding the Basics
- Affirmatively Furthering Fair Housing
- HUD 935.2a (Multifamily Housing)
- Affirmative Fair Housing Marketing (AFHM) Plan – Single Family Housing