IFA'S AFFIRMATIVE FAIR HOUSING MARKETING PLAN GUIDE: LIHTC AND MULTIFAMILY PROJECTS

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INTRODUCTION

This guide was developed to assist anyone in developing or updating an AFHMP for a multifamily rental project as required by HUD (including HOME, HOME-ARP, and NHTF) or the Iowa Finance Authority's LIHTC QAP. TBRA and Homebuyer recipients should not use this guide.

In Iowa, projects that have received HUD funding (HOME, NHTF, and/or HOME-ARP) or have been allocated LIHTC are required to provide an AFHMP. All programs follow the requirements at 24 CFR 200.620.

Affirmative Fair Housing Marketing Plans (AFHMPs) should demonstrate meaningful efforts to identify and attract underserved populations in the housing market area, as underserved populations may not apply for housing without special outreach efforts. The affirmative marketing plan should strive to house both majority and minority populations represented in the housing market area to ensure that

segregation/redlining does not intentionally occur.

Affirmative Marketing should demonstrate the efforts of the owner/agent to reach underserved populations through community contacts and other direct methods of advertising, such as:

- Advertising in minority or specialized publications to reach targeted populations,.
- Establishing relationships with organizations, churches, agencies, or businesses in the community who work directly with an underserved population,
- Alternate advertising formats such as Braille, large print, audio format, and/or language translation appropriate to the community, and
- Periodically reviewing the special marketing efforts to evaluate if changes are needed to the AFHMP.

THE GOALS

- **Attract targeted applicants** – Ensure underserved populations have knowledge of housing opportunities and are offered housing without discrimination for persons who qualify.
- **Ongoing direct marketing** – Demonstrate meaningful attempts to increase underserved populations.
- **Review and adjust** – Review demographics by making a conscious effort to understand the community and changes in underserved populations in the market area. Adjust contacts or methods of advertising if needed.
- **Inclusive and diverse housing population** – The property should strive to house both majority and minority populations represented in the housing market areas thus ensuring that segregation or redlining does not intentionally occur.

AFHMP REGULATIONS AND REQUIREMENTS

The regulations for the AFHMP can be found at 24 CFR Part 200 subpart M, 24 CFR Part 5, and 24 CFR Part 108.

Housing Protected Classes

Federal protected classes can be found at 24 CFR Part 100 and State protected classes can be found at Iowa Code 216. Local protected classes may expand this list for your project – check the municipality local to the project with questions.

General AFHMP Requirements

The Iowa Finance Authority requires **all properties to target Persons with Disabilities**, regardless of percentages listed.

For new LIHTC awarded projects, the following documents are also required to be uploaded to TAC when submitting the AFHMP:

- Tenant Selection Plan, including waiting list policy
- Lease
- All lease addenda, including VAWA forms
- Community Rules and Regulations
- IowaHousingSearch.org advertising verification for all units
- Public Housing Agency (PHA) Commitment Letter

More details on these requirements can be found in TAC within the Prior to Placed-In-Service Tab.

Hiring Practices

Owners are required to maintain a non-discriminatory hiring policy for staff engaged in the rental of properties under Affirmative Fair Housing Marketing Regulations.

Section 504 Accessibility Requirements

Section 504 of the Rehabilitation Act of 1973 makes it illegal for federal agencies, programs, or activities that receive federal financial assistance or are conducted by a federal agency to discriminate against qualified individuals with disabilities. Requirements under Section 504 include reasonable accommodation for employees with disabilities, program accessibility, effective communication with people who have hearing or vision disabilities, and accessible new construction and alterations. HOME, HOME-ARP, NHTF, and most Iowa LIHTC properties are required to meet or exceed Section 504 accessibility requirements, as 5% of a project's total units must be fully accessible for mobility impairments and 2% of a project's total units must be accessible for persons with visual and hearing impairments.

LIHTC properties should verify property requirements by reviewing their Land Use Restriction Agreement (LURA). The selections made by the property may require an increased percentage of accessible units.

Symbols of Accessibility

Accessible facilities which meet the Uniform Federal Accessibility Standards (UFAS) 4.1, Minimum Requirements, may use the international symbol of accessibility. Please ensure the property meets these requirements if the symbol is used. Generally, a wheelchair must be able to maneuver throughout the building and on all floors and buildings with multiple floors require an elevator. If you are unsure, please obtain advice from your Architect. The symbol shall be displayed as:

WHAT FORM DO I USE?

All Multifamily Rentals (regardless of funding source):

Use the most current HUD 935.2A form, found here. If you have questions or trouble finding the form, contact IFA for assistance.

Non-multifamily Rentals – TBRA and Homebuyer Projects:

There is a different AFHMP guide to use for TBRA and Homebuyer projects available on the IFA website. Use the most current program-specific IFA approved form for HOME TBRA and Homebuyer programs.

Contact IFA for a copy of either form.

COMPLETING THE AFHMP FORM AND WORKSHEETS

AFHMP sections not discussed in this guide should be self-explanatory. Refer to the instructions on the HUD form for guidance.

1b. Project Contract Number

This section should contain all contract project numbers associated with the project. If appropriate, list LIHTC, state HOME, state HOME-ARP, and state NHTF Project Numbers separately in this area.

1d. Census Tract

Based on project address. Reference https://geomap.ffiec.gov/ffiecgeomap/ if needed.

1e. Housing/Expanded Market Area:

- Housing Market Area is the city/town that attracts most applicants.
- Expanded Market Area is the county or Metropolitan Statistical Area (MSA) that contains the Housing Market Area.

Note that in most areas of Iowa, the county generates 75% or more of applicants and is the most common expanded housing market area. MSA's are at least 2 counties and often more than two. IFA does not suggest using the MSA unless at least 50% of the applicants come from various counties found in the MSA but does not include the county which the property is located.

3a. Demographics of Project and Housing Market Area

To complete Worksheet One, use the most current 5-year estimates from the US Census Bureau and Census Bureau reports:

1. **DP05** Demographic and Housing Estimates (all projects); provides Race and Ethnicity Percentages
2. **DP02** Disability Characteristics (all projects)
3. **B11004** Households and Families (family or general projects only); provides Households with one or more people under 18 years old.

If you have questions about census data, please contact Bern Beck for new AFHMPs or Vicky Ohrtman for AFHMP updates. A step-by-step guide about how to pull these reports can be found here. The US Census has updated the way reports are pulled and it may continue to change over time.

- To reduce the data for **DP05** to be more manageable, enable editing on the downloaded document.
    - In Column A, replace the heading LABEL by Typing in DP05 [YEAR USED] 5-year Estimates
    - Delete Column B Sex & Age
    - Delete Column C through Column BV
    - Delete Column D through Column H
    - Column A should be DP05 [YEAR USED] 5-year Estimates and lists County, Place, and Census Tract below.
    - Column B should be Total Population
    - Column C should be Hispanic or Latino (of any race)
    - Column D should be White Alone
    - Column E should be Black or African American Alone
    - Column F should be American Indian and Alaska Native Alone
    - Column G should be Asian Alone
    - Column H should be Native Hawaiian and Other Pacific Islander Alone
    - Delete Columns I through Q
- This provides you with the basic groups and percentages required on Worksheet 1 for Race & Ethnicity. It would be easiest to move all column headings to row 5, then delete rows 1-4 before printing the worksheet to a PDF.

Once the percentages have been pulled from the US Census Data reports, enter the percentages into Worksheet 1. Using the percentages entered on the worksheet, analyze the information to determine next steps for the AFHMP.

- The column with the highest percentages is the majority population. On Worksheet 1, highlight all percentages which are lower than the majority population but higher than 1.0%.
    - If lower than 1%, these groups have very limited or no presence in the housing areas. These groups may be difficult or impossible to directly target. Do not check the box for these groups in part 3b. of the AFHMP unless you can specify additional information in Part 8, Additional Considerations, in the AFHMP.
    - Print as a PDF so it can be incorporated in 1 PDF when assembling the AFHMP Package.

Reminder: the Iowa Finance Authority requires **all properties to target Persons with Disabilities**, regardless of percentages listed from Census Data reports.

Projects Without Existing Tenants

For projects that have not yet been initially placed in service *and* do not have existing tenants, the Project's Residents and Project's Applicant Data columns will be left blank, and the analysis will be based solely on the Census Tract, Housing Market Area, and Expanded Housing Market Area until the next evaluation.

- Taking out the highest percentage demographic group, evaluate the remaining demographic groups.
    - Projects need to target outreach and marketing efforts at demographic groups shown at 1% or greater.
    - Projects do not need to target any demographic groups shown at less than 1%, unless you are able to describe why the project is choosing to include this population and describe how the project is able to directly reach this population, using the form's Part 8, Additional Considerations, to explain.

Exceptions to the 1% Measure explained above may occur. If you have questions, please reach out to IFA.

Examples include:

- Some demographic areas may not have a minority population with 1% or greater. The plan may need to be expanded to include a larger region or multiple counties surrounding the housing market area. This area should be expanded until you can identify at least one minority population closest to the property that has greater than 1%.
- An underserved population is known to exist in the housing area, yet the demographics do not represent them in the census data. Your knowledge of the community should be considered for direct marketing opportunities. If this occurs, list the demographic group not included on the worksheet under "other," and specify the underserved population and information that is known.

Projects With Existing Tenants (Rehab or Acquisition Rehab or AFHMP Plan Updates for Existing Projects):

Any project with existing tenants needs to complete the Project's Residents and Project's Applicant Data columns on Worksheet 1.

For these projects and all properties with existing tenants, use current tenant demographic percentages to analyze if any group on the Worksheet is still underserved at the property, including the majority population. This will demonstrate if the property has been successful in housing underserved populations. In some situations, this may mean that your AFHMP might include an outreach plan to the majority population, if the majority population is severely underrepresented in the existing tenant population.

Projects that collect demographic information from applicants at time of application need to complete the Project's Applicant Data column. These percentages will help determine if the property has been successful attracting minority applicants and further will evaluate reasons why minorities who applied were not approved (examples: no vacancy, did not pass screening, did not meet income qualifications).

Note that demographic information is required by HUD to be requested for LIHTC, HOME, or NHTF Programs by the property when accepting applicants, but optional for the applicant to complete. IFA recommends including listing a percentage for "no response".

Evaluate if there is significant under-representation of any demographic group within the project's residents or current applicants in relation to the housing/expanded housing market area.

- Target outreach and marketing to any under-represented demographic groups. This could include the majority population (highest percentage), if this population is not present or extremely under-represented within the project and/or applicants.

Projects do not need to target any demographic groups shown at less than 1% unless you are able to describe why the project is choosing to include this population and describe how the project is able to directly reach this population, using the form's Part 8, Additional Considerations, to explain.

AFHMP Plan Updates

Consider the last plan's resident percentages compared to the current resident percentages.

- Have underserved populations grown? It may be possible community contacts and marketing methods have been effective.
- Have underserved populations remained the same or decreased? Previous community contacts and marketing methods likely have not been effective and new efforts should be made to locate new contacts and advertising methods.

3b. Targeted Marketing Activity

- When Worksheet 1 is complete, use this information to check the populations identified in 3b. "Targeted Marketing Activity" on the AFHMP form.
- ach group checked in 3b. will then be added to Worksheet 3 - Community Contact Worksheet and Worksheet 4 – Methods of Advertising Worksheet.

Worksheet 3 – Community Contacts, and Worksheet 4 – Methods of Advertising

- List each targeted group separately on each worksheet.
- Use local contacts and advertising sources first. The local area is the housing market area named on the plan. If opportunities are not found in the housing market area, move to the expanded housing market area, and only if necessary, expand further to regional opportunities, since it is less likely a property can attract applicants that are not shown to be living in the housing market/expanded housing market areas.
- Contacts and methods listed should be known to effectively reach specific targeted populations prior to advertising.

Projects can develop and use their own Word table or Excel spreadsheet as long as it includes the same information found on the HUD form.

4a. and Worksheet 2, Establishing a Residency Preference Area

Do not complete unless the project is a Section 8 HUD financed project and the project has an approved residency preference through HUD. If you believe this applies to your project, contact IFA for additional requirement information.

5c. Project Site Sign and Equal Housing Opportunity (EHO) Advertising

All projects submitting an AFHMP to IFA that have advertising materials need to include an Equal Housing Opportunity (EHO) logo, statement, or slogan to indicate that the property is available to all persons. The choice of logo, statement, or slogan will depend on the type of media used (visual or auditory) and size of the advertisement.

Property signs shall contain the EHO logo, statement, or slogan and should be visible to anyone viewing the sign. If the sign has not been constructed when the AFHMP is submitted, provide a copy of the planned sign design and content prepared by the sign manufacturer or architect. If a site sign is not used, please explain.

The logo is below, and a link to EHO logo, statement, and slogan can be found here.

Part 6, Evaluation of Marketing Activities

Maintaining a file will help you to establish the evaluation process required in Part 6 and assist with subsequent AFHMP updates in the future.

Documentation of targeted outreach and marketing efforts will show:

- How you determined what outreach was needed
- What was done by documenting actions taken
- When actions were taken
- Why decisions were made to change or expand efforts

A Community Contact Journal is a good way to document all special outreach efforts.

7b. – 7d. Staff Instruction/Training

Agents and employees must be provided verbal and written instructions regarding policies of non-discrimination and fair housing. Training/instruction questions shall be asked about the Fair Housing Act and Affirmative Fair Housing Marketing. Dates, content, and anticipated training should be tracked, and copies of training materials should be kept.

Part 8, Additional Considerations

Provide additional information if “Other” is selected or other exceptions are identified. Explain exceptions or additional information in this section. If necessary, attach an additional sheet with this information and place a note in this section to “see attached”.

EVALUATING THE PLAN

The AFHMP must be reviewed at least every five years for multifamily projects. Review includes pulling new demographics for the housing market to identify changes, evaluating the targeted marketing and outreach for under-represented populations, updating training information, and reviewing staff information for accuracy. Projects may also need to provide a new plan sooner than five years if management, owner, addresses, contact information or other substantial information changes have occurred since the last plan was provided.

At a minimum, a new Worksheet 1 providing current Project’s Resident information and updating the demographic data must be pulled and compared to the previously implemented AFHMP plan.

If the data indicates that the previous AFHMP strategies have been successful in attracting under-represented populations, the project needs to submit the new Worksheet 1, a copy of their most recent accepted AFHMP, and a letter summarizing the success.

If the data indicates that the previous AFHMP strategies were not successful, properties must provide a new AFHMP, making changes in order to attract under-represented populations and describing new targeted marketing and outreach strategies.

Projects receiving HOME funds must provide a new plan for each contract awarded.

Please send all updated plans to Vicky Ohrtman.

EVALUATING MARKETING METHODS

Suggestions to ask tenants/applicants:

- How did they hear about the property?
- Could they benefit from accessible features in the unit?
- Race and ethnicity information. If race or ethnicity is unknown or the tenant/applicant does not wish to provide it, HUD requires that this percentage be tracked as “unknown”.

Regarding the property:

- The community contact journal will help you evaluate the marketing methods used, including the types of advertising methods and copies of ads used to attract targeted populations. Were these successful?
- The community contact journal will also help you demonstrate dates and content of communication with community contacts. Were relationships successful?
- Consider if demographic data for current residents accurately represents the property over the last five years. If not, explain why.
- Determine if the demographic composition of the residents have changed.
- Did the advertising methods attract targeted populations?
- Is training and instruction current? If no, update the plan and document updated training for staff.
- Describe why the current plan should be successful in the future.

REMINDERS BEFORE SUBMITTING

Don’t forget to sign and date your plan! The person responsible for implementing and reviewing the plan is required to sign and date the plan before it can be accepted by IFA.

Be sure to include all the Census data and maps used by the project to complete Worksheet 1.

Remember to attach all the marketing materials or drafts of marketing materials with your AFHMP package submission.

For projects that are receiving HUD funding, HUD must sign and approve your AFHMP. Submit completed AFHMPs to MFH_AFHMP@hud.gov.

QUESTIONS?

Please contact IFA if you have questions regarding your plan or need information on how to obtain demographic information.

Initial Plans: Bern Beck
Direct Line: 515.452.0427
Email: bernadette.beck@iowafinance.com

Plan Updates: Vicky Ohrtman
Direct Line: 515.452.0415
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