

HAMPDEN COUNTY CONTINUUM OF CARE

Guidance for Nondiscrimination and Fair Housing Policies

Nondiscrimination

24 CFR §578.93(a) requires CoC Programs to operate in compliance with federal nondiscrimination and equal opportunity requirements; *see* 24 CFR 5.105 (a) for a full list of applicable laws, regulations and Executive Orders.

Fair Housing

The Fair Housing Act prohibits discrimination in housing on the basis of:

- Race or color
- National origin
- Religion
- Sex
- Familial status (families with children)
- Disability

The Massachusetts Fair Housing statute also prohibits housing discrimination on the basis of age, ancestry, veteran status, sexual orientation, marital status, and receipt of public assistance or housing subsidy.

Reasonable Accommodations and Accessibility for Persons with Disabilities

For persons with disabilities, fair housing law makes it illegal to: (1) fail to make reasonable accommodation in rules, policies, and services to give a person with a disability equal opportunity to occupy and enjoy the full use of a housing unit and (2) fail to allow reasonable modification to the premises if the modification is necessary to allow full use of the premises.

Guidance for Creation of Nondiscrimination and Fair Housing Policies

- Policy should state that agency does not discriminate and complies with all nondiscrimination, fair housing, and equal opportunity laws.
- Policy should indicate the availability of aids and services, upon request, to ensure effective communication, such as the availability of qualified sign language interpreters, documents in Braille, or other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.
- Policy should state that the agency will make reasonable accommodations in rules, policies, and services to give a person with a disability equal opportunity to occupy and enjoy the full use of a housing unit.
- If the agency acts as a landlord, the policy should state that the agency will permit reasonable modification to the premises if the modification is necessary to allow full use of the premises.

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- Policy should provide contact information for submitting a complaint or reporting discrimination. The contact information should include the following:

The Massachusetts Fair Housing Center
57 Suffolk St.
Holyoke, MA 01040
(413) 539-9796; (1-800) 675-7309

Massachusetts Commission Against Discrimination
436 Dwight St., Second Floor, Room 220
Springfield, MA 01103
(413) 739-2145

US Department of Housing and Urban Development
10 Causeway Street, Room 321
Boston, Massachusetts 02222-1092
(617) 994-8300; (800) 827-5005; TTY (617) 565-5453

Resources to Assist in Creation of Agency Policies

MassHousing site (includes links to sample policies and forms):

https://www.masshousing.com/portal/server.pt/community/property_managers/239/fair_housing_resources/396

Corporation for Supportive Housing – Toolkit for Developing and Operating Supportive Housing:
<http://www.aarp.org/content/dam/aarp/livable-communities/act/housing/toolkit-for-developing-and-operating-supportive-housing-aarp.pdf> (pages 15-16; includes links to sample policies and forms)

Sample Policies and Procedures

<http://www.nyc.gov/html/nycha/downloads/pdf/fair-housing-non-discrimination-policy.pdf>

Reasonable accommodations/modifications:

<http://www.seattle.gov/civilrights/documents/RA%20Sample%20Policy%20for%20Mgmt%2011-08.pdf>

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Affirmatively Furthering Fair Housing

24 CFR § 578.93(c) requires that CoC Programs must affirmatively market housing and supportive services to eligible persons--regardless of race, color, national origin, religion, sex, age, familial status, or handicap--who are least likely to apply in the absence of special outreach, and maintain records of those marketing activities.

Resources

HUD template for creation of Affirmative Fair Housing Marketing Plan (HUD Form 935.2a):

<http://portal.hud.gov/hudportal/documents/huddoc?id=935-2a.pdf>

Tips for completing HUD form 935.2:

<http://portal.hud.gov/hudportal/HUD?src=/states/shared/working/r10/mf/commonerrors>

The template, along with the tips, provide a structure for identifying the protected classes least likely to apply to the project. The template then requires identification of procedures to be used for reaching those populations.