



CDBG-CV AFFIRMATIVELY FURTHERING FAIR HOUSING GUIDELINES

Overview

The Fair Housing Act has two goals: to end housing discrimination and to promote diverse, inclusive communities. The second goal is referred to as Affirmatively Furthering Fair Housing (AFFH).

In addition, the [Housing and Community Development Act \(42 U.S.C. 5306\(d\)\(7\)\)](#) requires that jurisdictions receiving grants from the state must certify they will Affirmatively Further Fair Housing.

Going beyond prohibitions of discrimination, receipt of Community Development Block Grant (CDBG) funds requires that recipients affirmatively further fair housing. While there are many ways that subgrantees can promote fair housing practices, the following guidelines have been adopted by the Florida Department of Economic Opportunity (DEO):

Step 1: Impediments to Fair Housing

Subgrantees are not required to perform their own Analysis of Impediments (AI) to Fair Housing but may use the analysis performed by DEO or by an adjacent entitlement community. The current Florida Analysis of Impediments can be found on the DEO website. These documents are useful to help determine actions in Step 3.

Step 2: Develop a Fair Housing Resolution

A Fair Housing Resolution must be formally adopted by the grantee and retained with each CDBG project file. If the grantee has multiple CDBG grants with overlapping timeframes, a separate overall file should be maintained for fair housing.

Step 3: Implement Fair Housing Activity

Each grantee must select and implement one Fair Housing Activity for each year that a grantee receives a grant award. If a grantee receives multiple grants in the same year, only one activity is required. If a grantee receives grant awards in sequential or nearly sequential years, the Fair Housing Activity selected by the subgrantee must be a different one each program year. Subgrantees must complete a Fair Housing Activity even if their projects do not entail housing activities. The AI may provide guidance and insight to subgrantees in the selection of their Fair Housing Activities. A list of Sample Fair Housing Activities has been provided below.

Fair Housing Activities must be sufficiently documented, including records on funds provided, if any for such activities, so their completion can be verified during DEO's compliance review. Accepted documentation would include copies of brochures provided, along with a distribution list, or minutes of meetings where fair housing is discussed. The grantee must complete the Certification of Fair Housing Activities provided in this document, confirming the implementation of Fair Housing Activities.

Step 4: Display the Applicable Fair Housing Logo and Required Posters

The grantee is responsible for placing the applicable fair housing posters in conspicuous locations of public buildings, including municipal offices, and the posters must always be displayed at the CDBG job site. The [required fair housing poster](#) may be found on the U.S. Department of Housing and Urban Development (HUD) website. All housing-related notices, advertising, and brochures must include the [HUD fair housing logo](#).

Subgrantees must post the following documentation at the municipal building in a prominent place for viewing by the general public:

- Civil Rights Act Title VI Certification
- Americans with Disabilities Act (ADA) Notice
- Fair Housing Posters in both English and Spanish.
- Equal Employment Opportunity posters in both English and Spanish

Notices and posters may need to be provided in additional languages. More detailed information on Limited English Proficiency can be found on the [HUD Limited English Proficiency](#) website.

Step 5: Contract Provisions

Include provisions for non-discrimination in all contracts issued to all recipients of CDBG funds, including businesses, developers, contractors, and homeowners. Contractors should include non-discrimination language in any subcontract issued for a CDBG project as well. A grantee should keep a copy of such provisions in its project file, along with any additional information documenting its own compliance.

Step 6: Affirmative Marketing Plans

Affirmative marketing plans must be developed and implemented for all CDBG-assisted housing projects with five or more units. An affirmative marketing plan must include:

- Methods for informing the public, property owners, and potential tenants about fair housing laws and the municipalities' policies (for example, use of the fair housing logo or equal opportunity language);
- Description of what owners and/or the grantee/sub-recipient will do to affirmatively market housing assisted with CDBG funds;
- Description of what property owners and/or the grantee/sub-recipient will do to inform persons not likely to apply for housing without special outreach;
- Maintenance of records to document actions taken to affirmatively market CDBG-assisted units and to assess marketing effectiveness; and
- Description of how efforts will be assessed and what corrective actions will be taken where requirements are not met.

Subgrantees should become thoroughly familiar with the Fair Housing Activity undertaken, Fair Housing Ordinance, and other fair housing provisions since the municipality is ultimately responsible for ensuring compliance with fair housing requirements.

The grantee must pledge to carry out the Fair Housing Activity to overcome the identified impediments to fair housing choice. Municipalities have often made statements in contract assurances that they will fight housing discrimination but have done nothing to overcome housing discrimination or segregation in their communities.

For more information, please see the [HUD Fair Housing Planning Guide](#). This document is a useful resource in understanding fair housing law and requirements.

Additional Resources

[Florida Fair Housing Assistance Agencies](#)

[HUD Fair Housing and Equal Opportunity Office](#)

[2020 Florida Statutes, Chapter 760](#)



SAMPLE FAIR HOUSING ACTIVITIES

- Adopt a proclamation declaring April as Fair Housing Month.
- Include a flyer about Fair Housing in the water/sewer bill and send it to every household in the grantee's locality.
- Partner with a technology class at the local high school to create a short advertisement or spotlight on Fair Housing to be aired on community access television.
- Run a Fair Housing public service announcement on local radio stations or the local community cable station. Topics can include what activities are prohibited and where to file a discrimination complaint. Pre-recorded video and audio files can be found on the [HUD Fair Housing Campaign Ad website](#).
- Develop a page on the grantee's website concerning fair housing issues, including links to the [Florida Commission on Human Relations](#) and other resources available to protected groups. Pre-recorded videos, posters, and brochures can be found on the [HUD Fair Housing Campaign Ad website](#).
- Provide all program beneficiaries with a copy of federal or state Fair Housing brochures. Various federal Fair Housing brochures can be downloaded from the [HUD Fair Housing Marketing Outreach](#) website.
- Host a booth at public community events and distribute Fair Housing brochures.
- Distribute copies of the federal or state Fair Housing brochures to persons attending project community meetings or CDBG-required public hearings.
- Have a display on Fair Housing issues at local public libraries, schools, or the grantee's administrative offices for at least thirty (30) days.
- Include a Fair Housing commitment clause in the recorded Investor-Owner Rental Agreement.
- Include a discussion on Fair Housing on the agenda of the local governing body.
- Provide funding for local Fair Housing groups or provide financial or technical assistance to local citizens wishing to organize such a group.
- Conduct public educational programs for local realtors and bankers, homebuyers, landlords, and/or grantee employees regarding fair housing issues, including their Fair Housing rights and responsibilities. This could include sponsoring a local Fair Housing workshop conducted by the [Florida Commission on Human Rights](#) or other local fair housing advocacy agencies.
- Attendance by a member of the local governing body or Chief Elected Official at a fair housing workshop pre-approved by DEO.
- Enlist the participation of local realtors, lenders, and homebuilders in an agreement, and promotion of affirmative marketing, open housing and review of underwriting/credit criteria, etc. Publish such agreements in a local paper.

- Post one or more of the federal Fair Housing posters at the offices of local housing professionals (realtors/lending institutions/home builder sales offices) for at least thirty (30) days.
- Sponsor a Fair Housing poster contest at local schools with the public voting on the winning poster to display at the grantee's administrative offices and on the grantee's website.
- Develop a Fair Housing assistance program to make housing opportunities available in non-minority areas, monitor compliance and submit discrimination complaints to the State or Federal government.
- Conduct a formal AI study of local zoning, real estate and/or financing practices which affect housing choices of minorities and other protected classes.
- Survey the special housing problems of minorities and women, determining any effects of discrimination and developing a plan to assist them in overcoming these effects.
- Require the use of affirmative marketing and advertising practices by private developers as a condition for obtaining local licenses and permits.
- Review and propose revisions to contract instruments used by recipients and lending institutions participating in local programs, if the existing instruments imply discriminatory intent or practice.
- Provide information and positive assistance to minority group persons in locating housing in non-minority areas of the community.

Additional actions not listed above may be approved by DEO upon request.



CERTIFICATION OF FAIR HOUSING ACTIVITIES

One (1) Fair Housing Activity is required for each year that a grantee receives a grant award. If a grantee receives multiple grants in the same year, only one activity is required. If a grantee receives grant awards in sequential or nearly sequential years, the Fair Housing Activity selected by the grantee must be a different one each program year.

Grantee:	
Name of CDBG Project:	
Grantee Address:	
Contact Name:	
Description of Fair Housing Activity: (Provide brief description of activity performed, with documentation, including records on funds provided, if any, brochures or materials provided, along with a distribution or attendee list, or and/or public events and meetings where the Fair Housing Activity was completed.)	
Date Activity Undertaken/Completed:	
Location of Activity:	

Printed Name of Chief Elected Official:

Title:

Signature:

Date: