

MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY
OFFICE OF COMMUNITY DEVELOPMENT

SUBJECT: Fair Housing Requirements

Policy Bulletin #22

EFFECTIVE DATE: July 1, 2008 (updated October 19, 2012)

MSHDA's Office of Community Development (OCD) grant recipients are obligated under federal and state law not to discriminate in housing or services, either directly or indirectly, on the basis of race, color, religion, sex, national origin, age, familial status, or disability. Michigan's Elliott-Larsen Civil Rights Act includes height, weight and marital status to the protected classes listed above. It is OCD's policy to implement its housing programs and services to ensure equal opportunity for all persons.

This Policy Bulletin addresses:

- Minimum fair housing measures all grantees are required to implement effective July 1, 2008.
- Requirements for annually reaffirming Fair Housing.

NOTE: The HOME final rule (24 CFR 92.351a) requires PJs and state recipients to develop and adopt affirmative marketing procedures and requirements for rental and homebuyer projects containing five or more HOME-assisted units regardless of the activity the HOME funds will finance (e.g., acquisition, rehabilitation, and/or new construction). See OCD Policy Bulletin #23.

All Office of Community Development grantees are expected to meet the following Fair Housing measures effective July 1, 2008:

- **Adopt a fair housing resolution or ordinance incorporating the non-discrimination language of Executive Order 11063 (Attachment A):**

Executive Order 11063, as amended provides that no person in the United States because of race, color, religion (creed), sex, or national origin, shall be denied equal opportunity in housing and related facilities provided with Federal financial assistance, and that all Federal executive departments and agencies shall take action to promote the abandonment of discriminatory practices with regard to residential property and related facilities provided with Federal financial assistance.

- Appoint a local fair housing contact person who is available during normal business hours to respond to fair housing issues raised by CD funded projects/programs: recipients, prospective recipients, and/or contractors. That person should read and have an understanding of all state and federal **Fair Housing and Non-discrimination Laws (Attachment B)**;
 - Be accessible to differently-abled individuals and make reasonable accommodations, as necessary; i.e., providing interpreters, implementing procedures to service persons with impaired vision or hearing (TTY's), etc.
 - Establish and implement a complaint referral system to a local Fair Housing Center, the Michigan Department of Civil Rights (MDCR), or HUD. Send a copy of any complaint made by a CD-funded project/program recipient, prospective recipient, or contractor to your Community Development (CD) Specialist.
-

- Initiate a local system of record keeping—a **Fair Housing Log (Attachment C)** and a listing of **Fair Housing Resources (Attachment D)**. This should be a running log which reflects fair housing information such as the date, the type of issue, who raised the concern, and how it was resolved, or the outcome. Also record all actions taken to affirmatively further fair housing.
- Develop and **distribute fair housing information** and materials provided by MSHDA and HUD (“Fair Housing, It’s Your Right”, Fair Housing posters, etc.) to area agencies, organizations, or at public events (e.g.; schools, human service agencies, local units of government, etc.). “Fair Housing, It’s Your Right” and HUD Fair Housing posters can be ordered on line through HUD at www.hud.gov or by calling 1-800-767-7468. Fair Housing posters are available in English and Spanish and should be posted in an area visible to the public.
- Include the **Fair Housing Logo** and EEO language in all advertising and printed materials.
- Include the anti-discrimination language of E.O. 11246 (**Attachment E**) in all contracts in excess of \$10,000.
- **Adopt fair housing policy incorporating the non-discrimination language of Executive Order 11063 (Attachment G):**

Executive Order 11063, as amended provides that no person in the United States because of race, color, religion (creed), sex, or national origin, shall be denied equal opportunity in housing and related facilities provided with Federal financial assistance, and that all Federal executive departments and agencies shall take action to promote the abandonment of discriminatory practices with regard to residential property and related facilities provided with Federal financial assistance.

OCD Grantees Will Be Expected to Annually Reaffirm Fair Housing Policy by

- Confirming a designated Fair Housing contact person is available and informed of Fair Housing laws;
- Updating the following documents: community profile of grantee’s service area, Fair Housing Log, Fair Housing Resource List and Referral System; and
- Marketing grantee’s housing program and contractor list to include minority and women applicants and contractors.

As part of a local government’s CDBG housing award, grantees may apply to receive assistance for fair housing activities, which exceed the minimum state fair housing requirements.

Any questions regarding this Policy Bulletin should be addressed to your Community Development (CD) Specialist or CD staff at (517) 373-1974.

Attachments

- A, Fair Housing Resolution Form
- B, Fair Housing and Anti-Discrimination Laws
- C, Fair Housing Logs

D, Fair Housing Resources

E, Equal Opportunity Clause, EO 11246

F, Fair Housing Equal Opportunity for All, HUD-1686-1-FHEO, 09.08

Fair Housing Equal Opportunity for All, HUD-1686-1-FHEO-SPAN, 09.08 Spanish

G, Fair Housing Policy sample