



**BOULDER BROOMFIELD REGIONAL CONSORTIUM  
AFFIRMATIVE FAIR HOUSING MARKETING  
PLAN AND PROCEDURES**



**EQUAL HOUSING  
OPPORTUNITY**

**CITY OF BOULDER  
DIVISION OF HOUSING  
1300 Canyon Blvd.  
Boulder, CO. 80302  
(303) 441-  
(720) 564-2188 fax  
[www.bouldercolorado.gov](http://www.bouldercolorado.gov)**

## **AFFIRMATIVE FAIR HOUSING MARKETING PLAN AND PROCEDURES**

### **I. STATEMENT**

This Affirmative Fair Housing Marketing Plan and Procedures ("Marketing Plan") is developed for use with the HOME Investment Partnership ("HOME") Program and HOME-funded projects in accordance with the HOME Program regulations, including but not limited to 24 CFR 92.351, of the U.S. Department of Housing and Urban Development ("HUD) regulations. The HOME Program has established procedures to affirmatively market all projects resulting in five (5) or more HOME-assisted housing units. The Plan is a commitment of the Boulder Broomfield Regional's HOME Consortium ("the Consortium), Consortium staff, and the HOME-funded participant ("Grantee") to affirmatively further Fair Housing. The Grantee shares responsibility with the Consortium in informing the public about the Federal Fair Housing laws, soliciting eligible persons without regard to race, color, national origin, sex, sexual orientation, source of income, religion, familial status, or disability into the affordable housing market and evaluating the effectiveness of these marketing efforts.

Affirmative marketing differs from general marketing activities because it specifically targets potential tenants and home buyers who are least likely to apply for and/or purchase housing. Efforts are made to make these persons aware of the available affordable housing. This Marketing Plan is a guide to assist the City's HOME Consortium and its grantees by summarizing the affirmative marketing procedures required by HUD.

This Plan is documented and maintained in the City of Boulder, Division of Housing files, and shall be included by reference in all HOME project proposals, made an integral part of all HOME and CHDO funding agreements and HOME case files. The Grantee is held to the terms of the Marketing Plan by the requirements in the applicable HOME or Community Housing Development Organization ("CHDO") agreement.

### **II. PURPOSE**

In accordance with the regulations of the HOME Program and in furtherance of the Consortium's commitment to non-discrimination and equal housing opportunity, the Consortium establishes procedures to affirmatively market the distribution of its annual HOME allocation and housing units acquired, constructed or rehabilitated under the HOME Program.

It is the Affirmative Marketing Policy of the Consortium to assure that organizations, non-profit and for-profit, and local units of government which might not normally apply for use of the Consortium's HOME funds because they are unaware of the availability of said funds:

- be informed of HOME funding availability
- be encouraged to apply for use of HOME funding
- have an equal opportunity to apply for use of HOME funding

It is the Affirmative Marketing Policy of the Consortium to assure that individuals who normally might not apply for available housing units because they are socially and/or economically disadvantaged:

- be informed of available housing units
- be encouraged to apply for available housing units
- have an equal opportunity to rent/own their own housing units

### **III. METHODS TO DISSEMINATE AFFIRMATIVE FAIR HOUSING MARKETING REQUIREMENTS:**

The Consortium will use the following methods to inform the public, potential tenants, potential homeowners, potential and existing for-profit developers, and potential and existing non-profit developers, and local units of government about Federal Fair Housing laws and Affirmative Fair Housing Marketing Plan and Procedures.

- A. The Boulder, Broomfield Regional HOME Consortium staff shall be responsible for implementing the Marketing Plan and evaluating its effectiveness as required by the HOME Program.
- B. The Consortium shall inform the community about its Affirmative Marketing Policy through periodic updates at public forums, Fair Housing meetings as well as training workshops with its HOME and CHDO grantees or other similar forums.
- C. At the time of HOME funding for rental housing development, the Consortium will provide the Grantee with copies of *Housing Discrimination & Your Civil Rights: A Fair Housing Guide for Renters & Home Buyers* brochure. The Grantee shall provide initial tenants and rental property owners with copies of these brochures.
- D. The Consortium will continue to provide general information and telephone reference numbers to persons contacting the City of Boulder, Division of Housing Office with questions regarding Affirmative Marketing and Federal Fair Housing laws.

### **IV. CONSORTIUM AFFIRMATIVE MARKETING REQUIREMENTS**

The Consortium will, at least annually, adhere to the following, or similar, Marketing Plan policies regarding announcement of availability of HOME funds:

- A. Post a notice of HOME funding availability on the City's website.
- B. Purchase an advertisement for a public notice in a newspaper of general circulation.
- C. Establish and maintain a database of potentially qualified for-profit and non-profit developers and direct mail invitations to apply for funding.

- D. Direct mail an invitation to apply for funding to all local units of government participating in the County HOME Consortium.
- E. E-mail notices of available funding to the City's Housing distribution list.

## **V. CONSORTIUM REQUIRED AFFIRMATIVE MARKETING RECORD KEEPING**

In order to verify that the Consortium is following Marketing Plan requirements the following record keeping procedures will be required:

- A. The Consortium will maintain records of how HOME funding availability was advertised (copies of advertisements, e-mails, etc.).
- B. Copies will be maintained of all training materials and meeting agendas where the Consortium's Affirmative Marketing Policy was discussed.

## **VI. GRANTEE AFFIRMATIVE FAIR HOUSING MARKETING REQUIREMENTS**

Each Grantee using Consortium HOME funds must adhere to the following Marketing Plan policies when HOME-assisted housing units become available for rent or purchase:

- A. Incorporate an Equal Housing Opportunity statement or logo in any correspondence associated with rental or home ownership opportunities developed with the use of Consortium HOME funds.
- B. All marketing of HOME-assisted housing will be jurisdiction-wide and all advertising will be placed in sources of wide circulation. All ads must contain an Equal Housing Opportunity statement or logo.
- C. Media sources should include advertisement to a particular audience (e.g., newspapers or radio stations that serve protected classes).
- D. All advertisements, brochures, and other written materials should be published in at least English and Spanish, in order to reach non-English speaking audiences and displayed.
- E. Contact should be made with organizations whose membership or clientele consists primarily of protected class members.
- F. Notify the Public Housing Authority or Authorities in the county in which units are located when HOME-assisted units are available for rent or purchase.
- G. The project owner must display the Equal Opportunity logo

## VII. GRANTEE REQUIRED AFFIRMATIVE MARKETING RECORD KEEPING

In order to verify that Consortium Grantees are following Marketing Plan, the Consortium requires the following record keeping procedures will be required:

- A. Grantee maintains records of how vacancies were advertised (copies of advertisements, etc.).
- B. Copies of all brochures, leaflets, and letters to community contacts shall be maintained in an easily accessible file.
- C. Grantee shall have a written policy that outlines how all applications will be reviewed and processed. Grantee records should show how all completed and filed applications were processed including whether an applicant was accepted or unaccepted and why an applicant was not accepted.
- D. Maintenance of information on the race, sex, ethnicity, and whether the applicant is disabled for all applicants, home buyers, and tenants. The Consortium will have the Grantee submit this information on at least an annual basis to coincide with the Consortium's submission of its Consolidated Annual Performance and Evaluation Report ("CAPER").
- E. To facilitate collection and reporting of the required data, the Grantee shall fill out and maintain form HUD-935.2 *Affirmative Fair Housing Marketing Plan* (see Attachment A).

This information will be gathered when an application is taken for either a tenant or a home buyer and information will be maintained during the entire affordability period.

## VIII. CONSORTIUM ASSESSMENT OF ITS AFFIRMATIVE MARKETING POLICY

The following actions will be taken by the Consortium to evaluate the success of its Affirmative Fair Housing Marketing Policy and that of its Grantees:

- A. The Consortium will assess the results of its Affirmative Fair Housing Marketing Plan annually with a summary of "good faith efforts" taken by the Consortium as well as its Grantees in the CAPER.
- B. The Consortium will compare the information compiled in the manner described under Section V and Section VII above and evaluate the degree to which statutory and policy objectives were met. If the required steps were taken, the Consortium will determine that good faith efforts have, in fact, been made.
- C. To determine results, the Consortium may examine whether specific groups in the Consortium's service area applied for or became tenants or owners of HOME- or CHDO-funded units that were affirmatively marketed. If the Consortium finds that specific groups are represented, particularly Hispanics, African Americans, Asians, American

Indians, persons with disabilities, and women, the Consortium will assume that the Marketing Plan procedures were effective. If one or more groups are not represented within the context of existing neighborhood composition, the Consortium will review its procedures to determine what changes, if any, might be made to make the affirmative marketing efforts more effective.

- D. The Consortium will take corrective action if it is determined that a Grantee has failed to carry out Affirmative Marketing efforts as required. If a Grantee continues to neglect responsibilities made incumbent by the terms of the HOME or CHDO Agreement, the Consortium will consider taking one or both of the following actions:
1. Declare the Grantee disqualified from any further assistance made available under the HOME Program.
  2. Notify the Grantee of the HOME Program funds that were in violation of the terms of the HOME or CHDO Agreement and the Consortium may exercise its right to require immediate repayment of the HOME funding.
- E. The Consortium will not proceed with corrective action without allowing time and effort by staff to counsel the Grantee in accordance with the terms of the HOME or CHDO Agreement.