**Instructions for Completing the Grant Recipient’s Affirmatively Furthering Fair Housing (AFFH) Plan and Impediments to Fair Housing Choice (AI)**

1. Indicate whether this is the first AFFH Plan submitted by the local government or if one has been previously submitted.
2. List the **major** obstacles and impediments to affirmatively furthering fair housing in the community (e.g. lack of knowledge among citizens of fair housing laws, lack of affordable housing stock, etc.). These will be specific to the grant recipient’s community.
3. Indicate whether the activities apply to part or all of the community. If some of the activities apply to only part, include an explanation. List the activities the recipient will undertake to affirmatively further fair housing in the recipient’s community. The activities should address the obstacles identified in Section II of the AFFH plan*.* Activities should be planned for the life of the grant beginning with the quarter in which the grant agreement was signed and should be listed by quarter with at least one activity per quarter.
   * + - For example, Quarter 1 (Jan –Mar 20xx): Distribute fair housing brochures to public library and local banks.

* Remember, the first activity ***must***be establishing and/or publishing the grantee’s fair housing complaint procedure and TDD number in the local newspaper. Also, April is National Fair Housing Month.

1. Describe recipient’s method of receiving and resolving housing discrimination complaints. The four key elements to include in complaint procedures are given. The recipient may add additional information as appropriate.
2. Municipalities may elect to adopt the fair housing plan and activities in the county Analysis to Impediments to Fair Housing Choice (AI), of the county in which they are located, but NCDEQ needs this in writing, signed and dated by the local chief elected officer with the local complaint procedure. The local activities must also adopt the county’s AI and the local activities must coincide with the county activities. All AI’s must have the following sections:
   * Cover sheet and Signatures
   * Introduction
   * Socio-Economic Background Data and Analysis
   * Analysis to Determine Disproportionate Housing Needs
   * Analysis to Determine Extent of Discrimination
   * Fair Housing Enforcement
   * Fair Housing Education and Outreach Efforts
   * Examination of Public Policy and Programs
   * Barriers to Equal Housing Opportunities
   * Appendices
3. Fair Housing Resources:

* “The State of Exclusion: An Empirical Analysis of the Legacy of Segregated Community in North Carolina” <https://www.fairhousingnc.org/2013/report-connects-nc-residential-segregation-to-housing-environmental-justice-education-disparities/>
* *State of Fair Housing in North Carolina* (NC Fair Housing Complaint data) <https://www.fairhousingnc.org/2021/fair-housing-project-releases-report-2020-state-of-fair-housing-in-north-carolina/>
* Fair Housing Project: A Project of Legal Aid in NC: <https://www.fairhousingnc.org/>
* HUD Fair Housing: <https://www.hud.gov/fairhousing>

1. To have the plan approved, please do the following:

* It is recommended to submit an electronic copy to the Division of Water Infrastructure (Division) CDBG-I Compliance Specialist. After review, the Compliance Specialist will notify the contact person of any required changes.
* For approval, please submit an original hardcopy with signature of the local Certifying Officer to the Division’s CDBG-I Unit.
* Upon receipt of the plan, the Compliance Specialist will issue an official letter notifying the grantee that the Fair Housing Plan is approved.

**AFFIRMATIVELY furthering FAIR HOUSING (aFFH) Plan**

|  |  |
| --- | --- |
| Grantee Name: |  |
| Time Period for this Plan: |  |
| Grantee’s Mailing Address: |  |
| Grantee Physical Address (if different than mailing): |  |
| Contact Person and Title (Fair Housing Officer): |  |
| Contact Email: |  |
| Contact Phone Number: |  |
| TDD and/or TYY Number: |  |

This information is available in Spanish or any other language upon request. Please contact **(Insert name)** at **(Insert phone number)** or at **(Insert physical location)** for accommodations for this request.

Esta información está disponible en español o en cualquier otro idioma bajo petición. Por favor, póngase en contacto con **(Insert name)** al **(Insert phone number**) o en **(Insert physical location)** de alojamiento para esta solicitud.

**I. Indicate if the Recipient will be affirmatively furthering fair housing for the first time or has implemented specific activities in the past.**

First Time  Past Activities

**II. Identify and analyze obstacles to affirmatively furthering fair housing in Recipient’s community.** (*Use additional pages as necessary)*

**III. Will the above obstacles apply to the total municipality or county?**

Yes  No

If no, provide an explanation: *(Use additional pages as necessary)*

**IV. Quarterly Activities.**

Briefly describe the quarterly activities that the Recipient will undertake over the active period (to grant expiration date on front of grant contact/agreement) of the grant to affirmatively further fair housing in their community. A time schedule and estimated cost for implementation of these activities must be included. Activities must be scheduled for implementation at least on a quarterly basis.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Grantee Name: Quarterly Fair Housing Actions Steps / Activities** | | | | |
| *Fill in this table with identified quarterly action steps/activities. These activities must be tied to the identified local fair housing needs/interests and attributes based on local means. May delete this row for final plan. Additional rows can be added to the table.* | | | | |
| **Quarterly Fair Housing Action Step / Activity** | **Months** | **Year** | **Estimated Cost** | **Actual Cost** |
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**Additional Required Action Steps / Activities**

1. The City/County/Town shall adopt and publicize in the local newspaper, with the TDD# and/or TYY#, the local jurisdiction’s fair housing complaint procedures and Fair Housing Officer contact information for housing discrimination complaints.
2. The City/County/Town shall include the Equal Housing Opportunity logo and/or the phrase affirming Equal Opportunity in Housing on all the CDBG documents intended to be shared with the public.
3. The City/County/Town shall post/display Fair Housing and Equal Housing Opportunity posters, with local Fair Housing Officer name, title, and contact information, and other additional information in prominent locations.

**V. Fair Housing Complaints**

Describe Recipient’s method of receiving and resolving housing discrimination complaints. This may be either a procedure currently being implemented or one to be implemented under this CDBG grant. Include a description of how the recipient informs the public about the complaint procedures. *(Use additional space/pages as necessary)*

**Fair Housing Officer**

In accordance with Title VIII, Civil Rights Act of 1968, as amended, the Fair Housing Officer identified on the front page has been designated to handle fair housing complaints and activities. The Fair Housing Officer (FHO) is responsible for the intake and processing of all housing complaints (if UGLG has its own enforcement agency) as well as implementation of the AFFH Plan activities and actions. If the Town/City/County does not have their own enforcement body, there should be a clear procedure for referring fair housing complaints to enforcement agencies that serve that municipality.

While not expected to be an “expert” in Fair Housing Laws, at a minimum, the FHO will be familiar with the complaint process and federal and state laws, which address Fair Housing. Records which show the date, time, nature of complaint and decisions made in the complaint process will be fully documented. A separate file will maintain a record of all housing discrimination complaints and follow-up actions. Referrals should be noted in the fair housing file.

The FHO is in charge of receiving fair housing complaints, and tracking them in a fair housing log. They are also responsible for providing referral information in a timely manner. Thus, a specific procedure for receiving fair housing complaints must be developed. The FHO will keep a record of the progress on the number of complaints filed, actions taken, and the status of each complaint.

**Housing Complaint Process**

1. Any person or persons wishing to file a complaint of housing discrimination in the town/city/county may do so by informing the town/city/county administrator of the facts and circumstance of the alleged discriminatory acts or practice.
2. Upon receiving a housing discrimination complaint, the town/city/county administrator shall acknowledge the complaint within fifteen (15) working days in writing and inform the Division of Water Infrastructure and the North Carolina Human Relations Commission about the complaint.
3. The town/city/county administrator shall offer assistance to the Commission in the investigation and reconciliation of all housing discrimination complaints which are based on events occurring in the town/city/county.
4. The town/city/county administrator shall publicize in the local newspaper, with the TDD#, who is the local agency to contact with housing discrimination complaints.

A summary of actions which may constitute housing discrimination, and instructions for completing and filing housing discrimination complaints will be made available to citizens at Town Hall/City Hall/County Administration Building**,** at address.

In addition, individuals can file a housing discrimination using the HUD 903 Form and HUD 903-A Form (Spanish version) at the following locations:

1. HUD at <https://www.hud.gov/program_offices/fair_housing_equal_opp/online-complaint#_Information_About_Filing>
2. NC Office of Administrative Hearings, Civil Rights Division at <https://www.oah.nc.gov/civil-rights-division/housing-discrimination>
3. US Department of Justice Civil Rights Division at <https://www.justice.gov/crt>
4. **Amendments**

The Town/City/County shall amend and revise this Plan as required to keep current with state and federal fair housing and equal fairing opportunity statutes and regulations, and local actions and activities to further the purposes of this Plan.

PASSED BY THE **CITY COUNCIL/COUNTY COMMISSIONERS/TOWN BOARD, CITY/TOWN/COUNTY**, NORTH CAROLINA.

*Icon

Description automatically generated*Adopted this \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(*Chief Elected Official*)

ATTEST: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*(Clerk)*

# Analysis of Impediments to Fair Housing Choice (AI)

|  |  |
| --- | --- |
| Grantee Name: |  |
| Time Period for this Plan: |  |
| Grantee’s Mailing Address: |  |
| Grantee Physical Address (if different than mailing): |  |
| Contact Person and Title (Fair Housing Officer): |  |
| Contact Email: |  |
| Contact Phone Number: |  |
| TDD and/or TYY Number: |  |

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| Check one: |  |
| Initial AI |  |
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(*Chief Elected Official*)

ATTEST: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*(Clerk)*

**Grant Recipient**

**Analysis of Impediments to Fair Housing Choice (AI)**

1. **Introduction**

The Department of Housing and Urban Development (HUD) is committed to eliminating racial and ethnic segregation and other discriminatory practices in housing and will use all its programmatic and enforcement tools to achieve this goal. The fundamental goal of HUD's fair housing policy is to make housing choice a reality through fair housing planning. Fair housing planning involves three main steps:

1. Conducting an analysis of impediments to fair housing choice within the jurisdiction;

2. Taking meaningful actions to overcome the effects of any impediments identified through the analysis; and

3. Maintaining records reflecting the analysis and actions taken.

This report is the Analysis of Impediments to Fair Housing Choice (AI). This analysis has been completed for the Grant Recipient CDBG project/program to begin date. This AI and a AFFH Plan will be incorporated into the Grant Recipient’s CDBG Policies and Procedures.

The AI is a review of impediments to fair housing choice in the public and private sector. It involves a comprehensive review of the jurisdiction's laws, regulations, policies, procedures, and practices; and an assessment of how those laws, etc. affect the location, availability, and accessibility of housing. In addition, it includes and assessment of conditions, both public and private, affecting fair housing choice for members of the protected groups.

Specifically, impediments to fair housing choice are any actions, omissions, or decisions, which have the effect of restricting housing choices or the availability of housing choices on the basis of race, color, religion, sex, disability, familial status, or national origin.

The AI includes an analysis of demographic data and a housing needs assessment. It then includes an analysis to determine the nature and extent of discrimination against the protected groups within the jurisdiction. The format used to conduct this analysis is a fair housing planning model developed for use by local government CDBG grantees by the North Carolina Department of Environmental Quality.

1. **Socio-Economic Background Data and Analysis**
2. **Community Profile** *(local government information, etc.)*
3. **Demographic Profile** *(local government, compare with county and state data)*
4. **Education and Economic Profile** *(local government, compare with county and state data)*
5. **Analysis to Determine Disproportionate Housing Need**
   1. **Housing Profile** *(local government, compare with county and state data)*
6. **Analysis to Determine the Nature and Extent of Discrimination**
   1. **Analysis of the Level of Segregation and Spatial Isolation** *(provide answers to the following and how/where you received the information)*
      1. Are there areas of minority concentration within your jurisdiction?
      2. What is the county tier your community is located in?
   2. **Historical Incidences that Contribute to Current Housing Patterns** *(provide answers to the following and how/where you received the information)*
      1. History of public policy decision on segregation within the community.
      2. Number of farms that utilizes migrant workers and its effects on housing patterns.
      3. Industry contributions to current housing patterns.
   3. **Discrimination in the Rental Market** *(provide answers to the following and how/where you received the information)*
      1. Are there any zoning requirements that have the effect of limiting the availability of rental units within the jurisdiction?
      2. Where are the rental units located? Are they located in areas of minority concentration?
      3. Where are the public housing units located?
      4. Determine what barriers exist for protected class members in the rental market.
      5. Are vouchers and Section 8 certificate holders able to find housing throughout the community? If not, identify the barriers that face them.
      6. Is steering an issue for protected class members?
      7. Is housing available for families with children and persons with disabilities?
   4. **Discrimination in the Sales Market** *(provide answers to the following and how/where you received the information)*
      1. Does the local association of realtors have an MLS service?
      2. Is the local association of realtors a VAMA signatory?
      3. Is there any evidence of protected class members steering or blockbusting within the local market?
      4. What are the relative housing values for minority and non-minority communities of similar economic composition?
      5. Identify any barriers to home ownership opportunities within your jurisdiction.
   5. **Discrimination in Financing** *(provide answers to the following and how/where you received the information)*
      1. Are local lenders signatories of HUD’s best practices program?
      2. Examine the Home Mortgage Disclosure Act information in your area. Is there evidence of higher denial rates for protected class members?
      3. Is there evidence of illegal redlining?
      4. Are banking services available on an equal opportunity basis?
      5. Examine the community needs assessment and community reinvestment activities of local banks to determine the adequacy of these activities as comparted to community needs as determined through the jurisdiction’s planning process.
      6. Do local financial institutions participate in housing projects or in the funding of housing related services sponsored by the jurisdiction?
   6. **Discrimination in the Building and Construction Industry** *(provide answers to the following and how/where you received the information)*
      1. Do local building codes include the requirements of the Federal Fair Housing Act?
      2. If not, how are local builders and architects made aware of these requirements?
      3. How many single-family and multi-family dwellings funded by local (including non-for-profits), state, or federal funds have been built in the past 20 years?
      4. Are they in compliance with FFHA requirements? ADA requirements? Section 504?
      5. Is the local homebuilders’ association a VAMA signatory?
      6. Is there an identified community need for persons with disabilities?
      7. Is there an identified community need for the construction of more affordable housing?
   7. **Environmental Justice Discrimination** *(provide answers to the following and how/where you received the information)*
      1. Identify the location of hazardous materials within the community. Are they located disproportionately in areas of minority and low-income concentration?
      2. Identify any superfund sites within your jurisdiction. Are they located disproportionately in areas of minority or low-income concentration?
      3. Identify any areas without public water and sewer services. If there are areas, why are they lacking public services? Are they located disproportionately in areas of minority or low-income concentration? Identify local efforts to provide public services.
      4. Identify any local, state or federal efforts to remove environmental hazards.
      5. What barriers exist to remove environmental hazards from the community?
7. **Fair Housing Enforcement** *(provide answers to the following and how/where you received the information)*
   * 1. Does the community have a fair housing ordinance?
     2. What mechanism existing for citizens to file a complaint alleging illegal discrimination in programs or services funded by your jurisdiction?
     3. Do you have Affirmative Marketing Plan?
     4. The number of discrimination complaints files against your jurisdiction with in the past two years and the results on any investigations.
     5. The number of discrimination complaints filed with the NC Human Relations Commission or HUD originating in your jurisdiction and the results of any investigations.
     6. Number of findings related to Fair Housing or Equal Opportunity issued against your jurisdiction and the corrective action taken.
8. **Fair Housing Education and Outreach Efforts** *(provide answers to the following and how/where you received the information)*
   1. Identify all resources available for promotion of fair housing and equal opportunity.
   2. How are citizens made aware of these activities?
   3. List all such activities during the past two years. What were the results of these activities?
9. **Examination of Public Policy and Programs** *(provide answers to the following and how/where you received the information)*
   1. Do current site selection policies have a disproportionate impact based upon a protected basis? If so, is there a nondiscriminatory reason for this policy and is there an alternative that would have a less discriminatory impact?
   2. Are municipal and/or county services equitably distributed throughout the community?
   3. Are there any zoning requirements that have the effect of limiting housing opportunities to protected groups?
   4. Are there any community development or public housing authority activities or programs that have the effect of perpetuating segregation?
   5. Is the Board or Commission representative of the community?
10. **Barriers to Equal Housing Opportunities**

Identify and discuss the barriers to equal housing opportunities in your community that and how they will be addressed through actions/activities.

1. **Appendices**
   1. Maps
   2. Data tables and graphs
   3. Outreach and/or public involvement documentation