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## Homes and Community Renewal

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Housing  
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Corporation

### **AFFIRMATIVE FAIR HOUSING MARKETING PLAN GUIDELINE** **(AFHMP)**

The following outline identifies areas of significant interest to the agency in its review of marketing plans for capital projects. These areas must be addressed by all applicants to the greatest extent applicable in the preparation of a marketing plan for submission and review.

#### 1. **PROJECT IDENTIFICATION**

- a. Name and address of applicant, project, and project or contract number
- b. Number of units marketed.

The household types to be served by the project, e.g., family, elderly (identify which federal exemption you are relying upon), special needs (such units necessitate the use of additional marketing procedures required by the Special Needs Unit of the Office of Community Development). **Please attach all Housing Service Agreements to the Plan and submit to this office and to the Special Needs Unit.**

- c. State whether the project is a new construction, rehabilitation, acquisition, or site improvement.
  - For new construction or partially occupied projects, the Plan must state approximate starting dates for advertising and completion of initial occupancy.

If the project is occupied and rehabilitation will occur with tenants in place, please indicate this and state the number of unoccupied units affected.

**NOTE:** No later than 90 days prior to engaging in marketing activities, you must register your project with [www.NYHousingSearch.gov](http://www.NYHousingSearch.gov), a FREE service provided by New York State to advertise and search for affordable and accessible housing. The service is also available through a toll-free, bilingual call center at **1-877-428-8844**. Representatives are available to assist with listings and searches. It must be documented in the Plan that you will register your project within the timeframe noted.

- d. State whether the project is a new construction, rehabilitation, acquisition, or site improvement.
  - For new construction or partially occupied projects, the Plan must

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state approximate starting dates for advertising and completion of initial occupancy.

- If the project is occupied and rehabilitation will occur with tenants in place, please indicate this and state the number of unoccupied units affected.
- e. If the project is a Mitchell Lama then, Section 31 of the Private Housing Finance Law is applicable which was amended and effective September 12, 2010 to broaden the Mitchell-Lama admission preference given to Vietnam veterans and disabled veterans to encompass all veterans, or their surviving spouses, who served on active duty in time of war, as defined in Section 85 of the Civil Service Law, and reside in New York State.

For open waiting lists, this preference should be implemented immediately. For waiting lists that have been closed in accordance with 9NYCRR 1727-1.4(a), this preference should be implemented when the list is reopened.

Information on the relevant Civil Service Law definition of “veteran” and the amended statute, Section 85 of the Civil Service Law may be found at: <http://public.leginfo.state.ny.us>.

Accordingly, all Mitchell-Lama (Article 2) housing companies are directed to implement the veteran preference as follows:

Afford the new veteran preference to applicants on admission waiting lists who previously qualified for the disabled veteran preference (see MBM #2007-B-08) and process their applications before those of admission applicants who do not qualify for a preference or priority.

## 2. ACCESSIBILITY/ADAPTABILITY OF UNITS

The Plan must state the number of accessible/adaptable units and the number of units available for the visual and hearing impaired.

**ACCESSIBLE** means that the unit is located on an accessible route and when designed, constructed, altered or adapted can be approached, entered and used by individuals with physical disabilities.

**ADAPTABLE** means the ability of certain elements of a dwelling unit, such as kitchen counters, sinks, and grab bars, to be added to, raised, lowered, or otherwise altered, to accommodate the needs of persons with or without disabilities, or to accommodate the needs of persons with different types or degrees of disability.

## 3. ACCESSIBILITY/ADAPTABILITY POLICIES OF MANAGEMENT

- a. Describe how requests for reasonable accommodations will be handled and who will be authorized to approve or deny any such requests. Provide time frame for processing reasonable accommodations requests
- b. State whether the project has a Telecommunication Device for the Deaf (TDD) or an equally effective communication system? (Note: If the complex has Section 8 assistance from HUD, the complex is required to have a TDD.) Describe any

procedures established to accommodate hearing and sight impaired applicants and tenants. (Examples of methods to be used might include readers, sign language, interpreters, and Braille materials.)

- c. State whether management will give priority for fully accessible units to persons who are in need of the special design features of an accessible unit, and if priority will be given first to those living in the complex and then to persons on the waiting list.
- d. Before accessible units are temporarily rented to persons who do not need the special design features, have there been diligent marketing efforts to market the units to special need persons and how will those efforts be documented? State whether marketing efforts will continue after the rental of a unit to someone who does not need the special design feature.
- e. State whether lease clauses will be included to require non-special needs occupants to relocate if the unit is needed by a special needs person?
- f. State management's policy for verifying a person's disability and whether it will be limited to only that which is needed to establish eligibility. State whether verification will be required only after a tenant or applicant has asked that their disability be considered by management.
- g. Describe management's written policy for persons with disabilities that have or need assistance animals.
- h. State whether management gives persons with disabilities the same choices other applicants are given; e.g., an offer for both first and second floor apartments?

#### 4. **SMOKING POLICY**

**Be sure to address each question in this section**

- a. Is this a smoking or non-smoking facility? If it is non-smoking please describe the policy to be implemented and state in all marketing and community outreach materials that this is a non-smoking facility and add the NO SMOKING LOGO to all outreach. Also, indicate if there will be a smoking area provided outdoors?
- b. Will smoking policies be included in the lease? If so, provide a copy for FEHO's review.
- c. Attach any written materials concerning non-smoking rules.

#### 5. **DIRECTION OF MARKETING ACTIVITIES**

Indicate the percentage of each demographic group as represented in the corresponding geographies in the columns below. If there is a significant under-representation of any demographic group among project residents, current applicants or census tract when compared to the housing/expanded housing market area, marketing should be directed towards those least likely to apply (LLA) populations. Please provide copies of census data extracted directly from the U.S. Census Bureau.

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Demographic Characteristics	Project's Residents (if applicable)	Project's Applicant Data (if applicable)	Census Tract	Housing Market Area	Expanded Housing Market Area
% White					
% Black/ African American					
% Hispanic/Latino					
% Asian					
% American Indian or Alaskan Native					
% Native Hawaiian or Pacific Islander					

Please list LLAs, populations under 1% are not required:

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Note: Housing Market Area and Expanded Housing Market Area are interchangeable with Primary and Secondary Market Area and/or City and County Market Area.

6. **MARKETING PROGRAM**

a. **Commercial Media to be Used**

(1) Estimate in percentages the Ethnic/Age/Geographic Identifications of Audience

Name of Media	White	Black	Hispanic	Asian	American Indian or Alaskan Native	Native Hawaiian or Other Pacific Islander	Age	Size of ad and/or Duration	Frequency of Intervals

(2) Submit copies of all ads, if available. If unavailable at the time the Plan is submitted, copies must be forwarded to FEHO at least ninety (90) days before

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marketing for review and approval. Advertisements should be in the proper language for the target population.

- (3) Ads should show the Equal Housing Opportunity and Accessibility logos as well as the No Smoking Logo if applicable. Firm date(s), deadlines for advertising and radio bit information must be documented.

**The logos can be found at: <http://nysdhcr.gov/Forms/FairHousing/>**

b. Brochures, Signs, and Leaflets

- (1) All signs, brochures, and leaflets must show both the Equal Housing Opportunity and Accessibility logos, and No Smoking Logo, if applicable.
- (2) Description and size of permanent project sign, if one is to be erected.
- (3) Description of brochures and leaflets.
- (4) Submit copies of brochures and leaflets. If unavailable at the time the Plan is submitted, copies **must** be forwarded to FEHO no later than 90 days prior to engaging in marketing activities.

c. Community Contacts

Using the provided table list the following:

- (1) Names and addresses, of groups or organizations identified as serving LLA populations and those serving special populations being served by the project.
- (2) Names and addresses, of community contact(s) that serve the disabled community, such as an independent living center (ILC).
- (3) Submit a sample of correspondence to be sent to community contacts.

<u>Target Population</u>	<u>Community Contact Name, Address and Phone Number</u>	<u>Name of Contact Person</u>	<u>Method of Contact</u>	<u>Approximate Date of Contact</u>

7. **TENANT SELECTION PROCEDURES**

- a. The initial selection process must be made on a random basis through the use of a

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lottery and not on a first-come first-served basis with certain *exceptions* (e.g., when full rent-up of the premises is expected to take in excess of six months or if the project is occupied and rehabilitation will occur with tenants in place.) Include any tenant selection preferences, i.e. Community Board, etc.

- b. Describe how applications will be made available to prospective tenants (e.g., who to contact and where applications may be obtained). State when the initial application period will close.

***(NOTE: FEHO does not permit application fees, credit report fees or any other fees to be charged to applicants.)***

- c. Describe the process by which applications will be received and logged and how a list of eligible applicants will be created.
- d. Describe how tenant eligibility will be determined, e.g., income certification employment verification, creditworthiness.
- e. Describe the characteristics which cause an applicant to be rejected from consideration and provide process by which applicant will be notified of rejection and the timeframe by which they will be notified.
- f. Provide time frame for rejection of applications and appeals process
- g. All plans requesting a **community preference** must answer the following questions:
  - 1. What is the geographic area for the residency preference?
  - 2. What is the reason for having a residency preference?
  - 3. How do you plan to periodically evaluate your residency preference to ensure that it does not perpetuate a discriminatory impact for protected classes?
- h. All plans requesting a **municipal preference** must answer the following questions:
  - 1. What is the reason for having the preference?
  - 2. How will the employees be identified and their applications evaluated?

## 8. **FUTURE MARKETING ACTIVITIES**

- a. Describe how marketing activities to fill operational vacancies will be undertaken.
- b. Describe how a waiting list will be maintained.

## 9. **ASSESSMENT OF MARKETING EFFORTS**

- a. Describe how project management will assess the success of the marketing effort described.
- b. Describe how marketing efforts to LLA populations will be assessed. Include a

discussion of corrective measures to be taken if LLA populations are poorly represented at the project.

10. **FAIR HOUSING EXPERIENCE/TRAINING**

Identify any fair housing training conducted for or attended by employees.

11. **RECORD KEEPING**

- a. Indicate that copies of all advertising and records of dates of publication will be kept on file in the project's management office. Note in Plan that once approved, a copy of the Plan will be kept on file for future auditing purposes and a copy provided to the Managing Agent.
- b. Indicate that records of outreach to special interest groups and agencies providing referrals will be kept on file in the project's management office.