

**City of Mountain View  
Affirmative Marketing Plan Assessment Guidelines**

In the selection of CDBG and HOME grant subrecipients providing affordable housing, the City will assess the following to review the applicant’s Affirmative Marketing Plan. The City will also use this assessment to approve or request revision of the applicant’s plan and will ask applicants to refer to City’s reasonable accommodations policy for further guidance.

In case of subrecipients submitting a NOFA application for the first time that do not have an affirmative marketing plan, will be required to have an affirmative marketing plan in place (i.e. City approved) within the first six months of the grant period. This will be memorialized in their agreement.

For previously funded subrecipients, an assessment of their affirmative marketing plan will be completed prior to execution of contracts.

Required Content	Is It Included & Sufficient?	Comments
Data	Does the plan include the latest data available indicating groups likely to be under-represented by protected classes – including race, ethnicity, family size, and disability status?	
Policies and Procedures	<p>Does the plan indicate that the Subrecipient has up-to- date policies and procedures that are consistent with and refer to relevant civil rights laws? The policies should include at a minimum having reasonable accommodation and language assistance policies and for subrecipients that are housing providers, also displaying fair housing posters. Included below for reference are examples of when reasonable accommodations are appropriate:</p> <ul style="list-style-type: none"> <li>- A multifamily property has a parking lot available for tenants, but parking spots are available on a first-come, first-served basis. One tenant has a disability that limits their mobility. As a result, they use a wheelchair to get around. The tenant tries to park close to their unit when possible, but there have been times when they have not been able to do so. Getting from faraway parking spots to their unit has proven</li> </ul>	

	<p>dangerous and difficult. The tenant asks the property manager for a designated parking spot in close proximity to their unit. This request, whether submitted through the property’s official process or not, should be understood as a reasonable accommodation request. The tenant is asking for an exception from a neutral policy (no assigned parking spaces) in order to afford them equal opportunity to use and enjoy their dwelling. The causal nexus between the tenant’s disability and their need for an accommodation is visibly obvious, so the property manager should not ask for documentation of the need for an accommodation from a medical provider. Additionally, no legally sufficient reasons to deny the request are likely to exist. Providing the tenant with a designated parking spot would not result in an undue burden on the property manager, would not bring about a fundamental alternation of the property manager’s programs, and would not pose a direct threat to the health or safety of staff or fellow residents.</p> <ul style="list-style-type: none"> <li>- A multifamily property has a strict policy prohibiting all residents from having dogs. A tenant has post traumatic stress disorder (PTSD), and their doctor has recommended that they have a dog as an emotional support animal. The tenant goes to a local animal rescue and identifies a 60-pound American Pitbull Terrier as the dog that they want to adopt and have as their emotional support animal. Before finalizing the adoption, the tenant asks the property manager if they can have a dog in their unit as an emotional support animal notwithstanding the “no dogs” rule. The property manager should understand this request as a reasonable accommodation request. Because the disability-related need for the accommodation is not</li> </ul>	
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	<p>readily apparent, the property manager may – but does not need to – ask for documentation of that need from a provider. If that documentation is in order, the property manager must grant the accommodation because no legally sufficient reasons to deny the request are likely to exist. There is no basis for a conclusion that granting the accommodation would pose an undue burden or affect a fundamental alteration. With respect to direct threat, an emotional support animal with a history of aggressive behavior could be deemed to pose a direct threat, but that conclusion would have to be based on past behavior rather than the size or breed of an animal. Additionally, direct threat defenses based on staff or fellow resident allergies have generally been unavailing.</p>	
<p>Marketing Activities Involving Language Access</p>	<p>Does the plan include methods of marketing the program in Spanish, Russian, and Mandarin, both through the translation of marketing materials and through pro- active outreach to communities speaking those languages? If not, can the City’s marketing efforts address any gaps?</p>	
<p>Marketing Activities Involving Disability Access</p>	<p>Does the plan include methods of marketing that is inclusive of people with disabilities? Examples include websites viewable with a screen reader, services for hearing-impaired persons, and accessible physical office locations and/or access to program information.</p>	

<p>Marketing Activities Affirmatively Furthering Fair Housing</p>	<p>Does the applicant have a HUD-approved Affirmative Fair Housing Marketing Plan (AFHMP) - Multifamily Housing?</p> <p>If the applicant does not have to submit such a plan for review, the City will review as below:</p> <p>The AFHMP will include a marketing plan to proactively market services/housing affirmatively to persons from protected classes and persons with limited English proficiency persons likely to be under-represented. The AFHMP will reference latest CHAS, Homeless Point-In- Time, or other relevant data to analyze sufficiency. The City will also review the AFHMP for affirmative marketing policy regarding accessible units and if it's consistent with Section 504 tenanting priorities. When an accessible unit becomes available affirmative marketing should be conducted to be to households who need the accessible features. If there are no applicants on the waiting list who need accessible units, then the unit may be occupied by a household that does not need the unit's accessibility features.</p>	
<p>Past Participation</p>	<p>Does past participation in housing (if applicable) indicate any issues regarding participation by protected classes, and if so, does the marketing plan explain procedures to rectify?</p>	