

Appendix B: Summary of AFHM and Non-Discriminatory Tenant Selection Provisions of State QAPS

<i>State</i>	<i>Plan Date</i>	<i>Summary of the Qualified Action Plan</i>	<i>Affirmative Fair Housing Marketing Provisions</i>	<i>Tenant Selection Provisions</i>
AL	2012	<p>No reference to affirmative fair housing marketing within QAP, but certification required with application.</p> <p>With regard to populations with special needs, etc., tenant set-asides and “targeting” criteria imbedded in point system.</p> <p>Compliance monitoring provisions contemplate oversight by the Alabama Housing Finance Authority (AHFA), including inspection, certification, record keeping and notification to IRS or HUD of violations. But no specific enforcement provisions relating to affirmative fair housing marketing or tenant selection. (2012 QAP, pp. 31-33).</p>	<p>Certifications required in connection with application include "I (We) certify that I (we) will or will continue to further Equal Opportunity and Fair Housing by:</p> <p>(1) Establishing affirmative marketing procedures to be utilized so that no person shall on the grounds of race, color, national origin, religion, or sex be excluded from participation in, be denied benefits of, or be subject to discrimination under any program or activity funded in whole or part as with Funds made available through AHFA,</p> <p>(2) Complying with the requirements of the Fair Housing Act and the Age Discrimination Act of 1975,...</p> <p>(4) Submitting in writing to AHFA its plans to solicit applications from persons in the community who are unlikely to apply without special outreach, and</p> <p>(5) Maintaining a list of the characteristics of the tenants renting assisted units and assessing and reporting annually the results of these efforts to AHFA."</p> <p>(http://www.novoco.com/low_income_housing/resource_files/qa_p/2012/alabama_forms_12.xls at Signature p. 2)</p>	<p>"3 points will be given to projects with 100% of the units in the project designed, equipped and set-aside for elderly." (2012 QAP, p. 26)</p> <p>"3 points will be given to projects targeting low-income families (individuals with children) with a minimum of 15% of the units having three or more bedrooms." (2012 QAP, p. 26)</p> <p>"2 points will be given to projects which have committed in writing to target households on the public housing waiting list." (2012 QAP, p. 26)</p>

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AK	2012	<p>Requirement for affirmative fair housing marketing is referenced as part of civil rights obligations, but not expressly as a threshold or points matter.</p> <p>Tenant selection criteria imbedded in thresholds (set-asides) and point system.</p> <p>Compliance monitoring provisions contemplate oversight by the Alaska Housing Finance Corporation (AHFC), including inspection, certification, record keeping and notification to IRS of violations. (2012 QAP, pp. 40-46). Mentions "affirmative marketing efforts" and "fair housing compliance" among the areas to be reviewed for compliance and subject to internal audit review. (2012 QAP, pp. 40, 43). Requires that record keeping include: (1) "evidence supporting that the project Affirmative Marketing efforts are ongoing and directed towards the appropriate tenant population", (2) "evidence supporting that the project complies with the Fair Housing Act and does not discriminate in the provision of housing"; and (3) "household demographic characteristics (HUD Form #40097 or similar)". (2012 QAP, p. 42)</p>	<p>"It is a requirement of receipt of any funding under the GOAL program that any owner/developer/borrower and any of its employees, agents or sub-contractors understands and agrees that it is the total responsibility of the owner to adhere to and comply with all Federal Civil Rights legislation inclusive of the Fair Housing Laws, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act as well as any state or local Civil Rights legislation along with any require related codes and Laws. Should AHFC not specify any requirements, such as design, it is none the less the owner's responsibility to be aware of and comply with all non-discriminatory provisions relating to race, color, religion, sex, handicap, familial status, national origin and any other classes protected in Alaska. This includes design requirements for construction and rehabilitation, Equal Opportunity in regard to marketing and tenant selection (affirmative marketing procedures) and reasonable accommodation and modification for those tenants covered under the law. " (2012 QAP, p. 4)</p>	<p>Special needs, etc., preferences and set-asides include the following:</p> <p>"For all projects with 20 or more units, 5% of total units (fractional units rounded down) must be set aside for a "special needs" population that is not required to be serviced as a condition of the funding source requested. Special needs populations for this section are defined as: households with persons with mental or physical disabilities, the homeless, and persons earning less than 30% of the median income for the area." (2012 QAP, p. 13)</p> <p>"Points will be awarded for projects committing additional units (up to 50% of the project) to special needs populations ... above those commitments already required by their funding sources and the GOAL program." (2012 QAP, pp. 24-25)</p> <p>"Three (3) points will be awarded to any applicant that commits to giving a preference to homeless families (including single individuals) in the tenant selection process for a GOAL funded project." (2012 QAP, p. 26)</p> <p>"One (1) point will be awarded to applications that contain a</p>

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				<p>written commitment to give priority to households on waiting lists for subsidized housing. A commitment means establishing gross rents below the 'Fair Market Rent' limits established by the U.S. Department of Housing and Urban Development AND establishing a referral relationship to a local office of AHFC and/or a local Indian Housing Authority. Applicants must describe how a referral relationship will be achieved... In accordance with federal law, LIHTC and HOME funded projects may not refuse to lease to a holder of a certificate of family participation under the Section 8 Voucher Program (Housing Choice Voucher) or to a holder of a comparable document evidencing participation in a HOME tenant-based assistance program because of the status of the prospective tenant as a holder of such certificate, voucher, or comparable HOME tenant-based assistance document." (2012 QAP, p. 26)</p> <p>15 points awarded to projects exclusively devoted to providing housing to qualifying senior households. (2012 QAP, p. 26)</p>
AZ	2012	<p>Requirement for an affirmative fair housing marketing plan is a threshold matter.</p> <p>Tenant selection criteria imbedded in set-asides and point system.</p>	<p>"The Applicant must include an affirmative marketing plan in accordance with fair housing requirements that demonstrates how the Project will meet lease up requirements consistent with I.R.C. Section 42 and any requirements of the Equity Investors and permanent lenders to the Project. The marketing plan must specifically address any potential adverse demographic, rent-up</p>	<p>Special needs, etc., preferences and set-asides include the following:</p> <p>Set-aside for one project with a minimum of 30 units set aside for chronically homeless individuals with a preference for</p>

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		<p>Compliance monitoring provisions contemplate oversight by the Arizona Department of Housing (ADOH), including inspection, certification, record keeping and notification to IRS of violations. (2012 QAP, pp. 50, 70-74)</p> <p>Requires certifications "That the Owner has not refused to lease a Unit to an Applicant due to the Applicant holding a HUD Section 8 voucher or certificate." and "That the Project has received no finding of discrimination under the Fair Housing Act (an adverse final decision by HUD, an adverse final decision by a substantially equivalent state or local fair housing agency, or an adverse judgment from a Federal court)." (2012 QAP, p. 73)</p>	<p>or capture rate information in the Application for the primary market area identified in the Market Demand Study. If Applicant has designated certain Units for a certain population, the marketing plan must indicate how the population will be targeted. To obtain a copy of HUD Form 935-2a, ... In the event that the Project is at less than seventy five percent (75%) occupancy after six months from the Placed in Service date, the owner is strongly encouraged to contact the local public housing authority to occupy the units from the current, public housing waitlist." (2012 QAP, p. 50)</p>	<p>Veterans. (2012 QAP, pp. 21, 40-41)</p> <p>Set-aside of two projects on tribal lands with a preference for Veterans. (2012 QAP, p. 21)</p> <p>Five points available for projects in which 30% of units are offered on a preferential basis to households with children and of which 30% of the units are 3 or 4 bedrooms (with addition points available for certain services). Five points available for projects in which 100% of the units are reserved for Elderly Persons and Supportive Services are offered (with additional points for certain services). 10 points available to projects in which at least 50% of the project serves Veterans. (2012 QAP, pp. 25-26, 41-42)</p>
AR	2013	<p>No express reference to affirmative fair housing marketing plan, but requires, as a threshold matter, certain signage and notification to Public Housing Authority.</p> <p>Special needs tenant criteria imbedded in point system.</p> <p>Compliance monitoring provisions contemplate oversight by the Arkansas Development Finance Authority (ADFA), including inspection, certification and notification to IRS of</p>	<p>"<u>Letter to Public Housing Authority for use by Persons on Waiting List</u>. The applicant shall provide written documentation to the local Public Housing Authority of its intent to develop a low-income multi-family rental development. This notice shall provide the PHA with: a. [A narrative description of the development]; b. The development's proposed address/location; and c. A description of the number, type, income limits and unit mix (by bedroom size and anticipated rents)." (2013 QAP, p. 27)</p> <p>"Each development that is awarded tax credits shall display</p>	<p>Up to 15 points awarded for development of special needs housing. (2013 QAP, p. 31)</p> <p>"The Authority requires that occupancy of all housing financed or otherwise assisted by ADFA be open to all persons regardless of race, color, religion, sex, handicap, familial status or national origin..." (2013 QAP, p. 40)</p>

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		violations. But no specific enforcement provisions relating to affirmative fair housing marketing or tenant selection. (2013 QAP, pp. 41, 48-49).	signage at the development site. ADFHA shall set forth the requirements of the signage and provide a color example of the required logos and information. The signage shall be displayed at the development site from date that construction begins through the date that all buildings have been placed-in-service." (2013 QAP, p. 30)	
CA	2007	California does not produce regular updates to its QAP. Accordingly, the QAP reviewed for purposes of this analysis is dated February 21, 2007. The QAP contains no references to affirmative fair housing marketing or tenant selection. "The Committee has adopted regulations to implement the federal and state low-income housing tax credit programs. The regulations, adopted as California Code of Regulations, Title 4, Division 17, Sections 10300 through 10337, are incorporated by reference in full with respect to the Qualified Allocation Plan." (2007 QAP, p. 8) The terms of such regulations are not included in this summary.	No references to specific program requirements.	No references to specific program requirements.
CO	2012	No reference to affirmative fair housing marketing as a threshold matter. Special needs set-asides imbedded in point system. Compliance monitoring provisions contemplate oversight by	No references to specific program requirements.	"Eight points may be earned for the set-aside of at least 33 percent of the units for special needs tenant populations listed below. Applicant must provide evidence of a client source (e.g., letters from referring agencies, marketing plans, etc.). A sample agreement is included in the Scoring worksheet in the application..." (2012 QAP, p. 56). Listed populations include homeless and persons with disabilities. (2012 QAP, p. 57)

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		<p>the Colorado Housing and Finance Authority (CHFA), including inspection, certification, record keeping and notification to IRS of violations. (2012 QAP, pp. 91-98)</p> <p>Required certification that "All units in the project were for use by the general public and no finding of discrimination under the Fair Housing Act, 42 USC 3601-3619, has occurred for the project. [A finding of discrimination includes an adverse final decision by the Secretary of HUD, 24 CFR 180.680, an adverse final decision by a substantially equivalent state or local fair housing agency, 42 USC 3616a(a)(1), or an adverse judgment from a federal court]." (2012 QAP, p. 94)</p>		<p>Required to submit "Agreement with local public housing authority that the project is accepting tenants from their waitlist." (QAP p. 30).</p> <p>"Two points may be earned by applicants who enter into a written agreement with the local public housing representative to give priority to households on waiting lists for subsidized or public housing. The information required in the written agreement is included in the Scoring worksheet..." (2012 QAP, p. 57)</p>
CT	2012	<p>The QAP contains no references to affirmative fair housing marketing or tenant selection, but requires, as a threshold matter, a commitment to make all units available to the local housing authority.</p> <p>Compliance monitoring provisions contemplate oversight by the Connecticut Housing Finance Authority (Authority), including inspection, certification, record keeping and notification to IRS of violations. (2012 QAP, p. 16-18)</p>	<p>Application materials require that "Each mortgagor and its contractors, subcontractors, and management agents shall agree to comply with (a) federal and state executive orders, statutes, regulations, and other requirements of law relating to affirmative action and equal employment opportunity, including (without limitation by reason of enumeration) the requirements that section 4-114a of the General Statutes imposes on those who enter into contracts to which the state is a party, and (b) the Authority guidelines and goals established for each housing development financed by the Authority relating to equal employment opportunity, affirmative fair marketing, and other</p>	<p>"Sponsors will be required to commit, in writing, 100% of the proposed development units to the local housing authority giving priority to eligible households that are on waiting lists for public or assisted housing." (2012 QAP, p. 8)</p>

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		<p>"The 2008 HERA Law requires the Authority to report tenant data to HUD annually, including tenant race, ethnicity, family composition, age, income, use of rental assistance or other similar assistance, disability status, and monthly rental payments." Refers to the Authority's Compliance Monitoring Manual, the terms of which are not included in this summary. (2012 QAP, p. 18)</p> <p>An affirmative fair housing marketing plan is required under the Consolidated Application Form, which contains links to Connecticut's Fair Housing Regulations and Fair Housing Action Plan Guidelines. The terms of such regulations and guidelines are not included in this summary.</p>	<p>affirmative action." (Application, A-2)</p> <p>"The sponsors and applicants of the development must evidence commitment to undertake strong affirmative measures to ensure that the activity funded promotes regional economic, social and racial integration and the integration of persons with disabilities." (Application, A-2)</p> <p>Application includes HUD AFHM Plan form.</p>	
DC	2012	Program administered by the Department of Housing and Community Development.	Applicants required to include an affirmative marketing plan with their applications. The plan must describe the applicant's initial advertising, outreach (community contacts) and other marketing activities which inform potential buyers and renters of the existence of the units. (Department of Housing and Community Development Request for Proposal Reference Guidebook).	Points awarded for leasing preference given to people on PHA or Section 8 waitlists. (QAP, p.14.)
DE	2012	Requirement for affirmative fair housing marketing is referenced, but not expressly as a threshold or points matter. Application includes HUD form of affirmative fair housing marketing plan. (2012 QAP, p. 4)	Civil rights compliance: "Should DSHA not specify any specific requirements, such as design, it is nonetheless the owner's responsibility to be aware of and comply with all non-discriminatory provisions relating to race, color, religion, sex, sexual orientation, handicap, familial status, national origin and	5 points for developments that provide permanent housing for persons with special needs (HIV/AIDS, homeless, mental illness, physical disabilities, developmental disabilities, migrant workers) (2012 QAP, p. 36)

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		<p>Tenant selection criteria imbedded in point system.</p> <p>Compliance monitoring provisions contemplate oversight by the Delaware State Housing Authority (DSHA), including inspection, certification, record keeping and notification to IRS of violations. (2012 QAP, pp. 58-63)</p> <p>Annual certifications are required under penalty of perjury that "The owner has not refused to lease a unit in the project to an applicant because the applicant holds a voucher or certificate of eligibility under Section 8 of the United States Housing Act of 1937 or any State of Delaware rental assistance program" and "No findings of discrimination under the Fair Housing Act... occurred for the project. A finding of discrimination includes an adverse final decision by the Secretary of Housing and Urban Development, 24 CFR 180.680, an adverse final decision by a substantially equivalent state or local fair housing agency, 42 USC 3616(a)(1), or an adverse judgment from a federal court." (2012 QAP, p. 61).</p> <p>"DSHA encourages all applicants to promote greater choice of housing opportunities and avoid undue concentration of assisted persons in areas containing a high proportion of low-</p>	<p>any other classes protected in Delaware. The owner's compliance responsibility includes design requirements for construction or rehabilitation, equal opportunity in regard to marketing and tenant selection and reasonable accommodation and modification for those tenant covered under the federal and state fair housing laws." (2012 QAP, p. 65)</p> <p>"DSHA is required to annually report to the United States Department of Housing and Urban Development (HUD) all resident and project data for all tax credit projects that are being monitored by DSHA." (2012 QAP, p. 58)</p>	<p>1 point if projects utilize local public housing lists and/or Section 8 waiting lists. (2012 QAP, p. 39)</p> <p>"All applicants must comply with the provisions of any federal, state or local law prohibiting discrimination in housing on the grounds of race, color, sex, creed, handicap/disability and familial status, sexual orientation, or national origin, including but not limited to: Title VI of the Civil Rights Act of 1964..., all requirements imposed by or pursuant to the Regulations of HUD 24 CFR Subtitle A, Part 100 issued pursuant to that title; regulations issued pursuant to Executive Order 11063, and Title VII of the 1968 Civil Rights Act, as amended by the Fair Housing Amendment Act... and Americans with Disabilities Act...." (2012 QAP, p. 29)</p>

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		income residents or in areas containing a high proportion of affordable rental units and build communities of opportunities for newly created (conversion or new construction) projects. DSHA also encourages all applicants to consider building in communities with minimal affordable rental units relative to their housing needs for newly created affordable housing projects." (2012 QAP, p. 7)		
FL	2012	<p>No general references to affirmative fair housing marketing plan, but includes threshold requirement to actively seek persons on waiting lists.</p> <p>Tenant selection criteria imbedded in "target" language. QAP does not refer to point scoring system but Universal Application does.</p> <p>Compliance monitoring provisions contemplate oversight by the Florida Housing Finance Corporation (FHFC), including notification to IRS of violations. But no specific enforcement provisions relating to affirmative fair housing marketing or tenant selection. (2012 QAP, pp. 21-22)</p>	"Developments are required to actively seek persons on public housing waiting lists." (2012 QAP, p. 16)	<p>"Developments which are designed to attract and serve the Elderly will be targeted. Developments which are designed to attract and serve the Homeless will be targeted." (2012 QAP, p. 12, 14-15, 17)</p> <p>"Developments which will serve Special Needs Households will be targeted." (2012 QAP, p. 15)</p> <p>As a threshold, applicants must select one of the following Demographic Commitments: Elderly; Farmworker or Commercial Fishing Worker; Homeless; Family (2011 Universal Application Instructions, Section III.D. 2013 Draft also lists Persons with Special Needs).</p> <p>If Elderly chosen, "[a]pplicant understands, acknowledges and agrees that it will comply with the Federal Fair Housing Act</p>

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				requirements and rent at least 80% of the total units to residents that qualify as Elderly pursuant to that Act." Similar requirements apply with respect to percentage of units that must be rented to farmworkers/fishermen (40%) or homeless (50%), if those commitments are chosen (2011 Universal Application Instructions, Section III.D) or if the Special Needs commitment is chosen (80%). (2013 Draft Universal Application Instructions, Section III.D)
GA	2012	<p>Requirement for an affirmative fair housing marketing plan (for specified special needs, etc., populations) is a threshold matter.</p> <p>Tenant selection criteria imbedded in point system and general restriction on discriminatory tenant selection.</p> <p>Compliance monitoring provisions contemplate oversight by the Georgia Department of Community Affairs (DCA), including inspection, certification, record keeping and notification to IRS of violations. But no specific enforcement provisions relating to affirmative fair housing marketing or tenant selection. (2012 QAP, pp. 47-51)</p>	<p>Application must include a detailed marketing plan for specified special needs, etc., populations. (2012 QAP, p. 17)</p> <p>"This section is designed to foster development of affordable housing units for tenants with disabilities or homeless populations. All projects selected for funding (regardless of their tenancy) must demonstrate a willingness to initiate marketing of units to these populations. Each project selected for an award of credits must prepare and submit a Marketing Plan outlining how the project will market the units to tenants with special needs... At a minimum, Marketing Plans must include: A. The marketing plan must incorporate outreach efforts to each service provider, homeless shelter or local disability advocacy organization in the county in which the project is located.... B. Affirmatively market to persons with</p>	<p>"No project may deny a unit to applicants possessing a Section 8 Rental Assistance certificate or voucher unless those applicants fail to meet the minimum requirements for all leaseholders. Federal statutes prohibit discrimination against Section 8 certificate and voucher holders. The number of Section 8 tenants residing at a property cannot be limited under the IRS program regulations at any property receiving DCA Tax Credits and/or HOME funding. DCA will closely monitor whether the tenant application process is structured to avoid such discrimination or whether any actions are taken to discourage Section 8 Rental Assistance certificate or voucher holders from applying. Likewise, all lease provisions must be compatible and not in conflict with Section 8 leases." (2012 QAP, p. 48)</p> <p>3 points awarded to an application that agrees to accept rental assistance from an approved entity for up to 5% of the units for the purpose of providing integrated housing opportunities for persons with mental illness. (2012 QAP Appendix II, p. 23).</p>

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			<p>disabilities and the homeless. C. Must establish and maintain relationships between the management agent and community service providers. D. Include a referral and screening process that will be used to refer tenants to the projects, the screening criteria that will be used, and make reasonable accommodations to facilitate the admittance of persons with disabilities or the homeless into the project." and "The Applicant agrees to provide reasonable accommodation for these tenants in the Property Management's tenant application. The leasing criteria must clearly facilitate admission and inclusion of the Targeted Population tenants and must not violate federal or state fair housing laws. Applicants also must agree to designate these populations as having priority for units with rental assistance if allowable under their rental assistance agreements. Owners must apply preferences required by state or local laws only if they are consistent with HUD and applicable civil rights requirements." (2012 QAP Appendix I, pp. 36-37)</p>	
HI	2011/ 2012	<p>No reference in QAP to a requirement for affirmative fair housing marketing plan, but required by the application form.</p> <p>Points awarded where housing “made available” to specified populations.</p>	<p>Consolidated Application requires a description of affirmative marketing plan (“Describe your affirmative marketing plan.”) HUD form <u>may</u> be attached. (Consolidated Application, Section I, p. 26; http://www.novoco.com/low_income_housing/resource_files/qa_p/2012/hawaii_app_12.pdf).</p>	<p>1 point awarded if "The applicant demonstrates that all low-income units will be made available to people on the waiting list for low-income public housing. The applicant will provide a copy of a letter sent to the local public housing authority which administers the public housing waiting list, stating that the applicant will accept referrals of individuals and families on the</p>

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		Compliance monitoring provisions contemplate oversight by the Hawaii Housing Finance and Development Corporation (HHFDC), including inspection, certification, record keeping and notification to IRS of violations. But no specific enforcement provisions relating to affirmative fair housing marketing or tenant selection. (2011/2012 QAP, pp. 16-25).		<p>public housing waiting list for consideration to lease units in the project." (2011/2012 QAP, p. 7).</p> <p>Up to 6 points awarded for projects that provide affordable housing that serves elderly or individuals with large families. (2011/2012 QAP, p. 8).</p> <p>Up to 2 points awarded to projects providing housing for people with special housing needs, with "special housing needs" meaning persons for whom social problems, age or physical or mental disabilities impair their ability to live independently, and for whom such ability can be improved by more suitable housing conditions, and may include the homeless. Number of points depends on the services provided for the tenants. (2011/2012 QAP, pp. 8-9).</p>
ID	2012	<p>The Idaho Housing and Finance Association is the designated administrator of the LIHTC with the responsibility of allocating the state's annual credit ceiling in accordance with an approved, qualified Allocation Plan.</p> <p>Fair Housing is the right of all people to be free from discrimination in the rental, sale, or financing of housing. The Fair Housing Act requires that federal government agencies and the programs and activities they fund be operated in a manner</p>	<p>"Sponsors must submit a comprehensive Management Plan which includes an Affirmative Fair Housing Marketing Plan... Required formats... may be found in the Exhibits of the Tax Credit/HOME application." (2012 QAP, p. 11).</p> <p>"The proposed management plan should include... [a] copy of Affirmative Fair Housing Marketing Plan; [including] Provision for staff training; Advertising, and ADA concerns." (2012 QAP, pp. 11-12).</p>	<p>Management plan must include a Tenant Selection Policy which specifically states that a preference will be given to potential tenants on Public Housing Authority waiting lists. (p. 21)</p> <p>The AFHMP asks whether staff been trained on tenant selection in accordance with the project's occupancy policy, including any residency preferences. (Exhibit K)</p> <p>5 points awarded if projects give preference for 30% to 60% of total units to persons on housing authority waiting lists. (2012</p>

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		<p>that affirmatively furthers fair housing. (p. 1)</p> <p>The Qualified Allocation Plan utilizes Special Needs Set-Asides and a Selection Criteria Point System to target specific low-income housing priorities pertinent to Idaho as designated by Idaho's housing needs assessment and to comply with the selection criteria and preference categories mandated by the amended federal program regulations. Applications are ranked under the point system with tax credit reservations being granted to those developments receiving the highest number of points. (p. 3)</p> <p>Requirement for an affirmative fair housing marketing plan is a threshold matter.</p> <p>Tenant selection criteria (including preferences) imbedded in point system.</p> <p>Compliance monitoring provisions contemplate oversight by the Idaho Housing and Finance Association (IDHA), including record keeping. "Leasing activities" is among the list of areas expressly subject to review and monitoring, as is "[s]ubmission of demographic and economic information on tenants residing</p>	<p>All applicants for participation in FHA subsidized and unsubsidized multifamily housing programs with five or more units (see 24 CFR 200.615) must complete an Affirmative Fair Housing Marketing Plan (AFHMP) Form as specified in 24 CFR 200.625, and in accordance with the requirements in (24 CFR 200.620). The purpose of the AFHMP is to help applicants in developing an AFHM program to achieve a condition in which individuals of similar income levels in the same housing market area have a like range of housing choices available to them regardless of their race, color, national origin, religion, sex, disability, or familial status. The AFHMP helps owners/agents (respondents) effectively market the availability of housing opportunities to individuals of both minority and non-minority groups that are least likely to apply for occupancy in the housing project.</p> <p>The application requires an extensive affirmative marketing plan including a description of proposed methods of advertising that will be used to market to those least likely to apply, as well as an explanation of the evaluation process used to determine whether marketing activities have been successful in attracting</p>	<p>QAP, p. 21).</p> <p>10 points awarded if projects give preference for 61% or greater of total units to persons on housing authority waiting lists. (2012 QAP, p. 21).</p> <p>15 points awarded to projects designed for special needs populations (elderly, handicapped, mentally ill, developmentally disabled) and/or which provide continuing supportive services to assist families in becoming more self-sufficient or which address identified tenant needs as referenced in the QAP. For points in this category, sponsor must submit a Supportive Services Plan. (2012 QAP, p. 22-23).</p> <p>5 points awarded to family developments which designate at least 5% of the rent-restricted units to three-bedroom or larger units for households earning no more than 50% of area median income; projects must include appropriate amenities for families. (2012 QAP, p. 23).</p>

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		in LIHTC-financed properties". (2012 QAP, p. 44)	the group(s) least likely to apply, how often that determination will be made, and how decisions about future marketing will be made. The application references HUD’s Affirmative Fair Housing Marketing Regulations. (see Exhibit K).	
IL	2012	<p>The mission of the Illinois Development Housing Authority is to finance the creation and the preservation of affordable housing throughout the State of Illinois in order to increase the supply of decent and safe places for people of low or moderate means to live.</p> <p>Owners are advised that compliance with the Section 42 general public use requirement for Projects requires compliance with the Fair Housing Act. An Owner's failure to comply with the Fair Housing Act will constitute noncompliance with the Section 42 general public use requirement and the Authority will report such noncompliance to the IRS. (p. 79)</p>	<p>An Affirmative Fair Housing Marketing Plan form must be included with the application as part of the Extended Use Agreement. (p. 72)</p> <p>Projects that document marketing to veterans may receive 5 points. (p. 57)</p> <p>Application requires certification that “The undersigned Sponsor agrees that the Project in connection with which this Application is made shall be affirmatively marketed and available for occupancy by all persons regardless of race, color, creed, national origin, ancestry, religion, sex, age, handicap, marital, unfavorable military discharge, or family status. The undersigned will document the actions taken to affirmatively further fair housing.” (p.4)</p> <p>Must certify PHA waitlist outreach: will “Make on-going efforts to request that the PHA make referrals to the Project, or request that the PHA include relevant information about the</p>	All projects must certify provision of “preferential treatment” for people on PHA waitlists. (p.17)

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			Project on any listing the PHA makes available to persons on its waiting list(s).” (p. 17)	
IN	2013	<p>Program administered by the Indiana Housing and Community Development Authority. The Authority is empowered to act as the housing credit agency for the State to administer, operate and manage the allocation of RHTCs, also known as the Low-Income Housing Tax Credit program, pursuant to Section 42 of the Code and this Allocation Plan. (p.2)</p> <p>The Authority believes it can best achieve its housing goals by establishing set aside categories based on: (i) development by qualified not-for-profit organizations; (ii)Community Impact; (iii) Elderly; (iv) Development location; (v) Preservation; (vi) Developments which serve the lowest income.</p> <p>A point system is in place and is based on 5 criteria: Rents charged; development characteristics; high performance housing; financing and market; and other. (p. 31)</p> <p>Part of the point system awards points based on the overall Tenant Investment Plan (TIP) n regards to classes provided to tenants; behavioral/health services; and community enhancements to encourage aging in place. The TIP plan with the most programs that address the needs of the development’s</p>	<p>Supportive housing developments must submit plan describing affirmative marketing to people with disabilities. (p.9)</p> <p>Requires listing in state affordable housing database. (p. 29)</p>	<p>No references to generally applicable program requirements.</p> <p>Supportive housing developments must submit plan describing “Tenant referral and screening process, including steps followed by all parties to negotiate Requests for Reasonable Accommodations and modifications under Fair Housing Laws to facilitate the admittance of persons with disabilities into the development.” (p.9)</p> <p>Points awarded if “Applicant executes and provides to the Authority a written agreement signed by all parties (the Applicant and the appropriate official for the local or regional public housing representative) with the local or regional public housing representative agreeing to give priority to households on waiting lists for subsidized or public housing.” (p. 54).</p>

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		<p>tenants will receive highest point consideration.</p> <p>There are a few references to the Fair Housing Act. For example, the QAP states that developers must show that "the Development has been designed to comply with the requirements of all applicable local, state and federal fair housing and disability-related laws. The Development design should consider at a minimum, the applicability of the local building codes, Federal Fair Housing Act, as amended, the Americans with Disabilities Act, and the Rehabilitation Act of 1973, as amended." (p. 19)</p>		
IA	2013	<p>The Iowa Finance Authority (IFA) administers the LIHTC in Iowa, as specified in Iowa Code Section 16.52. In accordance with Section 42 of the Internal Revenue Code (the Code), IFA has developed the Qualified Allocation Plan (QAP) to establish the criteria and process for the allocation of the housing Tax Credit to qualified rental housing developments in Iowa.</p> <p>There is little reference to the Fair Housing Act. "The Applicant is responsible for ensuring that all Fair Housing requirements are met." (p. 27, 68).</p> <p>A point system is in place with takes into account resident</p>	<p>IFA requires an Affirmative Marketing Plan to carry out an affirmative program to attract prospective tenants of all minority and non-minority groups in the housing market area regardless of their race, color, religion, sex, national origin, Disability, familial status, religious affiliation, creed, sexual orientation, and gender identity. Racial groups include White, Black or African American, American Indian or Alaska Native, Asian, Native Hawaiian or Other Pacific Islander. Other groups in the housing market area who may be subject to housing discrimination include, but are not limited to, Hispanic or Latino, Persons with disabilities, families with children, or Persons with different religious affiliations. The Applicant shall describe in the Marketing Plan the proposed activities to be carried out during advance marketing, where applicable, and during all rent ups. The affirmative marketing program also should ensure that any groups of Persons ordinarily not likely to apply for this housing without special outreach, know about the</p>	<p>No references to specific program requirements.</p>

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		profile; location; developer or owner contribution, building characteristic, and other areas, such as project cost. (p. 33).	<p>housing, feel welcome to apply and have the opportunity to rent. (p. 79)</p> <p>Special needs: to receive points for set asides, must submit “Marketing plan describing the planned methods of outreach to specifically target potential Resident Populations with Special Needs tenants.” (Appendix F).</p> <p>Required to notify PHA of vacancies. (pp. 20, 57)</p>	
KS	2013	<p>The Kansas Housing Resources Corporation (KHRC) is responsible for administration and allocation of the tax credit program for the State of Kansas.</p> <p>KHRC has identified the following housing needs as priorities for the tax credit program:</p> <p>(a) any development in a community with less than 5,000 population;</p> <p>(b) preservation of housing with a HUD Section 8 or USDA Housing Assistance Payment contract, or any application from a Public Housing Authority;</p> <p>(c) any development for special need populations including, but not limited to homeless families and individuals or persons with</p>	<p>Requires submission of a “Fair Housing Action Plan to affirmatively further fair housing as intended under the general use clause of the Code.” (p.23)</p> <p>The QAP refers to six impediments to fair housing identified in the state Analysis of Impediments, including: (1) difficulty finding accessible housing, (2) lack of fair housing information, (3) biased lending practices, (4) neighborhood opposition, (5) resistance to single parent rentals, and (6) resistance to minority rentals. The QAP identifies fair housing activities to reduce, and if possible, eliminate these impediments.</p> <p>Kansas Housing Resources Corporation hereby asks all of its housing partners to affirmatively further fair housing. Local</p>	<p>In selection criteria, may receive points if “Applicant has entered into an agreement with the P.H.A. or the local governing unit to accept the referral of tenants on the P.H.A. waiting list.” (p.10; Exh. B)</p>

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		<p>disabilities;</p> <p>(d) any development that offers gross rent for all units at a rate that is below the fair market rent for the area in which the property is located. (See Exhibit N for Fair Market Rents.)</p> <p>(e) any development in a market area that is experiencing job growth and economic development where tax credit housing can have an impact and documented with letters from employers/city officials/economic development representatives/government officials, newspaper articles or studies. (p. 2)</p>	<p>governments, private developers or owners, and nonprofit organizations receiving housing funds must complete, and verify, a minimum of one fair housing activity per year per loan or grant. These activities include:</p> <p>Provide housing counseling to help minorities find housing outside areas of concentration.</p> <p>Convince the city/county to adopt by resolution the U.S. Fair Housing Act and the Kansas Act Against Discrimination.</p> <p>Distribute these acts to interested citizens. (p.53)</p>	
KY	2013	<p>Kentucky Housing Corporation (KHC) is the designated administrator LIHTC.</p> <p>The purpose of KHC’s QAP is to reserve federal tax credits for the creation and maintenance of rental housing units for low- and very low- income households in Kentucky in such a way as to further the following principles and priorities:</p> <ul style="list-style-type: none"> • Reserve credits in order to provide an equitable 	No references to specific program requirements.	No references to specific program requirements.

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		<p>distribution throughout the state and provide a reasonable mix of affordable housing projects, both in number of units and the populations served (family, elderly, special needs);</p> <ul style="list-style-type: none"> • Reserve credits to as many rental housing projects as possible, considering cost, size, location, income mix of proposals, and environmental sustainability; • Reserve credits in order to provide opportunities to a variety of qualified sponsors, both for-profit and nonprofit; and • Reserve only the amount of credit that KHC determines to be necessary for the financial feasibility of a project and its viability as a qualified low-income housing project throughout the credit period. <p>Applications will be scored based upon capacity of the development team, targeting plan, project design, location, readiness to proceed, and financial design. Applicants must receive a <i>minimum score</i> as referenced on score sheet in the scoring criteria in order to move to Phase II for all competitive applications. (p. 27)</p>		

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LA	2013	The Louisiana Housing Finance Agency shall administer the LIHTC Program to encourage the development and preservation of appropriate types of rental housing for households that have difficulty finding suitable, accessible, affordable rental housing in the private marketplace. The Agency's intent is to maximize the number of suitable, accessible, affordable residential rental units that are added to the state's housing supply and at the same time to prevent the loss of such housing by enabling the rehabilitation of affordable rental housing. The Agency encourages the participation of for-profit organizations and non-profit organizations in the acquisition, development and operation of accessible affordable housing developments in rural and urban communities. The Agency is encouraging production in rural, emerging growth areas/cities and/or un-served parishes of the State.	No references to specific program requirements.	Threshold requirement that developer "agree to rent low income units to households referred by the LRA/OCD, and/or the local PHA if the tenants referred to the Taxpayer satisfy the requirements of the Project's Management and/or Operating Plan." (p.15). "Except as permitted by Section 42(g)(9) of the Code, projects may not give preferences to potential tenants based upon 1) residing in the jurisdiction of a particular government, 2) having a particular disability or 3) being a part of a specific occupational group." (p. 28)
ME	2013	Allocates credit resources in keeping with priorities identified in state's Consolidated Plan: 1. Creation and maintenance of an adequate supply of decent, safe and sanitary rental housing affordable for persons with Very Low Income. 2. Rehabilitation of existing housing stock, which does not result in displacement or substantially increased housing costs. 3. Increased availability of housing with services for persons with special needs including, without limitation, housing for persons who are homeless, housing for persons with mental and physical disabilities and housing for persons who are elderly.	No reference to affirmative marketing program requirements.	Applicant must commit to giving "a preference to eligible persons whose names are on a public housing or Section 8 waiting list" (threshold criteria) (p. 18).
MD	2011	No references to affirmative fair housing marketing plan or tenant selection within QAP. Scoring system and certain other	No references to specific program requirements.	"All projects... must ensure that individuals with physical disabilities have priority for occupancy of any units qualified

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		<p>criteria are set forth in a separate Multifamily Rental Finance Program Guide (Program Guide).</p> <p>Compliance monitoring provisions contemplate oversight by the Community Development Administration (CDA), including inspection, certification, record keeping and notification to IRS of violations. Required certifications include that there has been no finding of discrimination and that the owner cannot refuse to lease to any applicant because the applicant holds a voucher or certificate under section 8 of the United States Housing Act. (2011 QAP, pp. 14-19).</p>		<p>under the Uniform Federal Accessibility Standards." (Program Guide, p. 14)</p> <p>"All projects must establish a priority for households on waiting lists for public housing or other federal or State assisted low-income housing. The applicant also must demonstrate that the entity maintaining the waiting list is willing to refer tenants to the project." (Program Guide, p. 15)</p> <p>Up to 5 points for projects that provide housing for individuals with disabilities at or below 50% AMI. "To receive points, an application should include a letter from or a memorandum of understanding or other agreement with an entity that will assist the applicant in marketing the units to individuals with disabilities or special needs. The sponsor also must include with the application a marketing plane for meeting its targeting commitments." (Program Guide, p. 35)</p>
MA	2012	<p>In the Commonwealth of Massachusetts, the Department of Housing and Community Development, or DHCD, is the allocating agency for tax credits.</p> <p>DHCD evaluates tax credit applications to ensure that they fit within at least one priority category. DHCD then evaluates all applications in accordance with threshold criteria, then in</p>	<p>Extensive Affirmative Marketing Plan requirements on pages 104 -108.</p> <p>The Commonwealth of Massachusetts has a compelling interest in creating fair and open access to affordable housing and promoting compliance with state and federal civil rights</p>	<p>DHCD will allow up to 70% local preference in tax credit projects if the sponsor is able to demonstrate to DHCD's satisfaction that a need for such preference exists. To ensure that the local preferences established for the project do not violate applicable fair housing laws and, therefore, do not have a discriminatory effect</p>

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		<p>accordance with competitive criteria, totaling 182 points. (p. 29)</p> <p>DHCD will award up to fourteen points to a family housing project located in an “area of opportunity”. An area of opportunity is defined as a neighborhood or community that provides access to opportunities including, but not limited to, jobs, transportation, education and public amenities. Access to opportunity locations will be defined by publicly available data. At least 65% of the units in a project must be two bedrooms or larger, and at least 10% must be three-bedroom units, unless that percentage of two-bedroom or three-bedroom units is demonstrated to be infeasible or unsupported by public demand. The sponsor must provide a detailed affirmative fair marketing plan for attracting those tenants least likely to apply based on the location of the units. (p. 38).</p> <p>It shall be DHCD’s objective to ensure that new and ongoing programs and policies affirmatively advance fair housing, promote equity, and maximize choice. (p. 52).</p>	<p>obligations. Therefore, all privately assisted housing or housing for inclusion on the Subsidized Housing Inventory (SHI) shall have an Affirmative Fair Housing Marketing Plan (AFHMP). The affordable Use Restriction documents of said housing must require that the AFHMP, subject to the approval of the subsidizing or funding agency, shall be implemented for the term of the Use Restriction. Affirmative Fair Housing requirements apply to the full spectrum of activities that culminate with occupancy, including but not limited to means and methods of outreach and marketing through to the qualification and selection of residents. All AFHMP plans must, at a minimum, meet the standards set forth by the Department of Housing and Community Development (DHCD). In the case of M.G.L. c.40B projects, the AFHMP must be approved by the Subsidizing Agency.</p>	<p>on protected classes, the sponsor must:</p> <ul style="list-style-type: none"> • develop an affirmative fair marketing plan targeting those least likely to apply in accordance with the DHCD’s Affirmative Fair Marketing Plan guidelines provided in Appendix I; • list vacant units upon availability with Citizen’s Housing and Planning Association’s (CHAPA’s) Massachusetts Accessible Housing Registry at http://www.chapa.org; • list vacant units located in the Boston-Cambridge-Quincy MSA, upon availability, with the City of Boston’s Metrolist (Metropolitan Housing Opportunity Clearing Center); • develop a tenant selection lottery system consistent with that described in the “Guidelines for Housing Programs in Which Funding is Provided Through a Non-Governmental Entity” (NEF Guidelines) as published by the Department as well as the additional provisions provided in Appendix I. (p. 50) <p>The developer (Developer) is responsible for resident selection, including but not limited to drafting the resident selection plan, marketing, administering the initial</p>

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				lottery process, and determining the qualification of potential buyers and/or tenants. The Developer is responsible for paying for all of the costs of affirmative fair marketing and administering the lottery and may use in-house staff, provided that such staff meets the qualifications described below. The Developer may contract for such services provided that any such contractor must be experienced and qualified under the following standards. (p. 104).
MI	2013-2014	<p>Program administered by the Michigan State Housing Development Authority ("MSHDA").</p> <p>MSHDA shall administer the QAP and the allocation of LIHTC in a manner consistent with both federal housing policy governing non-discrimination and MSHDA's statutory non-discrimination requirements. The allocation of LIHTCs is made at the sole discretion of MSHDA. MSHDA and its directors, employees, and agents shall not be liable for any matters arising out of or in relation to the allocation or administration of LIHTC. (QAP, 2).</p>	<p>Applicants are required to submit an Affirmative Fair Housing Marketing Plan (the "AFHMP") consistent with MSHDA requirements. (QAP, 19).</p> <p>Completion of the plan will entitle applicants to bonus points in the application process. Additionally, to receive any of these bonus points, the AFHMP must also contain an agreement to comply with the following requirements:</p> <ul style="list-style-type: none"> • That a continuous outreach program will be conducted to maintain a well-balanced waiting list that will assure the meeting of the affirmative marketing goal at all times. • That a housing discrimination disclaimer clause shall be included in any preliminary and/or full application blank. (Pledge not to discriminate against applicants 	<p>Applicant must document giving "priority to persons whose names are on appropriate Public Housing or Housing Choice Voucher waiting lists maintained by a Public Housing Commission (PHC) or Public Housing Authority (PHA) in the area in which the project is located, and it will make ongoing efforts to request that the PHC and/or the PHA make referrals to the project, or place the relevant project information on any listing the PHC or PHA makes available to persons on their waiting lists." (threshold criteria)(p.20)</p>

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			<p>based on their race, sex, age, religion, national origin, familial status, or handicap.)</p> <ul style="list-style-type: none"> • That the handicap logo (see bottom of first page of the Application) will be in all advertisements, if the development has barrier free or accessible units. • That the MSHDA approved equal opportunity housing slogan or logo (see bottom of first page of Application) will be included in all advertising. • That a log of community contacts, daily traffic records, and any other record keeping materials be maintained for inspection, and a copy of the AFHMP will be kept on site. • That all fair housing required signs will be posted in designated locations. • That the management agent (provide name and firm) has agreed to start the Affirmative Fair Housing Marketing efforts with respect to the "target population" at least 120 days prior to anticipated initial occupancy. • That any prospective residential preferences will be identified and made known. (Tab P of MSHDA Application). 	
MN	2013	Program administered by the Minnesota Housing Finance Agency ("Minnesota Housing").	Applicants are required to submit an affirmative fair housing marketing plan with their development applications. Minnesota	Applicants are required to provide a written tenant selection plan describing the tenant selection policy that an

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		<p>Applicants receive point penalties with respect to future housing credit developments that are repeatedly found in non-compliance with Minnesota Housing’s Fair Housing Policies, Procedures, or Requirements. (p. 8, Housing Tax Credit Program Procedural Manual ("Manual")).</p> <p>Minnesota Housing has general fair housing policies, including:</p> <ul style="list-style-type: none"> • to prohibit discrimination in the sale, rental, financing, or other services related to housing on the basis of race, color, creed, religion, national origin, sex, sexual orientation, marital status, status with regard to receipt of public assistance, disability, or familial status • that all Minnesota Housing programs are marketed affirmatively using specific steps for each program. These steps include but are not limited to: <ul style="list-style-type: none"> • conducting public information forums and other outreach activities geared toward informing and encouraging participation of protected groups. 	<p>Housing provides a form. The form is to describe the marketing strategies that an owner will use, including, but not limited to special efforts the owner will make to attract persons who are least likely to apply in addition to a broad cross section of the local population without regard to religion, sex, national origin or status as a recipient of public assistance. (p. 30, 38, 43, Manual)</p> <p>Requires submission of PHA notice and agreement form (p. 53, Manual)</p> <p>There are no other references to specific marketing methods.</p>	<p>owner will use that must be submitted, reviewed and approved by Minnesota Housing. The written tenant selection plan must establish procedures that, at a minimum, meet the following applicable requirements:</p> <ul style="list-style-type: none"> • minimum and maximum household size • cooperatively developed housing plan/agreement to provide other rental assistance. (p. 43, Manual) <p>There are no other references to specific selection criteria.</p>

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		<ul style="list-style-type: none"> • marketing strategies that reach protected groups (groups of people that come under any of the categories on which bases discrimination is prohibited as mentioned in the opening paragraph) using conventional methods such as print and electronic media, as well as personal contact, mailings, and use of consultants or Minnesota Housing staff. • reviewing federal, state and/or local fair housing guidelines periodically to ensure compliance. • to take affirmative action to provide equal opportunity in all of Minnesota Housing's programs and other endeavors. Minnesota Housing's goal is to achieve a client and recipient mix that is representative of the people who live in our state and our communities <p>Minnesota Housing will refer complainants to HUD for follow-up and/or investigation. (p. 22, Manual)</p>		

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MS	2012	<p>The Mississippi Home Corporation is charged with the responsibility of administering the Housing Tax Credit Program.</p> <p>The Fair Housing Act covers most types of housing. In some circumstances it exempts owner-occupied buildings with no more than four units, single-family housing sold or rented without the use of a broker, and housing operated by organizations and private clubs that limit occupancy to members.</p> <p>The broad objective of the Fair Housing Act is to prohibit discrimination in housing because of a person’s race, color, national origin, religion, sex, familial status, or disability. The Fair Housing Act includes two important provisions: one, a provision making it unlawful to refuse to make reasonable accommodations in rules, policies, practices, and services when necessary to allow the resident with a disability equal opportunity to use the property and its amenities; and two, a provision making it unlawful to refuse to permit residents with disabilities to make reasonable modifications to either their dwelling unit or to the public and common use areas, at the residents’ cost. (p. 84).</p>	<p>No references to specific program requirements.</p>	<p>“Developments receiving tax credits must commit to providing housing (i) for persons on public housing waiting lists, or in those jurisdictions where there is no housing authority, (ii) for persons on waiting lists for other affordable housing developments. Evidence of the use of the waiting list must be provided at the final inspection.” (p. 13)</p> <p>No other references to specific program requirements.</p>

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		Threshold criteria and points are used in evaluating an application. An applicant must score a minimum of eighty-five points to be considered for a reservation of tax credits.(p. 22)		
MO	2013	<p>Threshold criteria.</p> <p>No substantive discussion of affirmative fair housing marketing plans, but requirement that "firm commitment" exhibits include HUD Affirmative Fair Housing Marketing Plan document.</p> <p>Specific statement that housing must be provided without respect to prohibited bases.</p>	<p>Approved applicants are required to provide "firm commitment" exhibits, including "an executed and complete HUD Form 935.2A: Affirmative Fair Housing Marketing Plan for your development." (p. 114 of Developer's Guide).</p> <p>Special needs priority for developments that provide housing opportunities for persons with special needs if, among other things, the development provides "a marketing plan demonstrating how the property will be affirmatively marketed to persons with special needs." (p. 10 of QAP)</p>	<p>"The commission requires that occupancy of housing financed or assisted by MHDC shall be open to all persons regardless of race, color, religion, sex, familial status, disability, or national origin. " (p. 3 of QAP).</p> <p>"The Development Owner will:</p> <ol style="list-style-type: none"> 1. Agree that any special needs housing commitment will be established, implemented and kept in compliance with the Fair Housing Act, as amended; the Architectural Barriers Act of 1968; the Americans with Disabilities Act; and any other local, state and federal nondiscrimination or accessibility laws, regulations or requirements. " (p. 14 of Developer's Guide)
MT	2012	<p>Threshold criteria and points</p> <p>No reference to Affirmative Fair Housing Marketing.</p> <p>Requirement that developers comply with fair housing laws in connection with marketing and tenant selection.</p>	<p>"Marketing the Project: The MBOH expects all projects receiving funding to advertise the rental units on the State-approved Housing Locator website, MTHousingSearch.com. Using this product meets the criteria for advertising vacant units and provides for broad coverage to those searching for affordable housing in Montana. There is no charge for this advertising. " (p. 36)</p>	<p>"MBOH Policy on Civil Rights Compliance: The owner, developer, borrowers and any of their employees, agents, or sub-contractors in doing business with the Montana Board of Housing understand and agree that it is the total responsibility of the owner(s) to adhere to and comply with all Federal Civil Rights legislation inclusive of the Fair Housing Laws, Americans With Disabilities Act as well as any State and local Civil Rights legislation along with any required related codes and Laws. Should requirements, such as design, not be specified</p>

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				<p>by MBOH, it is none the less the owner(s) responsibility to be aware of and comply with all non-discrimination provisions related to race, color, religion, sex, handicap, familial status, national origin and any other classes protected in Montana, including design requirements for construction or rehabilitation, Equal Opportunity in regard to marketing and tenant selection and reasonable accommodation and modification for those tenants covered under the Laws." (p. 37)</p> <p>"The applicant agrees to, at all times, comply with all applicable federal, state and local laws, rules and regulations now provided or which may be hereafter provided including, but not limited to: the State of Montana Workers' Compensation Act; the Fair Housing Act of 1988; and the State of Montana Landlord/Tenant Act." (Application Supplement).</p>
NE	2012	<p>Threshold and scored criteria.</p> <p>Vague reference to Affirmative Marketing Plan.</p> <p>QAP directly addresses non-discriminatory tenant selection requirements only in the context of certifications required by local governments.</p>	<p>"Threshold criteria will require, among other things that the LIHTC Application contain evidence of the following:</p> <p>...</p> <ul style="list-style-type: none"> • Affirmative Marketing Plan" (pp. 8-9) 	<p>QAP directly addresses non-discrimination requirements only in the context of certifications required by local governments:</p> <p>"Federal Compliance Certifications</p> <p>...</p> <p>It will conduct and administer its programs in conformance with:</p> <ol style="list-style-type: none"> Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352), and the regulations issued pursuant thereto (24 CFR Part 1). Title VIII of the Civil Rights Act of 1968 (Pub. L. 90-

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				<p>284), as amended, administering all programs and activities relating to housing and community development in a manner to affirmatively further fair housing, and will take action to affirmatively further fair housing in the sale or rental of housing, the financing of housing and the provision of brokerage services.01-600031.3</p> <p>c. The Fair Housing Act of 1988 (42 USC 3601-20) and will affirmatively further fair housing." (Exhibit 14 of Exhibit Examples).</p> <p>"Residential Provider Referral Arrangement ... It is expressly understood:</p> <p>(a) That the Applicant shall have the final authority to accept tenants into the Development pursuant to the fair housing laws applicable to the Development and the rules and regulations applied to all tenants;" (Exhibit 205)</p>
NV	2012	<p>Threshold eligibility requirements followed by scoring requirements.</p> <p>No references to marketing plans or to anti-discrimination</p>	<p>No references to specific program requirements.</p> <p>Requires certification of notice to PHA. (Exh. 8)</p>	<p>Reference to complying with federal fair housing laws at the <i>project</i> level</p> <p>Some special scoring factors, including low rent targeting, low</p>

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		tenant selection requirements.		income targeting and affordable housing incentive “Special needs” housing includes (among other categories) “[t]ransitional housing for persons released from incarceration, including persons paroled or on probation” and for people recovering from substance abuse. (p.14-15)
NH	2013	General threshold criteria and points. Tenant selection provision clearly prohibits preference for tenants from specific town or community. Marketing must comply with federal Fair Housing Law.	"As per tax credit law (IRC Section 42), tax credit units must be available to the general public and marketing and rent-up must comply with federal Fair Housing Law." (p. 13) AFHM Plan (HUD form) included with application materials (2012 Exh. G)	"R. Tenant Selection – Fair Housing Any project financed in whole or in part with tax credits or Authority funds shall not provide any preference for resident selection from a specific town or community. As per tax credit law (IRC Section 42), tax credit units must be available to the general public and marketing and rent-up must comply with federal Fair Housing Law." (p. 13).
NJ	2012	Eligibility criteria and points. Clear affirmative marketing provision. No clear tenant selection criteria except for familial status provision and rules regarding "senior projects"	"15. NJHMFA encourages all owners/developers to affirmatively market their projects. For projects over 25 units, applicants shall submit an Affirmative Fair Housing Marketing Plan, which, in short, documents how the project will be marketed to those people who are least likely to apply. For instance, if the proposed development is located in an area predominantly populated by Caucasians, outreach should be directed to non-Caucasians. Conversely, if the population is predominantly African-American, outreach should be directed to non-African-American groups. At the time the units are placed in service, the owner/developer and rental agent shall certify that	"The familial status provisions of the Fair Housing Act prohibit discrimination against households with children under 18. This protection extends to pregnant women, foster families, legal guardians, and those in the process of obtaining guardianship of or of adopting minor children. The only exception to this prohibition against discrimination based on familial status is for property that qualifies under a Fair Housing Act exemption as “housing for older persons.”

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			<p>the project was affirmatively marketed." (p. 33).</p> <p>Scoring criteria: project receives one point if “utilizes public housing waiting lists.” (p. 36)</p>	<p>"Refusing to rent to households with children is allowed under the exemption for housing for older persons as long as the age restrictions are met. Accordingly, in these properties, managers must verify the age of residents. Age verification documentation must be available on site; failure may lead to a loss of the exemption. For questions about whether a property qualifies for the exemption as housing for older persons, a fair housing attorney or other fair housing professional should be consulted." (p. 9).</p>
NM	2013	<p>Threshold requirements and points.</p> <p>No clear affirmative marketing provisions</p> <p>"Eligible Person" definition requires that person be of low or very low income irrespective of race, creed, national origin, or sex</p>	<p><i>"Marketing Units to Households Listed On Public or Indian Housing Agency Waiting Lists</i> : Projects providing a commitment to market the units to households listed on public or Indian housing agency waiting lists are eligible for [2] points under this criterion. A letter to the PHA or Tribally Designated Housing Entity which serves the jurisdiction of the proposed site verifying this commitment will be required to obtain points for this criterion." (p. 22)</p>	<p><i>"Eligible Persons"</i> or <i>"Eligible Households"</i> means one or more natural persons or a family, irrespective of race, creed, national origin or sex, determined by the Agency to be of low or very low income. In determining the income standards of eligible persons for its various programs, the Agency shall take into account the following factors:</p> <ol style="list-style-type: none"> 1. Requirements mandated by federal law; 2. Variations in circumstances in the different areas of the state; 3. Whether the determination is for rental housing; and 4. The need for family size adjustments. (p. 60). <p>Project Owner must certify that there has been no finding of discrimination under the Fair Housing Act. (p. 52).</p>
NY	2012	<p>Threshold criteria, followed by scoring.</p>	<p>"(10) Marketing plan/public assistance (5 points). Scored on the extent preference in selection of tenants will be given to persons from public housing waiting lists or other existing waiting lists</p>	<p>"(v) Supportive housing shall mean projects which give preference in tenant selection to persons with special needs for at least 30 percent of the LIHC-assisted units. To be considered</p>

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		No direct reference to affirmative fair housing marketing plan, but plan grants points for preference to tenants from public housing waiting lists or other waiting lists for subsidized housing and families whose current housing fails to meet basic standards of health and safety.	for subsidized housing and/or to persons and families whose current housing fails to meet basic standards of health and safety and who have little prospect of improving the condition of their housing except by residing in a project receiving tax credits and the preference is evidenced by an enforceable agreement with the source of referral." (p. 16)	supportive housing: (1) The applicant must document the need for housing for the targeted population within the primary market area; (2) The applicant must ensure the delivery of appropriate services, for which a documented need exists, to the targeted population as evidenced in a comprehensive service plan and an agreement in writing with an experienced service provider; (3) The applicant must include a transportation plan to ensure access to necessary services; (4) The applicant must have funding in place or identify a viable plan for the funding of appropriate services; (5) The applicant must include provision for an ongoing rental subsidy or other form of subsidy which will be available to ensure that rents paid by the targeted population remain affordable; and (6) The applicant must identify, and have a written agreement with, a public agency or experienced service provider that will refer eligible persons and families for the targeted units." (pp. 6-7).
NC	2012	The QAP contains no requirement for an affirmative fair housing marketing, but contains certain provisions relating to communications with PHAs.	Under hearing of "Federal Rental Assistance", provides "Applicants must include a written agreement between the owner and all PHAs and Section 8 providers with jurisdiction inside the project's primary market area. The agreement must commit the PHAs to include the project in any listing of housing	"All projects will be required to target ten percent (10%) of the total units to persons with disabilities or homeless populations... Owners must demonstrate a partnership with a local lead agency and submit a Targeting Plan for review and certification by the N.C. Department of Health and Human Services (DHHS). At a

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		<p>Targeting plan required with respect to persons with disabilities or homeless populations.</p> <p>Compliance monitoring provisions contemplate oversight by the North Carolina Housing Finance Agency (NCHFA). But no specific enforcement provisions relating to affirmative fair housing marketing or tenant selection. (2012 QAP, p. 29).</p>	<p>opportunities where households with tenant-based subsidies are welcome, and the project's management agent to actively seek referrals from the PHAs to apply for units at the proposed project... This requirement does not apply to projects with rental assistance provided through RD or if one hundred percent (100%) of the units have project-based subsidy." (2012 QAP, p. 13)</p>	<p>minimum Targeting Plans must include... [t]he referral and screening process that will be used to refer tenants to the project, the screening criteria that will be used..., [a]greement to maintain a separate waiting list for persons with disabilities... [a]greement to affirmatively market to persons with disabilities..." (2012 QAP, pp. 18-19)</p> <p>“Projects may not give preferences to potential tenants based on:</p> <ul style="list-style-type: none"> (i) residing in the jurisdiction of a particular local government, (ii) having a particular disability, or (iii) being part of a specific occupational group (e.g. artists) <p>(p.13).</p>
ND	2012	<p>No reference in QAP to a requirement for affirmative fair housing marketing plan, but includes threshold requirement to agree to inform the public housing authority.</p> <p>Tenant selection criteria imbedded in point system.</p> <p>Compliance monitoring provisions contemplate oversight by the North Dakota Housing Finance Agency (NDHFA), including inspection, certification, record keeping and notification to IRS of violations. But no specific enforcement provisions relating to affirmative fair housing marketing or tenant selection. (2012 QAP, pp. 7-8).</p>	<p>"The application package must include a signed written commitment from the Applicant to inform the public housing authority (PHA) of vacancies and to give priority to households on PHA waiting lists who apply for occupancy." (2012 QAP, p. 13)</p>	<p>"All housing receiving tax credits must be open to all persons regardless of race, color, national origin, religion, creed, sex, disability, or familial status." (2012 QAP, p. 8)</p> <p>Up to 20 points available for properties that serve the lowest income group possible (that have gross rents based upon 50% or less of area median income). (2012 QAP, p. 20)</p> <p>Application requires acknowledgement that "it is the total responsibility of the applicant to adhere to and comply with all Federal Civil Rights legislation inclusive of the Fair Housing Laws, Section 504 of the Rehabilitation Act of 1973, the Americans With Disabilities Act as well as any State and local</p>

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				<p>Civil Rights legislation... It is the applicant's responsibility to be aware of and comply with all non-discrimination provisions relating to race, color, religion, sex, handicap, familial status, national origin and any other classes protected in the State. This includes... Equal Opportunity in regard to marketing and tenant selection" (2012 Application, p. 20)</p> <p>"Properties in which units are set aside and rented to persons with special needs will receive up to 12 points. These special needs include: (1) Chronic or persistent mental illness, (2) Drug dependency, (3) Developmental disabilities, (4) Physical disabilities (accessible units), (5) Homeless, or (6) Frail Elderly." (2012 QAP, p. 21)</p> <p>"Properties that are designed for and marketed to households consisting of individuals 55 years of age and over and include a community room with kitchen facilities for the use of tenants of the property at no charge will receive 5 points. The marketing plan must be consistent with Fair Housing requirements for 55 and over housing." (2012 QAP, p. 23)</p>

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OH	2013	<p>Affirmative fair housing marketing plan required as a threshold matter. No applicable provisions regarding tenant selection.</p> <p>Compliance monitoring provisions contemplate oversight by the Ohio Housing Finance Agency (OHFA), including certification, record keeping and notification to IRS of violations. Requires certifications that owner has not refused to lease to a Section 8 applicant and there has been no finding of discrimination under the FHA for the project. (2012 QAP, pp. 69-72).</p>	<p>"An Affirmative Fair Housing Marketing Plan is required for all properties... The applicant must include on the form a description of the outreach, marketing, and advertising methods used in order to affirmatively market the project..." Applicants with layered subsidies can submit an approved HUD AFHM form; otherwise must submit new Plan. (2013 QAP, pp. 37-38, 47-48)</p> <p>"Applicants must also notify the appropriate statewide accessibility group... at the time of application that accessible housing is being proposed, agree to accept referrals for potential residents, and agree to receive design suggestions for the property. Such notification must take place again when the project is placed into service. Copies of correspondence between the applicant and accessibility group must be submitted to provide evidence of these requirements." (2013 QAP, p. 60)</p> <p>Also provides that HFA may "award points at its sole discretion based on the community outreach plan" (focusing on outreach to local officials and current residents). (p.22).</p>	No references to specific program requirements.
OK	2013	<p>Oklahoma Housing Finance Agency (OHFA)'s QAP is used for the creation and maintenance of rental Housing Units for low and very low Income households in the State of Oklahoma in such a way as to further the following goals:</p> <ul style="list-style-type: none"> ● Make such units affordable to households having the 	No references to specific program requirements.	<p>Requires certification that will accept referrals from PHA. (p. 25)</p> <p>Requires certification that "proposed Development will include</p>

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		<p>lowest Income and for the longest time period;</p> <ul style="list-style-type: none"> • Assist in the provision of financially viable, market appropriate housing in areas of greatest need in the State; • Assist in the provision of quality housing at a reasonable cost to meet a variety of needs, including family, Elderly and Special Needs populations; • Provide opportunities to a variety of qualified sponsors, both for-profit and Nonprofit, for a variety of housing Development sizes; • Allocate only the amount of Credits necessary for financial feasibility of a Development and its viability as a qualified Low-Income Housing Development throughout the affordability period; • Allocate Tax Credits to rental housing Developments which provide the greatest overall public benefits. <p>General threshold criteria and points.</p> <p>No references to marketing plans or to anti-discrimination tenant selection requirements</p>		<p>the proper language in the Tenant Application and Lease Addendum. The Tenant Application language must include questions about full time students and felonies.” (lease language not specified) (p.65)</p>
OR	2012	<p>Program administered by the Oregon Housing and Community Services Department.</p>	<p>No references to specific program requirements.</p>	<p>No references to specific program requirements.</p>

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		Residential rental unites must be available for use by the general public in a non-discriminatory manner. (QAP, 11).		
PA	2012	<p>Program administered by the Pennsylvania Housing Finance Agency.</p> <p>Owners required to certify that all units available to general public on a non-transient basis and no finding of discrimination under the Fair Housing Act has occurred for the development. (QAP, 21).</p> <p>It is the policy of the Agency to actively encourage and ensure minority and female participation in the ownership, development, design, financing, construction, and management of multifamily housing developments that receive funding from the Agency. (Program Guidelines, 31).</p>	<p>“Applications must demonstrate that the housing needs of local public housing waiting lists have been met. Applicants may meet this requirement by providing either: (1) a current letter from the local public housing authority stating how the development is specifically meeting the housing needs of residents on the public housing waiting list; (2) a copy of the comprehensive plan outlining the current local public housing authority waiting list and evidence that the development will meet such resident needs; or (3) evidence of receipt of mailing to the local public housing authority prior to the date of the Tax Credit application a letter which evidences the commitment of the developer to work cooperatively to meet the needs of persons on the local public housing waiting list.” (p. 5)</p> <p>No other references to specific program requirements.</p>	No references to specific program requirements.
RI	2013	<p>Program administered by Rhode Island Housing.</p> <p>Project owners required to certify annually that all units in the project were for use by the general public, including the requirement that no finding of discrimination under the Fair Housing Act occurred in the project. (QAP, 37).</p>	<p>Applicants required to obtain approval of an affirmative marketing plan. “At a minimum, such a plan must include an analysis of those populations least likely to apply for housing in the area in which the development is located and a targeted marketing program to reach those populations. Such a program could include marketing in print or broadcast media targeted to such populations,</p>	<p>Housing to be distributed in accordance with an approved resident selection plan that is “fair, open and transparent.” “The resident selection plan must specify the process and timetable under which applications will be accepted, local preferences for admission, if any, the policy for initial selection of residents if the number of qualified applicants exceeds the housing available, and the waiting list policy.”</p>

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			<p>outreach to organizations that serve those populations, and the like.” (QAP, 18).</p> <p>Applicants must also list housing on state database. (QAP, 18).</p> <p>Owners must retain records on waiting lists and marketing/advertising information. (QAP, 36).</p>	<p>(QAP, 16-17)</p> <p>Reference to providing meaningful access to limited English proficiency persons. Tenant selection plan is required to include plans for assisting limited English proficiency persons. (Title VI protections) (QAP, 17).</p>
SC	2013	<p>Program administered by the South Carolina State Housing Finance and Development Authority.</p> <p>Owners must certify annually that no finding of discrimination to include any adverse final decision by HUD, an adverse final decision by a substantially equivalent state or local fair housing agency or an adverse judgment from a federal court. (2013 Low-Income Housing Tax Credit Manual, 30).</p>	<p>Points awarded to applicants who target individuals on PHA waitlists or with special needs; must submit a marketing plan. To receive points for PHA outreach, the marketing plan must include a description of outreach, marketing and advertising methods used to attract individuals on public housing waiting lists as well as evidence that the public housing agencies have been contacted. (QAP, 7).</p>	<p>No references to specific program requirements.</p>
SD	2011-2012	<p>Program administered by the South Dakota Housing Development Authority.</p> <p>It is the owner's responsibility to be aware of and comply</p>	<p>No references to specific program requirements.</p>	<p>PHA notification: “A proposal which provides a written commitment to notify local public housing agencies of vacancies and give priority to households on waiting lists of those agencies will receive 10 points.” (p. 28)</p>

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		with all non-discrimination provisions relating to the race, color, religion, creed, sex, disability, familiar status, and national origin. This includes design requirements for construction or rehabilitation Equal Opportunity in regard to marketing and tenant selection and reasonable accommodation and modification for those tenants covered under the law. (QAP, 22).		
TN	2012	<p>Program administered by the Tennessee Housing Development Agency (THDA).</p> <p>Project owners required to certify annually that all units in the project were for use by the general public, including the requirement that no finding of discrimination under the Fair Housing Act occurred for the project. (QAP, 29).</p>	<p>Points awarded to applicants having and being operating in accordance with marketing plans, lease-up plans and operating policies and procedures which are fully compliant with the THDA Affirmative Marketing Policies and Procedures. (QAP, 20).</p> <p>Local city, county and non-profit recipients as well as owners required to inform public of the program and their proposed activities. Grantees and project owners are required to carry out affirmative marketing such as through advertisements, contacting community and other organizations listing their units on web sites. THDA has identified minorities, single, female heads of household and those with disabilities and requires that owners use special outreach methods. Grantees/owners are required to keep records on racial, ethnic and gender characteristics of</p>	Points awarded for “Marketing plans, lease-up plans, and operating policies and procedures which will give a priority to persons on current Public Housing waiting lists.” (QAP, 20).

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			<p>tenants, homebuyers and applicants and advertising and outreach activity. THDA will assess marketing efforts and take corrective action, if necessary. (Tennessee Housing Development Agency, Affirmative Marketing Policy and Procedures)</p> <p>Compliance monitoring: “As a part of the site inspection, a review will be conducted of the owner’s marketing efforts to attract special needs populations and Section 8 applicants as outlined in the extended low-income housing commitment.” (p. 30)</p>	
TX	2012-2013	<p>Program administered by the Texas Department of Housing and Community Affairs.</p> <p>All developments financed by the Texas Department of Housing and Community Affairs must comply with the Fair Housing Act which prohibits discrimination in the sale, rental, and financing of dwellings based on race, color, religion, sex, national origin, familial status, and disability. The Fair Housing Act also mandates specific design and construction requirements for multifamily housing built for first occupancy after March 13, 1991, in order to provide accessible housing for individuals with disabilities (Multifamily housing revenue bond</p>	<p>Owners are required to submit an affirmative marketing plan to attract prospective applicants of all minority and non-minority groups. The plan must identify which groups the owner believes are least likely to apply for housing at the development without special outreach, the procedures that will be used by the owner to inform and solicit applications from persons who are least likely to apply and how the owner will assess the success of affirmative marketing efforts. Owners are required to keep records of their marketing efforts and to maintain a waiting list.</p> <p>Owners are encouraged to use HUD Form 935.2A for the plan. (Compliance Rules - Texas Administrative Code Title 10 Chapter 60, effective 12/8/11).</p>	<p>Points awarded for set-asides for special needs populations: “The purpose of this scoring item is to integrate special housing needs populations into traditional housing tax credit Developments. The Department will award these points to Applications in which at least 5% of the Units are set aside for Persons with Special Needs. For purposes of this section, Persons with Special Needs is defined as persons with alcohol and/or drug addictions, Colonia residents, Persons with Disabilities, victims of domestic violence, persons with HIV/AIDS, homeless populations and migrant farm workers. Throughout the Compliance Period, unless otherwise permitted by the Department, the Development Owner agrees to affirmatively market Units to Persons with Special Needs. In addition, the Department will require a minimum twelve-month period during which Units must either be occupied by Persons with Special Needs or held vacant.” (p.54).</p>

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		<p>rules, 13)</p> <p>"The Department and its staff or agents, Applicants, Development Owners, and any participants in the Program shall not discriminate under this Program against any person or family on the basis of race, creed, national origin, age, religion, handicap, family status, or sex, or against persons or families on the basis of their having minor children, except that nothing in this chapter shall be deemed to preclude a Development Owner from selecting tenants with Special Needs, or to preclude a Development Owner from selecting tenants based on income in renting Units to comply with the set asides under the provisions of this chapter." (Multifamily housing revenue bond rules, 15)</p> <p>Applicants are required to certify that they are in compliance with fair housing laws including Title VIII of the Civil Rights Act of 1968, the Fair Housing Amendments Act of 1988, the Civil Rights Act of 1964, the Americans with Disabilities Act of 1990, the Rehabilitation Act of 1973, Fair Housing Accessibility and the Texas Fair Housing Act. (QAP, 30).</p>		

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UT	2013	<p>Program administered by the Utah Housing Corporation.</p> <p>Reference to requirement that project owners participating in the program being required to comply with federal and Utah fair housing laws, including project design and accessibility requirements to the extent applicable to a particular project. In addition, notes that discriminatory housing practices (e.g., refusing to rent to any person because of State of Utah Housing Credit Program Qualified Allocation Plan race, color, religion, sex, disability, familial status, source of income or national origin) are prohibited.(QAP, 4-5)</p>	<p>Special needs: to receive points, “Applicant must provide a narrative outlining an active marketing plan (not simply receiving referrals) for the units and the nature and extent of supportive services offered to tenants.” (p.75).</p>	<p>Points awarded for developing MOU with PHA “indicating a willingness to accept tenant applications.” (p.76)</p>
VT	2012	<p>Program administered by the Vermont Housing Finance Agency.</p> <p>Requires “submission of a fair housing plan suitable to VHFA.” (QAP, 20). Project owner must certify annually that no finding of discrimination under the Fair Housing Act has occurred for the project. (QAP, 28).</p>	<p>No references to specific program requirements.</p>	<p>No references to specific program requirements.</p>
VA	2013	<p>Program administered by the Virginia Housing Development Authority.</p> <p>Development owner must certify annually that all units in the development were for use by the general public and</p>	<p>Points awarded for housing “actively marketed to people with mobility impairments in accordance with a plan submitted as part of the application.” (QAP, p.15). “The plan should be customized for the property and the special needs resident base that the property</p>	<p>Points awarded for giving preference to tenants from local PHA or local Section 8 waitlists. (QAP, p. 12).</p>

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		that no finding of discrimination under the Fair Housing Act has occurred for the development.	is intending to serve. Include information on networking contacts with centers for independent living (ex: http://www.virginiahousingsearch.com) and disability services boards and address the efforts that will be necessary to fill a vacant unit. Units must be held vacant for 60 days during which ongoing marketing must be documented. If a qualified household including a person with a disability is not located in that timeframe, submit the evidence of marketing to VHDA’s Program Compliance Officer and request approval to rent the unit to any income-qualified household.” (2012 Manual, 44).	
WA	2012	Program administered by the Washington State Housing Finance Commission. Project owner must certify annually that all units were for use by the general public and that no finding of discrimination under the Fair Housing Act has occurred for the project. (QAP, 6)	Applicants must provide an affirmative marketing plan. The plan should detail the application's marketing to all communities in the area, including typically excluded groups. The plan should include racial or ethnic organizations and referral agencies contacted, advertising in publications targeting specific racial or ethnic groups and other similar strategies (Washington State Housing Finance Commission Low-Income Housing Tax Credit Program Policies, 33). Requires certification of notice to PHA. (Policies, 35.)	See "marketing requirements."
WV	2012	Program administered by the West Virginia Housing Development Fund (WVHDF).	The applicant must have completed and submitted an Affirmative Fair Housing Marketing Plan including Form HUD-935.2A (12/2011 or most	Award points for “written commitment with a public housing authority to utilize the authority’s waiting list and to target the persons appearing on that waiting list to occupy all vacant low-

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		<p>Property owners are required to certify annually that all units in the property were for use by the general public, including the requirement that no finding of discrimination under the Fair Housing Act occurred for the property. (QAP, 44)</p>	<p>recent version) for the property. All items on the form must be completed correctly including all attachments. In addition to the completed form, the approval of the property’s Affirmative Fair Housing Marketing Plan will require the submission of the following:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Policy Statement to include: <ul style="list-style-type: none"> <input type="checkbox"/> Nondiscrimination Policy <input type="checkbox"/> Civil Rights Laws applicable to the affirmative marketing program (refer to training manual or Appendix D of the Program Regulatory Compliance Reference) <input type="checkbox"/> Statement regarding accessibility <input type="checkbox"/> TDD/alternative methods of service to disabled individuals <input type="checkbox"/> Experience and staff instructions <input type="checkbox"/> Equal Employment Opportunity Statement <input type="checkbox"/> Designated Equal Employment Opportunity officer (list name) <input type="checkbox"/> Marketing and Outreach Narrative to include: <ul style="list-style-type: none"> <input type="checkbox"/> Direction of marketing activity <input type="checkbox"/> Commercial media <input type="checkbox"/> Brochures, signs, etc. 	<p>income units in the property, on an on-going basis.” (p. 24).</p>

Appendix B: Summary of AFHM and Non-Discriminatory Tenant Selection Provisions of State QAPS

<i>State</i>	<i>Plan Date</i>	<i>Summary of the Qualified Action Plan</i>	<i>Affirmative Fair Housing Marketing Provisions</i>	<i>Tenant Selection Provisions</i>
			<ul style="list-style-type: none"> <input type="checkbox"/> Community contacts identified <input type="checkbox"/> Advertising (how often will advertising be done, sources listed, etc.) <input type="checkbox"/> AFHMP posted in office <input type="checkbox"/> HUD Fair Housing Poster <input type="checkbox"/> Use of the Equal Housing Opportunity logo, slogan or Statement <input type="checkbox"/> Copies of advertisements and brochures attached <p>(Tax Credit Manual, 4-5).</p>	
WI	2013-2014	<p>Program administered by the Wisconsin Housing and Economic Development Authority (WHEDA).</p> <p>Development owners are required to certify that all units in the development are for use by the general public, including the requirement that no finding of discrimination under the Fair Housing Act occurred for the development.(QAP, 11).</p>	No references to specific program requirements.	No references to specific program requirements.
WY	2012	<p>Program administered by the Wyoming Community Development Authority (WCDA).</p> <p>Jurisdictions required to certify with respect to the applicable programs that programs will be conducted and administered in conformity with Title VI of the Civil</p>	<p>Applicants required to describe in detail in the application how they will market the proposed project to minorities or hard-to-reach very low income households (QAP, 71).</p> <p>WCDA has an affirmative marketing policy. The policy enumerates actions the WCDA takes to inform the public,</p>	<p>PHA waitlists: “Proposals that commit to giving preference to individuals and families on the public housing waiting lists, and commit to limiting the gross rent accepted from all sources to not exceed the maximum percentage as presented in the application, will receive 2 points.” (p. 26).</p>

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		Rights Act of 1964, the Fair Housing Act, and implementing regulations.(QAP, 172)	<p>homeowners, landlords and potential tenants about the Federal Fair Housing laws and the affirmative marketing goals, including:</p> <ul style="list-style-type: none"> • by making this program public • by notifying of Equal Opportunity requirements. • by maintaining appropriate records and requiring landlords to do the same • through public notices in applicable local newspapers and brochures as well as meetings and seminars in which WCDA participates • advising landlords with respect to compliance with Equal Housing Opportunity laws and requirements and enforcing such requirements • assisting landlords in outreach methods <p>(QAP, 89-90).</p> <p>Notes federal requirements for affirmative marketing and minority outreach requirements (QAP, 94-95).</p>	