

Chapter 2

FAIR HOUSING AND EQUAL OPPORTUNITY

INTRODUCTION

This chapter explains the laws and HUD regulations requiring PHAs to affirmatively further civil rights and fair housing in all federally-assisted housing programs. The letter and spirit of these laws are implemented through consistent policy and processes. The responsibility to further nondiscrimination pertains to all areas of the PHA's housing choice voucher (HCV) operations.

PHA Policy

Introduction and Background

In June 2011, staff from HUD's Office of Fair Housing and Equal Opportunity (FHEO) completed a civil rights-related program review of the City of Dubuque's Housing and Community Development Department, which administers Dubuque's Housing Choice Voucher (Section 8) program and the City's Community Development Block Grant (CDBG) program. The on-site review was conducted by equal opportunity specialists from HUD's office of FHEO, community planning and development representatives, and financial analysts from HUD's Office of Public and Indian housing (PIH). As a result of the compliance review, HUD issued a letter of findings on June 17, 2013, concluding that the City violated Title VI in administration of its Section 8 program.

The City of Dubuque is committed to the fair and equitable operation of its programs and denies any intent to discriminate but acknowledges that the actions taken had an unintended negative impact on African American program applicants. The City deeply regrets these impacts and is pursuing corrective actions and agreed to enter into a voluntary compliance agreement (VCA) with HUD. This VCA was developed to ensure continued compliance with the City's responsibilities under Title VI and its implementing regulations, as well as the City's affirmatively furthering fair housing obligations and the PIH regulations.

As part of the VCA, the City of Dubuque Housing and Community Development Department agreed to develop a Housing Choice Voucher Program Outreach Plan. This outreach plan will serve as one of several corrective action plans for any disparities toward African-Americans or any other minority groups in the City's housing programs. It will also serve to demonstrate Dubuque's commitment to offering fair housing opportunities to all persons who wish to live in Dubuque and enjoy its amenities and opportunities.

Serving in the capacity of the Public Housing Authority (PHA) and the general housing department for the City of Dubuque, the Department of Housing and Community Development is assigned to address two specific issues under the VCA with HUD dated March 31, 2014. The first phase is to develop and implement an outreach plan that reaches minority communities in adjoining states and communities connected to Dubuque through the interstate highway system that connects interstate travel and commerce. The outreach plan will offer Dubuque's Housing Choice Voucher program as an opportunity

for assisted living in the city of Dubuque, Iowa. The second is a marketing plan to promote homeownership opportunities in Dubuque, including a special effort to reach minority communities in the adjoining states and along the interstate travel connections.

It should be noted that minority populations including African Americans, Hispanics, Native Americans, and certain segments of the nation's Asian/Pacific Islander population, are not present in significant numbers in neither Dubuque nor the state of Iowa. While we do not contribute this fact to intentional discrimination, we recognize that there needs to be a specific outreach to insure minority populations have equal opportunity to participate in our Housing Choice Voucher and home ownership programs, and to remedy the effects of our past actions. In August 2012, prior to the VCA, the City of Dubuque hired Alvin Nash, who is African-American, as director of the Housing and Community Development Department; Nash has significant experience outside the Dubuque area in managing housing programs, affordable housing development and homeownership opportunities. He also has facilitated several community and neighborhood disputes which resulted in fair housing opportunities for all, including minority participants who might otherwise have been excluded from those opportunities.

Dubuque City Manager Mike Van Milligen appointed Nash as the Agreement Administrator for the VCA with full authority to execute programs and activities that result in satisfying the rules, regulations and conditions of the VCA. As a measure of intent, the City emphasizes it hired the most-qualified applicant for this responsibility without regard to race while recognizing that Nash's significant life experience in working across racial lines is an important qualification in an increasingly diverse community.

Outreach Approach

The Housing and Community Development Department (HCDD) has identified its internal outreach objectives as outreach, advancement, and education. We believe that our programs can benefit everyone in our community.

- Developing a Voluntary Affirmative Outreach Plan for all housing development, rehabilitation, and housing-related opportunities funded by the Community Development Block Grant Program
- Outlining an outreach program that includes special measures designed to attract those groups identified as least likely to be reached through our traditional outreach methods, while also expanding efforts designed to attract persons from the total population.
- Recognizing the community members already involved in any of our programs and encouraging them to utilize all programs and services available.
- Creating and distributing materials that educate the community on the various programs we offer, while clearly conveying the benefits our services will bring to the community as a whole.

To effectively achieve our outreach objectives, we have created three outreach messages that we believe are important in conveying to the general public the importance of the HCDD’s work to the long-term success of our community.

Outreach Messages

- Supporting all community members and improving quality of life
- Providing comprehensive housing services
- Creating sustainable housing solutions

Outreach Method and Rationale

In order to ensure that information about our programs, specifically the Housing Choice Voucher and homeownership programs, reaches a sufficient minority population to remedy in measurable ways the effects of our earlier decisions described in the letter of findings, we will focus on outreach to communities that are a reasonable distance from Dubuque and that have significant minority populations. We will conduct outreach within a 200-mile radius of Dubuque, which will enable us to include portions of Iowa, Illinois, Wisconsin, Minnesota, and Missouri.

At 100 miles from Dubuque, the minority population is 4.6%, at 150 miles the minority population is 6.6%, and at 200 miles the minority population is 11.3%. The following breakdown further explains outreach strategy and effectiveness.

Population by race/ethnicity	100 mile	150 mile	200 miles
Total population	3,085,573	11,231,124	20,026,130
White alone	88.8%	82.6%	77%
Black alone	4.6%	6.6%	11.3%
American Indian alone	0.3%	0.4%	0.5%
Asian alone	1.9%	4.0%	3.8%
Hispanic origin	5.7%	10.8%	12.7%
Some of the race alone	2.3%	4.3%	5.3%
Two or more races	2.0%	2.1%	2.1%
Diversity index	29.4	44.4	52.8

Notes:

- Persons of Hispanic origin may be of any race
- The diversity index measures the probability that two people from the same area will be from different race or ethnic groups.
- Source US Census Bureau 2010 summary file ESRI forecast

This approach helps us to ensure we reach interstate minority populations to remedy previous actions that, as outlined in the VCA, negatively impacted minority populations. The other reasoning is that a 200-mile radius reaches an approximately three and a half to four-hour drive, which covers the interstate distances. We have identified eight primary target groups/channels within this 200-mile radius where we will concentrate our outreach efforts:

1. **Public Housing Authorities:** We selected public housing authorities (PHA) to provide outreach materials on our Housing Choice Voucher and homeownership programs because, in most localities, the PHA is the first place that minority communities in need of assistance go to find housing opportunities and assistance. In most cases, these PHAs also operate the Housing Choice Voucher program or homeownership programs. We feel they are best equipped to provide information on our programs to potential clients who could benefit from housing opportunities in Dubuque.
2. **National Association for the Advancement of Colored People (NAACP) Chapters:** Traditionally, NAACP chapters were formed in cities with a population over 30,000 and were designed to protect the civil rights of minority populations and to extend to them equal opportunity under the Constitution. Most NAACP chapters today have consistent outreach programs with their membership and stakeholders that address issues in the community such as racial discrimination, unfair housing practices, and violations of civil rights. We believe that NAACP chapters in the 200-mile radius will be an excellent conduit for us to communicate and outreach about our housing opportunities and services to the minority populations in their communities.
3. **Applicants purged from Dubuque's Section 8 Waiting Lists between 2009 and 2011:** In its letter of findings to Dubuque, HUD found that the City's process of purging people from the waiting list resulted in disparaging impact and kept people out of the program, specifically African-Americans. We contend that there was no such intent with this process; however, we will notify all applicants on the waiting list in November and December 2009 that our waiting list is open and invite all applicants to apply. This list includes households that were purged from the waiting list and households that are not currently participating in the Housing Choice Voucher Program. Adding this activity to the City's proposed activities would potentially reach families, many of whom are African American, in the interstate area who previously wanted to live in Dubuque. We will send each individual household an invitation encouraging them to reapply and that we will mail applications upon request.
4. **National Urban League:** The National Urban League was formed in 1968 for the purpose of improving the economic impact and economic opportunities for minority individuals. Like the NAACP and other nonprofits, they have in place a successful outreach system to communicate with their constituents. Our plan is to solicit the National Urban League to assist us in the distribution of information on Dubuque's housing opportunities to their members and constituents. This information will explain specifically how to apply for the assisted housing program in Dubuque and will include detailed information about all homeownership opportunities, classes on improvement of credit and saving money, and information on down payment and closing cost assistance

for first-time home buyers. Our information also highlights the many ways in which Dubuque is a good place to live and raise a family.

5. **Social Media (i.e. Facebook and Twitter):** Social media and mobile platforms, particularly Facebook and Twitter, are very effective methods of sharing information and communicating with a variety of audiences, including the populations we intend to reach through these outreach efforts. Because of the low cost involved it is an especially popular communication source used by low- to moderate income populations. For this reason and the inherent ability to share these messages, we believe social media is an excellent conduit to provide information regarding our Housing Choice Voucher and homeownership programs. The City of Dubuque and the HCDD both have Facebook pages and the City of Dubuque also manages a Twitter account. Both will continue to be utilized to help market Dubuque's housing programs to the audiences targeted by this outreach plan.

6. **Mobile and Electronic Applications:** Mobile phone and other wireless device applications are an increasingly inexpensive and immediate way of communicating with people. As we communicate with our current tenants, we are exploring options to allow them to access and share information concerning housing programs in Dubuque and homeownership opportunities. Additionally, we are expanding our rental assistance software to allow for the electronic submission of applications for housing programs offered in Dubuque.

7. **Language Translation:** In order to insure that our products and services are understood by the groups we are targeting, we will provide our outreach materials in English, Spanish, and Marshallese. We will make them available upon demand and we will also send them to our neighboring PHAs.

8. **City of Dubuque Website:** The City of Dubuque recently launched a new and improved website with new navigation and graphic design elements to better convey programs, information, services and emergency support to our citizens. It is also an educational tool and resource management tool. We will enhance the existing information on the website about our Housing and Community Development programs. These efforts will focus on the Housing Choice Voucher application and process as well as detailed information about Dubuque's home ownership programs. These websites are often visited by minority families and individuals to learn about what a locality or city has to offer, and we believe could be a beneficial conduit to reach minority populations. The City website has an electronic translation service called Google Translate so a person does not need to know how to read English to read our website.

The launch date of our outreach and reaching-in campaign is on or before December 15, 2015. By that date, all eight of these methods will be in place and functioning.

This chapter describes HUD regulations and PHA policies related to these topics in four parts:

Part I: Nondiscrimination. This part presents the body of laws and regulations governing the responsibilities of the PHA regarding nondiscrimination.

Part II: Policies Related to Persons with Disabilities. This part discusses the rules and policies of the housing choice voucher program related to reasonable accommodation for persons with disabilities. These rules and policies are based on the Fair Housing Act (42.U.S.C.) and Section 504 of the Rehabilitation Act of 1973, and incorporate guidance from the Joint Statement of The Department of Housing and Urban Development and the Department of Justice (DOJ), issued May 17, 2004.

Part III: Prohibition of Discrimination Against Limited English Proficiency Persons. This part details the obligations of the PHA to ensure meaningful access to the HCV program and its activities by persons with limited English proficiency (LEP). This part incorporates the Final Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition against National Origin Discrimination Affecting Limited English Proficient Persons published January 22, 2007, in the *Federal Register*.

Part IV: Program Outreach/Affirmative Fair Housing Marketing Plan and Procedures. This part details the outreach efforts conducted by the City of Dubuque to ensure the HCV program is available to all qualifying people, regardless of race, color, religion, national origin, sex, disability, familial status, gender identity, or sexual orientation.

PART I: NONDISCRIMINATION

2-I.A. OVERVIEW

Federal laws require PHAs to treat all applicants and participants equally, providing the same opportunity to access services, regardless of family characteristics and background. Federal law prohibits discrimination in housing on the basis of race, color, religion, sex, national origin, age, familial status, and disability. In addition, HUD regulations provide for additional protections regarding actual or perceived sexual orientation, gender identity, and marital status. The PHA will comply fully with all federal, state, and local nondiscrimination laws, and with rules and regulations governing fair housing and equal opportunity in housing and employment, including:

- Title VI of the Civil Rights Act of 1964
- Title VIII of the Civil Rights Act of 1968 (as amended by the Community Development Act of 1974 and the Fair Housing Amendments Act of 1988)
- Executive Order 11063
- Section 504 of the Rehabilitation Act of 1973
- The Age Discrimination Act of 1975
- Title II of the Americans with Disabilities Act (to the extent that it applies, otherwise Section 504 and the Fair Housing Amendments govern)
- Violence Against Women Reauthorization Act of 2005 (VAWA)
- The Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity Final Rule, published in the *Federal Register* February 3, 2012

When more than one civil rights law applies to a situation, the laws will be read and applied together.

Any applicable state laws or local ordinances and any legislation protecting individual rights of tenants, applicants, or staff that may subsequently be enacted will also apply.

PHA Policy

The City of Dubuque is committed to promoting fair housing and equal opportunity for families of all race, ethnic backgrounds, religion, sex, disability, familial status, gender identity and sexual orientation.

It shall be unfair or discriminatory practice for any person to refuse or deny to any person the opportunity to apply or participate in programs because of race, creed, color, sex, age, national origin, familial status, disability, marital status, religion, sexual orientation or gender identity. See City of Dubuque Code, Title 8 Human Rights.

2-I.B. NONDISCRIMINATION

Federal regulations prohibit discrimination against certain protected classes and other groups of people. State and local requirements, as well as PHA policies, can prohibit discrimination based on other factors.

The PHA shall not discriminate because of race, color, sex, religion, familial status, age, disability, gender identity, sexual orientation or national origin (called “protected classes”)

Familial status includes children under the age of 18 living with parents or legal custodians, pregnant women, and people securing custody of children under the age of 18.

The PHA will not discriminate on the basis of marital status, gender identity, or sexual orientation [FR Notice 02/03/12].

PHA Policy

The PHA will not discriminate against any applicant, participant or property owner because of race, color, creed, national or ethnic origin or ancestry, religion, sex, age, disability, sexual orientation, gender identity, or familial status; nor will any criteria be applied, nor information be considered, pertaining to attributes or behavior that may be imputed by some to a particular group or category. All criteria applied and information considered in administering this plan shall relate to the attributes and behavior of the individual members of the household. All activities and policies contained in this plan have been created to offer greater opportunities for affordable housing.

The PHA will not use any of these factors to:

- Deny to any family the opportunity to apply for housing, nor deny to any qualified applicant the opportunity to participate in the housing choice voucher program
- Provide housing that is different from that provided to others
- Subject anyone to segregation or disparate treatment
- Restrict anyone's access to any benefit enjoyed by others in connection with the housing program
- Treat a person differently in determining eligibility or other requirements for admission
- Steer an applicant or participant toward or away from a particular area based any of these factors
- Deny anyone access to the same level of services
- Deny anyone the opportunity to participate in a planning or advisory group that is an integral part of the housing program
- Discriminate in the provision of residential real estate transactions
- Discriminate against someone because they are related to or associated with a member of a protected class

- Publish or cause to be published an advertisement or notice indicating the availability of housing that prefers or excludes persons who are members of a protected class

Providing Information to Families and Property Owners

The PHA must take steps to ensure that families and property owners are fully aware of all applicable civil rights laws. As part of the briefing process, the PHA must provide information to HCV applicant families about civil rights requirements and the opportunity to rent in a broad range of neighborhoods [24 CFR 982.301]. The Housing Assistance Payments (HAP) contract informs property owners of the requirement not to discriminate against any person because of race, color, religion, sex, national origin, age, familial status, or disability in connection with the contract.

Discrimination Complaints

If an applicant or participant believes that any family member has been discriminated against by the PHA or an owner, the family should advise the PHA. HUD requires the PHA to make every reasonable attempt to determine whether the applicant's or participant's assertions have merit and take any warranted corrective action. In addition, the PHA is required to provide the applicant or participant with information about how to file a discrimination complaint [24 CFR 982.304].

PHA Policy

Applicants or participants who believe that they have been subject to unlawful discrimination may notify the PHA either orally or in writing.

The PHA will attempt to remedy discrimination complaints made against the PHA. The PHA shall not retaliate against any person who files a complaint.

The PHA will provide a copy of a discrimination complaint form to the complainant and provide them with information on how to complete and submit the form to HUD's Office of Fair Housing and Equal Opportunity (FHEO).

PART II: POLICIES RELATED TO PERSONS WITH DISABILITIES

2-II.A. OVERVIEW

One type of disability discrimination prohibited by the Fair Housing Act is the refusal to make reasonable accommodation in rules, policies, practices, or services when such accommodation may be necessary to afford a person with a disability the equal opportunity to use and enjoy a program or dwelling under the program.

The PHA must ensure that persons with disabilities have full access to the PHA's programs and services. This responsibility begins with the first contact by an interested family and continues through every aspect of the program.

PHA Policy

The purpose of this section is to ensure equal access and participation of disabled persons in assisted housing programs administered by the City of Dubuque. No qualified individual with a disability shall, by reason of such disability, be excluded from application, participation or benefits of the assisted housing programs, or be subjected to discrimination. Documentation regarding the disability will be provided on a voluntary basis. Refusal to provide information regarding disability will not subject the applicant to adverse treatment; however, if the disabled person is seeking reasonable accommodation, documentation will be required. All medical information obtained shall be kept confidential, including information about functional limitations and reasonable accommodation needs.

Accommodations are not reasonable if they require fundamental alterations in the nature of a program or impose undue financial and administrative burdens on the PHA. The PHA may not be required to make requested accommodations if effective alternatives permit full program participation. The purpose of providing reasonable accommodation is to provide the applicant/participant with a disability the opportunity to meet essential requirements of the program and an equal opportunity to apply/participate in housing programs through modification of policies, procedures, or practices. It does not require reducing or waiving essential requirements of program participation nor is it intended to provide greater program benefits to persons with disabilities than to non-disabled applicants/participants.

If, in the course of investigating mitigating circumstances or seeking reasonable accommodation, the applicant/participant offers medical information to support the request, the PHA is permitted to verify the relevant information.

The PHA will ask all applicants and participants if they require any type of accommodation due to a disability in order to fully utilize programs and services, in writing, on the intake application, reexamination documents, and notices of adverse action by the PHA.

A specific name and phone number of designated staff will be provided to process requests for accommodation.

The PHA will display posters and other housing information and signage in locations throughout the PHA's office in such a manner as to be easily readable from a wheelchair.

2-II.B. DEFINITION OF REASONABLE ACCOMMODATION

A person with a disability may require certain types of accommodation in order to have equal access to the HCV program. The types of reasonable accommodations the PHA can provide include changes, exceptions, or adjustments to a rule, policy, practice, or service.

Federal regulations stipulate that requests for accommodations will be considered reasonable if they do not create an "undue financial and administrative burden" for the PHA, or result in a "fundamental alteration" in the nature of the program or service offered. A fundamental alteration is a modification that alters the essential nature of a provider's operations.

Types of Reasonable Accommodations

When needed, the PHA will modify normal procedures to accommodate the needs of a person with disabilities. Examples include:

- Permitting applications and reexaminations to be completed by mail
- Conducting home visits
- Using higher payment standards (either within the acceptable range or with HUD approval of a payment standard outside the PHA range) if the PHA determines this is necessary to enable a person with disabilities to obtain a suitable housing unit
- Providing time extensions for locating a unit when necessary because of lack of availability of accessible units or special challenges of the family in seeking a unit
- Permitting an authorized designee or advocate to participate in the application or certification process and any other meetings with PHA staff

2-II.C. REQUEST FOR AN ACCOMMODATION

If an applicant or participant indicates that an exception, change, or adjustment to a rule, policy, practice, or service is needed because of a disability, HUD requires that the PHA treat the information as a request for a reasonable accommodation, even if no formal request is made [Joint Statement of the Departments of HUD and Justice: Reasonable Accommodations under the Fair Housing Act].

The family must explain what type of accommodation is needed to provide the person with the disability full access to the PHA's programs and services.

If the need for the accommodation is not readily apparent or known to the PHA, the family must explain the relationship between the requested accommodation and the disability. There must be an identifiable connection, or nexus, between the requested accommodation and the individual's disability.

PHA Policy

- **Notification to Applicants/Participants Regarding Reasonable Accommodation Requests**

Information on the availability of the City of Dubuque's reasonable accommodation procedure will be provided in the application packet, briefing packet, renewal notice, and notice of program violation/termination. The applicant/participant may make a request for reasonable accommodation in any manner convenient.

The PHA will encourage the family to make its request in writing using a reasonable accommodation request form. However, the PHA will consider the accommodation any time the family indicates that an accommodation is needed whether or not a formal written request is submitted.

Although the process for requesting a reasonable accommodation is standardized, each request will be treated uniquely. The results will be unique to the individual and the property and/or circumstances involved. Whenever possible, reasonable accommodation decisions will be made in a timely manner (within 20 days) after receipt of request or necessary verifications. Responses will be documented in writing. If applicable, forms and notifications will be provided in a format accessible to the applicant/participant.

- **Auxiliary Aids and Services Provided by City of Dubuque**

To facilitate communication with persons with disabilities, staff to the greatest extent possible shall furnish appropriate auxiliary aids. Auxiliary aids means services or devices that are reasonably necessary to enable persons with impaired sensory, manual or speaking skills to have an equal opportunity to participate in, and to enjoy the benefits of programs and activities. Types of auxiliary aids and accommodations that are available include but are not limited to:

1. Providing additional explanation of program rules and requirements.
2. Offering information in accessible formats (e.g., large type) and in simple language.
3. Permitting requested information and communication to be mailed rather than

delivered or obtained in person.

4. Providing auxiliary aids, such as but not limited to, pencil and paper for those with speech difficulties, Telecommunication Device for the Deaf or utilizing Relay Iowa (<http://www.relayiowa.com/>) services, sign language interpreter for a hearing impaired person, or providing documents and informational materials in an appropriate manner for visually impaired persons, although advance notice may be required.
5. Sending mail or making phone calls to a person designated, by the individual with disabilities, as a contact person.
6. Assisting persons with disabilities in completing forms, reading materials, etc.

2-II.D. VERIFICATION OF DISABILITY

The regulatory civil rights definition for persons with disabilities is provided in Exhibit 2-1 at the end of this chapter. The definition of a person with a disability for the purpose of obtaining a reasonable accommodation is much broader than the HUD definition of disability which is used for waiting list preferences and income allowances.

Before providing an accommodation, the PHA must determine that the person meets the definition of a person with a disability, and that the accommodation will enhance the family's access to the PHA's programs and services.

If a person's disability is obvious or otherwise known to the PHA, and if the need for the requested accommodation is also readily apparent or known, no further verification will be required [Joint Statement of the Departments of HUD and Justice: Reasonable Accommodations under the Fair Housing Act].

If a family indicates that an accommodation is required for a disability that is not obvious or otherwise known to the PHA, the PHA must verify that the person meets the definition of a person with a disability, and that the limitations imposed by the disability require the requested accommodation.

When verifying a disability, the PHA will follow the verification policies provided in Chapter 7. All information related to a person's disability will be treated in accordance with the confidentiality policies provided in Chapter 16. In addition to the general requirements that govern all verification efforts, the following requirements apply when verifying a disability:

- Third-party verification must be obtained from an individual identified by the family who is competent to make the determination. A knowledgeable professional, a peer support group, a non-medical service agency, or a reliable third party who is in a position to know about the individual's disability may provide verification of a disability [Joint Statement of the Departments of HUD and Justice: Reasonable Accommodations under the Fair Housing Act]
- The PHA must request only information that is necessary to evaluate the disability-related need for the accommodation. The PHA will not inquire about the nature or extent of any disability.
- Medical records will not be accepted or retained in the participant file.

- In the event that the PHA does receive confidential information about a person's specific diagnosis, treatment, or the nature or severity of the disability, the PHA will dispose of it. In place of the information, the PHA will note in the file that the disability and other requested information have been verified, the date the verification was received, and the name and address of the knowledgeable professional who sent the information [Notice PIH 2010-26].

2-II.E. APPROVAL/DENIAL OF A REQUESTED ACCOMMODATION [Joint Statement of the Departments of HUD and Justice: Reasonable Accommodations under the Fair Housing Act, Notice PIH 2010-26].

The PHA must approve a request for an accommodation if the following three conditions are met:

- The request was made by or on behalf of a person with a disability.
- There is a disability-related need for the accommodation.
- The requested accommodation is reasonable, meaning it would not impose an undue financial and administrative burden on the PHA, or fundamentally alter the nature of the PHA's HCV operations (including the obligation to comply with HUD requirements and regulations).

Requests for accommodations must be assessed on a case-by-case basis, taking into account factors such as the overall size of the PHA's program with respect to the number of employees, type of facilities and size of budget, type of operation including composition and structure of workforce, the nature and cost of the requested accommodation, and the availability of alternative accommodations that would effectively meet the family's disability-related needs.

Before making a determination whether to approve the request, the PHA may enter into discussion and negotiation with the family, request more information from the family, or may require the family to sign a consent form so that the PHA may verify the need for the requested accommodation.

PHA Policy

The process of requesting and reviewing requests for reasonable accommodation will be an interactive process requiring cooperation and communication between the applicant/participant and staff. If any person is disabled and requires special assistance due to the nature of a disability, extra efforts shall be made by the PHA to assist with any reasonable requested need. Detailed information about the medical condition shall not be requested. However, any limitations caused by the disability that result in the need for reasonable accommodation shall be considered. If a different accommodation that does not conflict with program rules and regulations can be identified, this accommodation may be offered as an alternative so long as it is equally effective at meeting limitations identified. The PHA's review of reasonable accommodation requests may result in the accommodation being granted, partially granted, denied, or placed on hold until further verification can be received.

It is also the policy of the PHA to guard the privacy of individuals in accordance with the Privacy Act of 1974, and to ensure the protection of individuals' records maintained by the PHA. Therefore, the PHA shall not disclose any personal information (including, but

not limited to information on any disability medical or financial) contained in its records to any person or agency unless the individual about whom the information is requested gives written consent to such disclosure, or as required by law. This privacy policy in no way limits the PHA's ability to collect such information as it may need to determine eligibility or compute rent.

When considering whether to grant the accommodation, the following questions will be assessed:

Does the applicant/participant meet the definition of an individual with a disability or Fair Housing Act? (This can be determined through the applicant/participant's eligibility for SSI or SSDI benefits or other verification of disability)

If no, the City of Dubuque is not obligated to make a reasonable accommodation, and may deny the request.

If yes, go to next step.

If more information is needed, it will be requested and the applicant/participant will be notified of this request, using the standard "Notification of Additional Information per Reasonable Accommodation Request Form," or a meeting or discussion will be held to obtain additional information.

Is the requested accommodation related to the disability?

If no, City of Dubuque is not obligated to make the requested accommodation, and may deny the request.

If yes, go to next step.

If more information is needed, either write for more information and notify the applicant/participant, using the standard "Notification of Additional Information per Reasonable Accommodation Request Form," or a meeting or discussion will be held to obtain additional information.

Is the requested accommodation reasonable?(Also See Guidelines for Determining Reasonableness)

If no, City of Dubuque may deny the request or suggest/offer an alternative accommodation. The denial or suggestion/offer will be made in writing.

If yes, City of Dubuque will approve the request for reasonable accommodation. A written description of the accommodation will be included in the approval letter.

If more information is needed, either write for more information and notify the applicant/participant, using the standard "Notification of Additional Information per Reasonable Accommodation Request Form," or a meeting or discussion will be held to obtain additional information.

After a request for an accommodation is presented, the PHA will respond, in writing, within 10 business days.

Guidelines for Determining Reasonableness

1. Detailed information about the medical condition should not be requested. However, any limitations caused by the disability that result in the need for reasonable accommodation shall be considered.
2. The accommodation that is being requested and its reasonable relationship to the person's limitations shall be considered.
 - a) The applicant/participant shall describe the policy, rule or barrier that is problematic.
 - b) The applicant/participant shall describe how this policy or barrier interferes with the enjoyment of housing programs due to a disability.
 - c) The applicant/participant shall describe the desired change in the policy, rule or barrier.
 - d) Staff shall assist the applicant/participant in completing forms or requesting the accommodation whenever necessary.
3. Unless the need for the requested accommodation is obvious, the request for reasonable accommodation will require a medical professional or care provider with knowledge of the condition and needs to submit a signed letter on professional letterhead stating that the person has a disability, and briefly describing what accommodation is needed and why that particular accommodation is necessary. (Verifications, for example, may be provided by nurse practitioner, social worker, physical therapist, etc.)
4. Staff will consult with the applicant/participant to identify potential accommodations that would be effective in meeting the limitations caused by the applicant/participant's disability.
5. If a different accommodation that does not conflict with program rules and regulations can be identified, this accommodation may be offered as an alternative so long as it is equally effective at meeting limitations identified.
 - a) City of Dubuque may investigate alternatives to the requested accommodation, and/or alternative methods of providing the requested accommodation.
 - b) If a number of potential accommodations are equally effective at meeting the needs of the person with disabilities, City of Dubuque will give primary consideration to the requested accommodation but may select the accommodation which is most convenient and cost-effective.
6. The verification must state that the requested accommodation is related to the person's disability; and provide enough information to verify that approval of the accommodation would provide the applicant/participant with an equal opportunity to enjoy the housing programs that would otherwise not be possible.
7. In certain instances, when the nature of a disability or the need for a reasonable accommodation is not clear, staff may request additional medical information about the functional impairment and the need for a reasonable accommodation in order to evaluate the request.
8. City of Dubuque retains the right to make the final decision on the adequacy and credibility of any and all documentation provided to substantiate reasonable

accommodation requests. When verifications are not acceptable, staff will explain to the applicant/participant what is needed and may request that the applicant/participant sign additional releases and/or contact other sources of information. Staff may contact identified sources of information directly, in an effort to obtain objective, verifiable documentation regarding reasonable accommodation requests.

Some examples of reasonable accommodations that may be **granted** include:

- a) Assistance in completing forms/applications/recertification documents
- b) Providing an advocate or case manager, information about the application or participation provided the family has provided written notice listing the contact person and authorizing the PHA to release the information
- c) Special consideration or a modification of program rules, policies, procedures, or types of communication
- d) Special accessibility features (e.g., wheelchair accessible) in the assisted dwelling unit, including a request of known accessible apartments that provide such housing opportunities
- e) Considerations of mitigating circumstances for determinations of ineligibility or termination of benefits. Mitigating circumstances would be facts (that can be verified) that would overcome or outweigh information already gathered in the process of determining eligibility. Evidence of mitigating circumstances might include (a) evidence of successful rehabilitation (b) evidence of the applicant's participation in social service or other appropriate counseling service (c) evidence of successful and sustained modification of previous disqualifying behavior. If the applicant refuses to provide or give access to the documentation of mitigating circumstances, the PHA will not provide further consideration to these conditions
- f) The PHA will offer a reasonable accommodation to prospective participants with disabilities in the way the briefing session prior to Voucher issuance is offered. For example, some persons with disabilities may not be able to attend sessions in large groups; some persons may require an interpreter or a more thorough explanation of the briefing
- g) The PHA has established the method of issuing the unit size of the voucher that takes into account family size and composition. An exception to the voucher size issued may be considered for a person with disabilities when necessary to provide a reasonable accommodation. ((e.g., A family that is usually given a two bedroom voucher (parent, two children) requires one of the children to have a separate bedroom due to medical apparatus needs; may request a reasonable accommodation to have the voucher size upgraded to a three bedroom.))
- h) The term of the Voucher is defined in the PHA Administrative Plan. As a reasonable accommodation to persons with disabilities, the PHA may grant extensions beyond the time limits normally allowed to enable persons with disabilities additional time to locate units that are accessible due to the persons' limitations or for medical reasons related to the disabilities.
- i) Persons with disabilities may request an exception to the Voucher Payment Standard if the request is a reasonable accommodation that is necessary to enable persons to access and to ensure equal opportunity to the housing programs.

- j) Exceptions to the regulation prohibiting participants from renting from relatives may be granted as a reasonable accommodation if necessary for participation in the program.

If the PHA denies a request for an accommodation because it is not reasonable (it would impose an undue financial and administrative burden or fundamentally alter the nature of the PHA's operations), the PHA will discuss with the family whether an alternative accommodation could effectively address the family's disability-related needs without a fundamental alteration to the HCV program and without imposing an undue financial and administrative burden.

If a request for reasonable accommodation is denied, City of Dubuque shall inform the applicant/participant in writing (and other appropriate accessible forms of communication, if necessary) of the denial and the reason for the denial. The notice will also advise the applicant/participant of the right to appeal the decision to deny the accommodation.

Reasons for denial may include:

- a) The individual requesting the accommodation does not meet the definition of a person with a disability.
- b) The requested accommodation is not reasonable. (The reason for the decision will be clearly stated.)
- c) There was no correlation between the requested accommodation and the individual's disability (e.g., moving to a unit with a wheelchair ramp is requested by an individual who has a mental disability, with no physical impairment.)
- d) The requested accommodation will create an undue financial and/or administrative burden for the City of Dubuque.
- e) The requested accommodation will change the fundamental nature of the program.
- f) The requested accommodation would violate a Local, State or Federal statute or regulation.
- g) Failure of the applicant/participant requesting the accommodation to provide appropriate verification.

If the PHA believes that the family has failed to identify a reasonable alternative accommodation after interactive discussion and negotiation, the PHA will notify the family, in writing, of its determination within 10 business days from the date of the most recent discussion or communication with the family. Applicants/Participants who have been denied reasonable accommodations are entitled to the Informal Hearing procedures currently in place under program regulations.

The need for reasonable accommodation may change or no longer be appropriate if circumstances change in the accommodation required. (e.g., the applicant/participant is no longer disabled or no longer requires the requested accommodation) The PHA will provide written notice of the change or discontinuation of a reasonable accommodation to the applicant/participant clearly stating the reason and offering the applicant/participant the right to appeal the decision. In these instances, written

notices of any change will be provided a) prior to initial occupancy of an assisted unit or b) prior to the annual recertification.

2-II.F. PROGRAM ACCESSIBILITY FOR PERSONS WITH HEARING OR VISION IMPAIRMENTS

HUD regulations require the PHA to ensure that persons with disabilities related to hearing and vision have reasonable access to the PHA's programs and services [24 CFR 8.6].

At the initial point of contact with each applicant, the PHA shall inform all applicants of alternative forms of communication that can be used other than plain language paperwork.

PHA Policy

To meet the needs of persons with hearing impairments, TTD/TTY (text telephone display / teletype) communication or Relay Iowa services (<http://www.relayiowa.com/>) will be available.

To meet the needs of persons with vision impairments, large-print and audio versions of key program documents will be made available upon request. When visual aids are used in public meetings or presentations, or in meetings with PHA staff, one-on-one assistance will be provided upon request.

Additional examples of alternative forms of communication are sign language interpretation; having material explained orally by staff; or having a third party representative (a friend, relative or advocate, named by the applicant) or another interpreter hired by the PHA to receive, interpret and explain housing materials and be present at all meetings.

2-II.G. PHYSICAL ACCESSIBILITY

The PHA must comply with a variety of regulations pertaining to physical accessibility, including the following:

- Notice PIH 2010-26
- Section 504 of the Rehabilitation Act of 1973
- The Americans with Disabilities Act of 1990
- The Architectural Barriers Act of 1968
- The Fair Housing Act of 1988

The PHA's policies concerning physical accessibility must be readily available to applicants and participants. They can be found in three key documents:

- This plan describes the key policies that govern the PHA's responsibilities with regard to physical accessibility.
- Notice PIH 2010-26 summarizes information about pertinent laws and implementing regulations related to nondiscrimination and accessibility in federally-funded housing programs.
- The PHA Plan provides information about self-evaluation, needs assessment, and transition plans.

The design, construction, or alteration of PHA facilities must conform to the Uniform Federal Accessibility Standards (UFAS). Newly-constructed facilities must be designed to be readily accessible to and usable by persons with disabilities. Alterations to existing facilities must be accessible to the maximum extent feasible, defined as not imposing an undue financial and administrative burden on the operations of the HCV program.

When issuing a voucher to a family that includes an individual with disabilities, the PHA will include a current list of available accessible units known to the PHA and will assist the family in locating an available accessible unit, if necessary.

In general, owners must permit the family to make reasonable modifications to the unit. However, the owner is not required to pay for the modification and may require that the unit be restored to its original state at the family's expense when the family moves.

2-II.H. DENIAL OR TERMINATION OF ASSISTANCE

A PHA's decision to deny or terminate the assistance of a family that includes a person with disabilities is subject to consideration of reasonable accommodation [24 CFR 982.552 (2)(iv)].

When applicants with disabilities are denied assistance, the notice of denial must inform them of the PHA's informal review process and their right to request a hearing. In addition, the notice must inform applicants with disabilities of their right to request reasonable accommodations to participate in the informal hearing process.

When a participant family's assistance is terminated, the notice of termination must inform them of the PHA's informal hearing process and their right to request a hearing and reasonable accommodation.

When reviewing reasonable accommodation requests, the PHA must consider whether any mitigating circumstances can be verified to explain and overcome the problem that led to the PHA's decision to deny or terminate assistance. If a reasonable accommodation will allow the family to meet the requirements, the PHA must make the accommodation.

Any person has a right to representation by legal or other counsel at his/her own expense at any and all times. An "Authorization of Release of Information" is required if the person wishes to have the City of Dubuque Housing & CD staff share information with the selected legal representative.

PART III: IMPROVING ACCESS TO SERVICES FOR PERSONS WITH LIMITED ENGLISH PROFICIENCY (LEP)

2-III.A. OVERVIEW

Language for Limited English Proficiency Persons (LEP) can be a barrier to accessing important benefits or services, understanding and exercising important rights, complying with applicable responsibilities, or understanding other information provided by the HCV program. In certain circumstances, failure to ensure that LEP persons can effectively participate in or benefit from federally-assisted programs and activities may violate the prohibition under Title VI against discrimination on the basis of national origin. This part incorporates the Final Guidance to Federal Assistance Recipients Regarding Title VI Prohibition against National Origin Discrimination Affecting Limited English Proficient Persons, published January 22, 2007, in the *Federal Register*.

The PHA will take affirmative steps to communicate with people who need services or information in a language other than English. These persons will be referred to as Persons with Limited English Proficiency (LEP).

LEP is defined as persons who do not speak English as their primary language and who have a limited ability to read, write, speak or understand English. For the purposes of this administrative plan, LEP persons are HCV applicants and participants, and parents and family members of applicants and participants.

In order to determine the level of access needed by LEP persons, the PHA will balance the following four factors: (1) the number or proportion of LEP persons eligible to be served or likely to be encountered by the Housing Choice Voucher program; (2) the frequency with which LEP persons come into contact with the program; (3) the nature and importance of the program, activity, or service provided by the program to people's lives; and (4) the resources available to the PHA and costs. Balancing these four factors will ensure meaningful access by LEP persons to critical services while not imposing undue burdens on the PHA.

2-III.B. ORAL INTERPRETATION

In a hearing, or situations in which health, safety, or access to important benefits and services are at stake, the PHA will generally offer, or ensure that the family is offered through other sources, competent services free of charge to the LEP person.

PHA Policy

The City of Dubuque has an affirmative responsibility to provide persons who are “limited English proficient” (LEP) equal opportunity for participation in the Assisted Housing Program. If any person is not fluent in English, the Housing Authority will provide an interpreter or utilize a translation service at no cost to the LEP person. The Housing Agency will take proactive steps to ensure the LEP person is able to understand the services and benefits available. The HA will continually assess the language needs of program participants and those persons on the waiting list to identify the needs of the population being served and resources available. If more than 5% of the population served or more than 100 persons are in a language group consisting of LEP persons, the HA shall ensure vital documents are translated into the appropriate language. If less than the percentage or number of persons served as stated above are in an identified language group, the HA will consider the expenses of written translations and implement if financially feasible. However, oral interpretations shall be offered as stated above. Case file information noting the language needs of each LEP applicant/participant shall be maintained in each individual’s file.

The PHA will analyze the various kinds of contacts it has with the public, to assess language needs and decide what reasonable steps should be taken. “Reasonable steps” may not be reasonable where the costs imposed substantially exceed the benefits.

Where feasible, the PHA will train and hire bilingual staff or other known interpreters to be available to act as interpreters and translators, will pool resources with other PHAs, and will standardize documents. Where feasible and possible, the PHA will encourage the use of qualified community volunteers.

Where LEP persons desire, they will be permitted to use, at their own expense, an interpreter of their own choosing, in place of or as a supplement to the free language services offered by the PHA. The interpreter may be a family member or friend.

2-III.C. WRITTEN TRANSLATION

Translation is the replacement of a written text from one language into an equivalent written text in another language.

PHA Policy

In order to comply with written-translation obligations, the PHA will take the following steps:

The PHA will provide written translations of vital documents for each eligible LEP language group that constitutes 5 percent or 100 persons, whichever is less, of the population of persons eligible to be served or likely to be affected or

encountered. Translation of other documents, if needed, can be provided orally; or
If there are fewer than 50 persons in a language group that reaches the 5 percent trigger, the PHA does not translate vital written materials, but provides written notice in the primary language of the LEP language group of the right to receive competent oral interpretation of those written materials, free of cost.

2-III.D. IMPLEMENTATION PLAN

After completing the four-factor analysis and deciding what language assistance services are appropriate, the PHA shall determine whether it is necessary to develop a written implementation plan to address the identified needs of the LEP populations it serves.

If the PHA determines that it is not necessary to develop a written implementation plan, the absence of a written plan does not obviate the underlying obligation to ensure meaningful access by LEP persons to the PHA's Housing Choice Voucher program and services.

PHA Policy

If it is determined that the PHA serves very few LEP persons, and the PHA has very limited resources, the PHA will consider alternative ways to articulate in a reasonable manner a plan for providing meaningful access. Entities having significant contact with LEP persons, such as schools, grassroots and faith-based organizations, community groups, and groups working with new immigrants will be contacted for input into the process.

If the PHA determines it is appropriate to develop a written LEP plan, the following five steps will be taken: (1) Identifying LEP individuals who need language assistance; (2) identifying language assistance measures; (3) training staff; (4) providing notice to LEP persons; and (5) monitoring and updating the LEP plan.

PART IV: PROGRAM OUTREACH/AFFIRMATIVE FAIR HOUSING MARKETING PLAN AND PROCEDURES

2-IV.A. COMMITMENT TO FAMILY AND ASSISTED HOUSING MARKETING PLAN

PHA Policy

The City of Dubuque recognizes the importance of an affirmative fair housing marketing plan designed to attract all eligible applicants/participants and to affirmatively promote an open and inclusive community. The PHA is dedicated to creating a model HCV program that offers opportunities for all persons. The PHA is committed to improving service delivery and outreach efforts.

In creating policy, the PHA has reviewed practices, performed a comprehensive examination of the manner in which services are delivered and considered the impacts of all marketing and outreach efforts to ensure full compliance with civil rights laws and to ensure access by all eligible applicants/participants.

2-IV.B. OUTREACH

PHA Policy

The PHA shall make good faith efforts to carry out the Program Outreach and Affirmative Fair Housing Marketing Plan and Procedures.

The PHA shall identify the segments of the eligible population which are least likely to apply for housing. The PHA has created an outreach program which includes special measures designed to attract those identified as least likely to apply and to create opportunities for all. Special outreach efforts include direct marketing to increase participation by minority populations as identified in the Executive Summary beginning on page 1. Effort will be made to communicate in writing and/or verbally with contact sources and to develop positive relationships and obtain referrals to attract targeted groups to diversify the housing community. In an effort to track outreach efforts, the application for assisted housing shall include a question asking the applicant how the applicant became aware of the program and if the applicant is aware of outreach efforts performed by the City.

HUD Fair Housing Posters or Brochures in English, Spanish and Marshallese shall be available if obtainable from HUD and displayed for public review at the PHA office. All brochures, signs and posters are an integral part of the affirmative marketing effort and shall be consistent with Fair Housing Rules and Regulations. The PHA shall make all primary brochures available in English, Spanish and Marshallese. Primary brochures are brochures provided to the public advising of program availability, such as, brochures describing eligibility guidelines and application procedures.

The PHA has identified several organizations to intentionally market programs to ensure families are familiar with opportunities for participation in the HCV programs. Organizations include but are not limited to churches, schools, clinics, service agencies, hospitals and grocery stores. (See Exhibit 2-2) Although this list identifies some organizations/places for additional outreach, other organizations may be identified and added on an on-going basis.

The PHA shall also use social media and attend expos/events within the community, and extend marketing to include a 200 mile radius from the City.

PHA staff shall reach out to community contacts to supplement formal communications media for the purpose of public awareness of availability of HCV programs.

Outreach to property owners is done through staff attendance at the Dubuque Crime-Free Multi-Housing Program. The Dubuque Successful Rental Property Management provides property owners comprehensive information on all aspects of managing rental housing. The program is offered at least twice per year. The presenters include local attorneys and representatives from the City of Dubuque's Police, Fire, Human Rights, Legal and Housing Departments. Additionally, staff meets with Landlord Association Board members on a monthly basis. Property Owners are encouraged to list available units with the PHA. The list of available rentals is available to all persons at the City of Dubuque Housing and Community Development Office and online at www.cityofdubuque.org/hcv

The PHA utilizes various media for local outreach including City News, a newsletter published and distributed with City utility bills six times per year that is also available online and at City Hall. The PHA provides outreach including distribution of the City of Dubuque Housing Commission Agenda to media including the Telegraph Herald, KWWL TV, KCRG TV, KGAN TV, WDBQ/KLYV/Eagle 102/KIYX radio stations, KAT/KGRR/KDTH/WVRE radio stations, City Channel Dubuque (local government access television channel), Dubuque Landlord Association, Julien's Journal magazine and the City's website.

2-IV.C. OUTREACH/MARKETING PLAN GOALS

PHA Policy

The PHA has identified the following goals and strategies within its outreach/marketing plan:

- a. Goal 1: Increase homeownership among minority voucher participants and to non-minority voucher participants
 - i. Strategy 1: Increase visibility and awareness of the opportunity by creating multi-lingual marketing materials to be displayed and distributed according to the Outreach/Marketing Plan (also see outreach spreadsheet).
 - ii. Strategy 2: Invite realtors from other cultures to present to Resident Advisory Board Meetings and homeownership workshops
 - iii. Strategy 3: Share success stories of recent homeowners via newsletters.
 - iv. Strategy 4: FSS Coordinators create homeownership plan with all participants to personalize and delineate the process.
- b. Goal 2: Increase outreach to limited English proficiency (LEP) persons by:
 - i. Strategy 1: Translate key marketing/informational pieces and documents into Spanish and Marshallese languages.
 - ii. Strategy 2: Distribute and display information in locations which may be highly-frequented by LEP persons.
 - iii. Strategy 3: Create strategic partnerships with community members and organizations that can assist in identifying needs and building rapport with minority populations.
 1. Step 1: Meet with Human Relations Specialist with the Human Rights Department to determine leaders in minority communities.
 2. Step 2: Reach out to community leaders to determine housing and family needs.
 3. Step 3: Intentionally reach out to identify individuals to assist with connecting to services.
 4. Step 4: Provide informational workshops at neutral locations, like the Multicultural Family Center, Crescent's Wellness Center, etc.
- c. Goal 3: Increase public awareness and support of Family & Assisted Housing programs and offerings.
 - i. Strategy 1: Attend expos and community events on a quarterly basis at a minimum . (see outreach spreadsheet)
 - ii. Strategy 2: Maintain an active and engaging online presence via social media and current website material.
 - iii. Strategy 3: Publish quarterly or bi-annual newsletters for broad public distribution.
 - iv. Strategy 4: Reach out to news outlets and periodicals to highlight Family and Assisted Housing programs and successes.

2-IV.DPHA STAFF TRAINING

PHA Policy

The PHA recognizes the importance of well trained staff and provides instruction to staff concerning equal opportunities, civil rights laws, and HUD's program regulations, providing them with copies of all pertinent documents, conducting training meetings, and maintains reviews of the PHA's actions and the results of those actions to ensure fair and equal treatment. As part of the review, the PHA will consider the appropriateness and comprehensiveness of the overall marketing plan, the ability to reach the desired segment of the lower-income population, and the effectiveness for disseminating information on the program to a cross-section of the eligible population.

All staff and members of the Housing Commission shall receive seven annual training sessions, consisting of a minimum of three (3) hours of training related to the City's duties under the Voluntary Compliance Agreement (VCA) between the US Dept of HUD and City of Dubuque.

The training shall cover topics including

1. Implementation of the VCA;
2. General nondiscriminatory requirements under Title VI, Section 109, and AFFH obligations;
3. General nondiscriminatory requirements under the Fair Housing Act.

The training shall be approved by HUD. Within thirty (30) days of each new employee's entry date of service, the City shall require new employees to review the materials provided during the previously conducted training. New employees shall participate in the regularly scheduled annual training when it occurs.

The Agreement Administrator shall maintain records of the dates the training sessions were conducted, the names and titles of people in attendance, and the agenda for the training. These records shall be included in the Status Reports submitted to HUD throughout the duration of the VCA.

EXHIBIT 2-1: DEFINITION OF A PERSON WITH A DISABILITY UNDER FEDERAL CIVIL RIGHTS LAWS [24 CFR Parts 8.3 and 100.201]

A person with a disability, as defined under federal civil rights laws, is any person who:

- Has a physical or mental impairment that substantially limits one or more of the major life activities of an individual, or
- Has a record of such impairment, or
- Is regarded as having such impairment

The phrase “physical or mental impairment” includes:

- Any physiological disorder or condition, cosmetic or disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genito-urinary; hemic and lymphatic; skin; and endocrine; or
- Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. The term “physical or mental impairment” includes, but is not limited to: such diseases and conditions as orthopedic, visual, speech and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, drug addiction and alcoholism.

“Major life activities” includes, but is not limited to, caring for oneself, performing manual tasks, walking, seeing, hearing, breathing, learning, and/or working.

“Has a record of such impairment” means has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.

“Is regarded as having an impairment” is defined as having a physical or mental impairment that does not substantially limit one or more major life activities but is treated by a public entity (such as the PHA) as constituting such a limitation; has none of the impairments defined in this section but is treated by a public entity as having such an impairment; or has a physical or mental impairment that substantially limits one or more major life activities, only as a result of the attitudes of others toward that impairment.

The definition of a person with disabilities does not include:

- Current illegal drug users
- People whose alcohol use interferes with the rights of others
- Persons who objectively pose a direct threat to property or substantial risk of harm to others that cannot be controlled with a reasonable accommodation under the HCV program

The above definition of disability determines whether an applicant or participant is entitled to any of the protections of federal disability civil rights laws. Thus, a person who does not meet this disability is not entitled to a reasonable accommodation under federal civil rights and fair housing laws and regulations.

The HUD definition of a person with a disability is much narrower than the civil rights definition of disability. The HUD definition of a person with a disability is used for purposes of receiving the disabled family preference, the \$400 elderly/disabled household deduction, the \$480 dependent deduction, the allowance for medical expenses, or the allowance for disability assistance expenses.

The definition of a person with a disability for purposes of granting a reasonable accommodation request is much broader than the HUD definition of disability. Many people will not qualify as a disabled person under the HCV program, yet an accommodation is needed to provide equal opportunity.

EXHIBIT 2-2: Marketing Outreach Resources Family and Assisted Housing Marketing Plan

Organization	Address	City	State	Zip	Media
1 BioLife Plasma Services	1220 Associates Drive	Dubuque	IA	52002	flyer on community board English/Spanish/Marshallese
2 Catholic Charities/Immigration Outreach	1229 Mount Loretta	Dubuque	IA	52001	brochures/flyers
3 Churches in Dubuque (database)					bulletin announcements
4 City Hall Utility set-up	50 W 13th Street	Dubuque	IA	52001	brochures
5 Crescent Community Health Center	1789 Elm Street Ste A	Dubuque	IA	52001	Brochures/flyer
6 Crescent Community Health Center wellness site	1805 Central Ave	Dubuque	IA	52001	Brochures/flyer
7 Department of Human Services	799 Main Street Ste 410	Dubuque	IA	52001	Brochures/flyer
8 DHS Case Management	799 Main street Ste 340	Dubuque	IA	52001	Brochures/flyer
9 Dubuque Area Labor Harvest	215 W 6th Street	Dubuque	IA	52001	flyer on community board
10 Dubuque Community Schools Forum	2300 Chaney Road	Dubuque	IA	52001	Brochures to counselors
11 Dubuque Pediatrics	1500 Delhi	Dubuque	IA	52001	Brochures/flyer
12 Dubuque Rescue Mission	398 Main Street	Dubuque	IA	52001	Brochures/flyer
13 Eagle Country Market	1800 Elm Street	Dubuque	IA	52001	flyer on community board
14 El Paisano	1543 Central Ave	Dubuque	IA	52001	English/Spanish flyer
15 Finley Hospital	350 Grandview	Dubuque	IA	52001	brochures to social workers
16 Food Pantry	1598 Jackson Street	Dubuque	IA	52001	Brochures/flyer
17 Goodwill	2121 Holliday Drive	Dubuque	IA	52002	flyer on community board
18 Hillcrest Clinic	220 W 7th Street	Dubuque	IA	52001	Brochures/flyer
19 Hillcrest Wellness Center	225 W. 6th Street	Dubuque	IA	52001	Brochures/flyer
20 Hispanic Ministries	1425 Iowa Street	Dubuque	IA	52001	English/Spanish
21 Hope House	1592 Locust Street	Dubuque	IA	52001	Brochures/flyer English/Spanish/Marshallese
22 Human Rights Department	1300 Main Street	Dubuque	IA	52001	brochures/flyers
23 Labor Ready	1798 Central Ave	Dubuque	IA	52001	flyer on community board
24 Laundromats (see "laundries" sheet)					flyer on community board
25 Little Folks Trading Post	3220 Dodge Street	Dubuque	IA	52003	flyer on community board
26 Lutheran Services in Iowa	2255 JFK Road	Dubuque	IA	52001	brochures to social workers
27 Marshallese FullGospel Church	1195 Prysí Street	Dubuque	IA	52001	Marsh brochures/flyers
28 Medical Associates East Campus	1000 Langworthy	Dubuque	IA	52001	brochures
29 Medical Associates West Campus	1500 Associates Drive	Dubuque	IA	52002	brochures
30 Mercy Hospital	250 Mercy Drive	Dubuque	IA	52001	brochures to social workers English/Spanish/Marshallese
31 Multicultural Family Center	1157 Central Ave	Dubuque	IA	52001	brochures/flyers
32 New Beginnings	1290 Jackson Street	Dubuque	IA	52001	brochures
33 NICC Reengagement Center	700 Main Street	Dubuque	IA	52001	Brochures/flyer
34 Opening Doors	1561 Jackson Street	Dubuque	IA	52001	Brochures/flyer
35 Operation: New View	1473 Central Ave	Dubuque	IA	52001	brochures English/Spanish/Marshallese
36 Presentation Lantern Center	1584 White Street	Dubuque	IA	52001	brochures/flyers
37 Project Concern	1789 Elm Street Ste B	Dubuque	IA	52001	brochures
38 St. John's Open Closet	1276 White Street	Dubuque	IA	52001	flyer on community board
39 St. Mark Youth Enrichment	1201 Locust St	Dubuque	IA	52001	brochures
40 The Hanger	2600 Dodge Street	Dubuque	IA	52003	flyer on community board
41 The Jule	inter-office mail				flyers on the buses
42 Trailways Bus Station	400 Rhomborg Ave	Dubuque	IA	52001	flyer on community board
43 Visiting Nurse Association	1454 Iowa Street	Dubuque	IA	52001	brochures
44 SASC	799 Main Street Ste 110	Dubuque	IA	52001	Brochures/flyer
45 The Source	1166 1/2 Main Street	Dubuque	IA	52001	flyer
46 Madison HA	215 Martin Luther King Jr Blvd Rm 120	Madison	WI	53703	Varies Brochures, flyer
47 NAACP Madison Branch	PO Box 45	Madison	WI	53701	Brochures, flyers
48 NAACP Dane County Branch	PO Box 44366	Madison	WI	53744	Brochures, flyers
49 Iowa Commission on the Status of African Americans	Lucas State Office Bldg	Des	IA	50319	Brochures, flyers
50 Iowa Commission on the Status of African Americans	Attn: Kim Cheeks	Moines			
51 Veteran's Assistant Commission	157 N Main Suite 115	Edwardsvil	IL	62025	Brochures, flyers
52 Horizons – A Family Service Alliance	PO Box 667	Cedar Rapids	IA	52406	Brochures, flyers
53 Commission on Persons with Disabilities	Lucas State Office Bldg	Des Moines	IA	50319	Brochures, flyers

Organization	Address	City	IA	Zip	Media
54 Commission on Latino Affairs Organization	Lucas State Bldg	Des Moines	IA	50319	Brochures, flyers
55 UTB African-American Historical Museum & Cultural Center of Iowa	PO Box 1626	Cedar Rapids	IA	52406	Brochures, flyers
56 Chicago Southside Branch NAACP	10540 South Western Avenue #201	Chicago	IL	60643	Brochure, flyers
57 Division of Health Care Access	PO Box 309	Madison	WI	53707	Brochures, flyers
58 Department of Human Services	401 South Clinton St	Chicago	IL	60607	Brochures, flyers
59 Access to Independence	3810 Milwaukee St	Madison	WI	53714	Brochures, flyers
60 Boys & Girls Club of Dane County	2001 Taft Street	Madison	WI	53713	Brochures, flyers
61 Cook County Housing Authority	175 W Jackson Ste 350	Chicago	IL	60604	Brochures, flyers
62 Chicago Housing Authority	60 E Van Buren St	Chicago	IL	60605	Brochures, flyers
63 Davenport Housing Authority	501 W Third St	Davenport	IA	52801	Brochures, flyers
64 Iowa City HA	410 E Washington St	Iowa City	IA	52240	Brochures, flyers
65 Waterloo HA	620 Mulberry St #102	Waterloo	IA	50703	Brochures, flyers
66 Cedar Rapids HA	101 First St SE	Cedar	IA	52401	Brochures, flyers
67 Immigrant Rights Network	1229 Mt Loretta Ave	Dubuque	IA	52001	Brochures, flyers
68 Chicago Westside Branch NAACP	5820 W Chicago Ave	Chicago	IL	60651	Brochures, flyers

The PHA shall utilize the following media sources:

other media

type	name	message
social media	facebook	micro blog
	twitter	micro blog
periodicals	Dubuque Advertiser	psa/advertisement
	Telegraph Herald	psa/advertisement/article
	365 Ink	psa/advertisement/article
radio	Radio Dubuque	psa
	Cumulus	psa
	Queen B	psa
mailings	Utility billing	mass-mail flyer
tv	City Channel 8	psa

psa = public service announcement

PHA staff shall attend expos/events including but not limited to:

Name	Hosted By	Approx date
City Expo	City of Dubuque	September
Juneteenth	Multicultural Family Center	June
Kids Expo	Dubuque County Empowerment	September
Music in the Park	Neighborhood Associations	June/July/Aug
National Night Out	Police Department	August
NENA Resource Fair	Northend Neighborhood Association	September

