

**In General:** The Affirmative Fair Housing Marketing Plan (AFHMP) assists Federal Housing Administration (FHA)-insured condominium and cooperative developers in taking necessary steps to eliminate discriminatory practices and to overcome the effects of past discrimination involving Federally insured housing. No application for any housing development insured under the Department of Housing and Urban Development's (HUD) housing programs, shall be funded without a HUD-approved AFHMP (See the "Applicability" section in the instructions below.) Condominium and cooperative developers complete the AFHMP only during the application process and the AFHMP is in effect until after initial occupancy. The responses are required to obtain or retain benefits under the Fair Housing Act, Section 808(e)(5) & (6) and 24 CFR Part 200, Subpart M. The form contains no questions of a confidential nature.

**Applicability:** Condominium and cooperative developers should answer the following two questions to determine if they need to complete an AFHMP.

**1. Applicability** (Check if applicable)

- ☐ a. Did you sell five (5) or more units in the last twelve (12) months with HUD mortgage insurance?
- ☐ b. Do you intend to sell five (5) or more units within the next twelve (12) months with HUD mortgage insurance?

If you did **not** check 1a or 1b, you do **not** have to complete an AFHMP.

If you checked 1a and/or 1b, go to Question 2.

**2. Self-Certification** (Check if applicable)

- ☐ a. I have an AFHMP that HUD approved.
- ☐ b. I certify that I will comply with the following: (a) Carry out an affirmative marketing program to attract buyers that are least likely to apply due to their race, color, national origin, religion, sex (including sexual orientation), disability, or familial status to the housing for initial sale. Such a program shall typically involve outreach and marketing of the availability of housing opportunities to groups least likely to apply, through media and social media; and outreach to community organizations, religious institutions, and social service providers; (b) Maintain a nondiscriminatory hiring policy in recruiting members of protected class groups; (c) Instruct all employees and agents in writing and orally of the policy of nondiscrimination and fair housing; (d) Conspicuously display the Fair Housing Poster in all Sales Offices, include the Equal Housing Opportunity logo, slogan and statement in all printed material used in connection with sales, and post in a prominent position at the project site a sign that displays the Equal Opportunity logo, slogan or statement, as listed in 24 CFR 200.620 and appendix to subpart M to part 200. I understand that I am obliged to develop and maintain records on these activities and make them available to HUD upon request.

If you checked a or b in Question 2, you do **not** have to complete an AFHMP.

If you did **not** check a or b in Question 2, you must complete an AFHMP.

Each applicant is required to carry out an affirmative program to attract prospective buyers in the housing market area that are least likely to apply due to their race, color, religion, sex, national origin, disability or familial status (24 CFR 200.620). Racial groups include White, Black or African American, American Indian or

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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 of different religious affiliations. The applicant shall describe in the AFHMP the proposed activities to be carried out to ensure that any group(s) of persons ordinarily **not** likely to apply for this housing without special outreach (See Part 3), know about the housing, feel welcome to apply and have the opportunity to buy.

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**3a.** Applicant's Name, Address (Including City, State & Zip Code), Email & Phone Number:

**3b.** Development's Name, Location (including City, State and Zip)

**3c.** Development Number: Click or tap here to enter text.

**3d.** Number of Units in Development:

**3e.** Price Range: From: \$\_\_\_\_\_ To: \$\_\_\_\_\_

**3f.** Type of Housing:

☐ Condominium

☐ Cooperative

**3g.** Starting Dates.

Approximate Advertising Start Date (mm/dd/yyyy):

Approximate Occupancy Start Date (mm/dd/yyyy):

**3h.** Housing Market Area:

**3h.** Expanded Housing Market Area:

**3i.** Census Tract: Click or tap here to enter text.

**3j.** Sales Agent's Name and Address (including City, State, and Zip Code) Click or tap here to enter text.

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**Marketing to Groups Least Likely to Apply**

**4a.** Indicate which group(s) in the housing market area are **least** likely to apply for the housing because of its location and other factors without special outreach efforts)

☐ American Indian/Alaska Native

☐ Asian

☐ Black/African American

☐ Hispanic/Latino

☐ Native Hawaiian/Other Pacific Islander

☐ White

☐ Other \_\_\_\_\_ (specific ethnic group, religion, etc.)

**4b.** Marketing Program: For each racial or ethnic group identified in Question a, describe your efforts to market your property to that group. For each targeted population, describe the marketing material (e.g., brochure, color advertisement, 30-second radio ad, website, social media, listserv, email blast). Indicate the media where the marketing will appear as precisely as possible. For example, name the newspaper where you will place advertisements and the location where you will post or distribute flyers, the online group you will post in. Include the geographic area of the chosen outlet/method. Attach copies of the marketing materials listed, including marketing you have translated to reach the groups least likely to apply.

Group for affirmative marketing	Description of Material	Media where marketing will appear	Geographic Area Marketing Will Reach

**4c.** Describe your efforts to affirmatively market units to households that include individuals with disabilities (e.g., including information about accessible features in advertisements). You should describe the marketing materials used and the geographic reach of the marketing. (500 characters)

**4d.** Describe your efforts to affirmatively market units to families with children (e.g., providing information in advertisements about nearby childcare centers, recreation centers, libraries, schools, or playgrounds). You should describe the marketing materials used and the geographic reach of the marketing. (500 characters)

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**Marketing Program: Brochures, Signs, and HUD's Fair Housing Poster**

**5a.** Marketing Program: Community Contacts. For each targeted marketing population, complete the table below with at least two organizations as community contacts. Be sure to include 2 community contacts for each of the following: (a) the racial and ethnic groups you identified in response to Question 4a; (b) households that include individuals with disabilities; and (c) families with children. To further inform the group(s) least likely to apply about the availability of the housing, the applicant agrees to establish and maintain contact with the

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groups/organizations listed below which are located in the housing market area. You should provide them with marketing materials and, if applicable, blank applications. If more space is needed, attach an additional sheet.

Name of Group/Organization Address, Email, & Phone Number.	Demographic target	Service to the Target Group	Materials provided	Date contacted

**5b.** Will brochures or handouts be used to advertise the property?

- ☐ Yes (If yes, attach a copy or submit when available)  
☐ No

**5c.** The size of the Project Site Sign will be \_\_\_\_\_ x \_\_\_\_\_. Attach a photograph of sign or submit when available.

**5d.** HUD's Fair Housing Poster must be conspicuously displayed wherever sales/rentals and showings take place. Fair Housing Posters will be displayed in:

- ☐ Entrance to Development  
☐ Model Unit  
☐ Real Estate Office  
☐ Sales Office  
☐ Other

**Experience and Staff Instructions (see instructions)**

**6a.** Describe AFHMP/Fair Housing Training that has been or will be provided about fair housing and other applicable civil rights requirements per 24 CFR 200.620.

**7.** Additional Considerations. Please attach additional sheets, as needed.

**8. Compliance with AFHMP Regulations:** By signing this form, you agree to implement your AFHMP, to review your AFHMP every five (5) years, and to update and resubmit your AFHMP when required to ensure continued compliance with our Affirmative Fair Housing Marketing Regulations (see 24 CFR Part 200, Subpart M).

**Certification**

I hereby certify that all the information stated herein, as well as any information provided in the I/We, the undersigned, certify under penalty of perjury that the information provided above is true and correct, that the Owner/Developer will undertake the actions specified in this AFHMP, and that the Owner/Developer will comply with all applicable fair housing and civil rights requirements, see 24 C.F.R 5.105(a). **WARNING:** Anyone who knowingly submits a false claim or makes a false statement is subject to criminal and/or civil penalties, including confinement for up to 5 years, fines, and civil and administrative penalties. (18 U.S.C. §§ 287, 1001, 1010, 1012, 1014; 31 U.S.C. §3729, 3802).

Signature of Person Submitting This AFHMP

Click or tap here to enter text.  
Name (type or print)

Click or tap here to enter text.  
Title & Name of Company

Click or tap to enter a date.  
Date of Submission (mm/dd/yyyy)

For HUD Office of Housing Use Only  (Check one.)  Approved: <input type="checkbox"/> Disapproved: <input type="checkbox"/>	For HUD Office of Fair Housing and Equal Opportunity Use Only  Recommendation: Approved: <input type="checkbox"/> Approved with Conditions <input type="checkbox"/> Disapproved: <input type="checkbox"/>
Signature & Date (mm/dd/yyyy):  Click or tap to enter a date.	Signature & Date (mm/dd/yyyy):  Click or tap to enter a date.
Name (type or print):  Click or tap here to enter text.	Name (type or print):  Click or tap here to enter text.
Title:  Click or tap here to enter text.	Title:  Click or tap here to enter text.

**INSTRUCTIONS**

**Send completed form to:** your local HUD Office **Attn:** Director, Office of Housing

**Part 1 Applicability** Answer the first question indicating whether you have sold or plan to sell at least five condominium or cooperative units with FHA mortgage insurance.

**Part 2 Self-Certification** Select all conditions that apply. Indicate whether you have an approved Affirmative Fair Housing Marketing Plan, or if you self-certify that you will carry out an affirmative marketing plan in accordance with HUD regulations and all applicable fair housing laws. **If you check any of the responses in Question 2 including the self-certification, you are not required to and should not submit form 935.2C.**

**Part 3-Applicant and Project Identification.** Questions 3a through 3f-Self-Explanatory. Question 3g- the applicant should specify the approximate date for starting the marketing activities and the anticipated date of initial occupancy. Question 3h-the applicant should indicate the local housing market area (HMA) and expanded housing market area (EHMA) where the housing will be located. An HMA is an area from which a multifamily housing project owner/agent may reasonably expect to draw a substantial number of potential residents. An EHMA is a larger geographic area, such as a Metropolitan Division or a Metropolitan Statistical Area, which may provide additional demographic diversity regarding race, color, national origin, religion, sex, familial status, or disability. The recommended HMA is the Census Place (e.g. population centers such as municipalities, cities, towns, villages, or Zip Code Tabulation Areas for unincorporated places) where the property is located. The recommended EHMA is the Metropolitan or Micropolitan Statistical Area where the property is located, or the County if the property is not located within an MSA.

**3i.** The applicant may obtain census tract location information from census.gov. Question 3j the applicant should complete only if a Sales Agent (the agent cannot be the applicant) is implementing the AFHMP.

**Part 4-Type of Affirmative Marketing Area:** The AFHMP should indicate the approximate racial composition of the housing market area in which the housing will be located. The condominium or cooperative builder should submit an AFHMP that compares the racial composition of the census tract to the housing market area in which the housing will be located. A separate AFHMP shall be submitted for each census tract in which the builder plans to construct units.

**Part 4- Marketing to Groups Least Likely to Apply. 4a.** To determine which racial and ethnic groups might be disproportionately less likely than the general population to know about and apply for units at the property, applicants should review the demographic information of your property and the market area and expanded market area.

**4b.** For each population identified in 4a, describe the marketing material (e.g., brochure, color advertisement, 30-second radio ad, website, social media, listserv, email blast). Advertising strategies that employ a variety of forms and cover a broad geographic area are more likely to reach potential applicants equitably and avoid perpetuating segregation or exclusion. Proposed platforms should include print and digital services (e.g., website postings and digital listing services, social media ads, flyers, newspaper ads, billboards, etc.) Indicate the media where the marketing will appear as precisely as possible.

**4c.** Describe measures to affirmatively market to households that include individuals with disabilities. This may include information about accessible features in advertisements, providing marketing materials and applications

to community contacts who serve people with disabilities, or providing information about locally available supportive services or medical care.

**4d.** Describe measures to affirmatively market to families with children. This may include depicting images of families with children in advertisements and providing information in advertisements about on-property or nearby childcare centers, playgrounds, schools, recreation centers, libraries, or schools, or providing materials to community contacts who serve families with children.

**Part 5-Marketing Program.**

**5a.** For each targeted marketing population, complete Worksheet 4 with at least two organizations as community contacts. Be sure to include 2 community contacts for each of the following: (a) the racial and ethnic groups you identified in response to Question 4a; (b) households that include individuals with disabilities; and (c) families with children.

When selecting your community contacts, consider how best to reach the various subgroups within the targeted populations. Community contacts may include non-profits, housing advocates, legal service organizations, social service agencies, religious organizations, and community centers. Community contacts can be organizations that work specifically with a group identified or organizations that work with a broad range of people but whose clients include a substantial number of people from the groups least likely to apply. For example, if you aim to market to a particular racial group, an organization that operates in a neighborhood with a concentration of residents of that group could be a community contact.

Specify the name of the organization and its address, phone number, and email. Include a description of which demographic each contact targets, how they work with the population, and what materials you provided to the organization (e.g., applications, flyers, advertisements). Include the date you contacted the community organization or the date they agreed to be a community contact for your project, as well as the method of contact with the organization (e.g., telephone, email, in-person visit).

**5b.** Indicate whether the property will distribute brochures or handouts and if so, attach a copy.

**5c.** You must display the Project Site Sign in an obvious position with the HUD-approved Equal Housing Opportunity logo, slogan, or statement (24 CFR 200.620(f)). You should indicate where you will display the Project Site Sign, the size of the sign, and the size of the logo, slogan, or statement. Attach photographs of project site signs to your submission.

**5d.** The Fair Housing Poster must be prominently displayed in all offices in which sale or rental activity takes place (24 CFR 200.620(e)). Respondents should indicate all locations where the Fair Housing Poster will be displayed.

**Part 6-Experience and Staff Instructions.**

**6.** Discuss AFHMP/Fair Housing training, including other applicable civil rights requirements per 24 CFR 200.620.

Enter N/A if there is no training/training plan. Include:

- which staff have been or will be trained;
- the frequency of such training;
- who provides the training;
- the content of the training; and
- how you will assess staff competency in this area on an ongoing basis.

**Part 7-Additional Considerations.** In this section describe other efforts not previously mentioned which are planned to attract persons least likely to apply for the housing.

**Part 8-Compliance with AFHMP Regulation.** By signing, you certify that all assume responsibility for implementing the information stated herein and that any information provided in the accompaniment herewith, is true, accurate, and complete. You certify that the Owner/Developer will undertake the actions specified in this AFHMP and comply with all applicable fair housing and civil rights requirements. You further agree to comply with all the AFHMP, Fair Housing Act, and all other applicable federal fair housing and civil rights requirements (that may include the Fair Housing Act, Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act, among others).

### **Public Burden Statement**

The public reporting burden for this collection of information relating to the Affirmative Fair Housing Marketing Plan relating to Condominiums or Cooperatives is estimated to average three (3) hours per response. This includes the time for reviewing instructions, searching existing data sources, gathering, and maintaining the data needed, as well as completing and reviewing the collection of information. Comments regarding the accuracy of this burden estimate and any suggestions for reducing this burden can be sent to U.S. Department of Housing and Urban Development, Office of the Chief Data Officer, 451 7<sup>th</sup> St SW, Room 8210, Washington, DC 20410-5000. **Do not send completed forms to this address.** This agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection displays a valid OMB control number. This collection of information is required under the Fair Housing Act for HUD to administer its programs and activities relating to Housing and Urban Development in a manner to eliminate discriminatory practices involving federally insured and subsidized housing. HUD uses this information to ensure compliance with the statutory and regulatory requirements, and other legal authority by ensuring that builders and developers who are benefiting from HUD programs provide information on housing to prospective buyers and renters that are least likely to apply for the housing because of their race, color, religion, sex (including sexual orientation), national origin, disability, or familial status. There are no assurances of confidentiality provided in this collection of information.