



**W e l c o m e**

Chào mừng **Byenveni** powitanie

Bienvenue 환영 歡迎 स्वागत 환영

ようこそ **boas-vindas** ترحيب स्वागत

स्वागत आपका स्वागत है **bienvenida**

**Բարի գալուստ** добро пожаловать

**Multi-Family Housing Providers:  
Your Responsibility In Relation To  
Applicants And Residents With Limited  
English Proficiency (LEP)**

# What Is The Purpose Of This Course And How Is It Organized To Achieve This Purpose?



The purpose of this course is to provide participants with an overview of their obligations to meet the needs of applicants and residents whose primary language isn't English and who as a result have limited or no English proficiency.

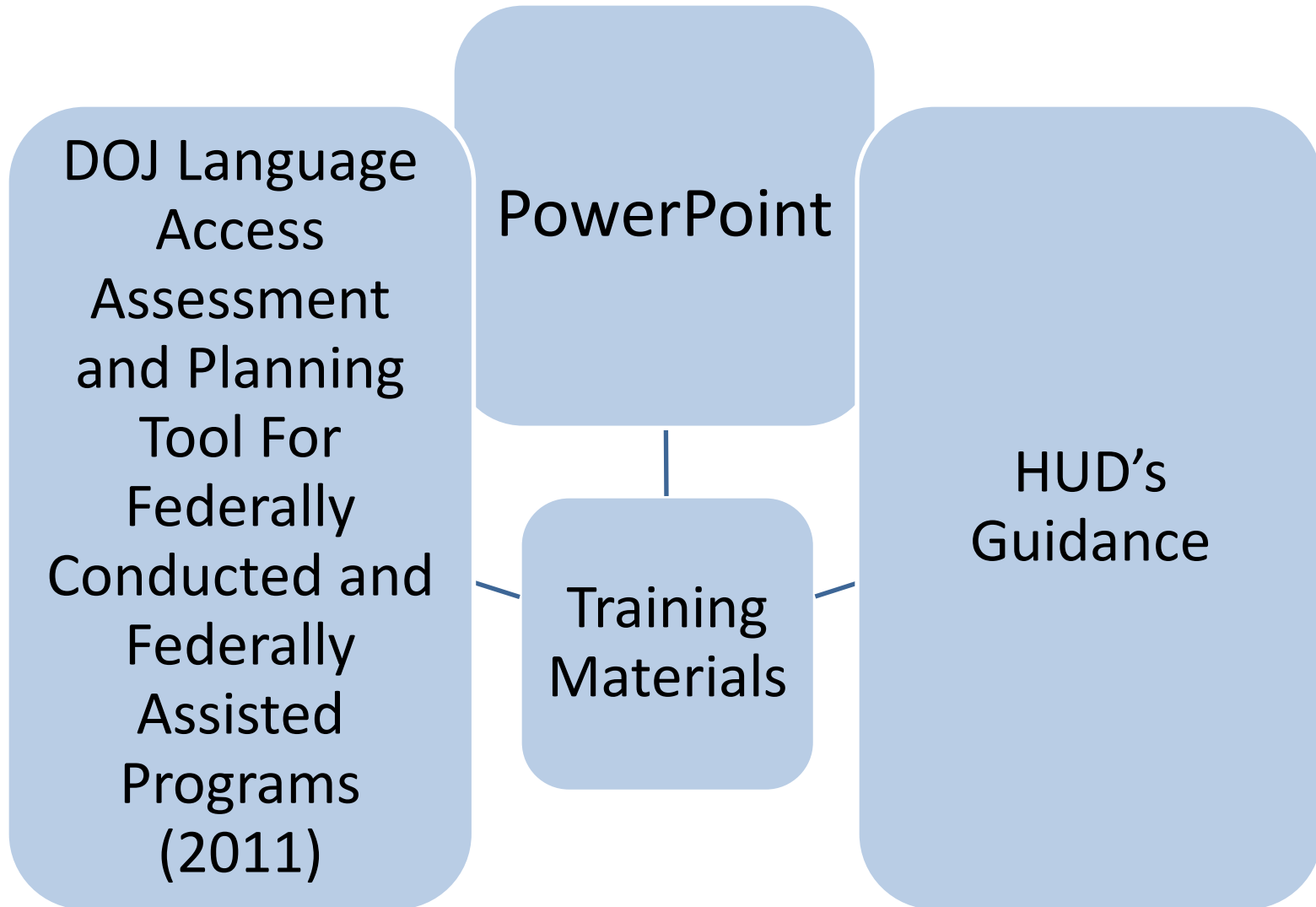
The Course Is Divided into Sections By Topic.

You Have Been Provided Written Materials To Assist You In Learning, and the PowerPoint provides citations to these materials.

At the End of Each Substantive Section Is a Mini Quiz.

**YOU MUST REVIEW THE MATERIALS.**

# What Written Materials Are Provided?



# Sections of The Course



## Section 1

- Introduction

## Section 2

- The Legal Framework Surrounding LEP

## Section 3

- What HUD's Guidance States Constitutes Meaningful Access for Persons With LEP

## Section 4

- Conducting a Self Assessment, Developing Policy Directives and Creating a Language Assistance Plan and Procedures To Provide Meaningful Access

## Section 5

- DOJ/HUD and MassHousing's Efforts

## Section 6

- Links and Resources

# SECTION 1 – INTRODUCTION



*Let  
Everyone  
Participate*

[www.LEP.gov](http://www.LEP.gov)

# What is Limited English Proficiency?

- A term to describe individuals who have limited or no ability to read, write, or understand English because their primary/sole language is not English;
- The term does not refer to people who are bilingual.

# Can You Be A U.S. Citizen And Have LEP?



YES. LEP has nothing to do with Citizenship status. It applies to:

U.S. Citizens

Documented non-citizens

Undocumented non-citizens

# Why Do Housing Sites Need to Be Concerned About LEP?



Statistical data shows that many people throughout Massachusetts have LEP and people with LEP often are a substantial portion of individuals encountered in Federal and State Housing Programs.

Federally subsidized housing providers are legally required to provide meaningful access to individuals with LEP.

Sites funded or financed by the State (including MassHousing) are required to provide meaningful access to individuals with LEP.



# **SECTION 1 – INTRODUCTION SUMMARY QUESTIONS**

# Summary Questions



1. If my site was financed with Federal or State dollars I'm required to provide meaningful access to individuals with LEP

True

False

2. If someone is a U.S. Citizen they can't have LEP.

True

False

# Summary Questions

## Answers



1. If my site was financed with Federal or State dollars I'm required to provide meaningful access to individuals with LEP.

**True**

**False**

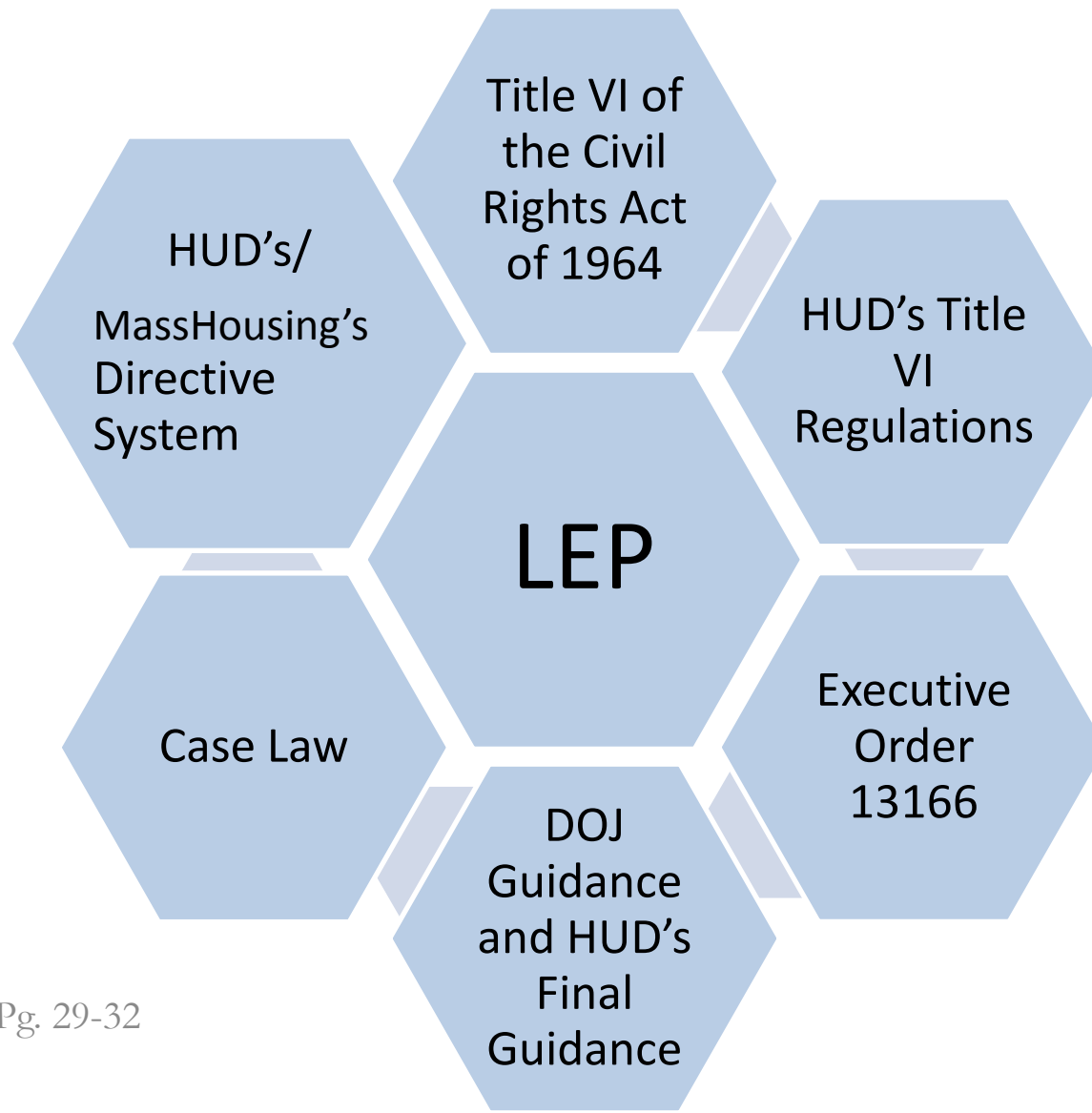
2. If someone is a U.S. Citizen they can't have LEP.

**True**

**False**

**SECTION 2 –**  
**THE LEGAL FRAMEWORK**  
**SURROUNDING LEP**

# What Requires Meaningful Access By Persons With LEP?



# What Does Title VI Of The Civil Rights Act State?

## Title VI

Prohibits discrimination on the basis of race, color and national origin in federally assisted programs and activities.

It authorizes federal agencies which give out federal dollars to create regulations implementing this law.

Federal agencies, including HUD, published Title VI regulations.

Title VI and its regulations require recipients to take reasonable steps to ensure meaningful access by persons with LEP.

# What Are Examples of



# Federally Subsidized Programs/Entities?

HUD's Subsidized Multifamily Housing Programs  
(Programs covered by HUD Handbook 4350.3)

Public Housing

HOME

CDBG (Entitlement and State)

McKinney Homeless Programs

Rural Housing

State Agencies



# What Do HUD's Title VI Regulations Prohibit?

## Disparate Treatment Discrimination

When a person in a protected class is treated differently from a similarly situated person who is not in the protected class.

## Disparate Impact Discrimination

Criteria or methods of administration that appear neutral, but have the *effect* of discriminating.



# How Is Someone With LEP Protected Under Title VI?



LEP is not a protected Class. Language is linked to National Origin.

- If you take action against someone because they don't speak English well or at all because English isn't their primary or sole language this is intentional discrimination.
- English only communication will have a greater impact on a person with LEP and he/she will be limited or excluded from participation in housing programs and related activities.

# Is The Protection of Persons With LEP Under Title VI New?

NO, the Supreme Court interpreted The Department of Education's Title VI regulations which are analogous to HUD's in Lau v. Nichols, 414 U.S. 563 (1974)

- Educational opportunities that have a disproportionate impact on people with LEP violate national origin discrimination under Title VI.
- Must take reasonable steps to provide individuals with LEP meaningful opportunity to participate in federally-funded educational programs.

# What Does Executive Order 13166 Require?



## EO 13166: “Improving Access to Services for Persons with Limited English Proficiency”

- Every federal agency that provides financial assistance to non-federal entities must publish guidance on how recipients can provide meaningful access to persons with LEP.
- Pursuant to EO 13166 the Department of Justice (DOJ), which coordinates the federal government’s LEP efforts, issued guidance to “Executive Agency Civil Rights Officers” setting forth general principles for agencies to apply in developing information for recipients.

# Has HUD's Directive System Provided Recipients Guidance On LEP Compliance?



Yes, to ensure that persons with LEP have meaningful access throughout the occupancy cycle (application, tenancy and eviction).

Issued Guidance to recipients via a notice, which was effective March 7, 2007 which provided a framework for compliance.

Updated HUD's Multifamily Occupancy Handbook, 4350.3.

# What Sections of the 4350.3 Specifically Address LEP?



## Topic

## Citation

Housing owners must take reasonable steps to ensure meaningful access to the information and services they provide for persons with LEP.

**2-9 C. Civil Rights Related Program Requirements, Improving Access to Services for Persons with Limited English Proficiency (LEP)  
Pg. 2-9**

Notice of the requirement to submit evidence of citizenship or eligible immigration status at the time of application “where possible”, must be “in a language that is understood by the individual if the person is not proficient in English.”

**3-12 B. 2.Restriction on Assistance to Noncitizens, Pg. 3-2**

Repeat of meaningful access language in the first box.

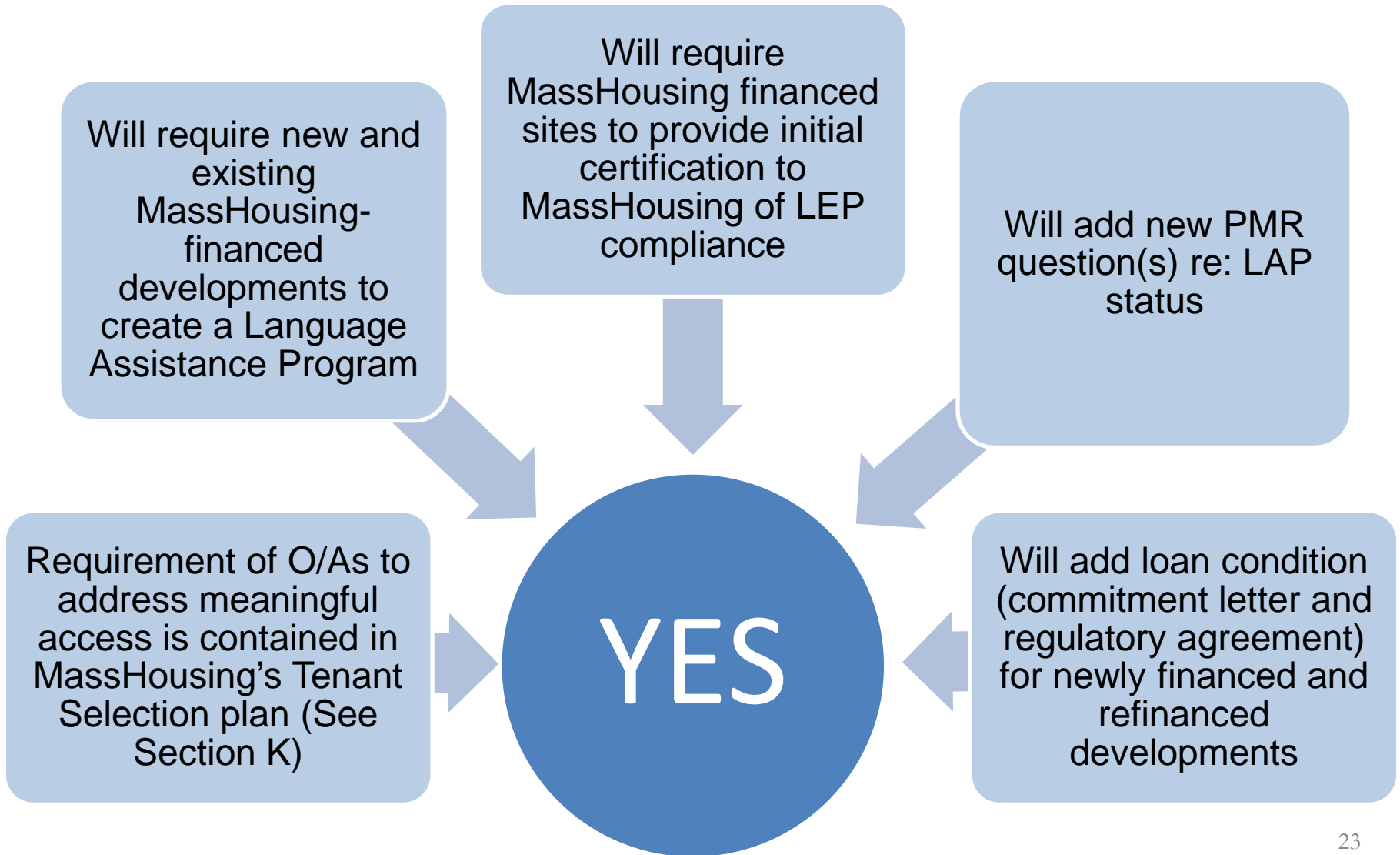
**3-32 Verification of Citizenship and Immigration Status,  
Pg. 3-78**

# What Sections of the 4350.3 Specifically Address LEP? Cont'd...



Topic	Citation
The owner’s responsibility to market projects to those least likely to apply includes marketing to the LEP population in the community.	<b>4-12D. Affirmative Fair Housing Marketing, pg.4-31</b>
The leases may need to be provided in languages other than English for persons with LEP.	<b>6-4 Leases and Lease Attachments – General, pg. 6-4</b>
Rights and responsibilities, brochure, which is available in 10 languages, must be available in 10 languages through the HUD Multifamily Clearing house and LEP website.	<b>Paragraph 6-27.B.i. Briefing Topics, pg. 6-42</b>
When conducting the briefing of new tenants, the information may also have to be conveyed in languages other than English for persons with LEP.	<b>Paragraph 6-27.C.2 Conducting the Briefing Meeting, pg. 6-43-44</b> <b>Also see Exhibit 6-6</b>
Reminder Notices must also be conveyed in languages other than English for persons with LEP.	<b>Paragraph 7-7.B 7-7 Notices to Tenants, pg. 7-9</b>
REQUIREMENTS FOR INDIVIDUAL CONSENT may need to be conveyed in languages other than English for persons with LEP	<b>Appendix 6-A: Guidance for Development of Individual Consent Forms</b>
Explanation to applicant may need to be conveyed in languages other than English for persons with LEP	<b>Appendix 6-B: Verification of Disability – Instructions to Owners and Sample Formats</b>

# Does MassHousing's Directive System Address LEP Compliance?



# How Is The Federal Government Enforcing The Obligation To Provide Meaningful Access To Persons with LEP?



## HUD and DOJ Provide Enforcement

- Each program office is responsible for its recipients' compliance with civil rights related program requirements with Title VI.
- HUD's Office of Fair Housing and Equal Opportunity is responsible for coordinating and implementing EO 13166 for HUD.
- No private right of action; complaints must be filed with HUD's FHEO Office.
- HUD will investigate complaints, try to resolve any complaints through voluntary compliance.
- HUD can terminate assistance (after administrative hearing) or refer the matter to the DOJ to litigate.



# **SECTION 2 – THE LEGAL FRAMEWORK SUMMARY QUESTIONS**

## Summary Questions

1. HUD published guidance on providing meaningful access to applicants and residents with LEP.

True

False

2. The 4350.3 Requires HUD Multifamily housing covered by that Handbook to provide meaningful access to persons with LEP throughout the occupancy cycle.

True

False

# Summary Questions

## Answers



1. HUD published guidance on providing meaningful access to applicants and residents with LEP.

**True**

**False**

2. The 4350.3 Requires HUD Multifamily housing covered by that Handbook to provide meaningful access to persons with LEP throughout the occupancy cycle.

**True**

**False**

**SECTION 3 –**

**WHAT HUD'S GUIDANCE STATES  
CONSTITUTES MEANINGFUL ACCESS TO  
PERSONS WITH LEP**

# What's The Goal?

- **To provide persons with LEP meaningful access to a housing program and related services without imposing undue burdens on the housing site.**

# What Factors Affect My Obligation To Provide Meaningful Access According To HUD's Guidance?

## There Are 4 Factors

The number and proportion of persons with LEP who could apply to or live in your housing development.



How often persons with LEP have contact with your housing program (application through termination of tenancy). The more contact the greater the obligation



The nature and importance of the program, activity, or service provided by the program to people's lives. The more important the activity the greater your obligation; and



The resources available and costs.

# What Types of Communication Do I need To Address?

## Oral Communication

- in person
- telephone

## Written Communication

# Does HUD Provide A Clear Standard For Recipients To Follow Which Demonstrates Compliance?



## Written Translation

- If a recipient provides translation of documents under specific circumstances outlined by HUD, it will be considered by HUD/DOJ to be a “**safe harbor**”, which means **strong evidence** of compliance with an O/A’s obligation to translate written documents.
- The failure to provide written translations under the circumstances outlined in HUD’s safe harbor guidance does not mean there is noncompliance.

## Oral Communication

- There is no specific standard or “safe harbor” in relation to an O/A providing interpreters to facilitate meaningful access.



# What is HUD's Safe Harbor for Written Translation based on?



The number and percentages of the market area-eligible population (especially when talking about outreach materials).

and

Current beneficiaries and applicants.

# What Is HUD's Safe Harbor Guidance?



Size of Language Group	Recommended Provision of Written Language Assistance
1,000 or more in the eligible population in the market area or among current beneficiaries	Translate vital documents
More than 5% of the eligible population or beneficiaries <b><u>and</u></b> more than 50 in number	Translate vital documents
More than 5% of the eligible population or beneficiaries <b><u>and 50</u></b> or less in number	Translate written notice of right to receive free oral interpretation of documents
5% or less of the eligible population or beneficiaries <b><u>and</u></b> less than 1,000 in number	No written translation is required.

# What Are Examples



## Of How The Safe Harbor Applies?

If a site have 100 residents, and 51 or more have LEP and speak Spanish as their primary language, the O/A must translate vital documents into Spanish to be protected by the Safe Harbor Rule.

- From a business standpoint, if you have a large population of people who speak a specific language you will have great difficulty operating efficiently if your documents aren't translated and you don't have bilingual staff.

If a site has 100 people, and 6 people have LEP and speak Spanish as their primary language, the O/A must provide written notice of the right to receive free oral interpretation of documents to be protected by the Safe Harbor Rule.

- It may be more cost effective to translate the document in writing once rather than provide oral translation 6 times.

If a site has 100 people, and only 4 people have LEP and speak Spanish as their primary language, the O/A has no obligation to provide written translation based on the Safe Harbor Rule.

- You may need to provide written or oral translation to engage in due diligence when processing certifications and in re to legal matters.

# What Is A Vital Document?

Vital documents are those that are critical for ensuring meaningful access to residents and applicants generally and persons with LEP specifically.

- You need to do an analysis to determine what these documents are in re to the occupancy cycle (application, occupancy, and eviction/move-out) and whether translating them will be effective.

# What Are Methods Of Addressing Written Translation?



Standardizing documents to reduce translation needs.

Translating an entire document.

Translating a short description of the document.

Providing a statement in various languages that says “this is an important document. If you do not understand it because your primary language is not English, we will provide you free oral language assistance.”

# Are There Ways To Ensure Translators Are Competent?

Do not assume an interpreter can translate;

Use back translation or have two individuals translate a document together;

Some languages do not have equivalent meaning for housing terms-ask the translator and be consistent.

# What Does HUD's Guidance Say In Re To Oral Communication?



“No matter how few LEP persons the recipient is serving, oral services should be made available in some form. Recipients should use the four-factor analysis to determine whether they should provide reasonable, timely, oral language assistance free of charge to any beneficiary that is LEP.”

- What you should do is circumstance driven.
- Reasonable oral interpretation assistance might be an in-person or telephone service line interpreter.

# What Are Methods of Providing Oral Interpretation?



Sharing language assistance services between sites;

Training bilingual staff to act as interpreters;

Telephonic and Video Conferencing interpreter services;

Formal agreements with community volunteers; and

Centralizing interpreter services



# What Does Timely Manner Mean?

No single definition of timely.

- “..one clear guide is that the language assistance should be provided at a time and place that avoids the effective denial of the service, benefit, or right at issue or the imposition of an undue burden on or delay in important rights, benefits or services to the LEP person.” (Final Guidance, pg. 42)

# What Is Meant By Interpreter Competency?

Does not require formal certification, but strongly encouraged when rights depend on accuracy;

Competency as an interpreter requires more than just identification as bilingual;

Does require ability to communicate in and out of both languages competently, including key terminology/concepts specific to housing, and any relevant “regionalisms”; and

Understand and adhere solely to the role of interpreter (no counseling, legal advice, or opinion).

# What Does HUD Guidance Say About Using Family Members and Friends As An Interpreter?

Recipients should not plan to rely on family members (especially minors), friends, or other informal interpreters to provide meaningful access to important programs and activities.

- Persons with LEP should be permitted to use, at their own expense, an interpreter of their own choosing (whether a professional interpreter, family member, friend) in place of or as a supplement to the free language services expressly offered by the recipient.
- In certain cases, such as if legal rights are involved, or things involving confidentiality or domestic violence, it is recommended Management provide their own interpreter even if someone wants to use theirs’.
- May need to use family members and friends in emergency situations.

# **SECTION 3 –WHAT HUD’S GUIDANCE STATES CONSTITUTES MEANINGFUL ACCESS TO PERSONS WITH LEP**

## **SUMMARY QUESTIONS**

# Summary Questions



1. HUD has provided a Safe Harbor for both Written and Oral Communication that Owners and Agents may follow when providing meaningful access to persons with Limited English Proficiency.

True

False

2. HUD's guidance provides a definitive list of vital documents that Owners and Agents must translate in order to be protected by the Safe Harbor Rule.

True

False

# Summary Questions



## Answers

1. HUD has provided a Safe Harbor for both Written and Oral Communication that Owners and Agents may follow when providing meaningful access to persons with Limited English Proficiency.

True

**False**

2. HUD's guidance provides a definitive list of vital documents that Owners and Agents must translate in order to be protected by the Safe Harbor Rule.

True

**False**

**SECTION 4 – CREATING A LANGUAGE  
ACCESS PROGRAM: DEVELOPING A SELF  
ASSESSMENT, DEVELOPING POLICY  
DIRECTIVES AND CREATING A  
LANGUAGE ACCESS PLAN AND  
PROCEDURES TO PROVIDE MEANINGFUL  
ACCESS**

# What Is The Goal?

The goal of all language access planning and implementation is to ensure that your site communicates effectively with persons with LEP.

- This requires ensuring effective communication at all points of contact between people with LEP and your site.



# How Do I Achieve The Goal Of Providing Meaningful Access to Persons With LEP?

Read HUD's Final Regulations

Conduct a Self Assessment

- Read and complete the DOJ Language Assistance Self-Assessment and Planning Tool for Recipients of Federal Financial Assistance (2011) (DOJ Tool)
  - It can be downloaded at [www.lep.gov](http://www.lep.gov) and will be handed out today
- Analyze the data using HUD's 4-Factor Analysis.

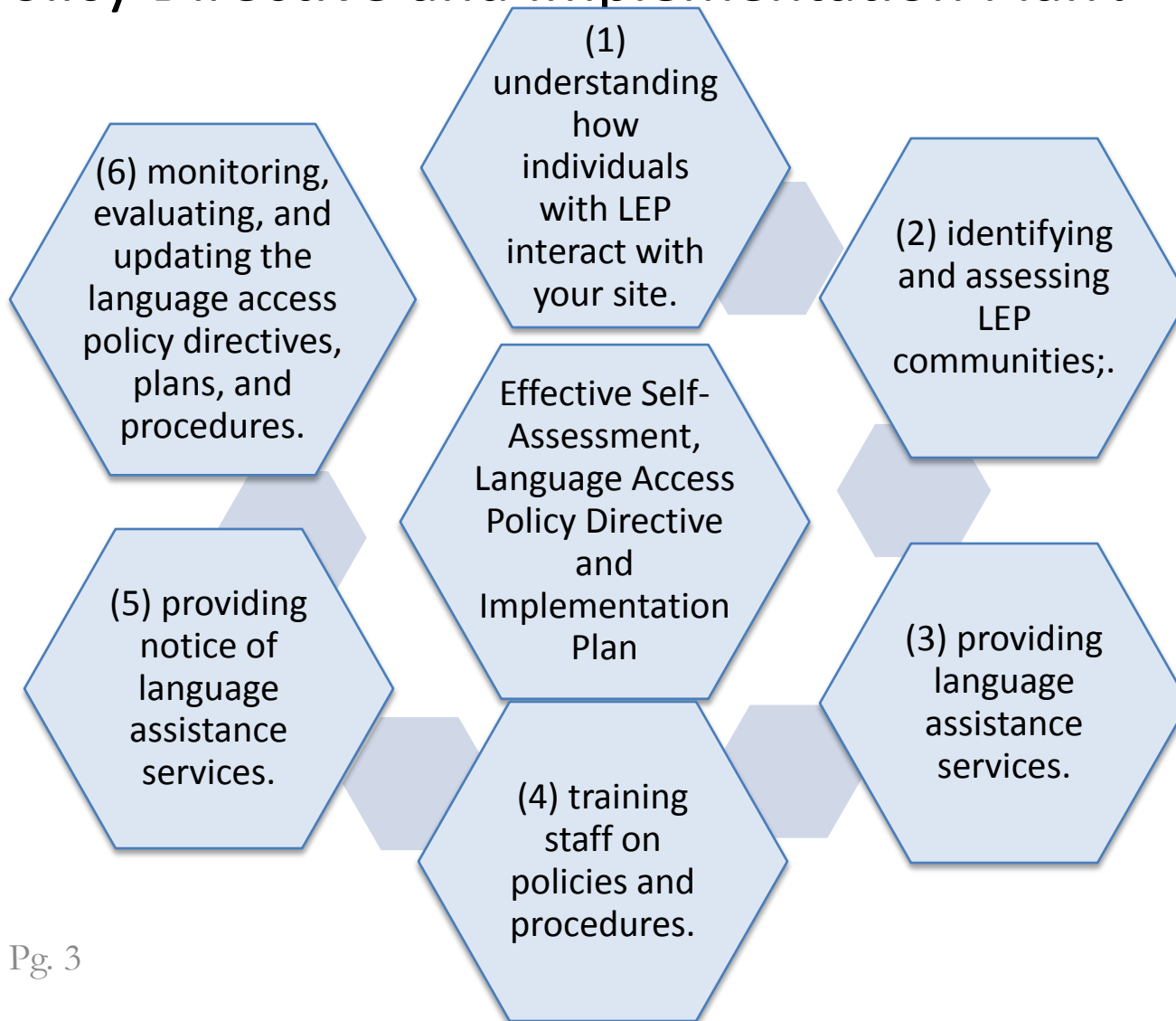
Develop a Language Access Program, including a Policy Directive, Plan and Procedures.

- These can be contained in one document.
- DOJ Tool provides guidance

# What Are Elements of an Effective Assessment, Language Access Policy Directive and Implementation Plan?



## Policy Directive and Implementation Plan?



# How Do I Determine How Persons With LEP Interact With My Housing Program?

Review Staff's interaction with people because all interactions with people have the potential for interactions with persons who have LEP.

- Who you interact with: i.e. potential Applicants, Applicants and Residents
- The manner in which you interact/communicate
  - website
  - written materials (brochures/ads intended for public distribution), as well as materials specific to applicants and residents
  - Telephone/answering service

# How Do I Identify LEP Populations?

Assess the needs of current residents.

Ask about language assistance needs of applicants.

- Use the Language Identification Flash Cards.

Review data available from Federal and State Agencies:

- *U.S. Census Bureau*
- *The U.S. Department of Education*
- *The Federal Interagency Working Group on Limited English Proficiency Website*

Communicate with community and religious entities.

# How Do I Identify What Language Assistance Measures to Provide?



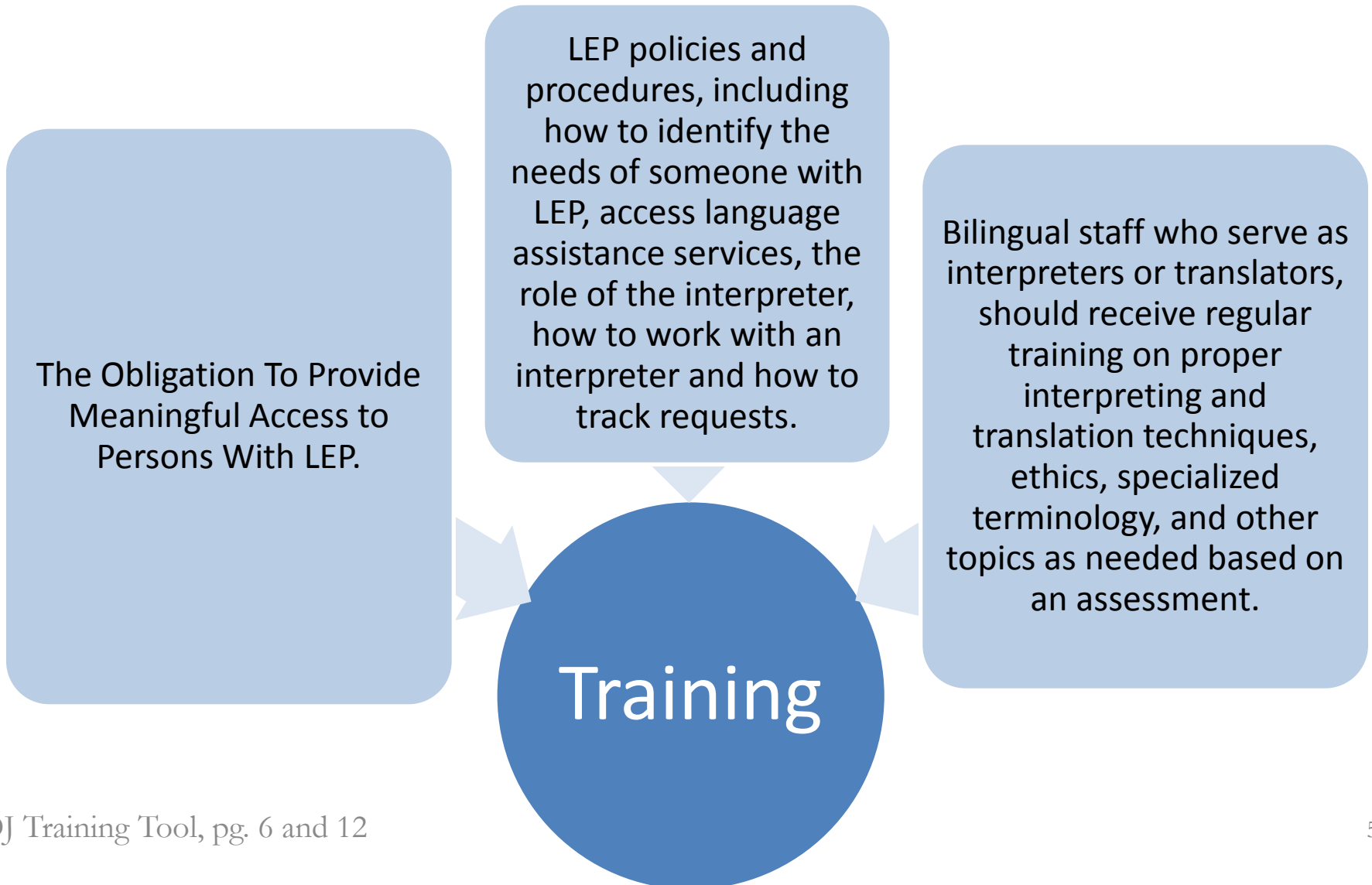
Identify in written format types of language services available:

- Staff who have the skills to translate and interpret for applicants/tenants;
- A list of other qualified persons available; and
- A list of phone/internet services available.

Provide a written procedure:

- How to respond to callers with LEP;
- How to respond to written communication from persons with LEP;
- How to respond to persons with LEP who have in person contact with site staff; and
- How to ensure competency of interpreters and translation services.

# What Do I Need To Train Staff On?



The Obligation To Provide Meaningful Access to Persons With LEP.

LEP policies and procedures, including how to identify the needs of someone with LEP, access language assistance services, the role of the interpreter, how to work with an interpreter and how to track requests.

Bilingual staff who serve as interpreters or translators, should receive regular training on proper interpreting and translation techniques, ethics, specialized terminology, and other topics as needed based on an assessment.

Training

## How Do I Provide Notice of free language services to persons with LEP and how to access these services?

Posting signs in multiple languages regarding providing free language assistance.

Inclusion in outreach documents.

Notification at application and at recertification.

Working with grassroots and faith based community organizations.

Inclusion of common languages in a telephone voice mail as well as how to obtain language assistance.

Notices in local newspapers and non English-speaking radio and television.

Schedule staff who are bi-lingual to speak at community events/Resident meetings where persons with LEP may be.

Ensure info on website is available in common languages, or at minimal how to apply.

# How Do I Monitor and Update the Language Access Program On An Ongoing Basis?



Assign someone (or a committee) to be responsible for monitoring, evaluating, and updating the program.

This may need to be done annually based on demographic and service changes.

Consider changing demographics and new resources including emerging technology, and other ways to ensure improved access for individuals with LEP.

Develop monitoring systems to track the effectiveness of your program.

Track the number and frequency of contact with persons who have LEP and provision of services using logs.

Obtain feedback from staff and participants regarding effectiveness of services provided.



# What In Addition To The Assessment Do I Need To Do To Develop A Language Access Program?



Create

Policy Directive

Implementation  
Plan

Procedures

These Overlap And Can Be In One Document

# What Is A Language Access Policy Directive?



It sets forth standards, operating principles, and guidelines that will govern the delivery of language appropriate services for your site/company.

It may include various topics, such as:

- A General Policy Statement
- Purpose and Authority
- Definitions
- Language Assistance Measures
- Staff Compliance
- Bilingual Staff
- Staff Training
- Performance Measurement

# Does The DOJ Tool Provide A Sample Language Access Policy Directive?

## Example General Policy Statement:

“It is the policy of this agency to provide timely meaningful access for LEP persons to all agency programs and activities. All personnel shall provide free language assistance services to LEP individuals whom they encounter or whenever an LEP person requests language assistance services. All personnel will inform members of the public that language assistance services are available free of charge to LEP persons and that the agency will provide these services to them.”

# What Is A Language Access Implementation Plan?

It is a management tool that provides a “blueprint” for how a company/site is going to get into compliance with language access requirements.

- It describes how the company/site will implement the policy directive.

# What Are Language Access Procedures?



Procedures explain the steps to be followed to “provide language assistance services, gather data, and deliver services” to persons with LEP such as those stated in DOJ’s Tool:

- How staff are to respond to telephone calls from individuals with LEP.
- How staff track, and record language preference information.
- How staff inform individuals with LEP about available language assistance services.
- How staff will identify the language needs of individuals with LEP.
- How staff are to respond to correspondence (letters and email) from individuals with LEP.
- How staff will procure in-person interpreter services.
- How staff will access telephone or video interpreter services.
- How to use bilingual staff for LEP services and which staff are authorized to provide in-language service.
- How to obtain translations of documents.
- How staff will process language access complaints.

**SECTION 4 – CONDUCTING A SELF  
ASSESSMENT, DEVELOPING POLICY  
DIRECTIVES AND CREATING A  
LANGUAGE ACCESS PLAN (LAP) AND  
PROCEDURES TO PROVIDE MEANINGFUL  
ACCESS**

**SUMMARY QUESTIONS**

# Summary Questions



1. The goal of all language access planning and implementation is to ensure that your site communicates effectively with persons with LEP.

True

False

2. The key components of a Language Access Plan (LAP) are:
- Identification of persons charged with implementing the plan.
  - Identification and assessment of LEP communities.
  - A description of the timeframe, objectives, and benchmarks for work to be undertaken.
  - Identification of funding and procurement issues and the steps needed to address them.
  - Notice of language assistance services
  - Training staff on policies and procedures.
  - Monitoring and updating the plan, policies, and procedures.
  - Collaborating with LEP communities and other stakeholders.

True

False

# Summary Questions

## Answers



1. The goal of all language access planning and implementation is to ensure that your site communicates effectively with persons with LEP.

**True**

**False**

2. The key components of a Language Access Plan (LAP) are:
- Identification of persons charged with implementing the plan.
  - Identification and assessment of LEP communities.
  - A description of the timeframe, objectives, and benchmarks for work to be undertaken.
  - Identification of funding and procurement issues and the steps needed to address them.
  - Notice of language assistance services
  - Training staff on policies and procedures.
  - Monitoring and updating the plan, policies, and procedures.
  - Collaborating with LEP communities and other stakeholders.

**True**

**False**



**SECTION 5 –  
DOJ/HUD AND MASSHOUSING'S  
EFFORTS**

# What Efforts Has DOJ/HUD Made In Re To LEP?



## Limited English Proficiency (LEP) A Federal Interagency Website

**LEP.gov**  
Mission Statement

### LEP Information

[Frequently Asked Questions](#)

[Executive Order 13166](#)

[Resources by Subject](#)

[Interpretation and Translation](#)

[LEP and Title VI Videos](#)

[Demographic Data](#)

### LEP Resources and Compliance

[Federal Agency LEP Plans](#)

[LEP Guidance for Recipients](#)

[DOJ LEP Guidance for Recipients](#)

[Recipients of Federal Assistance](#)

[File a Complaint with DOJ](#)

[DOJ Agreements and Settlements](#)

### Department of Justice

[Civil Rights Division Page](#)

[Federal Coordination and Compliance Section \(FCS\) Page](#)

[DOJ Publications](#)

### LEP.gov

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[Privacy and Security Notice](#)

Updated: March 11, 2013

[Limited English Proficient Individuals in the United States: Linguistic Diversity at the County and State Level, Migration Policy Institute- February 27, 2013 \(Excel\)](#)

[Justice Department Reaches Settlement with School District of Palm Beach County, Florida. The agreement includes "translation and interpretation services throughout the registration" and "disciplinary process" for ELL students and parents who are LEP- February 26, 2013 \(Agreement\) \(Press Release\)](#)

[The U.S. Department of Health and Human Services 2013 Language Access Plan- February 26, 2013 \(PDF\), Related HHS Page](#)

[The Language of Justice, Deeana Jang, White House Initiative on Asian Americans and Pacific Islanders Blog, February 19, 2013](#)

[U.S. Department of Justice Releases a Draft Language Access Planning Tool for Courts \(PDF Version\) \(Word Version\) – December 19, 2012, Justice Blog Post \(The comment period is now closed\)](#)

[Santa Clara, California Probation Department Language Access Plan- January 17, 2013. \(PDF\)](#)

[Santa Clara County District Attorney's Language Access Plan- December 3, 2012. \(PDF\)](#)

[U.S. Department of Housing and Urban Development \(HUD\) agreement with a property management company in Virginia Beach, VA, which will pay \\$82,500 to settle allegations that it refused to allow a Hispanic woman to apply for an apartment because she did not speak fluent English. HUD Press Release- January 16, 2013. Agreements \(PDF\)](#)

[\[ Older Posts \]](#)

[Mission of the Federal Interagency Working Group](#)

DOJ coordinates an Interagency Working Group on LEP and Has A Website on Resources Available.

# What Efforts Has DOJ/HUD Made



## Re To LEP? Cont'd

- HUD has a website that provides documents created by HUD program offices printed in English and other languages. See [http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/fair\\_housing\\_equal\\_opportunity/promotingfh/lep](http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opportunity/promotingfh/lep)

### HUD Translated Materials

- Brochures & Booklets
- Fact Sheets
- Forms
- Language ID Card
- Posters
- Public Service Announcements (PSAs)

# What Documents Has HUD Translated That Apply Specifically To Multi-Family Housing?



## Name of Document

Annual Recertification Initial  
Notice (HUD Handbook 4350.3, Exhibit 7-1)

Annual Recertification First Reminder Notice (HUD Handbook 4350.3, Exhibit 7-2)

Annual Recertification Second Reminder Notice (HUD Handbook 4350.3, Exhibit 7-3)

Annual Recertification Third Reminder Notice/Notice Of Termination (HUD Handbook 4350.3, Exhibit 7-4)

EIV You brochures

Model Form of Notification of Rent Increase Resulting From Recertification  
Processing

Interim Adjustment Initial Notice (HUD Handbook 4350.3, Exhibit 7-7)

Interim Adjustment Termination of Assistance (HUD Handbook 4350.3, Exhibit 7-8)

Resident Rights Responsibilities Brochure

# What Documents Has HUD Translated



## That Apply Specifically To Multi-Family Housing? Cont'd

### Name of Document

How Your Rent is Determined (Project-Based Section 8) Fact Sheet

How Your Rent is Determined (BMIR) Fact Sheet

How Your Rent is Determined (PAC/PRAC) Fact Sheet

How Your Rent is Determined (Section 236) Fact Sheet

FACT SHEET for HUD-Assisted Residents Rental Assistance Payments (RAP)  
"How Your Rent Is Determined"

FACT SHEET for HUD-Assisted Residents Rent Supplement "How Your Rent is  
Determined"

FACT SHEET for HUD-Assisted Residents Section 236 "How Your Rent is Determined"

# What Languages Has HUD Translated Documents Into?



- Many of HUD's documents are translated into the following: [Amharic](#) | [Arabic](#) | [Armenian](#) | [Cambodian](#) | [Chinese](#) | [Farsi](#) | [French](#) | [Korean](#) | [Portuguese](#) | [Russian](#) | [Spanish](#) | [Tagalog](#) | [Vietnamese](#)
- Others are translated into only some of these languages.

# What Action Has Massachusetts and MassHousing Taken?



In April 2011, DHCD initiated an interagency meeting of the state housing quasi agencies and members of the Fair Housing Advisory Committee to discuss furthering the LEP initiative.



In May 2011, MassHousing formed an internal LEP workgroup that continues to meet regularly.



Workgroup members from Admin Services, Communications, Rental Management, Home Ownership, Legal, Community Services.

# What Is MassHousing's LEP Working Group Doing?



Completing Self Assessment and LAP

Establishing and populating a MassHousing LEP webpage [www.masshousingrental.com/LEP](http://www.masshousingrental.com/LEP) with general information, translated vital documents, interpreter resources and other links

Identifying employee language capacity

Identifying and translating vital documents into nine additional languages

Preparing "I Speak" cards, Spanish phone greeting and mailbox, staff protocols, tracking form and certification form

Securing phone interpretation services through CenturyLink Qwest.



# What Are MassHousing's LEP Languages?



- Cambodian
- Chinese
- Haitian Creole
- Italian
- Portuguese (Brazilian)
- Portuguese (European)
- Russian
- Spanish
- Vietnamese



# What Are MassHousing's Vital Documents For Rental Management



- Occupancy Agreement (w VAWA Addendum)
- MassHousing Tenant Selection Plan (TSP) Tenant Summary
- MassHousing Property Description Insert to Tenant Selection Plan Summary
- MassHousing Model Application Form (TSP Attachment 3)
- Consent for Release of Information (TSP Attachment 4)
- Notice of Decision on Application (TSP Attachment 5)
- Rejection Notice (TSP Attachment 6)
- Attachment to Rejection Notice (TSP Attachment 6A)
- MassHousing Conference Procedure (TSP Attachment 6B)
- Annual Waiting List Update (TSP Attachment 8)
- Notice to All Residents: MassHousing Property Management Review
- Notice of Unit Inspection: Property Management Review
- Notice of a Request to Increase Rents

# What Action Is MassHousing Taking That Will Effect O/As Of Its Financed Sites?



Action	Effective Date
Requiring Owners/Agents To Conduct Self Assessment	This is a prerequisite to developing the Language Access Program (LAP)
Requiring Owners/Agents To Develop A Language Assistance Program (LAP)	<b>10/1/2013</b>
Requiring Owners/Agents To Provide Initial Certification to MassHousing That They Have An LAP And Are Providing Meaningful Access To Persons With LEP	<b>12/31/2013</b>
Incorporating New PMR question(s) re: LAP status	<b>12/31/2013</b>
Adding Loan Condition (Commitment Letter and Regulatory Agreement) That Requires Compliance With LEP Obligations	<b>TBD</b>

**SECTION 6 –  
DOJ/HUD AND MASSHOUSING'S  
EFFORTS**

**SUMMARY QUESTIONS**

# Summary Questions



1. HUD and MassHousing have translated a number of vital documents.

True

False

2. MassHousing will not require Owners/Agents of sites they finance to certify that they are in compliance with their LEP obligations.

True

False

# Summary Questions

## Answers



1. HUD and MassHousing have translated a number of vital documents.

**True**

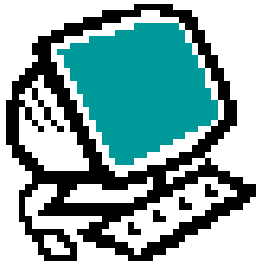
**False**

2. MassHousing will not require Owners/Agents of sites they finance to certify that they are in compliance with their LEP obligations.

**True**

**False**

## **SECTION 6 – Links and Resources**



# Links and Resources

MassHousing

[www.masshousingrental.com/lep](http://www.masshousingrental.com/lep)

*OR*

[www.masshousing.com/lep](http://www.masshousing.com/lep)

HUD

[http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/fair\\_housing\\_equal\\_opp/promotingfh/lep](http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/promotingfh/lep)

US Department of Justice (Interagency)

[www.lep.gov](http://www.lep.gov)



# QUESTIONS ???

