



Office of Housing

Office of Housing Counseling

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Housing Counseling Limited English Proficiency (LEP) Toolkit



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The information and guidance provided in this toolkit is intended to assist program participants with the HUD Housing Counselor Certification Rule. This toolkit does not supplant or supersede OHC Housing Counseling Program (HCP) requirements including but not limited to Section 106 of the HUD Act of 1968 (12 U.S.C. 1701x et seq.), 24 CFR Part 214, 2 CFR Part 200, HCP Notices of Funding Availability, HCP Notices, or HCP Grant Agreements.

Section 1: Introduction

The toolkit explains the limited English proficiency (LEP) requirements and recommendations for Housing Counseling Agencies (HCAs), including how to:

- Understand the needs of LEP persons seeking housing counseling services.
- Ensure meaningful access to its programs and activities by persons with LEP as described in the HCA's work plan.
- Conduct outreach, educate, and affirmatively market the availability of housing and housing-related services to eligible persons in the geographic area who are least likely to apply for or receive the benefits of the program without such outreach and education activities and/or affirmative marketing.

The toolkit explains how an agency could develop a Language Access Plan (LAP) and conduct a Four Factor Analysis as outlined in [Executive Order 13166](#) and detailed in [Federal Register Notice FR-4878-N-02](#). In the Federal Register, there is U.S. Department of Housing and Urban Development (HUD) guidance on determining the extent of the LEP assistance an agency should offer based on its circumstances. Executive Order 13166 states that recipients of federal financial assistance aid LEP applicants and beneficiaries. Recipients, including HCAs, must take reasonable steps to ensure meaningful access to their programs and activities by LEP persons. Further, Chapter 4 of the [Housing Counseling Program Handbook](#), which addresses Home Equity Conversion Mortgage (HECM) counseling, states that counseling materials provided during the counseling session should be available in alternative formats, and either translation or interpretation could be provided for LEP clients.

This toolkit also addresses how to comply with aspects of affirmatively furthering fair housing (AFFH). At the end of the toolkit, there are also tips and resources to help support services for LEP persons.

Learning Objectives

Users of this toolkit should be able to:

- Identify and describe the key definitions, guidance, and requirements for LEP.
- Consider the reasonableness of potential LEP assistance given organizational, financial, and/or human resources.
- Create a LAP to ensure that LEP individuals can meaningfully access HCA services.
- Assess the capacity and appropriateness of existing LEP services.
- Review the reporting requirements for LEP persons.

Section 2: Housing Counseling Agency's Role in Providing Language Access Services

Limited English Proficiency

Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English are considered to have LEP.¹

Providing Services to LEP Individuals

LEP persons are protected under Title VI of the Civil Rights Act of 1964 and the associated Title VI regulations. Title VI protects people from discrimination based on national origin in programs or activities that receive federal financial assistance, which Executive Order 13066 also references.

HCA's are encouraged to provide services in a language accessible to clients. Many HCA's have housing counselors that are fluent in the language of the clients they serve or choose to use the services of an interpreter to provide oral language assistance to their clients. HCA's may also translate documents considered vital to accessing services for LEP clients. If the agency cannot provide these services to an LEP client, then the agency should refer the client to another agency that may be able to meet the client's needs.

HCA's must also comply with state consumer protection laws, which may have specific requirements regarding the provision of services to LEP individuals. For example, at least one state requires that, if negotiations for a mortgage are conducted in a non-English language, certain mortgage documents must also be provided in that language.²

Key Terms

Below are some terms helpful when agencies review this toolkit. Links are provided in the section on resources.

TERM	DEFINITION
Consolidated Plan, 24 CFR Part 91	A document that jurisdictions submit to HUD if they receive funding under any of HUD's Community Planning and Development formula grant programs (e.g.,

¹ See 67 FR 41455, 41457.

² See, e.g., Cal. Civ. Code § 1632; Or. Rev. Stat. § 86A.198.

LEP Resources

HCA's may find it helpful to partner with local college and university language staff, foundations, and other community groups who are experienced language professionals or who work directly with those who are LEP. HUD also has several documents that have been translated. See section on Commonly Translated Documents.

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TERM	DEFINITION
	Community Development Block Grant, HOME Investment Partnerships Act, Emergency Solutions Grant, and Housing Opportunities for Persons with AIDS.) The Consolidated Plan also serves as the jurisdiction's planning document for the use of the funds received under these programs.
<i>Oral Interpretation, Federal Register, January 22, 2007: Final Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons</i>	The act of listening to a communication in one language (source language) and orally converting it to another language (target language) while retaining the same meaning. This is an oral language assistance service.
<i>Limited English Proficiency Individual, LEP.gov Frequently Asked Questions</i>	An individual that does not speak English as their primary language and has a limited ability to read, speak, write, or understand English can have LEP. These individuals may require language assistance with respect to a service, benefit, or encounter.
<i>Language Access Plan, Federal Register, January 22, 2007: Final Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons</i>	An implementation plan to address identified needs of the LEP populations it serves.
<i>Language Assistance Service, Federal Register, January 22, 2007: Final Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons</i>	Oral and written language services.
<i>Language Line (also called a Telephone Interpreter Line), Federal Register, January 22, 2007: Final Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons</i>	One mode of communicating between a LEP person and an English-proficient person is over the phone.
<i>Meaningful Access, Title VI of the Civil Rights Act of 1964 and Federal Register, January 22, 2007: Final Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination</i>	Language assistance that results in accurate, timely, and effective communication at no cost to the LEP individual. For LEP individuals, meaningful access denotes

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TERM	DEFINITION
<i>Affecting Limited English Proficient Persons, particularly Appendix A for examples</i>	access that is not significantly restricted, delayed, or inferior as compared to programs or activities provided to English-proficient individuals.
National Origin, <i>Title VI of the Civil Rights Act of 1964</i>	Nationality, country of birth, ancestry, ethnicity, or foreign accent.
Primary Language, <i>Merriam Webster</i>	The language in which an individual most effectively communicates.
<i>Safe Harbor, Federal Register, January 22, 2007: Final Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons</i>	A “safe harbor,” in the context of this guidance, means that the recipient has undertaken efforts to comply with respect to the needed translation of vital written materials.
<i>Translation, Federal Register, January 22, 2007: Final Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons</i>	Translation is the replacement of a written text from one language (source language) into an equivalent written text in the target language. It should be kept in mind that, because many LEP persons may not be able to read their native languages, back-up availability of oral interpretation is always advantageous.
<i>Vital Documents, Federal Register, January 22, 2007: Final Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons</i>	Those documents that are critical for ensuring meaningful access by beneficiaries or potential beneficiaries generally and LEP persons specifically.
<i>Work Plan, HUD Housing Counseling Program Handbook 7610.1 Rev 5</i>	This is a participating agency’s plan that explains (1) the needs and problems of the target population, (2) methods for addressing one or more of these needs and problems with its available resources, (3) the type of housing counseling services offered, (4) fee structure, if applicable, (5) the geographic service area to be served, and (6) the anticipated results (outcomes) to be achieved within the period of approval.

Section 3: The Language Access Plan

LAP

HCA's are encouraged to develop a LAP and follow the guidance provided in conducting a Four Factor Analysis to determine who should be served within their agency's LAP, or partner with their state and/or local Consolidated Plan agency.

The LAP explains how a governmental or nonprofit organization receiving federal funding will address the identified needs of the LEP populations it serves. HCAs that develop a LAP according to the *Final Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons (Federal Register, January 22, 2007)* may create a standalone document and include their LAP in their agency work plan or in the overall policies and procedures for their organization. HCAs may conduct a Four Factor Analysis to determine the number, type, and size of LEP populations located in the service area. This analysis is a best practice that some HCAs are using to help identify whom they should serve.

Four Factor Analysis

The Four Factor Analysis includes the following four factors:

1. Number or proportion of LEP persons in the eligible service population
2. Frequency with which LEP individuals encounter the programs
3. Nature and importance of the service provided by the programs
4. Resources available to the recipient and costs

The Four Factor Analysis provides the HCA with a baseline to determine what reasonable steps must be taken to ensure meaningful access for LEP persons. HCAs must ensure meaningful access for each LEP language group that constitutes 5% or 1,000 persons, whichever is less, of the population of persons eligible to be served or likely to be affected or encountered. Based on HUD guidance, the determination should be maintained by the HCA and updated at least annually. Based on the results of the Four Factor Analysis, the HCA may determine what specific language access services will best meet the needs of their client population.

HCAs may choose to follow this guidance or adapt certain elements of this guidance. HUD recognizes that some HCA's budgets and resources are constrained. These constraints may result in a fiscal burden to the HCAs. Where HCAs can demonstrate such a fiscal burden, HUD views this as a critical item in the consideration of costs in the Four Factor Analysis. Regardless, HCAs must conduct their own individualized assessment to determine their plan for providing services to LEP individuals. An individualized assessment is not as extensive as the Four Factor Analysis, and it typically includes identifying the number, type, and size of the LEP populations in their service area by collecting and analyzing client data. HCAs may also find it helpful to consult or partner, or both, with a state or local Consolidated Plan agency.

See *Attachment 1: Sample Steps in the Four Factor Analysis: Identifying LEP Individuals Needing Language Assistance* for further information on how best to conduct this analysis.

Section 4: Typical Housing Counseling LEP Services

Based on the results of the Four Factor Analysis or other methodology through a review of client data and community needs, the agency can determine what types of translation and interpretation services it needs to provide and how it plans to provide meaningful access for those language groups. Serving LEP persons may also be included as part of the organization's AFFH activities.

Below are examples of appropriate language assistance services that HCAs may consider providing to their clients:

- **Interpreters or Bilingual Staff:** HCAs can use both interpreters and bilingual staff as necessary to provide services to LEP persons. Courts, school districts, local universities, and chambers of commerce may also have interpreters available to assist LEP clients.
- **Translation:** A language line is a service that connects interpreters via telephone to individuals who wish to speak to each other but do not share a common language. HCAs can also contract with a translation service that is knowledgeable about the services being used and the population being serviced to provide additional "in-language" housing counseling capability. HUD also has a number of [relevant LEP resources available online](#) that are already translated into other languages. Smaller HCAs can also connect with other area HCAs that may already have translated materials that can be adopted for their own services and programs.
- **Program Models:** HCAs who work with LEP persons should not assume their current program models will work for everyone. Building trust and rapport with an LEP population may involve enhancing current counseling services and other programs offered by the HCA. For example:
 - Some LEP persons may come from nations where group lending models were the popular norm. Group lending involves pooling resources together to save funds, perhaps for the purchase for a home. For these LEP individuals, an HCA may need to provide more guidance about the lending models in the United States.
 - Some LEP persons may need help navigating the banking, credit, and finance systems in the United States. An HCA may provide "in-language counseling" to help with the needs of these persons who may have trouble with lending, credit establishment or repair, etc.

The Federal Housing Finance Agency Report on Language Access

The Federal Housing Finance Agency (FHFA) was established by the Housing and Economic Recovery Act of 2008 for the effective supervision, regulation, and housing mission oversight of Fannie Mae, Freddie Mac, and the Federal Home Loan Bank System, which includes the 11 Federal Home Loan Banks and the Office of Finance. In June 2017, FHFA published a report, [Language Access for Limited English Borrowers](#), which identified barriers for LEP borrowers accessing mortgage credit. The report findings offer insight into solutions to barriers experienced by LEP persons. FHFA also has a resource page for [Mortgage Translations](#) that has sample documents translated into Spanish, traditional Chinese, Vietnamese, Korean, and Tagalog. Other materials will be added in the future in other languages according to [FHFA's Language Access Multi-Year Plan](#).

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- **Outreach:** Outreach efforts are essential to ensure that LEP populations are aware of and able to meaningfully access the programs and services offered by HCAs. HCAs are typically engaged in different types of outreach activities with multiple outside organizations such as religious organizations, service providers, businesses, and libraries. This outreach can also include providing external-facing materials such as flyers, brochures, and applications translated into multiple languages. Outreach may also be word of mouth by providing organizations that serve LEP populations with essential information about the array of available HCA activities so they can spread the word to LEP individuals. For example:
 - If an agency provides pre-purchase housing counseling, and the agency is aware that a significant Hispanic population needs this type of service, it may want to hire a bilingual English/Spanish staff person to conduct special outreach efforts.
 - If an agency's service area includes a high population of Laotians and organizations are identified that have caseworkers who speak Laotian, outreach efforts may involve working through these organizations by making them aware of the breadth of housing counseling services available specifically for this population.
- **Referrals:** Based on the research conducted to determine its LEP populations, an HCA may determine that its existing referral agencies may not be appropriate. The HCA may want to invest in additional referral agencies, particularly those with language capacity.

The Resource List section of this toolkit also includes Bridge Newsletter agency profiles and program highlights specifically on LEP.

Agency Work Plan Checklist for LEP

An agency work plan covers the breadth of services offered by the HCA. The following checklist provides some basic components that should be covered in an HCA work plan. These components help ensure that all key elements of LEP and the LAP are addressed. Please note that, in addition to the work plan, the agency may have a separate LAP.

COMPONENT	
Identification of LEP populations typically served, including specific language	<input type="checkbox"/> Yes (<i>please indicate language below</i>) <input type="checkbox"/> _____ <input type="checkbox"/> _____ <input type="checkbox"/> _____ <input type="checkbox"/> _____ <input type="checkbox"/> No
Description of the types of LEP services provided	<input type="checkbox"/> Yes <input type="checkbox"/> Translations <input type="checkbox"/> Interpreters <input type="checkbox"/> Outreach <input type="checkbox"/> Referrals <input type="checkbox"/> Other: _____ _____ <input type="checkbox"/> No
Provision of a separate language access plan	<input type="checkbox"/> Yes <input type="checkbox"/> No
Inclusion of specific housing counseling services that incorporate the needs of LEP persons	<input type="checkbox"/> Yes (<i>please indicate the types of services provided</i>) <input type="checkbox"/> _____ <input type="checkbox"/> _____ <input type="checkbox"/> No

Section 5: Reporting on LEP Persons Served

During the intake process, the HCA typically determines the needs of the client, including if they are an LEP person. HCAs are required to discreetly record (e.g., through a sign-in sheet or participant survey) the LEP status of all clients, including workshop participants.

The number of LEP clients served is reported quarterly to HUD through its HUD Form 9902: Housing Counseling Agency Activity Report. The agency uses the 9902 to record housing counseling and education activity by HCAs.

The following includes a few tips for filling out the form relevant to LEP persons served:

- The data in the 9902 report is cumulative. For example, the agency's Q3 report should include all households served from Q1 to Q3.
- The data should be reported on distinct services. Record LEP status for each individual and group education client receiving a distinct service during the reporting period. For example, if a family attends counseling and a workshop, they should be counted for each service.
- The data for LEP status should be gathered each time a client visits the HCA for a different type of counseling service. For example, if an individual comes in for one type of counseling, such as pre-purchase, the agency will record their demographic data, the type of counseling, and the impacts. If, later in the same fiscal year reporting period, the same individual comes in for another type of counseling (e.g., default counseling), record this new activity and then record their demographic data again.
- The data should be provided by all HCAs, regardless whether funded or not by HUD.
- The total for Section 7 should be the same as the totals for Sections 3, 4, 5, and 6 and the same as the total of Sections 8 and 9. For example, if 10 households were served, the section totals for each of Sections 3, 4, 5, 6, and 7 should all equal 10 households. Further, the total of Sections 8 and 9 should equal 10 households, perhaps 5 served through group education and 5 through one-on-one housing counseling.

Typical Reporting Scenarios

There are two typical scenarios if more than one HCA is involved:

Intake and Referrals Only. *An HCA may receive an LEP client through a referral from another agency, which may also be an HCA. **Only the HCA who provided housing counseling services as prescribed in Section 3-5 of HUD Handbook 7610.1 Rev. 5 would report the client on their 9902.***

Housing Counseling Services. *If the client receives counseling as described in Section 3-5 of HUD Handbook 7610.1 Rev. 5 from two different agencies, then **both agencies would report that client on their 9902.***

In either scenario, each HCA should track and report on the number of LEP persons served, even if the household is being served by both agencies.

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The following is a sample of the table in the HUD Form 9902. Please note that households who are unwilling or unable to self-identify should be recorded as “chose not to respond.”

		All Counseling and Education Activities	HUD Housing Counseling Program Grantees Only	
			Counseling and Education Activities Attributed to HUD Housing Counseling Grant Funds— Actual, To Date	Counseling and Education Activities Attributed to HUD Housing Counseling Grant Funds— Annual Projection
7. Limited English Proficiency Status				
a.	Household is limited English proficient			
b.	Household is not limited English proficient			
c.	Chose not to respond			
Section 7 Total:				

The Resource List section of this toolkit includes links to the HUD Form 9902 Online Toolkit and associated guidance.

Section 6: Commonly Translated Documents

HUD recommends that all *vital* documents are translated into the non-English language of each regularly encountered LEP group eligible to be served or likely to be affected by the program or activity (in accordance with the safe harbor regulations outlined above and provided in the Resource List section of this toolkit.) Vital documents are those documents that are necessary for a client to access a program or benefit, or both, from a service or resource. For example, an application form that must be completed in order to obtain homeowner assistance is considered vital. Meanwhile, copies of testimony provided to Congress for informational purposes would be considered non-vital.

Typical Vital Documents

- *Program brochures*
- *Intake application*
- *Disclosure forms*
- *Consent forms*
- *Complaint forms*
- *Client action plan*
- *Notices advising LEP persons of the availability of free language assistance*

For those documents that are not considered vital and, therefore, not translated by an HCA, the HCA can add a tagline in the non-English languages regularly encountered by the HCA to inform LEP persons about whom to contact for language access services and how to get the document translated into their primary language.

A variety of HUD forms have been translated into other languages on [HUDCLIPS](#). In addition, organizations like Fannie Mae, Freddie Mac, and others have translated forms. Please see the Resource List section of this toolkit for further information.

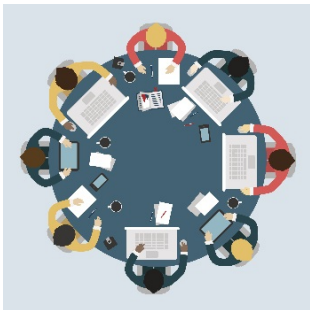
I-Speak Cards

A sample [I-Speak card](#) that can be adapted for use by an HCA is also available online.

Section 7: Agency Tips for Limited English Proficiency

HCA's meet LEP requirements in various ways. This next section provides a few high-level tips or best practices that successful HCAs use to ensure compliance and inclusion of LEP persons.

Tip #1: Collaborate on LEP



Description

Sometimes HCAs may feel as though they do not possess the right staffing and resources to allow them to properly serve LEP persons. HCAs often attempt to address special needs with standalone processes that fall short of meeting the needs of individuals and families. This does not need to be the case, particularly in regions and service areas where there is a higher prevalence of LEP persons and agencies that specialize in providing language services.

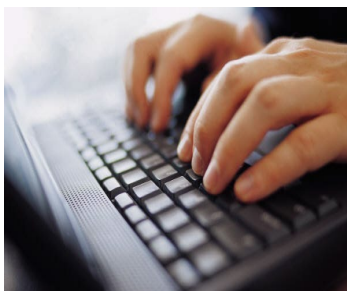
Why?

Working as a group to address the needs of LEP persons helps to share ideas and costs and to offer a holistic approach.

Example

[Virginia Housing Development Authority](#) has a member agency, [Piedmont Housing Alliance](#). Piedmont partners with local agencies such as *Creciendo Juntos* and the International Rescue Committee to form an LEP Committee. The LEP Committee includes service providers from other nonprofit organizations within Piedmont Housing Alliance's service area, which regularly have a high level of contact with LEP clients. Piedmont has collaborated to ensure they have successfully implemented their own LEP policy and to provide language access to LEP persons.

Tip #2: Provide Online Portal for Assistance



Description

HCAs must work effectively and efficiently to serve all their clients, particularly those who need specialized services. An online portal may be a helpful path to identify language needs upfront.

Why?

Providing an online portal serves both counselor and lender needs, as well as helps identify gaps in services.

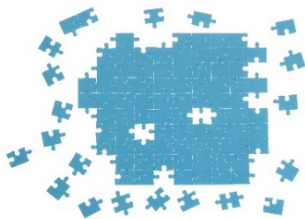
Example

The [Minnesota Homeownership Center](#), a HUD-Approved Intermediary organization, has developed an [online search tool](#) for lenders, clients, and partners to find a housing counselor in a preferred language. The Homeownership Center offers counseling in 9 different languages throughout its network of 40 nonprofit and

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government agencies. The Homeownership Center works collaboratively across these agencies to ensure they are serving the needs of LEP persons and to add agencies as necessary to meet demand for in-language housing counseling. In addition, the Homeownership Center's website includes a dedicated Spanish-language mini-site, and member agencies use [Dialog One](#) for translation services as well as the [Language Marketplace](#), which offers over 100 languages, for interpretation services by phone to facilitate three-way conversations among the client, counselor, and interpreter.

Tip #3: Centralize LEP Outreach, Reporting, and Service Delivery



Description

HCAAs may also receive other funding, particularly from HUD, and may find that centralizing outreach, reporting requirements, and service delivery is helpful.

Why?

Providing multiple avenues to identify the needs of LEP persons may ensure services are provided comprehensively and holistically, particularly for agencies with multiple funding sources like a state housing finance agency (SHFA).

Example

[Kentucky Housing Corporation \(KHC\)](#), a SHFA, participates in HUD's Housing Counseling Program. Like other SHFAs, KHC works with multiple HUD programs across the Federal Housing Administration, Community Planning and Development, etc., and frequently works with other state-level departments on compliance. As a result, KHC has two coordinators who work throughout the agency, including, a fair housing coordinator and particularly a multicultural outreach coordinator, who works to develop rapport among funders, local governments, housing stakeholders, and community leaders (including HCAs, the business community, etc.) to identify LEP persons and service delivery gaps. Kentucky Housing Corporation collaborates with the Department for Local Government (DLG) to track and update as needed and annually, different languages spoken in Kentucky. The fair housing coordinator and the multicultural outreach coordinator work on agency-wide reporting, including Title VI of the Civil Rights Act of 1964, Assessment for Fair Housing (AFH), etc. The multicultural outreach coordinator trains KHC's program coordinators on reviewing data on the AFH, as well as identifying county data (U.S. Census, a four-factor test, frequency of contacts and the Migration Policy Institute), to determine LEP persons. Finally, KHC offers multiple points of access for LEP persons who are being served by its partners. KHC maintains a network of KHC-approved lenders, realtors, referral agencies, local governments' specialized offices, and churches who reach out or who serve a specific LEP community. For example, if individuals are identified by the various international centers across Kentucky as they prepare to purchase a home, they are connected to a KHC-approved lender and a network of LEP-ready realtors, and they are provided with in-language housing counseling services as needed.

Section 8: Resource List

In addition to the links provided in the sections above, the following table lists useful resources to help HUD Intermediaries and HCAs become more familiar with LEP guidance.

RESOURCE NAME AND LINK	DESCRIPTION
HUD Housing Counseling Program Handbook 7610.1 Rev. 5, Chapter 3	Documents the requirements related to LEP for HCAs.
Limited English Proficiency —Federal Website	Provides basic information and additional links about LEP.
Language Access Assessment and Planning Tool for Federally Conducted and Federally Assisted Programs	Tool to help HCAs determine language access service needs and come up with implementation to provide services.
Limited English Proficiency —HUD Website	Provides documents, including the HUD Federal Register Notice: Final Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons , and “I-Speak” cards, created by HUD program offices printed in English and other languages.
Executive Order 13166 on Limited English Proficiency	Federal interagency website dedicated to describing the executive order for serving those who are LEP, including providing frequently asked questions.
Guidance on Fair Housing Act Protections for Persons with Limited English Proficiency	HUD Office of General Counsel guidance on Fair Housing Act protections for persons with LEP. This guidance discusses how the Fair Housing Act applies to a housing provider’s consideration of a person’s limited ability to read, write, speak, or understand English.
HUD Memo on Immigrant Access to Housing and Services	HUD and U.S. Department of Justice joint letter to remind recipients of federal financial assistance that they should not withhold certain services based on immigration status when the services are necessary to protect life or safety.
American Community Survey	The American Community Survey, compiled by the U.S. Census Bureau, is an ongoing survey that provides vital information on a yearly basis about our nation and its people. The link (left) goes directly to the latest data tables, searchable by LEP.

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RESOURCE NAME AND LINK	DESCRIPTION
Migration Policy Institute	The Migration Policy Institute is an independent, nonpartisan, nonprofit think tank in Washington, DC, dedicated to analysis of the movement of people worldwide.
Limited English Proficiency Frequently Asked Questions	Frequently asked questions on the Final LEP Guidance (as found in the Federal Register dated January 22, 2007.)
Fannie Mae Spanish Resources	Fannie Mae website search that returns Spanish-language resources.
FHFA Mortgage Translations Clearinghouse	FHFA resource page that includes sample documents translated into Spanish, traditional Chinese, Vietnamese, Korean, and Tagalog. Other materials will be added in the future in other languages.
FHFA and Consumer Financial Protection Bureau (CFPB) Glossaries of Mortgage Terms	FHFA and CFPB have created glossaries of mortgage terms in other languages as a means of standardization in the industry.
HUDCLIPS	Provides HUD forms translated into various languages.
OHC Stakeholder Webinar on Serving LEP Persons October 2016	Tips from Fair Housing and Equal Opportunity Office staff and HCAs on their experiences and best practices in meeting the needs of underserved populations, including LEP persons.
OHC Limited English Proficiency Webinar June 2015	Tips and tools for working with LEP clients.
HUD Form 9902	This required HUD form records housing counseling and education activity by agencies participating in the Housing Counseling Program, including LEP persons served.
HUD Form 9902 Toolkit	Online toolkit for filling out HUD Form 9902.
Bridge Newsletters: <ul style="list-style-type: none"> • Volume 4, Issue 11—May 2016 • Volume 5, Issue 4—October 2016 • Volume 5, Issue 10—April 2017 	These newsletters include best practices from HCAs on serving LEP persons.

Attachment 1: Sample Steps in the Four Factor Analysis: Identifying LEP Individuals Needing Language Assistance

1. Number or proportion of LEP persons served or encountered in eligible service population

The data needed to estimate the proportion of LEP persons within the HCA’s service area is in the most recent version of the Census Bureau’s 2015 [American Community Survey](#) 5-year file—“Table B16001: Language Spoken at Home by Ability to Speak English for the Population 5 Years and Older.” The Census data are available at the county level for the 5-year estimates. Municipalities with populations in excess of 65,000 may also find 1-year (2015) estimates. If the HCA is also the agency who prepares the Consolidated Plan, using the AFFH mapping tool may be the best method to ensure consistency of data because the data may be used for multiple purposes. The [Migration Policy Institute](#) also offers the data, curated by state and county. The data show the total population and the number of LEP individuals by language living in each county.

All three sources of data allow an HCA to determine the total number and percentage of LEP individuals within its service areas, as well as the language spoken by those individuals.

HUD has defined “safe harbors” for translation thresholds based on the number of individuals in the service area, as outlined in the table below.

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	Translated vital documents
More than 5% of the eligible population or beneficiaries and more than 50 in number	Translated vital documents
More than 5% of the eligible population or beneficiaries and 50 or less in number	Translated written notice of right to receive free oral interpretation of documents
5% or less of the eligible population or beneficiaries and less than 1,000 in number	No written translation is required

If there are significant numbers of prospective or existing clients with LEP within the service area, the HCA must also provide onsite interpreters and/or use a language line service. HUD discourages the use of client family members as translators.

2. Frequency with which LEP individuals encounter the programs

The next step in the Four Factor Analysis is to determine the extent to which the HCA has service requests from LEP clients or might have encounters with LEP individuals with appropriate LEP outreach. For example, if a new affordable housing program is in an area with a higher concentration of Spanish-speaking families than the county as a whole, interpretation services and documents necessary to help these households obtain the housing should be offered in both English and Spanish. This includes both outreach documents (newspaper announcements, flyers, public service announcements) and the documents that pertain to program eligibility, application, and appeal rights.

3. Nature and importance of the program, activity, or service provided by programs

The more important the activity, information, service, or program, or the greater the possible consequences of the contact to the LEP persons, the more likely language services will be needed. Typically, most if not all the programs and services offered by HCAs will require LEP outreach and services, as HCAs tend to offer programs aimed at renters, landlords, and homeowners that may be LEP individuals rather than, for example, local governmental entities.

4. Resources available to HCA and associated costs

The HCA may choose to develop and implement a LAP (either as a standalone plan or as part of the agency work plan) that addresses the language needs of the populations they serve. While written translations may be costly, most vital documents—such as applications and information sheets—only need to be translated once for each LEP population. HUD also encourages the use of “I-Speak” cards and language lines. If the HCA is in an area with large numbers of residents for whom English is a second language, judicial facilities and school districts often have individuals that may be hired to translate documents.

To the extent feasible, HCAs are encouraged to incorporate funding for development and implementation of their LAP in their annual operating budgets. However, HUD does not want to create an undue burden and recognizes that some HCAs may not have the capacity to address all interpretation and translation needs. If an HCA wants to make the case that it is not able to address the needs of LEP populations, it must document why providing these services constitutes an undue administrative or financial burden. This documentation may include a comparison of the estimated cost of translation and interpretation services with the organization’s operating budget. If an HCA is unable to meet its obligation to provide services to LEP populations, then it must also document how it is collaborating and partnering with other HCAs to provide necessary language services to its clients.