

LANGUAGE ACCESS PLAN and the AFFIRMATIVE FAIR HOUSING MARKETING PLAN

An assisted housing provider will have identified Housing Marketing Areas and/or Extended Housing Marketing Areas for each property to comply with affirmative marketing requirements. This Market Area and the Service Area identified in the Language Needs Assessment should be consistent.

The intention of an Affirmative Fair Housing Marketing Plan is to harmonize the demographics of the tenant population in a project with the demographics in the market area. It may identify ethnic, racial, or national origin groups that are ‘least likely to apply’.

The Language Needs Assessment and the Language Access Plan may identify language groups where the size of a language group (*number or percentage of eligible LEP persons in the population*) exceeds the Safe Harbor threshold requiring translation of marketing documents.

Not surprisingly, the two Plans can produce seemingly conflicting results, suggesting marketing information should be in different languages. An assisted housing provider must comply with the findings of both Plans.

Additional HUD guidance on the Language Access Plan and the Affirmative Fair Housing Marketing Plan is available here:

[**Guidance on Compliance with Title VI of the Civil Rights Act in Marketing and Application Processing at Subsidized Multifamily Properties**](#)

[**Implementation Sheet for HUD’s Title VI Guidance Regarding Marketing and Application Processing at Subsidized Multifamily Properties**](#)

This HUD case addresses the relationship between the Language Access Plan and the Affirmative Fair Housing Marketing Plan:

[**Voluntary Compliance Agreement between HUD’s Office of Fair Housing and Equal Opportunity \(FHEO\) and JCL Management, LLC and Pilot Cove Manor Housing Development Fund Company**](#) (HUD Case 02-21-R005-6)