

# **CITY OF SANTA CRUZ AFFIRMATIVE MARKETING POLICIES AND PROCEDURES FOR HOME ASSISTED RESIDENTIAL UNITS**

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## **BACKGROUND:**

The City receives an annual Home Investment Partnership Program (HOME) grant from the federal Housing and Urban Development Department (HUD) as a participating jurisdiction to facilitate in the development and preservation of affordable housing. HUD requires each participating jurisdiction to adopt affirmative marketing procedures and requirements for rental and homebuyer projects containing 5 or more HOME-assisted housing units as defined in Title 24 Part 92.351 ([Subpart H](#)) of the Federal Code of Regulations

Affirmative marketing steps consist of actions to provide information and otherwise attract HOME-eligible persons in the area to available housing without regard to race, color, national origin, sex, religion, familial status or disability. The affirmative marketing procedures do not apply to families with HUD Section 8 tenant-based rental housing assistance or families with tenant-based rental assistance provided with HOME funds.

Although the City does not directly own or manage any HOME-funded affordable housing projects, the City does require developers and owners of housing projects assisted with HOME funds to comply with all HOME regulations, including the affirmative marketing requirements. To ensure compliance, the City's Affirmative Marketing Procedures are included in each HOME Regulatory Agreement with housing developers that receive HOME funding assistance from the City. The following constitutes the City of Santa Cruz Affirmative Housing Marketing Procedures.

## **CITY OF SANTA CRUZ AFFIRMATIVE MARKETING POLICIES & PROCEDURES FOR HOME-ASSISTED HOUSING UNITS**

**PURPOSE:** In accordance with the regulations contained in 24 CFR Part 92.351, and in furtherance of the City of Santa Cruz's commitment to non-discrimination and equal opportunity in housing, the City of Santa Cruz (the "City") hereby establishes procedures to affirmatively market HOME-assisted projects containing five or more housing units.

**GOAL:** It is the affirmative marketing goal of the City of Santa Cruz to assure that individuals who, because of their race, color, national origin, sex, religion, familial status or disability normally might not apply for units constructed or rehabilitated with HOME funds, are informed of vacancies, are encouraged to apply, and are given the opportunity to rent or purchase HOME-assisted units.

## **IMPLEMENTATION:**

1. Methods for informing the public and potential tenants and purchasers of applicable home-assisted units about the City's affirmative marketing policies and procedures:

- a. The City shall inform the public about the Affirmative Marketing Policy through a Fair Housing Information Pamphlet that includes the Affirmative Marketing Policies and Procedures. This Pamphlet shall be available on the City's website, at the main branch of the Santa Cruz Public Library, and upon request from the City's Economic Development and Redevelopment Department at 337 Locust Street.
- b. The City shall make a copy of its Affirmative Marketing Policies and Procedures regarding HOME-assisted units available for public review at the Department of Economic Development and Redevelopment and on the City's website.
- c. Developers and Owners of HOME-assisted projects consisting of five or more units shall be required to use the Equal Housing Opportunity logo or slogan on all project correspondence and project signage.
- d. The City shall require Developers and Owners of HOME-assisted projects containing five or more units to comply with the City's Affirmative Marketing Policies and Procedures through a recordable HOME regulatory agreement.
- e. The City shall continue to provide general information to persons with questions regarding affirmative marketing, federal fair housing, tenant's rights, assisted housing, and correction of substandard conditions in tenant-occupied dwellings.

**2. Affirmative marketing procedures and practices for home-assisted projects:**

Developers and Owners of HOME-assisted projects consisting of five or more units shall:

- a. Use the Equal Housing Opportunity logo or slogan on all project correspondence and project signage.
- b. Place ads in Santa Cruz general circulation newspapers regarding the availability of vacant rental units or for-sale units within a HOME-assisted project, unless tenant applications are taken from an existing waiting list that included an affirmative marketing outreach effort as noted in #3 below. Such ads shall be placed in advance of selection of tenants or purchasers without holding units off the market. All ads must contain the Equal Housing Opportunity logo or slogan.

**3. Affirmative marketing procedures and practices to be used by owners to inform and solicit applications from persons in the housing market area who are not likely to apply for the home-assisted units without special outreach:**

- a. Send notices of vacant rental units or units available for sale to local churches, the Santa Cruz Veterans Administration Office, Social Security Office, the Housing Authority of the County of Santa Cruz, various community temporary shelter services, and other agencies where eligible individuals may visit or congregate.
- b. Contact the Familia Center, Beach Flats Community Center, Barrios Unidos, Salud Para La Gente, and similar outreach organizations or groups and request

that they make information on vacant units or wait lists for affordable units available to their clients.

**4. Records to be kept describing actions by the city and owners of applicable home-assisted units to affirmatively market units and records to assess actions:**

- a. The City will keep records of the following:
  - 1) Monitoring records of HOME units that include a check for compliance with affirmative marketing of units for new tenants.
  - 2) Copies of correspondence regarding projects and statistics concerning tenants or purchasers of HOME-assisted units.
- b. Developers and owners of HOME-assisted projects shall maintain records regarding their implementations of the procedures listed in this Policy. Developers and owners shall also maintain records of the requests for applications received from Hispanics, African Americans, and Asian and Pacific Islanders. Developers and owners shall release such information to City staff upon request.

**5. Assessment of affirmative marketing actions and corrective actions to be taken where affirmative marketing requirements are not met:**

- a. The City will assess the effectiveness of its Affirmative Marketing Policy for HOME-assisted units through periodic statistical review of new tenants or unit owners of HOME assisted units in housing developments with more than 5 HOME assisted units in regard to race, color, national origin, sex, religion, familial status or disability and when appropriate, developer or owner interviews. If the City finds that a variety of groups are represented, particularly Hispanics and the disabled, the City will assume that the affirmative marketing efforts are effective. If one or more groups are not represented within the context of existing neighborhood composition, the City will review its procedure to determine what changes, if any, might be made to make the affirmative marketing efforts more effective.
- b. For individual developments with 5 or more HOME assisted units, the City will periodically evaluate the degree to which procedures are followed and policy objectives met. If the required steps are taken, the City will determine that good faith efforts have, in fact, been made.
- c. The City will take corrective action if it is determined that the Developer or owner of a HOME-assisted unit has failed to carry out affirmative marketing efforts as required by the written agreement regulating the use of the HOME funds for the HOME-assisted project or units. The City will consider taking one or both of the following actions:
  - 1) Declare the owner disqualified from any further assistance made available under the HOME program.

- 2) Notify the owner that he/she is in violation of the agreement regulating the use of the HOME funds for the HOME-assisted project or units and demand immediate repayment of the HOME funds.
- d. The City shall not proceed with corrective action without allowing sufficient time and effort by City to counsel the owner.