

STATE OF NEW JERSEY • DEPARTMENT OF COMMUNITY AFFAIRS

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**SUBJECT:** Fair Housing and Equal Opportunity

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**NUMBER:** 2.10.18

**EFFECTIVE:** June 2013

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**APPROVAL:**   
Stacy Bonaffons  
Assistant Commissioner

  
Howard McCoach  
Director, Sandy Recovery Division

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**PURPOSE:**

To outline the policies and procedures for the Department of Community Affairs to document compliance with a range of Fair Housing and Equal Opportunity (FHEO) requirements, including but not limited to:

- Affirmative steps to promote fair and equal access to housing;
- The affordance of equal opportunities to all persons;
- The prohibition against persons being excluded or denied program benefits on the basis of race, color, religion, sex, national origin, age or disability;
- The inclusion of and outreach to minority and female-owned businesses; and
- Section 3 resident and business employment, training, and contracting opportunities.

**POLICY:**

The HUD Office of Fair Housing and Equal Opportunity (FHEO) administers federal laws and establishes national policies that make sure all persons have equal access to the housing of their choice. In general, no person shall on the grounds of race, color, national origin, religion or sex be excluded, denied benefits or subjected to discrimination under any program funded in whole or in part by HUD funds. During program design and project implementation, the grantee must take measures to ensure non-discriminatory treatment, outreach and access to program resources.

In some cases certain CPD programs contain waivers and alternative requirements, relevant statutory provisions for grants provided under the Federal Notice issued for that program. In order to meet the requirements for Community Development Block Grant Disaster Recovery (CDBG-DR) Program (Robert T. Stafford Disaster Relief and Emergency Assistance act of 1974 commonly referred to the “Stafford Act”) as well as the Disaster Relief Appropriations Act of 2013 (78 FR 14329 – published March 5, 2013 and the clarifying guidance published on April 19, 2013) the following section has been added to describe any waivers or alternate requirements

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for this crosscutting element.

Note that wherever a conflict occurs between the crosscutting requirements and the special requirements as noted in the Stafford Act and the Disaster Relief Appropriations Act of 2013, the latter shall take precedence.

**DISASTER RECOVERY WAIVERS OR ALTERNATE REQUIREMENTS:**

None.

**I. APPLICABLE LAWS AND REQUIREMENTS**

The following list of federal laws and executive orders apply to all CDBG-DR funded contracts. Copies of these laws and their implementing regulations can be found online at <http://www.hudclips.org>. Some requirements, such as Section 3 and Section 504 requirements, are covered in other Chapters.

**II. EQUAL OPPORTUNITY**

**A. Title VI of the Civil Rights Act of 1964, as Amended (42 U.S.C. 2000d)** - This Act states that no person may be excluded from participation in, denied the benefits of, or subjected to discrimination under any program or activity receiving federal financial assistance on the basis of race, color, or national origin. Regulation citation: 24 CFR Part 1.

**B. Title VIII of the Civil Rights Act Of 1968, as Amended** - This Act prohibits discrimination in the sale or rental of units in the private housing market against any person on the basis of race, color, religion, sex, national origin, familial status or handicap. Regulation citation: 24 CFR Parts: 105,108,109,110 and 115; Part 200 subpart M.

**C. Section 109 of the Housing And Urban Development Act of 1974, as Amended** - This Act requires that no person be excluded from participation in, denied the benefits of, or be subjected to discrimination under any program or activity funded under the CDBG Program on the basis of race, color, age, disability, religion, national origin or sex. Regulation citation: 24 CFR 570.602.

**D. Age Discrimination Act of 1975, as Amended** - This Act states that programs receiving federal assistance may not discriminate on the basis of age, unless an age distinction is necessary to accomplish the objective of the program. Regulation citation: 45 CFR Part 91. Section 504 of the Rehabilitation Act of 1973, as Amended: This Act states that no otherwise qualified

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individual may be excluded, solely because of his/her handicap, from participation in, the benefits of, or subject to discrimination under any program or activity receiving federal financial assistance. Regulation citation: 24 CFR Part 8. Section 104 of the Housing and Community Development Act of 1974, as Amended.

### **III. HANDICAPPED ACCESSIBILITY**

**A. Section 504 of the Rehabilitation Act of 1973, as Amended** - This Act states that no otherwise qualified individual may be excluded, solely because of his/her handicap, from participation in, the benefits of, or subject to discrimination under any program or activity receiving federal financial assistance. Regulation citation: 24 CFR Part 8.

**B. Architectural Barriers Act of 1968, as Amended (42 U.S.C. 4151-4157)** - This Act requires that certain federally funded buildings or facilities be designed, constructed or altered to ensure accessibility to, and use by, physically handicapped persons. Buildings or facilities allocated or reallocated GLO-DR funds after December 11, 1995, that meet the definition of “residential structure” (as defined in 24 CFR 40.2) or the definition of “building” [as defined in 41 CFR 101-19.602(a)] are subject to the Architectural Barriers Act and must comply with the Uniform Federal Accessibility Standards. Regulation citation: Appendix A to 24 CFR Part 40 for “residential structures” and Appendix A to 41 CFR Part 101-19 for “general buildings”.

**C. Americans with Disabilities Act (“ADA”)** - This Act provides comprehensive civil rights to individuals with disabilities in the areas of employment, public accommodations, state and local government services and telecommunications. The ADA also states that discrimination includes the failure to design and construct facilities (built for first occupancy after January 26, 1993) that are accessible to and usable by persons with disabilities. The ADA also requires the removal of architectural and communication barriers that are structural in nature in existing facilities. Removal must be readily achievable, easily accomplishable and able to be carried out without much difficulty or expense. Regulation citation: 42 U.S.C. 12131; 47 U.S.C. 155, 201, 218, and 225. Title II of the ADA, 28 CFR 35 102-104, extends the prohibitions of discrimination on the basis of disability established by Section 504 of the Rehabilitation Act of 1973 to include all activities of state and local governments whether or not they receive federal funds.

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#### **IV. EMPLOYMENT AND CONTRACTING**

**A. Equal Employment Opportunity, Executive Order 11246, as Amended** - This Executive Order prohibits discrimination against any employee or applicant for employment because of race, color, religion, sex, or national origin. Provisions to effectuate this prohibition must be included in all construction contracts exceeding \$10,000. Regulation citation: 41 CFR Part 60.

**B. Section 3 of the Housing and Urban Development Act of 1968, as Amended** - This Section provides for training and employment opportunities, to the extent possible, to lower-income residents of the project area and to provide contracts associated with CDBG-DR funded projects to businesses located in the project area or to businesses owned, in substantial part, by residents of the project area. Regulation citation: 24 CFR Part 135.

**C. Section 109 of the Housing And Urban Development Act of 1974, as Amended** - This Act requires that no person be excluded from participation in, denied the benefits of, or be subjected to discrimination under any program or activity funded under the CDBG-DR programs on the basis of race, color, age, disability, religion, national origin or sex. Regulation citation: 24 CFR 570.602.

**D. Section 504 of the Rehabilitation Act of 1973, as Amended** - This Act states that no otherwise qualified individual may be excluded, solely because of his/her handicap, from participation in, the benefits of, or subject to discrimination under any program or activity receiving federal financial assistance. Regulation citation: 24 CFR Part 8.

#### **V. EXCESSIVE FORCE**

**A. 24 CFR Part 91, Section 225 (b) 5** - The Consolidated Plan for Community Planning and Development Programs require that in order for a state or local government to receive CDBG-DR funds, it must certify that it has adopted and is enforcing a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations<sup>1</sup>. In addition, and in the case where there is no local police department, the local government also must certify that it has adopted and is enforcing a policy against physically barring entrance to or exit from, a facility or location that is the subject of such non-violent civil rights demonstrations within its jurisdiction.

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<sup>1</sup> New Jersey State Police Policy in place.

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## **VI. FAIR HOUSING**

**A. The Fair Housing Act (42 U.S.C. 3601-3620)** - This Act prohibits discrimination in the sale or rental of housing, the financing of housing or the provision of brokerage services against any person on the basis of race, color, religion, sex, national origin, handicap or familial status. Furthermore, Section 104(b)(2) of the Act requires that each recipient certify that it is affirmatively furthering fair housing. Regulation citation: 24 CFR Part 100-115.

**B. Equal Opportunity in Housing (Executive Order 11063, as Amended by Executive Order 12259)** - This Act prohibits discrimination against individuals on the basis of race, color, religion, sex or national origin in the sale, rental, leasing or other disposition of residential property, or in the use or occupancy of housing assisted with federal funds. Additionally, it provides the Secretary of HUD with the leadership role in the administration of all federal programs and activities relating to housing and urban development in order to further fair housing throughout the United States. Regulation Citation: 24 CFR Part 107.

**C. Section 104 of the Housing and Community Development Act of 1974, as Amended.**

## **VII. DISPLACEMENT / RELOCATION**

**A. Title VI of the Civil Rights Act of 1964, as Amended (42 U.S.C. 2000d)** - This Act states that no person may be excluded from participation in, denied the benefits of, or subjected to discrimination under any program or activity receiving federal financial assistance on the basis of race, color, or national origin. Regulation citation: 24 CFR Part 1. Section 109 of the Housing And Urban Development Act of 1974, as Amended: This Act requires that no person be excluded from participation in, denied the benefits of, or be subjected to discrimination under any program or activity funded under the CDBG-DR program on the basis of race, color, age, disability, religion, national origin or sex. Regulation citation: 24 CFR 570.602. Title VIII of The Civil Rights Act Of 1968, as Amended: This Act prohibits discrimination in the sale or rental of units in the private housing market against any person on the basis of race, color, religion, sex, national origin, familial status or handicap. Regulation citation: 24 CFR Parts: 105, 108, 109, 110 and 115; Part 200 Subpart M. Section 104 of the Housing and Community Development Act of 1974, as Amended.

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## **VIII. STATE OF NEW JERSEY CIVIL RIGHTS REQUIREMENTS - OVERVIEW**

This section of the Handbook provides information regarding the civil rights requirements of the CDBG-DR. Compliance with these requirements is the Grantee's responsibility. Your program representative can assist you in this task and will review your files to determine if compliance is documented satisfactorily.

The [checklists](#) found at the end of this section will be used by the Program Representative when monitoring your project files. Please use the appropriate checklists as a guide in setting up your files and in maintaining the information necessary to document compliance.

Included in this section are instructions for completing the [Statement of Actions to Affirmatively Further Fair Housing](#). Each grantee must submit this Statement for the Department's approval before any funds can be disbursed.

Also included in this section are instructions for complying with requirements to include minority and women's business enterprises in the contract bidding process, [equal employment opportunity requirements](#), [equal employment requirements](#), and general standards for [record keeping](#).

Please contact your program representative if you have any questions.

## **IX. FAIR HOUSING REQUIREMENTS - STATEMENT OF ACTIONS**

Before CDBG-DR funds may be disbursed, each grantee must obtain the Department's approval of its Statement of Actions to Affirmatively Further Fair Housing. The purpose of the statement is to identify actions the grantee has taken and will take to assure ongoing compliance with State and federal fair housing laws. The requirements regarding this statement are found in federal regulations (24 C.F.R. Part 570.904).

For information concerning federal and New Jersey State fair housing laws, and how to file a housing discrimination complaint with either federal or State enforcement agencies, the Department of Community Affairs Fair Housing web site should be consulted at:

<http://www.state.nj.us/dca/dhcr/fairhousing>

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**A. Actions to Affirmatively Further Fair Housing:** The following list of actions, some required and some suggested, are presented to assist with preparing an acceptable Statement of Actions to Affirmatively Further Fair Housing for entities receiving funding from CDBG-DR for housing programs.

**Please note that the first four actions are required:**

- *(Required)* Adopt a Statement of Actions to Affirmatively Further Fair Housing and Appoint a Fair Housing Officer as relevant to the funded program. The appointed officer must be a resident of the community to be served. ([See sample resolution](#))
- *(Required)* Contact the HUD Regional Office of Housing and Equal Employment and the N.J. Division on Civil Rights and request Fair Housing information. (See attached form letters to [HUD](#) and [NJ Division on Civil Rights](#) and/or obtain information through the [Department's fair housing web site](#).)
- *(Required)* Implement a local fair housing counseling program including a referral service to appropriate State and federal enforcement agencies for enforcement of fair housing laws.
- *(Required)* Include a statement regarding its affirmative marketing policy and procedures in all media releases and reports informing the public about the program.
  - Include a description of applicable fair housing laws in the information provided to the homeowners and renters.
  - Include the Equal Housing Opportunity logo, slogan or statement in all newspaper and other media announcements regarding the program.
  - Discuss its affirmative marketing policy and procedures and the fair housing laws directly with the homeowners and renters.

The State will require all grantees to solicit applications from persons not likely to apply for housing without special outreach. Outreach efforts will include notifying the following groups about available housing units: community-based organizations, churches, public housing authorities, employment centers, fair

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housing groups and housing counseling agencies.<sup>2</sup>

- Develop and implement a public information campaign including publicizing the grantee's counseling and referral services, collection and distribution of fair housing literature to relevant organizations and individuals in the community, and/or performing other public relations activities designed to inform the community about this issue.
- Organize a fair housing committee to oversee the fair housing program and to advise the community's housing and community development programs.
- Participate in voluntary partnerships with public and private organizations, locally and/or regionally, to promote fair housing choice and affirmative marketing plans.
- Design and perform other actions to promote fair housing. Be creative. Display Equal Housing posters at the site office and common areas, and the logo on all marketing literature.

## **X. MINORITY & WOMEN'S BUSINESS ENTERPRISE REQUIREMENTS**

CDBG-DR Grantees and subrecipients are required to take all necessary steps to assure that minority owned firms and women's business enterprises are used to perform CDBG funded activities whenever possible. Executive Orders 11625, 12432, 12138 and regulations contained in 24 CFR 85.36(e) mandate that such affirmative efforts be made.

### **A. Required Affirmative Contracting Efforts**

- Placing qualified minority and women owned business enterprises on a solicitation list for CDBG-DR contracts;
- Assuring that these firms are solicited whenever they are potential sources;
- Dividing total requirements, whenever feasible, into smaller units, to encourage participation of minority and women owned firms;
- Establishing delivery schedules, whenever possible, that encourage minority and women owned businesses to participate;

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<sup>2</sup> Pursuant to State of New Jersey Consolidated Plan, 2010-2014.

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- Requiring the prime contractor, if sub-contracts are to be let, to take the affirmative steps listed here.

## **XI. EQUAL OPPORTUNITY REQUIREMENTS**

CDBG-DR grantees are required to administer CDBG-DR funded activities in conformance with the civil rights provisions of the Community Development Act of 1974 (Section 106). This law mandates equal opportunity in accordance with the Civil Rights Law of 1964, the Age Discrimination Act of 1974, Section 504 of the Rehabilitation Act of 1974, and the Americans with Disabilities Act of 1990. These statutes provide that no person may be denied participation in, or be denied the benefits of, or be subjected to discrimination under any federally funded program or activity. Specifically, discrimination is prohibited on the basis of race, color, national origin, sex, age, and/or disability.

**A. Direct Benefit Activity** - All CDBG-DR grantees are required to maintain data on the extent to which persons have participated or benefited from any program or activity funded in whole or in part with CDBG funds. Records must be kept indicating race, ethnicity, disability status, and gender of all heads of household. A form, entitled “Beneficiaries of Program” ([FR-1](#)), has been included in this section for use in collecting this information.

**B. Area-Wide Activities** - Data on the characteristics of those benefiting from an improvement or service that has an area-wide impact should be reported on the “Beneficiaries of Program” form ([FR-1](#)). The easiest way to meet this requirement is to attach appropriate information from the grant application to “Beneficiaries of Program” form.

**C. Relocation** - If CDBG-DR activities result in the dislocation and relocation of households, data must be collected as to the race, ethnicity, and disability status of those affected. If displacement of businesses occurs due to CDBG-DR activity, data indicating the impact on minority and woman owned businesses must be collected.

**D. Prior Discrimination** - If the CDBG-DR recipient has been determined through a formal compliance review or court proceedings to have previously discriminated, the recipient must document the affirmative actions the jurisdiction has taken to overcome the effects of past discrimination.

## **XII. EQUAL EMPLOYMENT REQUIREMENTS**

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CDBG-DR grantees, subrecipients and contractors are required to comply with Federal Executive Orders which mandate that "no person shall be discriminated against on the basis of race, color, religion, sex or national origin in all phases of employment during the performance of federal or federally assisted construction contracts." Further, contractors and subcontractors are required to "take affirmative action to ensure fair treatment in employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay, or other forms of compensation and selection for training and apprenticeship." (Executive Orders 11246 and 12086).

- A. Compile and update as necessary equal employment data as described in the record keeping section of this chapter on the "Equal Employment Opportunity Grantee Employee Characteristics" form ([FR-2](#)) provided on the following page or, for municipal and county governments with 50 or more employees, you may substitute the Equal Employment Opportunity Commission's EEO-4 form.
- B. If the grantee intends to hire staff to carry out CDBG-DR funded activities, equal opportunity guidelines must be used in advertising and hiring. Documentation of this must include personnel and hiring guidelines consistent with federal equal opportunity employment law and regulations.
- C. All Grantees must display the blue and white Equal Employment Opportunity poster prominently within the office used in administering your program and at appropriate work sites. Posters in English (and many other languages) may be ordered from the Equal Employment Opportunity Commission (EEOC) web site:  
<http://www.eeoc.gov/publications.html>

### **XIII. RECORD KEEPING REQUIREMENTS**

The following items should be kept in the Grantee's Civil Rights File:

#### **A. Fair Housing**

- A copy of the [Fair Housing Resolution](#) adopted by the Grantee's ruling body.
  - Copies of internet requests or letters written to the [N.J. Department of Law and Public Safety](#) and the [U.S. Department of Housing and Urban Development](#) requesting fair housing information and copies of fair housing materials received.
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- A copy of the [Public Notice](#) (with proof of publication) announcing the Fair Housing Program.
  - Supporting documentation of any other actions taken regarding fair housing. Such documentation may include records on funds provided, if any, for such actions; list of places where notices were posted; list of places where fair housing literature was distributed; written discrimination complaint procedures; and minutes of fair housing meetings.
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### **B. Minority and Women's Business Enterprise**

- Documentation of all efforts made to inform and contract with minority and women-owned businesses. (e.g., copy of advertisements, list of minority and women's business enterprises contacted.)

### **C. Equal Employment**

- Employment data indicating the racial/ethnic characteristics and sex of the Grantee's employees. The data may be reported on the "Equal Employment Opportunity Grantee Employee Characteristics" [\(FR-2\)](#) form provided or on the Equal Opportunity Commission's EEO-4 form. The data should be compiled at the beginning of the grant period and updated during the term of the agreement as necessary.
- If the Grantee hires staff to implement the CDBG-DR program, written personnel policies, advertisements, and other documentation consistent with equal opportunity employment law and regulations must be on file.

### **D. Equal Opportunity**

- FOR DIRECT BENEFIT ACTIVITIES - Data documenting the extent to which persons participated in or benefited from any program or activity funded in whole or in part with CDBG-DR funds. Records must be kept by race, ethnicity, disability status and gender of heads of household (Use the "Beneficiaries of Program" [\(FR-1\)](#) form provided).
  - FOR AREA-WIDE ACTIVITIES - Data on the characteristics of those benefiting from CDBG-DR funded activities (Use the "Beneficiaries of Program" [\(FR-1\)](#) form provided and attachments from the grant application.
  - Data indicating the race and ethnicity of households, and disability status of persons displaced as a result of CDBG-DR activities, including the address to which each displaced household relocated. Where activities cause a significant level of displacement of businesses, data indicating the impact on businesses owned by women and minorities must also be provided.
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- Documentation of the affirmative actions the municipality/county has taken to overcome the effects of prior discrimination as determined through a formal compliance review or court proceedings (if applicable).
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**EXHIBIT 1**

***FAIR HOUSING - STATEMENT OF ACTIONS***  
**SAMPLE RESOLUTION**

**WHEREAS**, (Name of Grantee) has entered into a grant agreement #\_\_\_\_\_ with the New Jersey Department of Community Affairs (hereafter NJDCA) for (describe activity) within (target area, neighborhood, location etc.); and

**WHEREAS**, (Name of Grantee) must make efforts to affirmatively further fair and maintain an Affirmative Fair Housing Marketing Plan; and

**WHEREAS**, (Name of Grantee) has reviewed various actions that would be acceptable to the NJDCA and the U.S. Department of Housing and Urban Development (hereafter HUD) and

**WHEREAS**, (Name of Grantee) has made assurances that:

- (1) It will comply with the Housing and Community Development Act of 1974, as amended, and regulations issued thereto; and
- (2) It will comply with the Civil Rights Act of 1964, and the regulations issued thereto it; and
- (3) It will comply with the Fair Housing Act of 1968 and will affirmatively further fair housing; and
- (4) It will comply with the Age Discrimination Act of 1975 and with the Rehabilitation Act of 1973.

**NOW, THEREFORE, BE IT RESOLVED** that, (Name and title of designate) shall be designated as the Fair Housing Officer for (Name of Grantee); and

**BE IT FURTHER RESOLVED** that the Fair Housing Officer shall contact the HUD Regional Office of Housing and Equal Opportunity and the NJ Division on Civil Rights, inform those agencies of his/her appointment as Fair Housing Officer and request Fair Housing Information; and

**BE IT FURTHER RESOLVED** that the Fair Housing Officer shall provide fair housing

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advisory services and assistance and referral advice to persons requesting such assistance from (Name of Applicant); and

**BE IT FURTHER RESOLVED** that (Name of Grantee) will publish in the local newspaper of record and post at the municipal hall (or county administration building) a public notice announcing the appointment of the Fair Housing Officer and the availability of local fair housing advisory services.

ATTEST:

\_\_\_\_\_  
(Municipal or County Clerk)

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**EXHIBIT 2**

(Sample Letter Requesting Information)

(Address of Sender)

(Date)

U.S. Department of Housing &  
Urban Development  
Fair Housing & Equal Opportunity Division  
New Jersey State Office  
One Newark Center  
Newark, New Jersey 07102

Dear Sir or Madam:

I have been appointed Fair Housing Officer by (Name of Municipality/County). My responsibilities in this position include counseling individuals with fair housing questions and/or problems and publicizing fair housing laws and remedies to the public.

I would appreciate any information you may have regarding fair housing including pamphlets, newsletters, conference and training workshop schedules to use in our program. I would also like to request information on referring complainants and how your complaint process operates. Thank you for your cooperation in helping us implement an effective fair housing program.

Sincerely,

Fair Housing Officer

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**EXHIBIT 3**

(Sample Letter Requesting Information)

(Address of Sender)

(Date)

N.J. Department of Law and Public Safety  
Division on Civil Rights  
See list of Regional Satellite Offices on the Internet at:  
<http://www.state.nj.us/dca/dhcr/fairhousing>

Dear Sir or Madam:

I have been appointed Fair Housing Officer by (Name of Municipality/County). My responsibilities in this position include counseling individuals with fair housing questions and/or problems and publicizing fair housing laws and remedies to the public.

I would appreciate any information you may have regarding fair housing including pamphlets, newsletters, conference and training workshop schedules to use in our program. I would also like to request information on referring complainants and how your complaint process operates. Thank you for your cooperation in helping us implement an effective fair housing program.

Sincerely,

Fair Housing Officer

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**EXHIBIT 4**

(Sample Notice for Publication and Posting)

**Notice to Residents of (Name of Municipality/County)**

**Fair Housing Program**

The (Name of Municipality/County) fully endorses state and federal law regarding housing discrimination and actively promotes full access to housing opportunity, both rental and ownership, regardless of race, creed, color, religion, national origin, disability and/or familial status.

In order to affirmatively further fair housing, the (Name of Municipality/County) has established a Fair Housing Program and appointed a Fair Housing Officer. Any person desiring information concerning fair housing or persons who believe they have been discriminated against in any housing related matter may contact the program for counseling and referral to State and federal enforcement agencies.

The Fair Housing Program may be contacted at the following address:

(Name, address and phone number of program)

(Name of Fair Housing Officer)

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**EXHIBIT 5**

**CDBG-DR Program  
Civil Rights Monitoring Checklist**

Grantee: \_\_\_\_\_ Grant #: \_\_\_\_\_

Names and titles of staff interviewed:

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\_\_\_\_\_  
CDBG-DR Monitor

\_\_\_\_\_  
Date

**Fair Housing – Part A**

1. Copy of "Fair Housing – Statement of Actions Resolution on file?
    - a. Are Equal Opportunity Housing posters displayed at site office and common areas? \_\_YES \_\_NO
    - b. Does Grantee have a HUD required Tenant Selection Plan? \_\_YES \_\_NO
    - c. Who was appointed Fair Housing Officer? \_\_\_\_\_
  2. Evidence that grantee has contacted and obtained fair housing information from HUD and NJ Division of Civil Rights? \_\_YES \_\_NO
  3. Copy of public notice of Fair Housing Program and Affirmative Fair Housing Marketing Plan on file including proof of publication and copies of all marketing literature? \_\_YES \_\_NO
  4. Did Fair Housing Office Receive any complaints? \_\_YES \_\_NO  
(If yes, describe how complaint(s) were handled/final disposition.)
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5. Other evidence of fair housing actions on file?  YES  NO  
(If yes, List the specific evidence in the file)

**Grantee Employment – Part B**

1. Does the grantee maintain an equal opportunity information file?  YES  NO
2. Does the grantee maintain required employment data?  
(EEO-4 or FR-2)  YES  NO
3. Was staff hired to carry out the CDBG Program?  YES  NO
- a. If Yes, were equal opportunity guidelines used in advertising?  YES  NO
- b. If Yes, were written employment & personnel guidelines available?  YES  NO
4. Have any equal opportunity complaints been filed against the Grantee?  YES  NO
5. Is there a blue & white EEO poster displayed in the grantee's building?  YES  NO
6. Did any of the employment data indicate possible deficiencies  
in providing employment opportunities to anyone?  YES  NO  
(Describe any complaints received and their disposition as of this review.)

**Minority Contracting Efforts – Part C**

Describe efforts made to include minority contractors in the bidding process for all CDBG funded activities (e.g. list of minority contractors used, advertisements, publications advertised in, etc.)

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**Housing Rehabilitation - Part D**

1. Does the file include an FR-1 (CDBG-DR Beneficiaries)?    \_\_YES \_\_NO
2. Does the file include a written description of the project area  
including demographics of the residents?                    \_\_YES        \_\_NO
3. Does the above information suggest any possible deficiencies in  
providing services to any group?                            \_\_YES        \_\_NO

(Describe any possible deficiencies below)

4. Does the grantee have valid reasons for the deficiencies noted?    \_\_YES        \_\_NO

(Describe below)

**Economic Development – Part E**

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This checklist must be filled out for each company that received funds or which agreed to generate new employment as a consequence of Small Cities assisted activity.

1. Does the company maintain a file containing equal opportunity information? \_YES \_NO
  
  2. Does the company have written employment and personnel policies & practices with equal opportunity guidelines available for review? \_YES \_NO
  
  3. Does the company have equal opportunity guidelines which it follows in advertising vacancies? \_YES \_NO
  
  4. Do employment records provide sufficiently detailed data to allow assessment of the company's workforce? \_YES \_NO
- Were employment records available? \_YES \_NO
- Is employment data sufficient to assess the composition of the work force: \_YES \_NO
- \* Sex? \_YES \_NO
  - \* Race? \_YES \_NO
  - \* Disability status? \_YES \_NO
  - \* National Origin? \_YES \_NO
- Is employment and salary data sufficiently detailed to assess practices regarding hiring, training, promotion & compensation? \_YES \_NO
- Does any of the employment data indicate possible deficiencies in providing employment opportunities to any group? \_YES \_NO
- Have any equal employment opportunity complaints been filed against the company? \_YES \_NO
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Does the company maintain data on the number & characteristics (e.g. race, sex, income) of new employees?

YES

NO

For each negative comment indicated above, specify corrective action(s) the grantee must take to resolve any findings and indicate follow-up actions to be taken by the Program Representative and/or the Administrator.

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EXHIBIT 6

FR-1

CDBG-DR BENEFICIARIES

Name of Grantee:

Grant Number:

Name of Beneficiary	Ethnicity (See Below)	Race (See Below)	Gender (M or F)	Elderly (62 & Older)	Disabled (Yes or No)

Ethnicity: Hispanic or Latino, Not Hispanic or Latino (Select Only *One*)  
Race: American Indian or Alaska Native, Asian, Black or African American, Native Hawaiian or Other Pacific Islander, White (select *one or more*)

Attach additional sheets as needed.

