

DEPARTMENT OF COMMUNITY AFFAIRS

EFFECTIVE COMMUNICATION POLICY

I. INTRODUCTION

The Georgia Department of Community Affairs (DCA) is committed to providing all persons with equal access to its services, programs, activities, education, and employment regardless of race, color, national origin, religion, age, sex, familial status, or disability. It is the policy of DCA to comply fully with all federal, state, and local nondiscrimination laws and to operate in accordance with the rules and regulations governing Fair Housing and Equal Opportunity in housing and employment. Specifically, DCA shall not on account of race, color, national origin, religion, age, sex, familial status, or disability deny any family or individual the opportunity to apply for or receive assistance under any of DCA's Programs.

Except as otherwise provided in 24 CFR §8.21(c)(1), §8.24(a), §8.25, and §8.31, no qualified individual with disabilities shall, because any DCA facilities are inaccessible to or unusable by persons with disabilities, be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any program or activity that receives federal or state financial assistance.

II. EFFECTIVE COMMUNICATION POLICY

DCA in administering all programs is committed to ensuring that applicants and participants with disabilities have an effective means to communicate and that DCA effectively communicates with participants with disabilities regarding DCA policies and procedures. All notifications, including approvals or denials of requests for effective communication referenced in this Policy, will be provided in an alternate format, upon request.

DCA will post a copy of this Effective Communication Policy on its website, in all of its Regional offices as well as its Central Administrative Office located at 60 Executive Park South, NE, Atlanta, GA 30329.

III. AUXILIARY AIDS AND SERVICES

When requested, DCA's employees shall furnish appropriate auxiliary aids and services to afford individuals with disabilities an equal opportunity to participate in, and enjoy the benefits of, the programs, services, and activities conducted by DCA.

"Auxiliary aids and services" may include, but are not limited to: (1) qualified sign language interpreters, note-takers, transcription services, written materials, telephone handset amplifiers, telephones compatible with hearing aids, telecommunications devices for deaf persons (TDDs), or other effective methods of making orally delivered materials available to individuals with hearing impairments; and, (2) qualified readers, large print materials, or other effective methods of making visually delivered materials available to individuals with visual impairments.

DCA will give primary consideration to the choice expressed by the individual. "Primary consideration" means that DCA will honor the choice, unless it can show that another equally effective means of communication is available; or, that use of the means chosen would result in a fundamental alteration in the nature of its service, program, or activity or in an undue financial and administrative burden.

All requests for auxiliary aids and services must be made and received by DCA at least two weeks prior to the date the service is needed. DCA recognizes that emergency situations may occur where a two week notice may not be possible. DCA will take reasonable steps to secure the auxiliary aid or service when such situations exist.

The individual with a disability will submit his/her request for auxiliary aids or services to DCA at the address listed below. All requests shall be dated and time-stamped upon receipt. Alternately, an individual may email DCA or present a request by telephone to any Effective Communication Division Coordinator or their backup (hereinafter "Division Coordinator").

Upon receipt of the request by the applicable Division Coordinator or their designee, the Division Coordinator will consult with the individual with a disability to determine the preferred type of auxiliary aid or service. If the preferred type of auxiliary aid or service is not available or not required, then the Division Coordinator will ascertain whether an alternative means of communication will ensure effective communication. Within five (5) business days of the receipt of the request, the Division Coordinator will forward the request and the determination of the aid or service required to the appropriate Program Manager who will provide the requesting individual with a written notification of the proposed auxiliary aid or service to be provided. The approved request will be implemented no later than five (5) business days after the Program Manager provides the requesting individual with the written notification of approval. The applicant or participant must provide forty-eight (48) hours prior notice to DCA of any need to reschedule their meeting.

Upon disposition of the request, copies of the final decision shall be forwarded to the Agency 504/ADA Coordinator who will maintain copies of all requests for effective communication and DCA's response, including final disposition, for the duration of 3-years from the date of disposition.

DCA's procedures for requesting auxiliary aids and services and all applicable forms shall be posted on DCA's website.

IV. ALTERNATE FORMATS

DCA recognizes that accessing written communications may be difficult for people who are blind or have low vision and individuals with other disabilities. In instances where DCA provides information in written form, DCA will ensure effective communication for people who cannot read the text by providing an alternate format considering the context, the importance of the information, and the length and complexity of the materials.

V. TRAINING AND OUTREACH

To further its commitment to full compliance with applicable Civil Rights laws, DCA will provide federal, state, and local information to applicants and participants in programs (including HUD funded programs) regarding "discrimination" and any recourse available to them should they feel they have been the victim of discrimination. In addition to the required notices, DCA uses brochures and other printed materials to make the public aware of DCA programs. Brochures are made available free of charge to the public through various agencies as well as private organizations offering assistance to low income individuals and families. DCA has developed a "Fair Housing Brochure" which is posted on its website and, displayed in its central office, distributed at public meetings and trainings and distributed to organizations by its marketing staff to accomplish this education. The DCA Fair Housing brochure is available in English and Spanish. DCA attempts to place notices in daily publications; however, in smaller, rural communities, weekly newspapers or local advertising supplements may be used. While minority media generally do not serve DCA's non-metro areas, notices shall be placed in "non-English or community (race) focused newspapers.

DCA conducts annual Trainings for Property Managers and Multifamily Owners that participate in DCA Multifamily program. The training will include a Fair Housing overview.

DCA partners with the University of Georgia Housing and Demographic Research Center, the University of Georgia Office of the Vice President for Public Service and Outreach, and the Georgia Municipal Association to provide the Georgia Institute for Community Housing (GICH), a three-year program of collaboration and technical assistance to help communities create and launch a locally based plan to meet their housing and neighborhood revitalization needs through partnerships and coordinated action. During the three-year program of technical assistance and cross-community sharing, participating community housing teams comprised of nonprofits, city and/or county government, housing authorities, local lenders, real estate professionals, chambers of commerce, local school boards, and other key players in the housing arena will: attend two retreats a year with other participating communities; identify issues and needs, available resources, and potential obstacles; develop new ideas about meeting local housing needs and enhancing community development; learn about best practices and available resources and funding for housing and community development; produce a community housing plan with objectives and goals; and begin implementation of the action plan. DCA will develop and present a Fair Housing Training module as part of the curriculum for upcoming trainings.

Martin Luther King, Jr. Advisory Council – DCA provides administrative support for the Martin Luther King, Jr. Advisory Council, an independent non-profit organization created by the Georgia General Assembly. One of the Council's four initiatives is to assist community revitalization using the power of Dr. King's legacy and principles of social justice to bring people together to improve neighborhoods, particularly around streets or facilities that bear Dr. King's name. The Sweet Auburn Historic District Opportunity Zone designation by DCA in January, 2013, is a recent example.

DCA will continue to provide the Landlord/Tenant Handbook to Georgia citizens who are renters. This handbook contains educational material regarding Fair housing laws.

DCA utilizes email lists, press releases and general mailings to interested parties, funding recipients, local governments, participating families, landlords, owners, public housing authorities, nonprofit organizations, and their agents to notify the public of funding availability and major changes in its programs.

DCA has designated DCA outreach staff members who will distribute Fair Housing information, provide outreach to citizens, and answer questions regarding DCA programs.

VI. DCA TAG LINE POLICY

ILLUSTRATIONS OF LOGOTYPE, STATEMENT, AND SLOGAN

All Applications, Manuals, Instructions, Brochures, Notices, Meeting invitations, Solicitations, Public Communications, Employment materials and Marketing materials, produced or used by DCA should contain an equal housing opportunity logotype, statement, or slogan as a means of educating the home seeking public that the property is available to all persons regardless of race, color, religion, sex, handicap, familial status, age or national origin. (See Fair Housing Advertising guidelines for additional information.)

The standard Equal Housing Opportunity logotype is as follows:



The following statement is the approved DCA tag line:

The Georgia Department of Community Affairs is committed to providing all persons with equal access to its services, programs, activities, education and employment regardless of race, color, national origin, religion, sex, familial status, disability or age.

For a reasonable accommodation please contact (Effective Communication Division Coordinator) at: (Number) or email fairhousing@dca.ga.gov.

DCA staff should consider the type of medium in determining whether an additional contact for alternate format should be utilized. The additional contact should read as follows:

If you need an alternative format or language, please contact: (Effective Communication Division Coordinator) at: (Number) or email fairhousing@dca.ga.gov.

VII. OUTREACH TO THOSE PERSONS WITH DISABILITIES

In addition to publicizing DCA's programs and services and providing appropriate auxiliary aids and services to individuals with disabilities, DCA is committed to a variety of outreach activities to persons with disabilities. These activities fall into several major categories that are summarized in **Attachment A**. These activities include marketing, programs targeted to those with disabilities, matching persons with disabilities with accessible housing units, criteria for funding selection weighted toward serving those with disabilities, research and technical assistance to facilitate access and services for individuals with disabilities, and DCA's treatment of its own staff through its human resource procedures. The following describes several DCA initiatives in detail that demonstrate DCA's ongoing commitment to equal access for persons with disabilities.

Creation of a Disability Housing Coordinator Position at DCA

DCA partnered with the Governor's Council on Developmental Disabilities (now known as the Georgia Council on Developmental Disabilities) to create a full time Disability Housing position at DCA. That position is responsible for:

- Creating opportunities for expanding knowledge and understanding about issues pertinent to housing for individuals with disabilities through information sharing and distribution, relationship building, training and networking for and with people at all points through the housing spectrum, including DCA leadership and staff, builders, developers, local and state government officials, housing planners, lenders, and organizations representing people with disabilities and their families.
- Developing and coordinating programs and providing technical assistance designed to enhance awareness and understanding of the housing needs of individuals with mental, physical, and/or developmental disabilities and their families and expand the programs available to these targeted populations.
- Populating a database with contact information for persons with disabilities, advocates for persons with disabilities and service organizations.

Creation of the Home Access Program

DCA identified that the architectural design of a home is a significant barrier to many individuals with disabilities being able to remain in their home, even when the home is affordable to them and the other services and supports necessary to live independently are available. As a result, DCA created the Home Access program to provide grant funding for the implementation of accessibility improvements at owner-occupied residences of individuals with a disability. DCA partners with the Brain and Spinal Injury Trust Fund Commission (BSITFC) to implement this program.

Creation of GeorgiaHousingSearch.org

In order to reach individuals least likely to apply for housing to rental units created through various DCA programs, DCA launched GeorgiaHousingSearch.org, providing an important tool to match available rental units to individuals and families needing this resource. Since its launch,

the system has grown to include more than 180,000 units. DCA requires all developers of affordable rental units through its Housing programs to list the portfolio of their properties in Georgia on the system. DCA also promotes its use with organizations serving the homeless or providing support services to individuals with disabilities. Additionally, the service is translatable to over 71 languages at the simple click of a button. The service is able to identify vacant accessible units as well as units with project based rental assistance and landlords that do not require a criminal background check.

Creation of Choice Initiative under the Georgia Dream Homeownership Program

DCA designed a restructured downpayment assistance/principal reduction program to assist individuals with disabilities that, because of income considerations alone, could not afford to purchase a home in their community. Just as with any eligible home buyer, regardless of the existence of a disability, income and credit are the key issues to qualify for a home mortgage. However, individuals with disabilities have additional needs and issues which advocate for the provision of an enhanced amount of financial assistance beyond the traditional \$5,000 maximum cap that is available to traditional Georgia Dream borrowers.

As a result of these considerations, DCA now operates the CHOICE initiative, which provides \$7,500 to individuals with disabilities and families which include a member with a disability towards the purchase of a home to be used as their primary residence. Since inception, the program has assisted 598 borrowers secure homeownership.

VIII. LANGUAGE ACCESS PLAN (LAP)

DCA is in compliance with HUD's published Guidance in the federal register published January 22, 2007 regarding the Title VI prohibition against national origin discrimination affecting Limited English Proficiency (LEP) persons. Upon completion of the four factor analysis, DCA developed a Language Access Plan (LAP) which is hereby incorporated by reference. DCA's LAP includes but is not limited to the access services described below.

- Utilize HUD forms printed in languages other than English.
- Employ interpreters when necessary.
- Receptionist(s) in the Atlanta office are required to be proficient in Spanish. An employee in each regional office will be trained in conversational Spanish.
- DCA contracts with Language Line Solutions which interprets spoken words in various languages. DCA also contracts with the Georgia Interpreting Service Network (GISN) for sign language interpretive services.
- Purchases and maintains global translation devices.
- DCA also utilizes local community services such as law enforcement agencies, organizations, churches and /or schools that offer translators and interpreters.

DCA will monitor, maintain and update LEP requirements as required by HUD at least annually and/or as changes occur.

IX. REASONABLE ACCOMMODATIONS

DCA is subject to Federal civil rights laws and regulations. This Reasonable Accommodation Policy is based on the following statutes or regulations. See Section 504 of the Rehabilitation Act of 1973 (Section 504); Title II of the Americans with Disabilities Act of 1990 (ADA); the Fair Housing Act of 1968, as amended (Fair Housing Act); the Architectural Barriers Act of 1968, and the respective implementing regulations for each Act.

DCA is committed to ensuring that its policies and procedures do not discriminate against individuals living with disabilities nor deny individuals with disabilities the opportunity to participate in, or benefit from, or otherwise have access to any of DCA's programs, services or activities. Therefore, if an individual with a disability requires an accommodation such as an accessible feature or modification to a DCA policy, DCA will provide such accommodation unless doing so would result in a fundamental alteration in the nature of the program or cause an undue financial and administrative burden. In such a case, DCA will make another accommodation that would not result in a financial or administrative burden.

A reasonable accommodation is a change, modification, alteration, or adaptation in policy, procedure, practice, program, or facility that provides a qualified individual with a disability the opportunity to participate in, or benefit from, a program or activity.

A person with a disability may request a reasonable accommodation at any time during the application process, or at any time during participation in any programs of DCA. Individuals may submit their reasonable accommodation request(s) in writing, orally, or by any other equally effective means of communication. However, DCA staff will document all requests in writing.

A person with a disability includes (1) individuals with a physical or mental impairment that substantially limits one or more major life activities; (2) individuals who are regarded as having such an impairment; and (3) individuals with a record of such an impairment. As used in this definition, the phrase "physical or mental impairment" includes:

- Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: Neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genitor-urinary; hemic and lymphatic; skin; and endocrine; or
- Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. The term "physical or mental impairment" includes, but is not limited to, such diseases and conditions as orthopedic, visual, speech, and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, drug addiction, and alcoholism.
- "Major life activities" means functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, and learning.

The definition of disability does not include any individual who is not being treated for or who is not in recovery from substance abuse or who is an alcoholic whose current use of alcohol prevents the individual from participating in programs whose rules specifically prohibit such use (e.g., the housing choice voucher program or activities); or whose participation, by reason of such current substance or alcohol abuse, would constitute a direct threat to property or the safety of others.

DCA may request documentation of the need for a Reasonable Accommodation or Modification. In addition, DCA may request that the individual provide suggested reasonable accommodations. DCA forms for requesting a Reasonable Accommodation or Modification are posted on the DCA website.

DCA may verify a person's disability only to the extent necessary to ensure that individuals who have requested a reasonable accommodation or modification have a disability-based need for the requested accommodation or modification.

X. UNDUE FINANCIAL AND ADMINISTRATIVE BURDEN

If DCA finds that the requested accommodation or modification creates an undue administrative and financial burden, DCA will deny the request and/or present an alternate accommodation that will still meet the need of the person.

1. An undue administrative burden is one that requires a fundamental increase in the essential functions of DCA.
2. A requested accommodation or modification that creates an undue financial burden is one that when considering the available resources of the agency as a whole, would pose a severe financial hardship for DCA.

XI. ASSISTANCE ANIMAL POLICY

DCA recognizes the benefits of assistance/support animals for individuals with disabilities. When requested, DCA will determine, on an individual basis, and in accordance with applicable state and federal Fair Housing laws and regulations, whether an applicant's or participant's need to have such an animal is a reasonable accommodation. Where it is not readily apparent that an animal qualifies as an assistance/support animal under the Fair Housing Act, DCA may require reliable third-party information and documentation that corroborate the disability-related need for the accommodation. DCA's evaluation of third-party information includes whether the participant has a disability for which the animal is needed; and the connection between the participant's disability and the assistance that the animal provides. Reliable third-party information may come from a physician, medical professional, peer support group, non-medical service agency, or a reliable third party knowledgeable about the participant's disability. A participant's medical records or detailed information about the nature of a participant's disability is not necessary for this evaluation.

XII. FEDERAL HOUSING CHOICE VOUCHER PROGRAM ONLY

In cases where an owner refuses to allow an assistance/support animal in the rental property, DCA will allow the participant to terminate the rental agreement and will issue a new housing choice voucher. If the participant elects to move, DCA will work with the participant to obtain moving expenses from social service agencies or other similar sources. DCA will also refer participants to HUD's Office of Fair Housing and Equal Opportunity (FHEO) and provide information on how they may file a Fair Housing complaint. As with all requests for reasonable accommodations or modifications, DCA will consider additional accommodations on a case-by-case basis.

If the property owner has other subsidized units with DCA, DCA may terminate those contracts, if no harm is created to participants living in the rental units. However, the property owner is prohibited from entering into future housing choice voucher contracts with DCA.

XIII. MONITORING AND ENFORCEMENT

DCA's Agency 504/ADA Coordinator is responsible for monitoring DCA's compliance with this Policy. Individuals or their designee or representative who have questions regarding this Policy, its interpretation or implementation should contact either designated Division Coordinators or the DCA's Agency 504/ADA Coordinator.

XIV. RIGHT TO APPEAL/GRIEVANCE PROCESS

Any HUD Program participant or any individual with a disability that is not satisfied with DCA's response to his/her request for an auxiliary aid or service may file a complaint in accordance with DCA's Grievance Procedure following a formal determination by DCA's Section 504/ADA Coordinator. DCA's Grievance Process can be accessed on the DCA website.

XV. EQUAL EMPLOYMENT OPPORTUNITY

It is the policy of DCA to recruit applicants for employment on the basis of individual merit and ability. Applicants are recruited and hired without discrimination on the basis of race, religion, color, national origin, sex, age, disability, or familial status. Personnel procedures and practices with regard to training, promotion, transfer, compensation, demotion, or termination are administered with due consideration of job performance, experience, and qualifications.

DCA is committed to the fair and equal employment of people with disabilities. Reasonable accommodation is the key to this non-discrimination policy. While many individuals with disabilities can work without accommodation, other qualified applicants and employees face barriers to employment without the accommodation process. It is the policy of DCA to reasonably accommodate qualified individuals with disabilities unless the accommodation would impose an undue financial and administrative hardship. In accordance with the Americans with Disabilities Act, accommodations will be provided to qualified individuals with disabilities when such accommodations are directly related to performing the essential functions of a job, competing for a job, or to enjoy equal benefits and privileges of employment. This policy applies to all employees and employees seeking promotional opportunities and job applicants.

For purposes of determining eligibility for a reasonable accommodation, a person with a disability includes (1) individuals with a physical or mental impairment that substantially limits one or more major life activities; (2) individuals who are regarded as having such an impairment; (3) individuals with a record of such an impairment. A reasonable accommodation is a modification or adjustment to a job, an employment practice, or the work environment that makes it possible for a qualified individual with a disability to enjoy an equal employment opportunity. Examples of accommodations may include acquiring or modifying equipment or devices; modifying training materials, making facilities readily accessible; modifying work schedules; and reassignment to a vacant position.

Employees or applicants who are dissatisfied with the outcome of their accommodation request may file an appeal pursuant to DCA's internal appeal process.