

Affirmative Marketing Requirements for Affordable Housing Incentive Programs

Do these requirements apply to your property?

Properties participating in the Multifamily Tax Exemption (MFTE) and the Mandatory Housing Affordability (MHA) performance option are required to implement Affirmative Marketing.

Why is this required?

Individuals of similar economic levels in the same housing market should have available to them a like range of housing choices regardless of their race, color, religion, sex, national origin, familial status, disability, or other protected class status. The Affirmative Marketing requirements detailed in this document are consistent with City, State, and federal fair housing laws.

What is an Affirmative Marketing Plan?

Successful implementation of Affirmative Marketing will help individuals and households otherwise unlikely to apply for housing:

- Know about rental vacancies and affordable homes for sale;
- Feel welcome to apply; and
- Have the opportunity to rent units and purchase affordable homes.

Participation Requirements

Program participation begins with the submittal of a **Letter of Intent - Affirmative Marketing** form, which includes a description of proposed plans to advertise to the general public, as well as a declaration of intent to implement affirmative marketing requirements and comply with record-keeping standards. MHA performance properties must submit this form to the project's Office of Housing Reviewer prior to the issuance of the first building permit (that includes the structural frame for the building). MFTE properties must submit this form as part of their Initial Application to the MFTE program, which must be submitted to the Office of Housing at least 180 days prior to the issuance of temporary certificate of occupancy.

Requirements Due at Lease-Up for Rental Properties

At least two weeks prior to lease-up for the general public, participating properties are required to conduct special outreach as follows:

1. Complete the **Special Outreach for Affirmative Marketing** form. This form includes information on the number of affordable units at the property and the income- and rent-restrictions on those units; leasing and tenant selection criteria; and how the property intends to advertise vacancies;
2. Identify three community-based organizations to encourage applications from households who otherwise might be unlikely to apply for housing at the property. A list of approved **Community-based Organizations for Affirmative Marketing** is available at <http://www.seattle.gov/housing/housing-developers/multifamily-tax-exemption>. After identifying three agencies, supply them with information about vacancies and the leasing process using the Special Outreach for Affirmative Marketing form;
3. Provide notice of the vacancies to the Seattle Housing Authority (SHA) by e-mailing the Special Outreach for Affirmative Marketing form to LeasewithHCV@seattlehousing.org or by calling 206-239-1572. SHA will then share rental unit information with prospective tenants enrolled in SHA's Housing Choice Voucher program and direct eligible voucher shoppers to the participating properties for application; and

4. Document your efforts using the **Affirmative Marketing Report**. Note this report requires records of your email correspondence. For MHA performance projects the Affirmative Marketing Report must be submitted at the time of inspection. The Affirmative Marketing Report is a required attachment to the Final Certificate application for MFTE projects.

Requirements Due 90 Days Before Sale for Affordable Homeownership Properties

1. Complete the **Special Outreach for Affirmative Marketing** form. This form includes information on the number of affordable units at the property and the income- and rent-restrictions on those units; home buyer criteria; and how the developers intends to advertise the homes;
2. Identify three community-based organizations to encourage applications from households who otherwise might be unlikely to apply for housing at the property. A list of approved community-based organizations with home buyer readiness or financial empowerment expertise will be provided by the Office of Housing upon request. After identifying three agencies, supply them with information about available homes using the Special Outreach for Affirmative Marketing form;
3. Document your efforts using the **Affirmative Marketing Report**. Note this report requires records of your email correspondence. For MHA performance projects the Affirmative Marketing Report must be submitted at the time of inspection. The Affirmative Marketing Report is a required attachment to the Final Certificate application for MFTE projects.

Supplemental Outreach for Properties with Extended Vacancies

Rental properties with multiple vacancies for more than 45 days must conduct supplemental outreach to three community-based organizations and the Seattle Housing Authority to encourage applications from households who otherwise might be unlikely to apply for housing at the property, using the **Special Outreach for Affirmative Marketing** form. Those efforts must be documented using the **Affirmative Marketing Report**. The Affirmative Marketing Report must be submitted to the Office of Housing's Asset Management team when used to report on extended vacancies.

Record Keeping Standards

Participating properties must also:

- Record dates and retain documentation showing that special outreach was performed in advance of general marketing for both rental and homeownership properties; and
- Record dates and retain documentation showing that supplemental outreach was performed for any rental properties with multiple vacancies for more than 45 days.

Demographic Data

Participating properties must offer each tenant or home buyer the opportunity to disclose demographic information on the Resident Demographic Form for Affordable Housing Incentive Programs prior to the point of move-in. Demographic data will be submitted as part of the property's Annual Certification Report, and the forms of individual residents will be reviewed during program audits conducted by the Office of Housing's Asset Management team.

Where can I learn more about fair housing laws?

Several government agencies provide helpful guidance to participating properties on compliance with fair housing laws, including:

- Seattle Office for Civil Rights – seattle.gov/civilrights/civil-rights/fair-housing
- King County Office of Civil Rights – kingcounty.gov/elected/executive/equity-social-justice/civil-rights.aspx

Who can I contact if I have questions about Affirmative Marketing for Affordable Housing Incentive Programs?

Market Incentives Specialist
City of Seattle, Office of Housing
206-386-1366 | OFH_MFTE@seattle.gov