

Affirmative Marketing Plan Requirements for Affordable Housing Incentive Programs

Do these requirements apply to your property?

Properties participating in the Multifamily Tax Exemption (MFTE) or Mandatory Housing Affordability (MHA) programs, where affordable units are located on-site (“participating properties”) may be required to implement an Affirmative Marketing Plan. Properties participating in the Incentive Zoning (IZ) program may voluntarily implement an Affirmative Marketing Plan.

Mandatory	Voluntary
MFTE Program 5 properties that submitted applications after October 26, 2017	MFTE properties Program 4 or earlier
All Mandatory Housing Affordability (MHA) properties with affordable units on-site	All Incentive Zoning (IZ) properties with affordable units on-site

Why is this required?

Individuals of similar economic levels in the same housing market area 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 Plan requirements detailed in this document are consistent with City, State, and federal fair housing laws.

What is an Affirmative Marketing Plan?

A successful Affirmative Marketing Plan will help individuals and households otherwise unlikely to apply for housing:

- Know about the vacancies;
- Feel welcome to apply; and
- Have the opportunity to rent units.

Requirements Due *Prior to Issuance of First Building Permit*

Prior to issuance of the first building permit (that includes the structural frame for the building), participating properties must complete a Letter of Intent to Implement an Affirmative Marketing Plan. The Letter of Intent includes a description of proposed plans to advertise rental units to the general public, as well as a declaration of intent to implement the affirmative marketing and record-keeping requirements described in this document.

Requirements Due *Two Weeks Prior to Initiating General Marketing*

At least two weeks prior to initiating any advertising or marketing efforts that target the general public, participating properties are required to conduct special outreach as follows:

1. Properties must provide notice of the vacancies to the Seattle Housing Authority (SHA) by e-mailing Bessie Scott (bessie.scott@seattlehousing.org). SHA will have the opportunity to share rental unit information with prospective tenants enrolled in SHA’s Housing Choice Voucher Program or other SHA programs and direct these prospective tenants to the participating property for application;
2. Advertise the vacancies on HousingSearchNW.org or its successor website identified by the City; and

Requirements Due *Two Weeks Prior to Initiating General Marketing*, continued

3. Contact three community based organizations to inform, and solicit applications from, households who otherwise might be unlikely to apply for housing at the property.
 - a. Identify three local organizations either from the list attached to this document, or among other organizations that may be appropriate.
 - b. Contact the three identified organizations and supply them with information about vacancies and the leasing process.

Requirements Due *Annually*

On an annual basis, participating properties must conduct special outreach to three community based organizations to inform and solicit applications from households who otherwise might be unlikely to apply for housing at the property. At a minimum, this special outreach must include:

- 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 as they arise.

Record-Keeping and Resident Demographic Data Collection

Participating properties must document their special outreach efforts and submit an Affirmative Marketing Reporting Form as part of their Annual Certification Report. Participating properties must:

- Record dates and retain documentation showing that notice of vacancies was provided to the Seattle Housing Authority at least two weeks in advance of General Marketing;
- Record dates and retain documentation showing that listings were placed at www.HousingSearchNW.org at least two weeks in advance of General Marketing;
- Record dates and retain documentation showing that special outreach was performed at least two weeks in advance of General Marketing; and
- Record dates and retain documentation showing that ongoing special outreach was performed on an annual basis.

Additionally, the participating property must offer each tenant the opportunity to disclose demographic information on the Resident Demographic Form for Affordable Housing Incentive Programs prior to the point of move-in. There shall be no penalty for tenants who do not wish to provide the requested information, however all adults (18 years or older) must sign and date at the bottom of the Resident Demographic Form as proof that the option to disclose was made available. These signed forms will also be submitted as part of the property's Annual Certification Report.

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/exec/CivilRights/FH.aspx

Who can I contact if I have questions?

Stephanie Velasco
City of Seattle, Office of Housing
(206) 256-5359 | stephanie.velasco@seattle.gov