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DEPT. OF ECONOMIC DEVELOPMENT

Affirmatively Furthering Fair Housing Policies and Procedures

State of Nebraska CDBG-DR Program

JANUARY 2022

RECORD OF CHANGES

The following table summarizes amendments to the Affirmatively Furthering Fair Housing Policies and Procedures.

Date Change Approved	Change Number	Description of Change

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1 POLICY OVERVIEW

The State of Nebraska is required by Federal statute to “affirmatively further fair housing”. The Nebraska Department of Economic Development (DED) shall work to affirmatively further fair housing by conducting activities and overseeing Subrecipient and Successful Applicant compliance as per the policies and procedures described in this document, which includes:

- An overview of the policy to affirmatively further fair housing, including its purpose and objectives;
- The Federal and State regulations governing efforts to affirmatively further fair housing, as per the Federal Register Notice, State Action Plan, and Federal law;
- Target populations for outreach under these policies and procedures, as identified based on the State of Nebraska’s 2020 Analysis of Impediments to Fair Housing Choice,¹ the State Action Plan, and guidance provided by HUD; and
- Methods for conducting outreach in order to obtain diverse citizen participation in the CDBG-DR program.

These Policies and Procedures (P&P) are administered under the supervision of DED and are intended to support program implementation funded by the United States (US) Department of Housing and Urban Development’s (HUD) Community Development Block Grant – Disaster Recovery (CDBG-DR) under the associated allocation(s).

The State of Nebraska enforces conduct of the CDBG-DR program to ensure that no person is excluded from participation in, denied the benefit of, or subjected to discrimination in any housing program or activity because of their age, race, color, creed, religion, familial status, national origin, sexual orientation, military status, sex, disability, or marital status.

1.1 ASSOCIATED ALLOCATION(S)

- Winter Storm Ulmer ([DR-4420](#))
 - In early 2019, the State of Nebraska suffered record-breaking damage from severe winter weather, straight-line winds, and its worst flooding event in 50 years, leading to a federal major disaster declaration (DR-4420) under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (the Stafford Act). Damage from

¹ DED, 2020. State of Nebraska 2020 Analysis of Impediments to Fair Housing Choice. This analysis includes an assessment of past goals and actions from the 2011 Analysis of Impediments to Fair Housing Choice for the State of Nebraska. Conclusions drawn from the 2011 report include past impediments and actions in the private and public sector and statewide fair housing activities. Retrieved at https://opportunity.nebraska.gov/wp-content/uploads/2020/03/Nebraska_AI_DPR_20200318_Website.pdf.

DR-4420 was widespread, leading to disaster declarations in 84 of the State's 93 counties (and four [4] tribal areas), with the worst damage located in the eastern part of the state.

- HUD Most Impacted and Distressed (MID) is detailed in the Action Plan and includes Dodge, Douglas, and Sarpy counties.
- Pursuant to the federal requirements for DR-4420, a minimum of 80% of this allocation must be invested in HUD-defined MID areas.
- A minimum of 70% of total CDBG-DR program funds must be spent on LMI populations.

This subsection may be updated should other allocations become available due to subsequent disaster events and/or supplemental allocations.

2 ACRONYMS

Acronym	Meaning
ADA	Americans with Disabilities Act
AFFH	Affirmatively Furthering Fair Housing
AFH	Assessment of Fair Housing
AFHMP	Affirmative Fair Housing Marketing Plan
AFN	Access and Functional Needs
AMI	Area Median Income
ASL	American Sign Language
CDBG	Community Development Block Grant
CDBG-DR	Community Development Block Grant – Disaster Recovery
CFR	Code of Federal Regulation
CPD	Community Planning and Development
CPP	Citizen Participation Plan
DED	Department of Economic Development
FEMA	Federal Emergency Management Agency
FHA	Federation of Housing Associations
FHP	Fair Housing Project

Acronym	Meaning
HUD	Department of Housing and Urban Development
LEP	Limited English Proficiency
LMI	Low- to Moderate-Income
LTRG	Long-Term Recovery Group
MID	Most Impacted and Distressed
P&P	Policy and Procedure
PHA	Public Housing Assessment
R/ECAP	Racially/Ethnically Concentrated Area of Poverty
US	United States

3 SCOPE

These policies and procedures apply to all DED employees, providers, vendors, contractors, consultants, Subrecipients, partners, citizens, Successful Applicants, external departments, and agencies doing business with DED, as well as beneficiaries and others associated with, working for, accessing, or attempting to access benefits under the CDBG-DR programs.

4 AFFIRMATIVELY FURTHERING FAIR HOUSING POLICY

Title VIII of the Civil Rights Act of 1968, known as the Fair Housing Act, requires HUD, grantees, Successful Applicants, and Subrecipients of Federal funds from HUD to affirmatively further the policies and purposes of the Fair Housing Act, also known as “affirmatively furthering fair housing.” The obligation to affirmatively further fair housing requires grantees of HUD funds to take meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity, including housing choices or the availability of housing choices, based on protected characteristics, which are: race, color, national origin, religion, sex (including sexual orientation and gender identity), familial status, and disability.

Fair housing is not only about combating discrimination; it also includes enabling individuals and families to make fair choices. A fair housing choice has three (3) features:

- 1. Actual choice:** Realistic housing options exist;

2. **Protected choice:** Individuals and families can access housing without discrimination; and
3. **Enabled choice:** Individuals and families have realistic access to information about options in order to make informed choices.²

Affirmatively furthering fair housing is conducted in compliance with the Affirmatively Furthering Fair Housing (AFFH) rule and the Assessment of Fair Housing (AFH) approach. The Action Plan further articulates additional affirmative marketing requirements and programmatic structures under Action Plan section 6.2.2.8 that apply to all CDBG-DR programs. This P&P is not restrictive to housing program projects, but rather any project implemented using CDBG-DR funding.

4.1 POLICY OBJECTIVES

The goal of the AFFH rule and this P&P is to ensure that, eligible persons from all racial, ethnic, national origin, religious, familial status, persons with disabilities or “special needs,” gender groups, and other populations least likely to apply, are:

- Fully informed of available disaster recovery funds and projects in their communities;
- Fully informed of housing units available for sale and rent;
- Encouraged to apply for purchase, rehabilitation, or rent under housing programs; and
- Given the opportunity to buy or rent the unit of their choice under housing programs.

4.2 PROCESS FOR AFFIRMATIVELY FURTHERING FAIR HOUSING

In July 2015, HUD established a final rule on AFFH, called the AFFH rule,³ which established a process that grantees, Subrecipients, and Successful Applicants for HUD funding must use to meet their long-standing obligations. The new process requires each program grantee, Subrecipient, and Successful Applicant to, among other things:

- Analyze data and other information and engage the community in planning for fair housing;
- Identify and prioritize significant contributing factors for each fair housing issue identified;

² AFFH rule guidebook pg. 4

³ 80 FR 42271.

- Set fair housing goals for overcoming the effects of the prioritized contributing factors and related fair housing issues;
- Integrate the goals and priorities for HUD funds (e.g., Consolidated Plans, annual action plans, and PHA Plans) consistent with the statutory requirements and goals governing such programs; and
- Certify that the program participant will take meaningful actions to further the goals and take no action materially inconsistent with its obligation to affirmatively further fair housing.⁴

5 ROLES AND RESPONSIBILITIES

As a grantee of HUD funds through the CDBG-DR program and pursuant to the Federal Register Notice published January 27, 2020 (85 FR 4681), DED shall ensure that programs are developed and implemented with the objective of **addressing inequity among protected class groups, promoting integration, and transforming racially or ethnically concentrated areas of poverty into areas of opportunity**. The State of Nebraska has further articulated in its Action Plan the intent to prioritize vulnerable populations as a cross-cutting element in all activities.

6 TARGET POPULATIONS FOR OUTREACH

6.1 MOST-IMPACTED AND DISTRESSED AREAS

For CDBG-DR allocations, HUD identifies the “most impacted and distressed” (MID) areas. Refer to section 1.1, ***Associated Allocation(s)***.

Pursuant to the federal requirements for DR-4420 (85 FR 4681), a minimum of 80% of these funds must be invested in HUD-defined MID areas. As such, many of the affirmative marketing strategies articulated within this document prioritize outreach within the HUD-defined MID areas.

6.2 PRIORITIZING VULNERABLE POPULATIONS

Within the State Action Plan, DED specifically highlighted maintaining awareness of vulnerability as characterized by several data points.

⁴ AFFH rule guidebook pg. 5-6.

Table 6.2-1: Vulnerability Data Points

Data Points ⁵
Poverty areas
School proficiency
Labor market engagement
Jobs proximity
Transportation costs
Transit trips index
Environmental health indicator

These data can help inform the identification of vulnerable populations, particularly those that can be categorized as LMI. All program applications shall be evaluated using scoring criteria that specifically prioritize vulnerable populations in alignment with Fair Housing requirements.

DED has seven (7) populations who should be prioritized through affirmative marketing strategies.

Table 6.2-2: Priority Populations

Priority Populations
Racially/Ethnically Concentrated Areas of Poverty (R/ECAP)
Veterans
Elderly (age 65 and older)
Limited English Proficiency (LEP) individuals
Persons with disabilities, including self-reported AFN or persons with a hearing, vision, cognitive, ambulatory, self-care, or independent living difficulty
Persons experiencing homelessness
Individuals requiring supportive housing, as characterized in 24 CFR § 91.315(e)

⁵ DED, 2020. State of Nebraska 2020 Analysis of Impediments to Fair Housing Choice. Retrieved at: https://opportunity.nebraska.gov/wp-content/uploads/2020/03/Nebraska_AI_DPR_20200318_Website.pdf.

As Subrecipients and Successful Applicants develop affirmative marketing plans and implement outreach strategies, both their approaches and reporting should reflect prioritization of these populations.

Subrecipients and Successful Applicants of Affordable Housing Construction Program funding under CDBG-DR shall be **further** prioritized based on their efforts to address the following populations and circumstances:

- Persons with serious/chronic mental illness, persons with physical or developmental disabilities, persons with substance abuse issues, and persons experiencing homelessness;⁶ or
- Housing developments in response to settlement agreements or consent decrees relating to housing deficiencies, housing discrimination or other housing issues.

7 SUBRECIPIENT AND SUCCESSFUL APPLICANT REQUIREMENTS

7.1 APPLICABILITY

Policies and procedures set forth relating to affirmatively furthering fair housing are applicable to both Subrecipients and Successful Applicants, including both for-profit and non-profit developers. Unless otherwise specified, all requirements are applicable for any entity conducting local implementation under the CDBG-DR program.

7.2 OVERVIEW OF REQUIREMENTS

Subrecipients and Successful Applicants must maintain compliance with these policies and procedures to be considered eligible for CDBG-DR funding. For all Housing Programs, Subrecipients and Successful Applicants must complete the following:

1. Analyze data and other information and engage the community in planning for fair housing;
2. Identify and prioritize significant contributing factors for each fair housing issue identified;
3. Set fair housing goals for overcoming the effects of the prioritized contributing factors and related fair housing issues;

⁶ At least 30% of the units served under the CDBG-DR Affordable Housing Construction Program must serve one or more of these populations.

4. Integrate the goals and priorities for HUD funds (e.g., Consolidated Plans, annual action plans, and PHA Plans) consistent with the statutory requirements and goals governing such programs; and
5. Certify that the program participant will take meaningful actions to further the goals and take no action materially inconsistent with its obligation to affirmatively further fair housing.⁷
6. Develop an Affirmative Fair Housing Marketing Plan (AFHMP).
7. Take actions to meet fair housing requirements as articulated within DED's CDBG Program Administration Manual,⁸ including:
 - a. Certifying that they will affirmatively further fair housing in the community, including some form of action to be taken, not just passive compliance;
 - b. Identifying a local contact as the community Fair Housing representative; and
 - c. Proposing a specific action to affirmatively further fair housing.
8. Use the HUD-approved Equal Housing Opportunity logo⁹ or slogan in all signs, ads, brochures, and written communications. Advertising media includes, but is not limited to, any local, regional, ethnically targeted newspaper, radio or television station and brochures, leaflets, bulletin boards, project signs, websites, or other housing organizations.
9. Display the HUD Fair Housing poster¹⁰ in all offices and locations accessible to potential program beneficiaries.
10. Post in a conspicuous position on all project sites a sign displaying prominently either the HUD-approved Equal Housing Opportunity logo or slogan or statement.
11. Maintain a nondiscriminatory hiring policy and at a minimum annually instruct all employees and agents in writing and verbally of this policy and in fair housing rules.

Failure to comply with the above requirements shall result in the following non-compliance actions by DED.

⁷ AFFH rule guidebook pg. 5-6.

⁸ 2021 Administration Manual. Accessed on 11/19/2021 via: https://opportunity.nebraska.gov/wp-content/uploads/2021/10/Merged_2021_CDBG_Administration_Manua_202109.pdf.

⁹ Equal Housing Opportunity Graphics for Printing via: <https://www.hud.gov/library/bookshelf11/hudgraphics>

¹⁰ HUD Fair Housing Poster. Retrieved at https://www.hud.gov/sites/documents/FAIR_HOUSING_POSTER_ENG.PDF.

Table 7.2-1: Actions for Non-Compliance with AFFH Requirements by Project Status

Project Status	AFFH Requirements Non-Compliance Action by DED	Required Action by Subrecipient
Application	Ineligible for funding	N/A
Implementation/ In progress	Monitoring Finding ¹¹	Projects that are in progress may provide direction and feedback to meet these requirements no less than 30 days after issuance of the Monitoring Report.
Closeout/Termination	Monitoring Finding Or Monitoring Finding + Termination* *Cancellation of program activities or recapture of funds in whole or in part.	Repayment of Funds

7.3 AFFIRMATIVE MARKETING PLAN

All Subrecipients and Successful Applicants under the CDBG-DR Housing Programs funds must develop an AFHMP based on HUD regulations, which must be submitted to DED for approval. The AFHMP, pursuant to Federal regulations, must outline strategies to inform the public about the housing opportunities, requirements, and practices that the awarded entity must adhere to in executing the AFHMP. All AFHMPs also must include:

- Procedures that will be followed and a description of records that will be maintained and made available for review;
- Prohibition of income requirements for prospective tenants with Housing Choice Vouchers or similar vouchers;
- Elimination of local residency preferences;
- Access to leasing offices for individuals with disabilities;

¹¹ See also the *Monitoring and Compliance Plan*.

- Flexible application and office hours to allow working families and individuals to apply;
- Encouragement of credit references and testing that take into account the needs of individuals with disabilities or special needs; and
- Meaningful access to project information for LEP families and individuals.

DED requires that Subrecipients and Successful Applicants develop their AFHMP using the HUD-provided version of the plan via the link here: Affirmative Fair Housing Marketing Plan (AFHMP) Multifamily Housing <https://www.hud.gov/sites/dfiles/OCHCO/documents/935-2A.pdf>.

7.4 LEP REQUIREMENTS

Nebraska is committed to ensuring that individuals with LEP are able to participate and benefit from the CDBG-DR programs. Applications and forms shall be offered in English and other languages prevailing in the region when requested.¹² In addition, every effort will be made to assist such applicants in the application process. More information regarding this accommodation is available in the Citizen Participation Plan (CPP).

7.5 ACCESSIBILITY REQUIREMENTS

Nebraska is committed to ensuring that individuals with disabilities are able to participate and benefit from the CDBG-DR programs. Individuals with disabilities can request accommodation, including those that require modification of policies and programs or exceptions, unless doing so would be a fundamental alteration of the program.

Measures will be taken to make the program accessible to persons who are considered members of a protected class under the Federation of Housing Associations (FHA) by holding informational meetings in buildings that are ADA compliant, providing American Sign Language (ASL) assistance when requested, and providing special assistance for those who are blind or have low vision when requested. More information regarding this accommodation is available in the CPP.¹³

8 OUTREACH APPROACH

8.1 AFFIRMATIVE MARKETING PARTNERS

The affirmative marketing approach shall anchor on the creation and use of collaborative partnerships with community members and other key stakeholders. DED shall leverage opportunities through the Governor's Task Force for Disaster Recovery, town meetings, or other

¹² CDBG Guidance via: https://opportunity.nebraska.gov/wp-content/uploads/2017/05/4-Factor-Analysis-and-LAP-Plan-Template_20191112.pdf.

¹³ CDBG-DR State Action Plan: CPP. Accessed 11/19/21 via: https://opportunity.nebraska.gov/wp-content/uploads/2021/10/PPP-rev08312021_clean-StateofNebraskaDR-4420.pdf.

effective means to ensure that regular contact and working arrangements are created and maintained with:

- **Fair Housing Organizations:** Fair housing organizations, including human relations commissions and voluntary, nonprofit organizations focusing on fair housing problems;
- **Local Governments (and Tribes):** Local governments and tribes in the disaster declared areas;
- **Advocacy Groups:** Advocacy groups and organizations that have among their concerns the needs (including housing needs) of particular segments of the population, such as people with disabilities; families with children; immigrants and homeless persons; and specific racial or ethnic groups (African Americans, Hispanics, Native Americans, Asian Americans, and Alaskan Natives);
- **Housing Providers:** Housing provider representatives, in particular those who are aware of, and can speak to, the problems of providing moderate- and low-cost housing in the community; and representatives of landlords and/owners;
- **Banks and Other Financial Institutions:** Banks and other financial institutions can provide loans (including residential) and other financial support to improve homes or areas of the community where living conditions have deteriorated;
- **Educational Institutions:** Educational institutions and their representatives, including the administrators and teachers or professors who can assist in conducting studies and developing educational activities for delivery in formal and informal settings;
- **Other Organizations:** Other organizations and individuals, such as neighborhood organizations and representatives, that can provide information, ideas, or support in identifying impediments to Fair Housing Choice at the neighborhood or other geographic level and in developing and implementing actions to address these problems; and
- **General Public:** Communication with the general public is essential. HUD encourages State and Entitlement jurisdictions to follow the citizen participation and consultation procedures identified in Subpart B of the Consolidated Plan regulation for communicating with the public on FHP. Additionally, jurisdictions should encourage the participation of diverse population groups and take steps to ensure that communications and activities are accessible to persons with disabilities.

Stakeholder partners who have already played a critical role in recovery efforts—and whose role will expand during the implementation period of the CDBG-DR program—include the Nebraska League of Municipalities membership and the State’s economic development districts. DED shall also engage the broader community. Community participation should include engagement with residents of a community or geographic area; populations affected by housing and fair housing decisions, investments, and challenges; and other interested parties in implementing AFFH. The

community does not have to have experience in housing or fair housing issues to participate. Community participation has many benefits, including:

- **Cost effectiveness:** community engagement bridges the gap between current local needs and decisions about where and how to invest public dollars. Community participation leads to better, more effective, and longer-lasting solutions to complex fair housing issues.
- **Ownership and support:** especially in the first round of application submissions, engagement builds crucial support for the resulting actions as community members take ownership of the outcomes, which gives fair housing planning legitimacy and longevity.
- **Building trust and relationships:** by understanding the history, context, and needs of a community, especially groups that have not previously been involved in planning and decision making, local officials can avoid unintended consequences and build trust.¹⁴

Dependent upon the outcomes of different outreach methods, DED and its partners may develop alternate approaches or lean into more successful, productive methods. Specific methods of conducting outreach are articulated in section 9, **Affirmative Marketing Strategies**.

8.2 STATE-LED OUTREACH

DED is responsible for conducting outreach activities as per the HUD-approved CPP. This includes raising awareness of the CDBG-DR program, eliciting applications for program funds, and ensuring clear understanding of CDBG-DR requirements. General State-led outreach shall be conducted using a range of strategies identified below in section 9, **Affirmative Marketing Strategies**, with the explicit goal of reaching and supporting eligible Subrecipients and Successful Applicants.

8.3 PROJECT OUTREACH

Subrecipients and Successful Applicants are responsible for meeting requirements as articulated in section 7, **Subrecipient and Successful Applicant Requirements**, as well as conducting outreach to ensure that vulnerable populations are aware of program services available through CDBG-DR dollars. In addition to conducting direct beneficiary outreach, Subrecipients and Successful Applicants are responsible for maintaining records and reporting to show who is a direct beneficiary of the program (see also section 10, **Reporting** below).

8.3.1 CROSS-JURISDICTIONAL COLLABORATION

Subrecipients and Successful Applicants are encouraged to reach out to other local communities to collaborate on AFFH because issues tend to cross jurisdictional boundaries. Collaboration can

¹⁴ AFFH rule guidebook pages 23-24.

include sharing data and local knowledge and building cross-jurisdictional strategies. Additionally, Subrecipients and Successful Applicants may choose to create joint outreach or communication plans to reach populations that cross jurisdictions. Program participants may collaborate on efforts even if they are not contiguous or adjacent.

8.4 ITERATIVE OUTREACH APPROACH

Pursuant to the final rule,¹⁵ outreach should be an iterative community exercise, enabling community members the opportunity to respond to and participate in the process.

Ongoing outreach efforts may include use of webinars, in-person planning and discussion sessions; publishing fact sheets and other educational brochures (e.g., digital or print media), leveraging traditional (e.g., newspaper, television, and radio) and emerging marketing tools (e.g., social media); etc. Evaluation of outreach activities and applications received is necessary to determine whether outreach is successful and that applications accurately reflect the vulnerable populations identified in the Action Plan and these policies and procedures. Evaluation should be an ongoing process that begins no later than one (1) month after the program begins accepting applications.

9 AFFIRMATIVE MARKETING STRATEGIES

This section outlines different affirmative marketing strategies for the purpose of both describing State approaches for conducting outreach and for providing guidance to Subrecipients and Successful Applicants regarding affirmative marketing strategies they can use for CDBG-DR program implementation. Several strategies listed within this section are also included in the Ongoing Outreach & Engagement section of the CPP.¹⁶

9.1 ONLINE ENGAGEMENT

DED has made available a public CDBG-DR website regarding all disaster recovery activities at https://opportunity.nebraska.gov/program/cdbg_dr/. This website is dedicated to hosting the content related to the state's CDBG-DR program, including recovery program information, citizen participation resources, and the status and information related to specific program contracts. The full list of available resources is available in the CPP.

Subrecipients and Successful Applicants must provide access to the State website to all program beneficiaries in program materials. Subrecipients and Successful Applicants implementing project

¹⁵ AFFH rule guidebook via: <https://www.nhlp.org/wp-content/uploads/HUD-AFFH-Rule-Guidebook-Dec.-2015.pdf>.

¹⁶ CDBG-DR State Action Plan: CPP. Accessed 11/19/21 via: https://opportunity.nebraska.gov/wp-content/uploads/2021/10/PPP-rev08312021_clean-StateofNebraskaDR-4420.pdf.

activities that require affirmative marketing and outreach are recommended to provide information regarding their CDBG-DR program on their local website.

9.2 ELECTRONIC COMMUNICATION TOOLS

DED uses email communication to target specific audiences based on the subscriber's chosen preferences. In addition to offering notification to the broader audience, users may subscribe to CDBG-DR-related information and DED can analyze the effectiveness of its communications with real-time analytics, including delivery and open rates, and click-throughs to websites.

Additionally, DED is committed to leveraging state, federal, and community partners to disseminate CDBG-DR program information. DED shall utilize these partners' networks to encourage participation in the CDBG-DR program mailing list. For example, via email, the HUD Omaha CPD Field Office has indicated they would disseminate information on DED's behalf to their network of contacts.

Program Subrecipients and Successful Applicants are recommended to leverage the State's network to gain access to information and outreach necessary for the success of their specific projects.

9.3 FIELD STAFF, SURVEYS, AND TOUCHPOINTS

Field Staff are positioned throughout the State, where their first-hand knowledge of Nebraska's diverse economic climate is matched only by their expertise at building productive partnerships. Field Staff are the "eyes and ears" of DED and a resource to assist communities, established business owners, new entrepreneurs, and everyday citizens in any aspect of economic development—from support for business expansions to disaster recovery, workforce housing development, and more.

In addition to regularly meeting with the Long-Term Recovery Groups (LTRGs), DED's ongoing connection with each of these community groups shall be used to maintain a pulse of the "situation on the ground" and provide a channel for stakeholder organizations to ask questions and provide comments throughout CDBG-DR program design. This continuous flow of information—feedback from the field and answers to questions—has established effective two-way communication that can serve as a benchmark for the grant implementation phase. DED shall continue to leverage these groups to develop robust application and program guidelines to best serve impacted communities.

Program Subrecipients and Successful Applicants are recommended to leverage the State's network to gain access to information and outreach necessary for the success of their specific projects.

9.4 COMMUNITY MEETINGS AND PUBLIC HEARINGS

Community meetings shall be held as part of the planning, program design, and implementation processes. These meetings may assume a variety of formats, including in-person meetings and online webinars. The purpose of these meetings is to provide stakeholders with an opportunity to learn more about the CDBG-DR activities in their area and provide input on programs and activities.

At a minimum, all meetings shall be announced online 15 days prior to the date of the meeting. The announcement should include the date, time, and location of the meeting. Efforts should also be made to advertise meetings through other means like social media and CDBG-DR email lists, elected officials of the HUD-defined MID communities, the State's economic development districts representing the HUD-defined MID area, and representatives of community groups and stakeholders.

Meetings shall be held at an ADA-accessible location and outside of business hours when possible. Interpretation services shall be provided for Spanish and ASL for in-person, web-based, or hybrid meetings. Additional accommodations may be made available upon request. For information about where to direct these requests, refer to the Equal Access section of the CPP.¹⁷

Program Subrecipients and Successful Applicants are encouraged to hold or leverage local community meetings to share program activities and available resources in order to raise awareness of those opportunities within their communities.

9.5 TELEVISION AND RADIO

Local public access television stations may be utilized where possible to familiarize residents and community ambassadors with the CDBG-DR program and to provide regional information, including the Nebraska CDBG-DR website address and online application. Multiple demographic populations can be reached through free public access television, including LMI homeowners, Deaf and hard of hearing individuals, and persons with LEP.

Like television, radio may be used where possible to familiarize residents and community ambassadors with the CDBG-DR program. Regional information, such as upcoming scheduled intake sessions and key dates (online application acceptance period, etc.) may also be advertised using radio. Multiple demographic populations can be reached through radio, including LMI homeowners, those who are blind or have low vision, and persons with LEP (through Spanish language stations).

¹⁷ CDBG-DR State Action Plan: CPP. Accessed 11/19/21 via: https://opportunity.nebraska.gov/wp-content/uploads/2021/10/ CPP-rev08312021_clean-StateofNebraskaDR-4420.pdf.

9.6 BILLBOARDS AND OTHER SIGNAGE

Out-of-home paid media includes billboards and printed signs for general marketing. Billboards and other signage also include public buses, bus stops, and other forms of print and digital ads in public spaces frequented by our targeted groups.

Billboard marketing may be used to reinforce the broadcast messaging in the marketplace. Permanent and digital panel locations target drivers travelling to and through the targeted zip codes. Additionally, interior public bus placards can potentially target lower income residents who rely on public transportation.

9.7 SOCIAL MEDIA

Social media advertising provides the opportunity to hyper-target and localize messaging to exclusively reach target audiences on desktop and mobile devices. DED may use existing social media platforms (Facebook, Twitter, LinkedIn) to place local messaging into personal news feeds, providing communities with information on how, when, and where they can participate in the CDBG-DR program. Subrecipients and Successful Applicants are similarly encouraged to use their social media accounts to share information with target program beneficiaries.

9.8 DIGITAL AND PRINT ADVERTISEMENTS

Digital and printed advertising can leverage a variety of content types and online channels to place specific messaging in front of target audiences. Digital display ads (banner ads), video ads, and email ads shall primarily be placed in the most affected targeted areas. Supplemental ads may also be placed to encourage participation from HUD-defined MID and LMI areas.

9.9 EARNED MEDIA

Earned media is an opportunity to build trust with potential beneficiaries by delivering excellent results through existing programs. It includes the usage of public service announcements through local television and radio stations, interviews on morning news and radio affiliates, and letters to the editor of local newspapers. Each of these mediums may be used to discuss the CDBG-DR program and its benefit to the State of Nebraska. Once these interviews have taken place, they can be shared via social media outlets or through other forms of communication (e.g., text message, email, etc.) to inform others.

10 REPORTING

Subrecipients and Successful Applicants must complete quarterly reports as a part of regular program activities (see also ***Monitoring and Compliance Plan***). Quarterly reports must include a comprehensive summary of all outreach and marketing activities by county, along with data

regarding outreach efforts in project areas. Reports will be evaluated on the basis of expected activity at the time of submission (i.e., DED acknowledges that there may not be significant activity during the first 30-60 days of development and construction).

Documentation of outreach and marketing activities, including copies of all advertisements and announcements, must be retained and made available at DED's request. For each program activity requiring a direct application by an individual or non-institutional entity, Subrecipients and Successful Applicants must maintain and report the following information:

- Beneficiary household's income;
- Household's income as a percentage of AMI as defined by HUD;
- The race and ethnicity of the head of household;
- The household's familial status; and
- The presence or non-presence of a household member with a disability.

For each activity providing housing or housing assistance that is not directly linked to a specific beneficiary, Subrecipients and Successful Applicants must maintain and report the following information:

- The cost of the housing unit to the beneficiary and the occupant;
- The maximum qualifying household income as a percentage of AMI as defined by HUD;
- Restrictions regarding the age or familial status of occupants; and
- The presence or absence of designs or services that make the housing unit accessible to an individual with a disability and the number of fully accessible units.

Once a project is leased under the Affordable Housing Construction Program, AFFH reporting requirements will shift from a quarterly to annual requirement for Subrecipients and Successful Applicants. A new AFHMP must be submitted not less than every five (5) years.

10.1 RECORDKEEPING

DED must establish and maintain sufficient records for HUD to determine whether they met the requirements of the AFFH rule. At a minimum, DED will use Subrecipient and Successful Applicant reporting to maintain the following records:

- Records demonstrating compliance with the consultation and community participation requirements of 24 CFR § 5.150 and applicable program regulations;

- Records demonstrating the actions DED and its Subrecipients and Successful Applicants took to affirmatively further fair housing;
- Documentation where courts or an agency of the US Government or of a State government found that DED had violated any applicable nondiscrimination and equal opportunity requirements;
- Documentation relating to DED's efforts to ensure housing and community development activities are in compliance with applicable nondiscrimination and equal opportunity requirements;
- Records demonstrating that consortium members, units of general local government receiving allocations from a State, or units of general local government participating in an urban county have conducted their own or contributed to the jurisdiction's assessment and documentation demonstrating their actions to affirmatively further fair housing; and
- Any other evidence relied upon by the program participant to support its affirmatively furthering fair housing certification.