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REFERENCES TO DEPARTMENTAL PROGRAM REGULATIONS  
- AFFIRMATIVE FAIR HOUSING MARKETING PROGRAM

This Appendix lists the references to AFHM requirements found in the program regulations to which the AFHM Regulations apply. These references pertain to: (1) the submission and review of the Plan; (2) the marketing of units during the initial occupancy period; (3) the determination of eligibility and selection of tenants or homeowners in accordance with the provisions of the AFHM Plan. The complete list of programs to which AFHM applies is found in Appendix 5. However, specific references to AFHM requirements are not found in the Regulations for all of the programs, because the AFHM requirements applied originally only to the insured multifamily mortgage insurance programs. Thus, the following Affirmative Marketing requirements for other programs may be found in the regulations in Title 24 of the Code of Federal Regulations as follows:

- A. Section 8 Housing Assistance Payments Program (HAPP) - New Construction.
  - 1. 880.305(h) - Preliminary Proposal - Submission of Certification.
  - 2. 880.308(a)(5) - Final Proposal - AFHM Plan Submission.
  - 3. 880.308(a)(6) - Final Proposal - Statement of Advance Marketing Activities.
  - 4. 880.601(a)(1-3) - Responsibilities of Owner - Advance Marketing.
  - 5. 880.601(b) - Management and Maintenance of the Project.
  - 6. 880.603(b)(1) - Determination of Eligibility and Selection of Tenants.
  
- B. Section 8 HAPP - Substantial Rehabilitation, Housing Finance Agency Proposals Financed with HUD Mortgage Insurance, and Proposals Processed Under 24 CFR 886, Subpart B.
  - 1. 881.305(b) - Preliminary Proposal - Certification Submission.
  - 2. 881.308(a)(4) - Final Proposal - AFHM Plan Submission.

APPENDIX 2

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3. 881.308(a)(5) - Statement of Marketing Activities Advance Marketing.
  4. 881.601(a)(1-3) - Responsibilities of Owner.
  5. 881.601(b) - Management and Maintenance of the Project.
  6. 881.603(b)(1) - Determination of Eligibility and Selection of Tenants.
  7. 881.603(b)(4) - Maintenance of Records.
- C. Section 8 HAPP - Additional Assistance Program for HUD-Held and HUD-Insured Mortgages.
1. 886.105(f) - AFHM Plan Submission.
  2. 886.107(a) - AFHM Plan is approvable.
  3. 886.119(a)(8) - Responsibilities of Owner-Compliance with Equal Opportunity Requirements.
  4. 886.121(a) - Marketing in Accordance with AFHM Plan.
- D. Section 8 HAPP - Disposition of HUD-Owned Projects.
1. 886.313(b) - Submission of AFHM Plan.
  2. 886.321(a) - Marketing.
  3. 886.321(b)(1) - Determination of Eligibility.
  4. 886.321(b)(5) - Maintenance of Records.
- E. Loans for Housing for the Elderly or Handicapped Under Section 202 of the Housing Act of 1959. Part 885.400 - AFHM Plan is reviewed with the request for a Conditional Commitment.
- F. Supportive Housing for the Elderly. Part 889.270(c)(18) requires a signed certification of compliance with AFHM Requirements and fair housing laws.
- G. Supportive Housing for Persons with Disabilities. Part 890.265(c)(17) requires a signed certification of compliance with AFHM Requirements and fair housing laws.
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- H. Section 8 Set-Aside for the Section 515 Rural Housing Program of the Farmers Home Administration.
1. 7 CFR 1901.203(c) - Farmers Home Administration Affirmative Action (AFHM).
  2. 884.118 - Compliance with EO requirements by Owner.
  3. 884.214 - Marketing of Units.
- I. HOME Investment Partnerships Program.
1. 92.351. Requirement to adopt Affirmative Marketing Procedures.
  2. 92.508. Recordkeeping requirements. Section (a)(5)(ii) requires the maintenance of records on affirmative marketing procedures and requirements.
- J. Homeownership Opportunities for People Everywhere (HOPE) Programs.
1. HOPE for Low-Rent Public Housing - HOPE 1.
    - a. Section 415(b)(5)(i)(A) - Application shall include a plan for identifying and selecting eligible families which includes the applicant's affirmative fair housing marketing strategy, including specific steps to inform potential applicants and solicit applications from eligible families who are least likely to apply.
    - b. Section 505(e) - Recipient shall adopt a Plan for informing and soliciting applications from people who are least likely to apply for the program without special outreach.
  2. HOPE Homeownership for Multifamily Units - HOPE 2
    - a. Section 415(b)(5)(i)(A) - same as Hope 1.
    - b. Section 505(e) - Same as HOPE 1.
  3. HOPE Homeownership for Single-Family Units - HOPE 3.
    - a. Section 415(b)(5)(i)(B) - same as HOPE 1 and 2.
    - b. Section 505(e) - Same as HOPE 1 and 2.
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