



Policy # A-1 version: 1	Title: Anti-Discrimination in Administering Housing and Service Assistance
Revision 0	Reviewed By: CoC Board Members
Effective Date: 10-7-2021	Approved By: CoC Board Members

Policy Brief: The Merced City and County Continuum of Care (CoC) will maintain the highest standards of equity, fairness, and respect.

Purpose: To detail the actions and practices implemented which support an environment free of discrimination.

Scope: This policy applies to all CoC Board Members, General Members, organizations associated with CoC business, operations, and/or initiatives, and the Collaborative Applicant

Policy Detail:

All CoC Program-funded projects shall market to and serve all eligible persons, regardless of race, color, national origin, religion, sex, age, familial status, or disability, including those who are least likely to apply in the absence of special outreach or accommodation, and without regard to actual or perceived sexual orientation, gender identity, or marital status.

It shall be the policy of the Continuum of Care (CoC) to maintain and promote a safe environment for all persons in all CoC funded programs. All staff, volunteers, and contract providers are prohibited from engaging in any form of discrimination against or harassment of persons on the basis of actual or perceived race, ethnicity, immigration status, national origin, sex, disability,

sexual orientation, gender identity, or gender expression. The CoC is committed to providing a healthy and accepting setting for all persons accessing services through its programs by hosting a mandatory training for all CoC funded agencies annually. Any discrimination against or harassment of staff or clients within a CoC funded program will not be tolerated. The provision of services to lesbian, gay, bisexual, transgender, and gender nonconforming persons in CoC funded programs shall be free of institutional and personal bias. CoC funded programs shall recognize and address the individual needs of each client and shall apply policies and practices fairly to all clients. If you have experienced harassment or discrimination in violation of this policy, please file a grievance according to facility policy. All grievances will be reviewed and investigated immediately.

All CoC Program-funded projects within CoC shall also comply with all State of California and Federal statutes relating to nondiscrimination. These include but are not limited to:

- *Fair Housing Act (Title VIII of the Civil Rights Act of 1968)*, which prohibits discriminatory housing practices based on race, color, religion, sex, national origin, disability, or familial status.
- *Title VI of the Civil Rights Act of 1968*, (P.L. 88-352, 42 U.S.C. § 2000d, and implementing regulations) which prohibits discrimination on the grounds of race, creed, color, sex, religion, ancestry, age, condition of physical handicap, marital status, political affiliation, or national origin in programs and activities receiving federal financial assistance.
- *24 CFR 5.105(a)(2) – Equal Access to HUD-Assisted or -Insured Housing*, which states housing assisted by HUD or subject to a mortgage insured by HUD shall be made available without regard to actual or perceived sexual orientation, gender identity, or marital status.
- *Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity Final Rule (2012)*, which ensures that HUD programs are open to all eligible individuals and families regardless of sexual orientation, gender identity, or marital status.
- *Equal Access in Accordance with an Individual’s Gender Identity in Community Planning and Development Programs Final Rule (2016)*, which ensures equal access for individuals in accordance with their gender identity in programs and shelter funded under programs administered by HUD’s Office of Community Planning and Development (CPD).
- *Sections 503 and 504 of the Rehabilitation Act of 1973*, as amended (29 U.S.C. § 794, 45 C.F.R. Part 84), which prohibits discrimination on the basis of handicaps.
- *Americans with Disabilities Act*
 - *Title II*, which prohibits public entities, which includes states and local governments, and special purpose districts, from discriminating against

individuals with disabilities in all their services, programs, and activities, which include housing, and housing-related services such as housing search and referral assistance.

- *Title III*, which prohibits private entities that own, lease, and operate places of public accommodation, including shelters, social service establishments, and other public accommodations providing housing, from discrimination on the basis of disability.
- Any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made.

Affirmatively Furthering Fair Housing

CoC funded programs shall implement programs in a manner that affirmatively furthers fair housing, which means that the agency will:

(1) Affirmatively market their housing and supportive services to eligible persons regardless of race, color, national origin, religion, sex, age, familial status, or handicap who are least likely to apply in the absence of special outreach, and maintain records of those marketing activities;

(2) Provide program participants with information on rights and remedies available under applicable federal, State and local fair housing and civil rights laws.

Integrated Settings

In alignment with HUD guidance, CoC funded programs will provide housing in integrated settings appropriate to the needs of qualified individuals with disabilities. This “integration mandate” requires that HUD-funded programs or activities enable individuals with disabilities to interact with nondisabled persons to the fullest extent possible.

Targeting Subpopulations

Please note, there are certain situations in which a recipient or subrecipient may limit housing to a specific subpopulation, so long as admission does not discriminate against any protected class, as well as instances where recipients or subrecipients may limit admission or provide a preference to certain subpopulations of homeless persons and families who need the specialized services provided in the housing.

Implementing the Anti-Discrimination Policy

All CoC funded programs shall conduct the following in order to be in compliance with the CoC Anti-Discrimination Policy:

- Have an active Anti-Discrimination Policy as part of their own agency policies and procedures, outlining alignment with the above listed California and Federal statutes, including a policy and procedure for those who require alternative means of communication for program information (i.e. Braille, large print, audiotape, American Sign Language, a language other than English).
- Publicly post adherence to anti-discrimination statutes, affirming an environment in which housing and services are provided all to eligible persons regardless of race, color, national origin, religion, sex, age, familial status, or disability; and information on who to contact if it is believed your civil rights have been violated.
- Affirmatively market housing and services to those least likely to apply.
- Annually participate in a mandatory antidiscrimination training for all CoC funded agencies.

Fair Housing Violation Contact Information

If you believe you, your staff, or a client's civil rights have been violated, a fair housing complaint shall be filed online by completing the Housing Discrimination Complaint form (HUD form 903) found at <https://portal.hud.gov/FHEO903/Form903/Form903Start.action>.