



WELLESLEY HOUSING AUTHORITY

109 Barton Road • Wellesley, Massachusetts 02481

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NAME OF POLICY Fair Housing Policy

SIGNATURES:

CHAIR:

Janice S. Colucci

COMMISSIONERS:

Manuela Ruzella

Odessa MB Sanchez

Joel H.



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Fair Housing Marketing Plan

Adopted: 9/22/2022

Amended: 11/16/2022

INTRODUCTION

The Wellesley Housing Authority (“WHA”), its Board, and staff are responsible for implementing federal and state civil rights laws that affect the admission, occupancy, and procurement of services for the LHA. When developing, marketing, or leasing units, the following Fair Housing Marketing Plan applies.

I. FEDERAL FAIR HOUSING LAWS¹

A. The Fair Housing Act (Title VIII of the Civil Rights Act of 1968)

- i. As amended, prohibits discrimination in the sale, rental, and financing of dwellings based on race, color, religion, sex, familial status, national origin, or disability.

B. Title VI of the Civil Rights Act of 1964

- i. Prohibits discrimination based on race, color, or national origin in any program or activity receiving federal financial assistance.²

C. Age Discrimination Act of 1975

- i. Prohibits discrimination based on age in any program or activity receiving federal financial assistance.
- ii. Exceptions may apply when age is used as part of criterion for a program that has a statutory age limit, or is otherwise statutorily authorized.

D. Section 504 of the Rehabilitation Act of 1973

- i. As amended, prohibits discrimination against persons with disabilities in any program or activity receiving federal financial assistance.

¹ This is not intended to be an exhaustive list. A brief summary is provided for each law. To access the full text of a particular law, click the embedded URL.

² “Program or activity” under Title VI, Section 504 of the Rehabilitation Act, and the Age Discrimination Act noted above means “all the operations” of the covered recipient of federal financial assistance.



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E. Title II of the Americans with Disabilities Act

- i. Prohibits discrimination against person with disabilities in all services, programs, and activities of state and local public entities.

F. The Architectural Barriers Act of 1968

- i. Requires buildings and facilities that are constructed by or on behalf of the United States, or leased by the United States, or buildings financed in whole or in part by a grant or loan made by the United States, to be accessible to persons with disabilities.

II. MASSACHUSETTS FAIR HOUSING LAW

A. M.G.L. c. 151B

- i. Prohibits discrimination on the basis of race, color, religious creed, national origin, sex, age, ancestry, genetic information, veteran/military status, sexual orientation, gender identity, marital status, presence of children, disability or receipt of public assistance, including housing subsidies in the sale, rental, or lease of covered dwelling units, including publicly assisted dwelling units.

B. Massachusetts Equal Rights Law (M.G.L. c. 93, § 102)

- i. Provides that all persons within the Commonwealth of Massachusetts, regardless of sex, race, color, creed, or national origin, shall have equal rights to make and enforce contracts, and to inherit, purchase, lease, sell, hold, and convey real and personal property.

C. Article CXIV of the Massachusetts Constitution

- i. Provides that “no otherwise qualified handicapped individual shall, solely on the reason of his handicap, be excluded from the participation in, denied the benefits of, or be subject to discrimination under any program or activity within the Commonwealth.”

D. M.G.L. c 121B, § 32

- i. Prohibits discrimination and segregation in LHA-operated housing on the basis of race, color, creed, religion, blindness or physical handicap.

III. FAIR HOUSING MARKETING PLAN

This Fair Housing Marketing Plan (“FHMP”) is adopted in accordance with the federal and state laws listed above, as well as state-aided public housing regulations at [760 CMR 4.07](#). Pursuant to 760 CMR 4.07, the WHA shall biennially determine whether the percentage for each



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minority group in the LHA's housing by program (*i.e.*, elderly/handicapped program and family program) is significantly below³ the percentage for the minority⁴ group in the city or town or in the general population of the applicable metropolitan statistical area ("MSA"), whichever is greater, and, if so, shall update and implement this FHMP to ensure affirmative outreach to the minority group.

The WHA has an ongoing responsibility to ensure that people in the local city or town, the primary MSA, and the communities from which applicants have historically applied for housing are aware of the availability of units and given an opportunity to apply. The WHA shall initiate a marketing effort whenever any of the following situations occur:

- a. the WHA has any minority group among its tenant population that is significantly below the percentage for the minority group in the Town of Wellesley or in the general population of the Census Boston-Cambridge-Newton, MA-NH Metro Area MSA, whichever is greater;
- b. the waiting list, including available MRVP vouchers, is less than the number of applicants anticipated to be placed in the next 12 months;⁵
- c. applications for new programs or units will be accepted; or
- d. the overall minority household population (where at least one household member is a minority) is less than the LHA's Affirmative Action Goal adopted pursuant to 760 CMR 5.10(3).

³ For this purpose, "significantly below" means that the percentage for each minority group in the WHA's housing for a given program is at least one percentage point below the percentage for the minority group in the city or town or in the general population of the applicable MSA, whichever is greater. For example, Asian households comprise 5% of residents in the WHA's Chapter 667 housing, but 6% or more of the population in the city or town or the applicable MSA, whichever is greater, the percentage in the WHA's housing would be deemed "significantly below".

⁴ "Minority" has the meaning assigned to it in 760 CMR 5.03: *Definitions*.

⁵ Marketing of MRVP PBV waiting lists administered by LHAs will include postings with Housing Navigator at <https://www.housingnavigatorma.org/>.



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IV. DEMOGRAPHICS OF WELLESLEY AND MSA

Percentage of the Town of Wellesley⁶ that is:

Black or African-American:	2.3 %
Asian:	12.4 %
Native Hawaiian or Pacific Islander:	0.0 %
American Indian or Alaskan Native:	0.0 %
Hispanic/Latino:	5.1 %

Percentage of Boston-Cambridge-Newton, MA-NH Metro Area⁷ that is:

Black or African-American:	8.2 %
Asian:	8.4 %
Native Hawaiian or Pacific Islander:	0.0 %
American Indian or Alaskan Native:	0.1 %
Hispanic/Latino:	11.9 %

Percentage of WHA elderly/handicapped tenant population that is:

Black or African-American:	6.20 %
Asian:	32.56 %
Native Hawaiian or Pacific Islander:	0 %
American Indian or Alaskan Native:	0 %
Hispanic/Latino:	2.33 %

Percentage of WHA family tenant population that is:

Black or African-American:	27.06 %
Asian:	6.28 %
Native Hawaiian or Pacific Islander:	0 %
American Indian or Alaskan Native:	0 %
Hispanic/Latino:	39.22 %

⁶ According to American Community Survey (U.S. Census Bureau), 2014-2019.

⁷ According to American Community Survey (U.S. Census Bureau), 2014-2019.



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V. MARKETING CONTENT – GENERALLY

- A.** Marketing for WHA units, as well as for the WHA as a whole, will provide information, maximum opportunity, and otherwise attract eligible persons protected under federal and state fair housing laws who are less likely to apply.
- B.** When undertaking marketing efforts, the LHA shall utilize the following advertising methods:
 - i.** Advertisements will be posted on the WHA’s website and social media accounts. Social media postings may be made in all priority languages, as determined by the WHA’s Language Access Plan.
 - ii.** Advertisements will be shared with the local fair housing commission, local and regional housing agencies, civic groups, social services agencies, and other local community organizations.
 - iii.** Advertisements should be placed in the digital or print versions of local and regional newspapers, including: The Wellesley Townsman.
 - iv.** Advertisements should be placed in the print versions of non-English publications (in the language of the publication) based on the prevalence of particular language groups in the regional area, including, but not limited to, the Bay State Banner and El Mundo. Notices will also be sent to organizations to ensure affirmative outreach to under-represented minority groups identified in accordance with 760 CMR 4.07.
 - v.** Advertisements will also be disseminated, periodically, subject to financial constraints, in accordance with the administrative discretion of the WHA’s Executive Director.
- C.** Materials being used for advertisements should direct potential applicants to the online application at CHAMP and indicate that paper applications may be downloaded and printed out from the DHCD website or picked up at the management office of any local housing authority. Applicants may also request that the WHA send them an application by mail.
- D.** Application information must also include a statement regarding the WHA’s obligation not to discriminate in the selection of applications.




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- E.** The size of the advertisements, including the content of the advertisement, as well as the dates of the advertising, will be comparable across regional, local, and minority newspapers.
- F.** The local residency preference will not be advertised so as not to discourage non-local potential applicants.
- G.** The Fair Housing logo () and slogan ("Equal Housing Opportunity") will be included in all marketing materials. All marketing, to the extent reasonably feasible, will be comparable in terms of the description of the opportunity available and the dates of marketing, regardless of the marketing type.
- H.** All marketing will offer reasonable accommodations in the application process.

VI. SPECIAL EFFORTS TO ATTRACT MINORITY APPLICANTS

- A.** Special efforts will be undertaken to attract members of underrepresented minority groups based on the availability of resources in the MSA and community.
- B.** In addition to local and regional newspapers, advertisements will be placed in newspapers that serve minority groups and other groups protected under fair housing laws, including, but not limited to, The Bay State Banner and El Mundo. Notices will also be sent to organizations to ensure affirmative outreach to under-represented minority groups identified in accordance with 760 CMR 4.07.

VII. OUTREACH EFFORTS TO PERSONS WITH DISABILITIES

- A.** Special efforts will be undertaken to attract members of persons with disabilities, which will include providing notice of the accessible units with MASSACCESS (<http://www.massaccesshousingregistry.org>) or a successor website/registry in accordance with M.G.L. C. 151B, § 4(7A).⁸
- B.** All marketing will offer reasonable accommodations in the application process. The WHA will also provide application materials in alternative formats, engage in alternative means of communication through auxiliary aids and services, and/or provide assistance with the

⁸ Pursuant to M.G.L. c. 151B, §4(7A), the owner or other person having the right of ownership shall give at least fifteen days' notice of the vacancy of a wheelchair accessible unit to the Massachusetts Rehabilitation Commission, which shall maintain a central registry of accessible apartment housing.



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application process as necessary to ensure that persons with disabilities are reasonably accommodated and have equally effective access to the WHA's programs.

VIII. LANGUAGE ASSISTANCE FOR APPLICANTS WITH LIMITED ENGLISH PROFICIENCY

Marketing informational materials will provide notice of free language assistance to applicants, translated into the languages of Limited English Proficiency ("LEP") populations anticipated to apply in accordance with the WHA's Language Access Plan.

IX. PLANS FOR CORRECTING NEGATIVE PROCEDURES OR POLICIES

- A. Should this occur, the WHA will make the necessary corrections pursuant to 760 CMR 5.10(3)**

Affirmative Action Goal FY23:

Family:

Tenant Minority Household Percentage: 68.00%

Affirmative Action Goal Percentage: 34.30%

Differential: -33.70

Minority Placement Rate: Affirmative Action Goal met; no placement rate required

Elderly/Handicapped:

Tenant Minority Household Percentage: 24.63%

Affirmative Action Goal Percentage: 18.20%

Differential: -6.43

Minority Placement Rate: Affirmative Action Goal met; no placement rate required

FAIR HOUSING MARKETING PLAN MINUTES

September 22, 2022 meeting minutes

Fair Housing Marketing Plan – [Resolution #2022-67](#)

The Board first discussed whether they were comfortable voting this policy with only one reading of it. Since they were, Commissioner Renzella moved and Commissioner Sanchez seconded a motion to approve the Fair Housing Marketing Plan. The roll call vote was as follows:

Commissioner Coduri – yes

Commissioner Renzella –yes

Commissioner Sanchez – yes

November 16, 2022 meeting minutes

Fair Housing Marketing Plan – [Resolution #2022-82](#)

ED Sullivan explained a change in statistical reporting that would accurately reflect the composition of current residents. This is reflected in the changes to the policy and also shows that WHA is meeting affirmative action goals.

Upon a duly made motion by Commissioner Sanchez and seconded by Commissioner Heyison, the resolution was approved by a roll call vote as follows:

Commissioner Coduri – yes

Commissioner Heyison - yes

Commissioner Renzella –yes

Commissioner Sanchez – yes