

Appendix A - FFAST Form Guide

This guide is intended to help subrecipients/grantees fill out the State's Fair Housing Activity Statement – Texas Form ("FFAST Form"). In short, the FFAST Form is intended to be a process conducted by a locally-appointed FFAST Work Group (the "Work Group") resulting in a locally-defined Fair Housing Action Plan. The directions contained in this FFAST Form Guide are intended to stimulate discussion among the Work Group so that these issues can be clarified based on local circumstances; leading to a Fair Housing Action Plan that will be a "good fit" for the jurisdiction as well as ensure the jurisdiction can meet its obligation to abide by Fair Housing laws and regulations and to Affirmatively Further Fair Housing ("AFFH").

The FFAST form will accompany the methods of distribution under Round 2 of the State's CDBG Disaster Recovery program. All applicants for Round 2.2 funding must have a FFAST form to accompany their application. The State of Texas will provide training, technical assistance, and support. Subrecipients and grantees may reach the GLO's Technical Assistance phone line at 866-206-1084.

Step One - The FFAST Work Group Member Selection

The first step for any jurisdiction is to select the Work Group. The Work Group will be the entity responsible for completing the FFAST Form and identifying a particular community's fair housing impediments and proposed steps for addressing those impediments.

The Work Group should be a diverse but knowledgeable group appointed by the chief elected official (Mayor or County Judge) or Council of Governments governing board member for that jurisdiction. Once the members have been selected, the jurisdiction must post notice on their website of the selections. The notice must include the names and titles of the members, as well as the groups that they fall under (as described below).

The Work Group must include at least a total of five members taken from the two groupings below.

Group 1: Two members from the following:

- Chief elected official (or designated staff),
- City Manager (or designated staff), and/or
- Planning Officer/Staff (or designated staff).

Group 2: The Work Group should also include at least three members who reside or work in that jurisdiction, and should be selected from the following groups:

- Representatives from the protected classes¹ (at least one from this bullet);
- Minority business leaders;
- Affordable housing providers;
- School district leadership, including members of the local school board;
- Members from local organizations that advocate on behalf of members of the protected classes (i.e., disability advocates, NAACP chapter president, etc.);
- Developers of affordable housing in that jurisdiction; and
- Community based improvement associations.

Step Two - Develop a Process & Gather Data

Select Work Group Officers. The Work Group should collectively select members to serve as Chair, Secretary, and Data Collection Chair.

Create a Working Time Table. The Work Group should set a schedule for future meeting times, as well as a draft timeline for completing the FFAST form.

Review the 2010 Texas Phase 1 Analysis of Impediments (the "AI"). Each member of the Work Group should review the AI, with particular attention to sections 1, 8, and the section applicable to their area. The AI can be downloaded at <http://www.tdhca.state.tx.us/cdbbg/ike-and-dolly/ai-agenda.htm> or a copy can be requested by calling 866-206-1084.

Gather relevant information. Several basic documents will be necessary to fill out the FFAST Form. These documents should be gathered in advance of step 3. The documents include:

- Local demographic maps (may be found in appendix D of the AI).
- The GIS maps of federal housing and community development benefits when they are available (may be found at <http://www.glo.texas.gov/GLO/disaster-recovery-funding/index.html>, the GLO).
- List of housing discrimination complaints (may be found in appendix C of the AI).

It is the Data Collection Chair's responsibility to understand, identify, and bring the Work Group the various documents that will be needed for the Work Group to complete its planning.

Step Three - Assess the data and fill out the FFAST form

Discuss each action step of the FFAST form. The Work Group should thoroughly review the data collected and discuss each impediment in the AI as it relates to that jurisdiction. Based on this review and discussion, the Work Group should identify specific actions that could be taken locally to address each of the impediments enumerated in the FFAST Form. Each proposed

¹ As previously noted, the Fair Housing Act of 1968 (as amended) prohibits housing discrimination on the basis of race, color, religion, national origin, gender, presence of a disability, and familial status.

action should be directly related to the impediment being addressed and should offer concrete action steps (or a series of action steps) toward remediating that particular impediment.

Provide detailed explanations where no action is recommended. Where an action step is deemed to be not relevant to a particular jurisdiction or where no action need be taken at that time in response to the particular impediment, the Work Group should provide a full explanation for the decision not to propose action. The explanation should include reference to the applicable data that has been reviewed in reaching this determination.

Step Four - Public comment

Notice and Comment Period. The Work Group should submit the completed FFAST form to the GLO for review. Upon approval from the GLO, the Work Group should publish the form on the local governing body's website. The local governing body shall notify the GLO when the notice is published. Notice of the form should be published in English and Spanish, as well as any other language(s) widely spoken in that jurisdiction. The GLO will assist with the translation process as necessary. The notice should allow at least 10 days for the submission of public comments on the completed form. The notice should include the address and contact information where public comments can be submitted.

Public Meeting and FFAST Form Approval. Not fewer than 10 days (or more than 30 days) after the FFAST form has been published, the local governing body shall hold a public meeting in which the FFAST Work Group will have an opportunity to present their recommended FFAST Form. The governing body will hear from members of the public on any proposed changes to the completed FFAST form. Following the public comment and open meeting process, the local governing body should review, amend as necessary, and adopt the final FFAST form. Upon adoption, the FFAST form becomes that jurisdiction's Fair Housing Action Plan (Action Plan). The Action Plan should then be assigned to the governing body's staff for implementation. Once adopted, the Action Plan should be published online on the local jurisdiction's government website in a downloadable format.

Step Five - Monitoring and Oversight

Once adopted, the Action Plan remains the responsibility of the Work Group. The Work Group should monitor progress on the Action Plan, report findings, and make any recommendations to the local governing body and the GLO.

Reconvening. The Work Group should reconvene at least once every year following the local governing body's adoption of the Action Plan. The Work Group's Chair, Secretary, and Data Collection Chair should confer at least every six months to determine if any changes in local circumstances or delays in the implementation of the Action Plan warrant reconvening earlier than the twelve-month deadline. The date, time, location and results of this meeting should be documented and submitted to the GLO.

Progress Reports. As part of the monitoring process, the governing body's staff tasked with implementing the Action Plan should file ongoing progress reports with the Work Group's Chair and provide copies upon request. This report must be submitted according to the State's prescribed format. Each year, in advance of its annual convening, the Work Group's Data Collection Chair should obtain updated data, as available, for use in reviewing the progress on the Action Plan. Copies of any updated information should be distributed at least two weeks in advance to all members of the Work Group.

Notice and Public Comment. Following each annual convening, the Work Group should undertake the same notice and comment process outlined above. Following each notice and comment period, the local governing body should review and adopt, as amended, the updated Action Plan and should report any revisions to its staff for implementation. All changes or updates to the FFAST/Fair Housing Action Plan should be made publicly available (electronically whenever possible) and should be submitted to the GLO.