TENNESSEE HOUSING DEVELOPMENT AGENCY

TITLE VI
COMPLIANCE IMPLEMENTATION PLAN

OCTOBER 2011

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TABLE OF CONTENTS

I. OVERVIEW **3**

II. FEDERAL PROGRAMS AND ACTIVITIES **7**

THDA PROGRAMS 7
STIMULUS PROGRAMS 12

III. ORGANIZATION OF THE CIVIL RIGHTS OFFICE/COORDINATOR **14**

IV. DATA COLLECTION AND ANALYSIS **16**

V. DEFINITIONS **20**

VI. DISCRIMINATORY PRACTICES **41**

VII. LIMITED ENCLISH PROFICIENCY **41**

VIII. COMPLAINT PROCEDURES **42**

IX. COMPLIANCE REVIEWS **43**

A. PRE-AWARD PROCEDURES 43
B. POST-AWARD PROCEDURES 52
C. MINORITY REPRESENTATION 54
D. PUBLIC NOTICE AND OUTREACH 54
E. PROCEDURES FOR NONCOMPLIANCE 55

X. COMPLIANCE/NONCOMPLIANCE REPORTING **55**

XI. TITLE VI TRAINING **56**

XII. PUBLIC NOTICE AND OUTREACH **56**

XIII. EVALUATION PROCEDURES OF THE TITLE VI IMPLEMENTATION **58**

XIV. RESPONSIBLE PARTIES **60**

TENNESSEE HOUSING DEVELOPMENT AGENCY

Title VI, Civil Rights Act of 1964
Compliance Implementation Plan

I. OVERVIEW

PURPOSE

The purpose of Title VI of the Civil Rights Act of 1964 is to prohibit discrimination on the basis of race, color, or national origin in the delivery of or participation in programs which receive federal funds. The intent of the law is to ensure that all persons, regardless of race, color or national origin, are afforded the opportunity to participate in federally funded programs. To ensure that Tennessee Housing Development Agency (THDA) meets its compliance responsibility, the following procedures are established to provide for monitoring of Title VI compliance activities and for processing complaints in all programs.

The mission of THDA is: Leading Tennessee home by creating safe, sound, affordable housing opportunities.

THDA does not currently have a formal nondiscrimination policy or statement; however subrecipients are required to not discriminate on the basis of race, color, and national origin as specified in each program description. Persons wishing to learn more about the agency should visit THDA at www.thda.org. The THDA web site provides information on THDA programs, board meetings, financial statements and reports, research, and staff.

SCOPE

This implementation plan applies to all programs operated by THDA. THDA follows the requirements set forth in the manual "Tennessee State Agencies and Title VI of the Civil Rights Acts of 1964" by the Comptroller of the Treasury dated January 1994.

AGENCY ORGANIZATION

Tennessee Housing Development Agency (THDA) was created by the Tennessee General Assembly in 1973 through enactment of TCA 13-23-101, et seq., and, as set forth in the enabling legislation, operates under the direction of the 19-member Board of Directors which consists of five ex officio members and 14 appointed members. The ex officio members of the Board are the Comptroller of the Treasury, the Secretary of State, the State Treasurer, the Commissioner of the Department of Finance and Administration and a Staff Assistant to the Governor. The Speaker of the State House of Representatives and the Speaker of the State Senate each have one appointment. The Governor of the State has 12 appointments. The Act also provides that board members be representatives of the housing, real estate, and home building industries, the mortgage profession, and local government, and the First, Second or Third U.S. Congressional District, the Fourth, Fifth or Sixth U.S. Congressional District and the Seventh, Eighth or Ninth U.S. Congressional District. It also provides that the board members be knowledgeable about

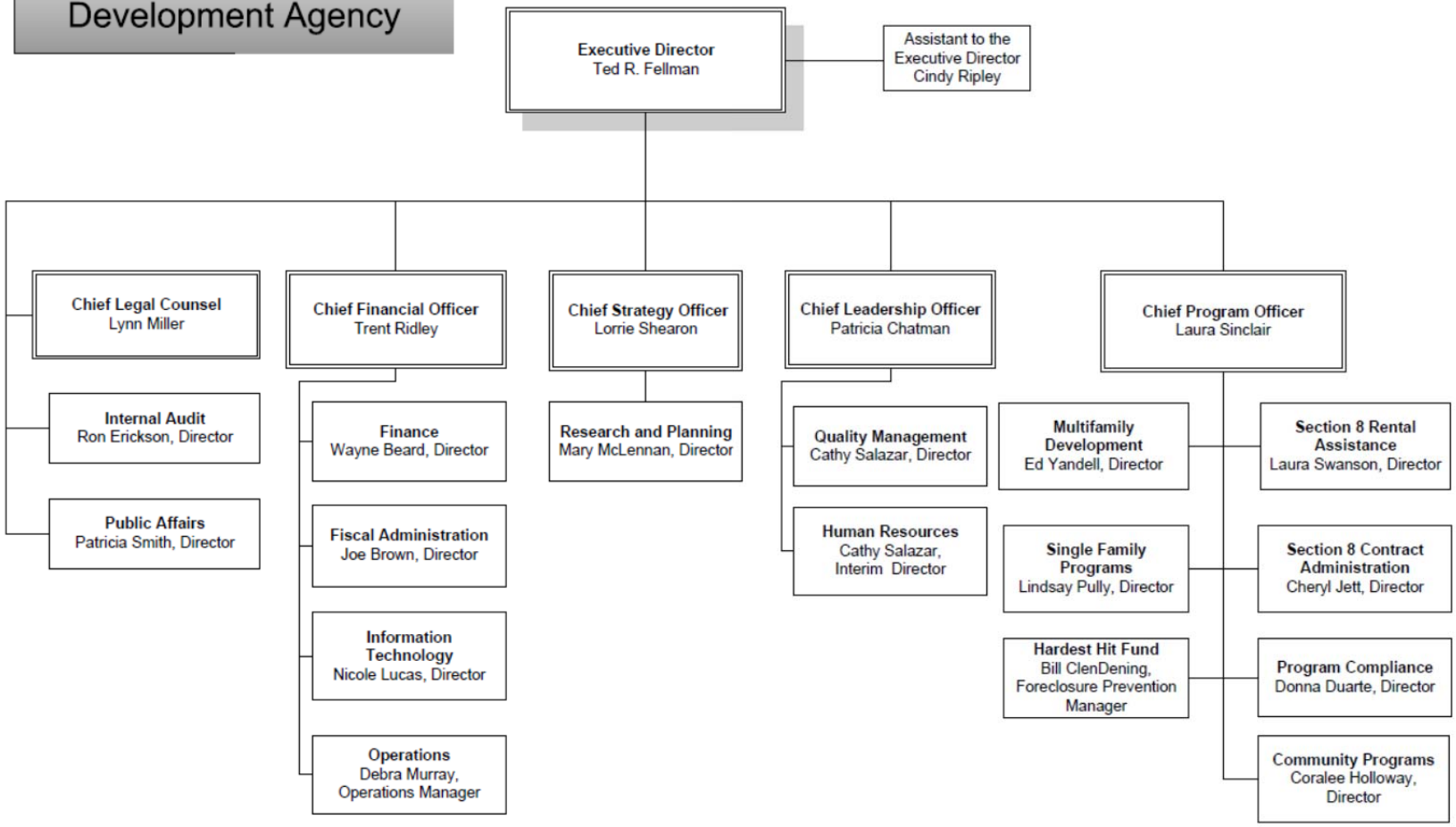
problems of inadequate housing conditions in Tennessee. The members of the Board and the agency organizational chart are presented below.

Tennessee Housing Development Agency Board of Directors

NAME	ADDRESS	REPRESENTATION	COMMITTEES	GENDER/RACE
Robyn J. Askew Esquire	The Bosch Law Firm 712 S. Gay Street Knoxville, TN 37902	At-Large East TN	Grants - Chair	F/W
Brian Bills Sr. Vice President THDA Chairman	SunTrust Mortgage Inc. 400 East Hill Avenue, 4th Floor Knoxville, TN 37915	Savings & Loan	Board Chair, Tax Credits	M/W
Tim Bolding Executive Director	United Housing, Inc. 51 North Cooper Street Memphis, TN 38104	Not-for-Profit Corporation	Grants, Audit & Budget, Lending	M/W
Phil M. Baggett Owner	Tennessee Grass Fed 335 Williams Road Clarksville, TN 37043	At-Large Speaker of the Senate	Tax Credits	M/W
Phillip C. Chamberlain II Vice President	Chamberlain & McCreery 4180 East Raines Road Memphis, TN 38118	Building Materials	Grants	M/W
Mary Chatman	2565 17th Avenue East, Apt. A-7 Springfield, TN 37172	Section 8 Voucher Program		F/B
William Graves	197 Woodlake Drive Gallatin, TN 37066	Manufactured Housing	Tax Credits	M/W
Winston Henning Executive Director	Jackson Housing Authority 125 Preston Street P.O. Box 3188 Jackson, TN 38303	Housing Authority Director	Grants	M/B
Loretta J. Jercinovich President	First State Bank Mortgage Division 480 Oil Well Road Jackson, TN 38305	At-Large West TN	Lending – Chair, Audit & Budget	F/W
Janis V. McNeely	1301 Beddington Park Nashville, TN 37215	At-Large Middle Tennessee	Grants	F/W
Alvin J. Nance President/CEO THDA Vice Chairman	Knoxville's Community Development Corp. 901 N. Broadway Knoxville, TN 37917	Local Government Officials	Tax Credits, Audit & Budget	M/B
Ralph M. Perry Sr. Business Developer	Fannie Mae 8105 Poplarwood Lane Nashville, TN 37221	At-Large Speaker of the House	Tax Credits – Chair	M/W
Lisa Reid Executive Vice President	Magna Bank 6525 Quail Hollow Road, Suite 300 Memphis, TN 38120	Mortgage Bankers	Lending	F/W
Benjie Shuler Real Estate Broker	Keller Williams Realty 8930 Cross Park Drive Knoxville, TN 37923	Real Estate Broker	Lending	M/W
Mike Stevens President	Homebuilders Association, TN Mike Stevens Homes, Inc. 1663 Mystic Street Knoxville, TN 37922	Homebuilders	Lending	M/W

NAME	ADDRESS	REPRESENTATION	COMMITTEES	GENDER/RACE
Mark Cate Special Assistant to the Governor	600 Charlotte Avenue State Capitol, First Floor Nashville, TN 37243	Ex-Officio Staff Assistant to the Governor	Lending	M/W
Tre Hargett Secretary of State	600 Charlotte Avenue State Capitol, First Floor Nashville, TN 37243-0305	Ex-Officio Constitutional Officer Rep: Andrew Merritt	Bond Finance, Grants	M/W
Mark Emkes Commissioner, Finance and Administration	600 Charlotte Avenue State Capitol, First Floor Nashville, TN 37243	Ex-Officio Rep: Greg Turner	Bond Finance, Tax Credits	M/W
Justin Wilson Comptroller of the Treasury	600 Charlotte Avenue State Capitol, First Floor Nashville, TN 37243-0260	Ex-Officio Constitutional Officer Rep. Jason Mumpower	Grants, Bond Finance	M/W
David Lillard State Treasurer	600 Charlotte Avenue State Capitol, First Floor Nashville, TN 37243-0225	Ex-Officio Constitutional Officer Rep: Janice Cunningham	Bond Finance, Tax Credits, Audit & Budget	M/W

Tennessee Housing Development Agency



II. FEDERAL PROGRAMS OR ACTIVITIES

THDA PROGRAMS

The mission of THDA is "Leading Tennessee home by creating safe, sound, affordable housing opportunities." Low- and moderate-income people in Tennessee are the beneficiaries of each of THDA's programs.

The U. S. Department of Treasury, Internal Revenue Service (IRS), has oversight for the Low-Income Housing Tax Credit Program and the Section 1602 Program under Section 42 of the Internal Revenue Code of 1986, as amended (the "Code"), and related Treasury Regulations, found primarily at 26 C.F.R. Section 1.42 et seq.; and the Homeownership Program under Section 143 of the Code pursuant to which tax exempt bond issues are made for the mortgage program, and volume cap under Section 146 of the Code allocated to THDA and made available to local issuers to permit issuance of tax-exempt bonds for multi-family housing. The U.S. Department of Treasury also has oversight for the Hardest Hit Fund, authorized by Section 109 of the Emergency Economic Stabilization Act (ESSA), Division A of Pub.L. 110-343, 112 Stat. 3774 (2008).

The U. S. Department of Housing and Urban Development (HUD) has oversight for the following programs: HOME Investment Partnership, Emergency Shelter Grant (ESG), Tax Credit Assistance Program (TCAP), Neighborhood Stabilization Program (NSP), Homeless Prevention and Rapid Re-Housing Program (HPRP), Section 8 Rental Assistance: Housing Choice Voucher Program, and Section 8 Contract Administration.

THDA complies with all regulations promulgated by Treasury (IRS) and HUD.

These programs are described briefly below.

A. Homeownership Programs

The purpose of the Homeownership Programs is to provide reduced, fixed rate mortgages to very-low, low- and moderate- income first-time homebuyers. Funds are made available through the issuance of tax exempt mortgage revenue bonds, according to U. S. Department of Treasury, IRS regulations. Limitations on eligibility are based on household income and acquisition costs. The Single Family Division administers the Homeownership Programs. Originating agents, e.g. mortgage lenders, take applications for approval and funding by THDA. THDA is not the direct lender to borrowers, but works with approximately 90 approved mortgage lenders across the State who originate the loans. THDA either provides funds to approved mortgage lenders to close pre-approved THDA loans, or purchases pre-approved loans from the lenders after the loans are closed. All lenders participating in the THDA Homeownership Programs are subject to regulation and annual examination to guard against discrimination in mortgage lending.

In Fiscal Year 2010-11 there were multiple homeownership programs offered by THDA, including: Great Rate, Great Advantage, Great Start, New Start and the Preserve Loan.

- The Great Rate Mortgage Program offers a low interest rate loan secured by a first mortgage.

- The Great Advantage Program offers a slightly higher interest rate loan than the Great Rate Program, secured by a first mortgage and offering down payment and closing cost assistance of 2%.
- The Great Start Program offers a slightly higher interest rate than the Great Advantage Program, secured by a first mortgage, but offers assistance with down payment and closing costs of 4%.
- The New Start Loan Program is designed to promote the construction of new homes for low- and very low-income Tennesseans. The New Start Loan Program is delivered through non-profit organizations (the "New Start Program Partner" or "Program Partner") with established programs for the construction of single family housing for low- and very-low income households. The New Start Program Partner is responsible for selecting the homebuyer, determining eligibility, constructing the home, providing homebuyer education and originating and servicing the New Start Loan.
- The Preserve Loan Program is an affordable-cost loan program developed by Tennessee Housing Development Agency (THDA) to help low- and moderate-income homeowners make necessary home repairs. This program offers a 4% interest rate on home repair loans.

B. Low-Income Housing Tax Credit Program (LIHTC)

The Multifamily Development Division administers the Low-Income Housing Tax Credit (LIHTC) program, which is authorized under Section 42 of the Internal Revenue Code, as amended. The program offers owners of and investors in low-income rental housing a reduction in federal income tax liability over a period of 10 years. Non-profit and for-profit developers of multifamily housing for low-income households may also apply for THDA Multifamily Bond Authority to be allocated to local issuers for specific developments. The Internal Revenue Service allocates tax credit authority to states on a calendar year basis.

C. Multifamily Bond Authority

THDA has authorized the allocation of the Tax-Exempt Multifamily Bond Authority to local issuers for multifamily developments. The Multifamily Division of THDA administers the program. Multifamily Tax-Exempt Bond Authority is available for developments which will close permanent financing by the date specified in the Commitment Letter. Bonds must be issued by a local board or other issuing entity with jurisdiction in the area of the proposed development. Some units must be occupied by households of low income: 20% of the units must be occupied by households with incomes no greater than 50% of area median income, or 40% of the units must be occupied by households with incomes no greater than 60% of area median income. 75% of the units must be occupied by households with incomes no greater than 115% of the area median income.

D. HOME Grant Program

The Community Programs Division administers the HOME program. This program is funded by the U. S. Department of Housing and Urban Development (HUD) and is designed to promote the production, preservation, and rehabilitation of housing for low- and very low-income

households. This grant program is available to counties, municipalities and non-profit organizations through an annual competitive application process. Excluded from this competition are six large cities and three large counties in the state and the Northeast Tennessee Consortium because they receive funds directly from HUD. Applications received for HOME funds are evaluated competitively and ranked according to a scoring system.

E. Emergency Shelter Grant Program

The Community Programs division administers the HUD federally-funded Emergency Shelter Grant (ESG) Program to increase the number and quality of emergency shelters and transitional housing facilities for homeless individuals and families, to operate these facilities and provide essential social services and to help prevent homelessness. ESG funds are awarded on a competitive basis to cities, counties and non-profit organizations outside the Community Development Block Grant (CDBG) entitlement communities that receive their own ESG funding directly from the U. S. Department of Housing and Urban Development (HUD). The ESG program is governed by Title 24 Code of Federal Regulations, Part 576.

F. Section 8 Tenant-Based and Project-Based Assistance Programs

The Rental Assistance Division of THDA administers the Section 8 Tenant-Based Assistance Program, a Housing Choice Voucher Program, which is funded by HUD. The purpose of the program is to enable eligible families or individuals to obtain decent safe and sanitary housing by paying a portion of the rental costs for the families directly to their landlord.

The THDA Contract Administration Division administers the Project-Based Assistance Program. Through a contract with HUD, the Division is responsible for the monthly Housing Assistance Payments (HAP) to Section 8 property owners/landlords throughout the state that have agreed to set aside some or all of their units for Section 8 assistance. HUD selects the landlords that provide the units and participate in the program. The role of THDA is to insure that monthly payments are made in a timely fashion to these properties, the units are in compliance with HUD maintenance guidelines and property owners/landlords adhere to fair housing leasing policies.

G. Homebuyer Education Program

The Homebuyer Education Program is administered by the Single Family Programs Division of THDA. Because the home purchase process can be costly and complex, THDA requires homebuyer education for all Great Start and Great Advantage program applicants and encourages it for all consumers considering homeownership. THDA’s purpose is not only to assist people with purchasing their homes, but also to help them become long-term, successful homeowners.
Consumers, regardless of income, age or ethnicity, may be intimidated by the home buying process. In-depth education and training prepare consumers - emotionally and financially - for the commitment and investment of buying a home, generally the largest purchase they will make.

THDA maintains a list of certified homebuyer education trainers who can help consumers as they consider purchasing a home. The "Realizing the American Dream" homebuyer education

curriculum, from the Neighborhood Reinvestment Training Institute, is used by these certified trainers and addresses the following four basic areas:

1. Budgeting and Credit
2. Shopping for a Home
3. Getting a Mortgage Loan
4. Keeping Your Home and Managing Your Finances

Participation in a "Realizing the American Dream" homebuyer education class will help consumers understand the following:

- The advantages and disadvantages of owning a home
- Setting goals
- How to budget and save
- How much they can afford to pay for a home
- The importance of good credit when they try to borrow money
- How to find the right house in the right neighborhood
- How to make an offer
- The steps to getting a loan
- How to maintain and protect their home after they move in

H. National Foreclosure Mitigation Counseling Program

The National Foreclosure Mitigation Counseling Program (NFMC) is administered by the Hardest Hit Fund Division of THDA. In November, 2007, THDA's Board of Directors approved $650,000 for foreclosure prevention in Tennessee. In December, 2007, THDA learned about congressional funding for the NFMC grant program. When authorizing staff to pursue the NFMC funding, the board also approved using the $350,000 as match for the NFMC grant.

Since then, THDA has completed four rounds under this grant and is currently participating in the fifth round. THDA works closely with a network of foreclosure prevention counseling agencies to provide free foreclosure prevention counseling to Tennessee homeowners whose mortgages are in default or are in danger of default. Over 8,300 Tennessee homeowners have received free foreclosure prevention counseling under this effort.

THDA's certified foreclosure intervention counselors possess a strong knowledge in the area of mortgage default and/or foreclosure intervention counseling, specifically relating to current industry practices of loss mitigation to include loan repayment, forbearance, modification, including the Making Home Affordable program, refinance, loan assumption, short sale, deed-in-lieu, community referrals, and other remedies available to the homeowner to avoid foreclosure.

Resources Available for THDA Programs

Below is a table of the resources expended for each federal program during Fiscal Year 2010-11. When available, the resources expected for each federal program in Fiscal Year 2011-12 are noted.

FY 2010-11 Federal Resources Available

Federal Programs	10-11 Resources Expended	11-12 Expected Resources
Great Rate Mortgage Program	$21,485,213	Not available
Great Advantage Mortgage Program	$6,875,512	Not available
Great Start Mortgage Program	$193,472,248	Not available
New Start Mortgage Program	$9,227,035	Not available
Preserve Loan Program	$13,400	Not available
All Homeownership Programs TOTAL	$231,073,408	$360,000,000
Low Income Housing Tax Credit Program	$7,639,838	$16,000,000
Multifamily Tax-Exempt Bond Authority Program	$4,100,000	Not available
HOME Grant Program	$17,524,210	$15,406,004
Emergency Shelter Grant Program	$1,685,233	$1,534,841
Section 8 Tenant Based Program	$35,664,107	$30,000,000
Section 8 Project Based Program	$147,774,039	Not available
Homebuyers Education Program	$698,836	Not available
National Foreclosure Mitigation Counseling Program	$742,802	$979,785
All Federal Programs TOTAL	**$446,902,473**	**Not available**

THDA STIMULUS PROGRAMS

THDA is responsible for administering multiple temporary programs created through the Housing and Economic Recovery Act of 2008 (HERA), the American Recovery and Reinvestment Act of 2009 (ARRA), and the American Recovery and Reinvestment Tax Act of 2009 (ARRTA).

The U. S. Department of Housing and Urban Development (HUD) has oversight for the following programs: Neighborhood Stabilization Program, Homelessness Prevention and Rapid Re-Housing Program and the Tax Credit Assistance Program.

The U.S. Department of the Treasury has oversight for the Hardest Hit Fund and the Tax Credit Exchange Program under Section 1602 of ARRTA.

THDA complies with all regulations promulgated by Treasury (IRS) and HUD.

Descriptions of these programs are below.

A. Neighborhood Stabilization Program (NSP)

The purpose of the Neighborhood Stabilization Program (NSP) is to provide emergency assistance to state and local governments to acquire and redevelop foreclosed properties that might otherwise become sources of abandonment and blight within their communities. The NSP was authorized as Title III of Division B of the Housing and Economic Recovery Act of 2008 (HERA) and was amended by the American Recovery and Reinvestment Act of 2009 (ARRA). THDA made funds available to local governments and non-profit organizations according to a set of need-based criteria.

To meet the requirement that 25% of NSP funds be spent on behalf of persons earning 50% or less of area median income, THDA works with Tennessee agencies that participate in the Continuum of Care, organizations that help people who are homeless or at imminent risk of homelessness, by providing housing and services appropriate to the whole range of homeless needs. The balance of the funding was made available in the application process.

B. Homelessness Prevention and Rapid Re-Housing Program

The Homelessness Prevention and Rapid Re-Housing Program (HPRP) provides rent and utility assistance and case management activities to prevent low-income individuals from becoming homeless and to quickly move currently homeless people back in to suitable housing. The program provides temporary financial assistance and/or services to help persons gain housing stability with the intent of serving persons who are homeless who would be homeless without this assistance and can remain stably housed after this temporary assistance ends. HPRP is a one-time federal grant award, which requires that all funds be spent within three years.

C. Tax Credit Assistance Program

The Tax Credit Assistance Program (TCAP) provides grant funding for capital investment in Low-Income Housing Tax Credit (LIHTC) projects in order to meet developer needs for gap funding to complete these projects. THDA's Multifamily Division administers this program. The funds were distributed competitively according to THDA's Qualified Allocation Plan. Seventy-five percent of TCAP funds must be committed by February 2010, 75% must be expended by February 2011, and 100% of the funds must be expended by February 2012.

D. Section 1602 Program

Section 1602 of the American Recovery and Reinvestment Tax Act of 2009 allows state housing finance agencies to elect to receive cash grants in lieu of tax credits with respect to a portion of a State's Low-Income Housing Tax Credit (LIHTC) allocation. The Section 1602 Program amounts are expected to temporarily fill the gap caused by lack of investor interest for tax credits. Section 1602 Program amounts can be used for developments that have or are expected to receive an award of tax credits and may also be used for developments that do not have an award of tax credits. All Section 1602 Program funds awarded must be fully expended and drawn down on or before December 31, 2010.

E. Keep My Tennessee Home - Tennessee's Hardest Hit Fund

The Federal Fund for the Hardest Hit Housing Markets gave 18 states and the District of Columbia, the opportunity to develop and implement programs to help families stay in their homes and to prevent avoidable foreclosures. The Keep My Tennessee Home - Tennessee's Hardest Hit Fund (HHF) program, administered by THDA, provides loans to unemployed or substantially underemployed homeowners who, through no fault of their own, are financially unable to make their mortgage payments and are in danger of losing their homes to foreclosure. Through the Hardest Hit fund, the program will make homeowners' payments on their mortgage and mortgage related expenses such as property taxes, homeowner insurance, homeowner association dues, and/or past due mortgage payments that accumulated during a period of unemployment. Homeowners must meet eligibility requirements to participate in the program.

FY 10-11 Federal Stimulus Resources Available

Stimulus Programs	10-11 Resources Available	11-12 Expected Resources
Neighborhood Stabilization Program	$17,018,320	$9,462,001
Homeless Prevention and Rapid Re-Housing Program	$6,871,223	$3,127,281
Tax Credit Assistance Program	$25,921,801	$6,503,778
Section 1602 Program	$96,634,089	$37,582,122
Hardest Hit Fund	Not available	Not available
TOTAL STIMULUS RESOURCES	**Not available**	**Not available**

III. ORGANIZATION OF THE CIVIL RIGHTS OFFICE/COORDINATOR

Three individuals on staff are responsible for the oversight of Title VI compliance within THDA. Lorrie Shearon, Chief Strategy Officer, is the Title VI Coordinator for THDA. Ms. Shearon is responsible for developing and leading the execution of strategy and ensuring that decisions continue to be made in alignment with the organization's strategy. In addition to her Title VI duties, her primary duties include, but are not limited to, the following:

- Overseeing the Research and Planning (RP) Division, supervising the Director of the Division; planning, supervising, and evaluating performance; interviewing, hiring, and training staff; rewarding and coaching staff; developing staff skills and encouraging growth.
- Serving as a member of the Executive Team.
- Articulating a clear definition of the organization's strategy and communicating how each person's work relates to it.
- Promoting decision making that sustains change initiatives.
- Managing data on organizational activities.
- Managing information on the housing industry.
- Managing public policy research on housing issues.
- Developing organizational planning.
- Providing outreach.
- Providing technical assistance relative to the housing industry in Tennessee.
- Providing technical assistance relative to the development of new housing programs
- Ensuring that housing information and technical assistance is provided to the organization, outside agencies, forums, and individuals having an interest as appropriate.
- Initiating and managing organization funded research projects with outside organizations.
- Preparing annual consolidated plan for housing.
- Conducting, supervising, and/or overseeing research on housing issues.
- Working with other agencies in coordinating community development activities.
- Developing programs and techniques for providing housing for low and moderate income citizens.
- Serving as the chairperson on various organizational committees and task forces, including the Customer Service Team and Policy Review Committee.
- Staying current in industry trends and regulatory compliance through workshops, newsletters, conferences, and affiliation with industry organizations.

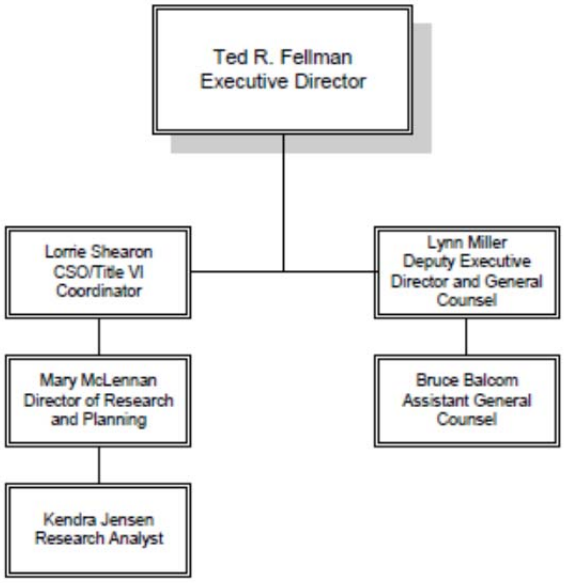
Bruce Balcom, Assistant General Counsel, is responsible for legal services as they relate to Title VI. In addition to his Title VI duties, Mr. Balcom is responsible for providing a full range of legal services for the organization. Under the supervision of General Counsel, he serves as primary legal counsel for the Section 8 Rental Assistance, Contract Administration and Human Resources divisions. Additionally, under the supervision of General Counsel, he handles all litigation on behalf of the organization not retained by the Attorney General's office. His primary duties include, but are not limited to, the following:

- Interpreting federal and state legislation and regulations relating to the work of the organization.

- Aiding in the preparation of handbooks and instructional memoranda pertaining to program operations in order to meet federal and state requirements.
- Counseling the organization regarding legal rights and responsibilities.
- Drafting and reviewing documents used in connection with the organization's programs.
- Advising on questions of law involved in the operation of the organization.
- Working with the Attorney General's office and private attorneys on litigation.
- Representing the organization in administrative hearings and certain trial courts.
- Staying current in industry trends and regulatory compliance through workshops, newsletters, conferences, and affiliation with industry organizations.

Kendra Jensen, Research Analyst, Research and Planning Division, is responsible for the development and submission of the Title VI Implementation Plan. In addition to her Title VI responsibilities, Ms. Jensen is responsible for developing comprehensive state housing plans, tracking statewide housing program activity, and encouraging and providing technical assistance to outside groups providing housing programs. Her primary duties include, but are not limited to, the following:

- Preparing annual statewide comprehensive housing plans. Coordinating planning activities with other agencies, groups, and internal divisions in the accomplishment of comprehensive plan preparation.
- Monitoring Federal regulations for changes and impacts on program planning.
- Managing regional housing technical assistance contracts.
- Designing, planning and executing housing research studies on various topics.
- Collaborating in both research and writing on projects.
- Writing research reports and articles on various housing topics.
- Completing reports to meet federal and state requirements.
- Completing other technical and administrative projects as needed.



III. DATA COLLECTION AND ANALYSIS

Race and Ethnicity Data of Beneficiaries of Federally Assisted Programs

As part of its federal reporting requirements, THDA maintains a system to collect, analyze and report the eligible population and participation data by race for each program on an annual basis, and to define parity of program. At the end of each fiscal year, an analysis is used to determine how effectively programs are reaching eligible groups; assist in the selection of location for compliance reviews; identify areas for additional outreach efforts, and provide status reports to measure progress of program delivery. The system shall also report data on compliance reviews conducted. All data is based upon records that are available for review. The following table demonstrates the extent to which members of minority groups are beneficiaries of THDA's federally assisted programs and/or services. Race information is not currently available for the following programs: Homebuyers Education Program, Neighborhood Stabilization Program, Homelessness Prevention and Rapid Re-Housing Program, Tax Credit Assistance Program, and the Section 1602 Program.

Federal Programs	Number of minority beneficiaries	Percent of minority beneficiaries
THDA Mortgage Programs	573	26%
HOME Grant Program	66	26%
Emergency Shelter Grant Program	23,503	41%
Section 8 Tenant Based Program	3,762	60%
Section 8 Project Based Program	15,969	47%
LIHTC and Multi-Family Bond Authority*	17,429	62%
National Foreclosure Mitigation Program	863	51%
Hardest Hit Fund**	56	34%

* Based on 28,174 residents. Race data is unavailable for 25,739 residents.
**Data only represents recipients during first two quarters of 2011because of the late program start date.

Population Eligible for THDA Programs and Services

The following chart utilizes applicable census data to determine the eligible population to be served by THDA programs. Please note the following chart utilizes year 2000 Census data and will be updated as new data becomes available.

Total numbers by Grand Division

	HO (<=95%)			HOME						Section 8					
				Owners			Renters			TBRA			PBRA		
	East	Middle	West	East	Middle	West	East	Middle	West	East	Middle	West	East	Middle	West
White	137,704	123,323	54,717	134,572	115,986	43,690	72,634	67,052	22,966	44,130	60,480	28,915	79,730	63,210	28,915
Afr. American	21,639	39,441	70,489	4,571	6,855	9,330	7,760	9,647	10,637	6,137	24,534	46,151	14,653	24,689	46,151
Nat. American	591	770	330	325	243	79	307	354	108	197	306	230	355	324	230
Asian	1,294	2,211	1,545	164	381	43	354	565	184	481	1,215	819	756	1,215	819
Pac, Other, Mult.	2,244	3,196	1,394	1,087	911	380	1,129	1,131	321	910	1,723	757	1,501	1,757	757
Hispanic	3,380	7,362	3,322	748	982	262	1,919	2,776	597	1,024	3,711	1,542	1,847	3,730	1,542
	Renter population <=95% of MFI			Owner pop <=80% of MFI in state jurisdiction (excluding Shelby County, Davidson County, Knox County, Sullivan County, Washington County, and Clarksville city, Jackson city & Chattanooga city)			Renter pop. <=80% of MFI in state jurisdiction (excluding Shelby County, Davidson County, Knox County, Sullivan County, Washington County, and Clarksville city, Jackson city & Chattanooga city)			Renter pop <=50% of MFI in the 76 counties administered by THDA			Renter pop <=50% of MFI statewide		

Distribution within Grand Division (in %)

	HO (<=95%)			HOME						Section 8					
				Owners			Renters			TBRA			PBRA		
	East	Middle	West	East	Middle	West	East	Middle	West	East	Middle	West	East	Middle	West
White	82.5%	69.9%	41.5%	95.1%	92.5%	81.2%	86.4%	82.2%	66.0%	83.5%	65.8%	36.9%	80.7%	66.6%	36.9%
Afr. American	13.0%	22.4%	53.5%	3.2%	5.5%	17.3%	9.2%	11.8%	30.6%	11.6%	26.7%	58.9%	14.8%	26.0%	58.9%
Nat. American	0.4%	0.4%	0.3%	0.2%	0.2%	0.1%	0.4%	0.4%	0.3%	0.4%	0.3%	0.3%	0.4%	0.3%	0.3%
Asian	0.8%	1.3%	1.2%	0.1%	0.3%	0.1%	0.4%	0.7%	0.5%	0.9%	1.3%	1.0%	0.8%	1.3%	1.0%
Pac, Other, Mult.	1.3%	1.8%	1.1%	0.8%	0.7%	0.7%	1.3%	1.4%	0.9%	1.7%	1.9%	1.0%	1.5%	1.9%	1.0%
Hispanic	2.0%	4.2%	2.5%	0.5%	0.8%	0.5%	2.3%	3.4%	1.7%	1.9%	4.0%	2.0%	1.9%	3.9%	2.0%

Racial and Ethnic Distribution of THDA Employees

There are 57 minority staff members employed by THDA, which is 26% of the total staff. A racial and ethnic breakout is provided in the table below.

Race/Ethnicity of THDA Employees	Number	Percentage
White	161	74%
Black	54	25%
TOTAL	**218**	**100%**
Hispanic	3	1%

Total Number of Title VI Complaints in Fiscal Year 2010-11

THDA received three complaints related to Title VI in Fiscal Year 2010-11. One additional complaint was received that was originally submitted as a Title VI claim, but was later found to be an allegation of fraud in the HOME program administration. The complaint was investigated with no evidence to substantiate the claim. A letter acknowledging the receipt of the claim and informing the complainant that the matter would be further investigated was sent by the Internal Audit Division. Overall, in Fiscal Year 2010-11 three complaints that were determined to be valid Title VI complaints were received. A brief description each complaint and the manner in which it was resolved are described below.

1. A complaint was received by THDA alleging Title VI discrimination based on race and discriminatory advertisement, as well as discrimination due to disability regarding THDA's Section 8 Rental Assistance program. The Internal Audit Division of THDA investigated the claim and all supporting documents. Documentation to support the claim of discriminatory advertising was not provided. The results of the investigation indicated that the provisions of Title VI had not been violated and the complaint was not substantiated. The complainant and Tennessee Human Rights Commission (THRC) were informed of the investigation and results, and the case was subsequently closed.
2. A complaint was forwarded to THDA from the THRC claiming Title VI discrimination on the basis of race regarding Urban Housing Solutions, a subrecipient of THDA. The Internal Audit Division of THDA investigated the claim and it was determined the circumstances stated in the complaint did not indicate the provisions of Title VI were violated and the complaint was not substantiated. The complainant was informed of the investigation and results and the matter was closed. In addition, the THRC was informed of the investigation and results.
3. A complaint was forwarded to THDA from the THRC claiming Title VI discrimination on the basis of race and color regarding THDA's Hardest Hit Fund program. The Internal Audit Division of THDA conducted an investigation into the claim and concluded the complainant's application was denied for failing to meet eligibility requirements and not due to race or color. The investigation determined the circumstances stated in the complaint did not indicate the provisions of Title VI were violated and were not

substantiated. Both the complainant and THRC were informed of the investigation and results.

Total Number of Title VI Lawsuits Filed in Fiscal Year 2010-11

There were no Title VI lawsuits filed against THDA in Fiscal Year 2010-11.

IV. DEFINITIONS

Common Abbreviations

ADDI	American Dream Downpayment Initiative
8609	IRS Form for Final Allocation Document (LIHC)
8823	IRS Form for Noncompliance (LIHC)
ACC	Annual Contributions Contract
AHR	Affordable Housing Resources
AMI	Area Median Income
AOD	Application Oriented Design (LIHC)
APR	Annual Percentage Rate
ARCH	Appalachian Regional Coalition on homelessness
ARM	Adjustable Rate Mortgage
BD	Business Development
CA	Contract Administration
CAAR	Chattanooga Area Association of REALTORS®
CAOM	Contract Administration Oversight Manager
CAPER	Consolidated Annual Performance Evaluation Report
CARCOG	Chattanooga Regional Council of Governments
CATS	Contract Administration Tracking System
CAVS	Contract Administration Vouchering System
CDBG	Community Development Block Grant
CDC	Community Development Corporation
CEE	Council for Employee Excellence
CHA	Chattanooga Housing Authority
CHDAT	Community Housing Developers Association of TN
CHDO	Community Housing Development Organization
CITC	Community Investment Tax Credits
CoC	Continuum of Care
COFI	Cost of Funds Index
COL	Compliance On Line (LIHC)
COMPS	Comparative Market Analysis
CP	Community Programs
CSA	Core-Based Statistical Area
DDA	Difficult to Develop Area
DIDS	Division of Intellectual Disabilities Services
ECD	Tennessee Department of Economic and Community Development
ECOA	Equal Credit Opportunity Act
EMTAR	Eastern Middle Tennessee Association of REALTORS®

ERP	Emergency Repair Program for the Elderly
ESG	Emergency Shelter Grant Program
ETDD	East Tennessee Development District
EX	Executive
FA	Fiscal Administration
FAHE	Federation of Appalachian Housing Enterprises
FDIC	Federal Deposit Insurance Corporation
FHA	Federal Housing Administration
FHFA	Federal Housing Finance Agency
FHLB	Federal Home Loan Bank
FHLMC	Federal Home Loan Mortgage Corporation (Freddie Mac)
FMR	Fair Market Rent
FNMA	Federal National Mortgage Association (Fannie Mae)
FRM	Fixed-Rate Mortgage
FSBO	For Sale by Owner
FSS	Family Self Sufficiency Program
FTDD	First Tennessee Development District
GNAR	Greater Nashville Association of Realtors
GNMA	Government National Mortgage Association (Ginnie Mae)
GNRC	Greater Nashville Regional Council
GPM	Graduated-Payment Mortgage
GSE	Government Sponsored Enterprise or Entity
GSMAR	Great Smoky Mountains Association of REALTORS®
HAP	Housing Assistance Payment
HBEI	Homebuyer Education Initiative
HCV	Housing Choice Voucher Program
HECM	Home Equity Conversion Mortgage
HELP	Homebuyer Education Learning Program
HFA	Housing Finance Agency
HMDA	Home Mortgage Disclosure Act
HMIS	Homeless Management information System (HUD)
HNM	Homeless No More
HOME	HOME Investment Partnership Program
HOPWA	Housing Opportunities for Persons with AIDS
HPRP	Homelessness Prevention and Rapid Re-Housing Program
HQS	Housing Quality Standards
HR	Human Resources
HTC	Historic Tax Credit
HTF	Housing Trust Fund

HUD	US Department of Housing and Urban Development
HVP	Homeownership Voucher Program
IA	Internal Audit
IRC	Internal Revenue Code
IREMS	Integrated Real Estate Management System
IRS	Internal Revenue Service
IT	Information Technology
KAAR	Knoxville Area Association of REALTORS®
KCDC	Knox County Development Corp.
LDS	Leadership Development Series
LEAD	Lead Abatement
LEED ND	Leadership in Energy & Environmental Design for Neighborhood Development
LEED	Leadership in Energy & Environmental Design
LIHEAP	Low Income Home Energy Assistance Program
LIHTC	Low Income Housing Tax Credits
LTV	Loan to Value
MAAG	Memphis Area Association of Government
MAAR	Memphis Area Association of Realtors
MBA	Mortgage Bankers' Association
MBS	Mortgage-Backed Security
MD	Multifamily Development
MDHA	Metropolitan Development and Housing Agency
MFI	Median Family Income
MHA	Memphis Housing Authority
MHDD	Tennessee Department of Mental Health and Developmental Disabilities
MI	Mortgage Insurance
MIP	Mortgage Insurance Premium
MLS	Multiple Listing Service
MOR	Management and Occupancy Review
MSA	Metropolitan Statistical Area
MTAR	Middle Tennessee Association of REALTORS®
MTCS	Multifamily Tenant Characteristics Summary
MUD	Mixed-used development
N.W.O.	Neighborhood Works Organizations
NAR	National Association of Realtors®
NAHRO	National Association of Housing and Redevelopment Officials
NCSHA	National Council of State Housing Agencies
NETAR	Northeast Tennessee Association of REALTORS®
NFMP	National Foreclosure Mitigation Project

NMTC	New Markets Tax Credit
NSP	Neighborhood Stabilization Program
NWTDD	Northwest Tennessee Development District
OA	Originating Agent, originates our mortgage loans
PA	Public Affairs
PBCA	Performance-Based Contract Administration
PC	Program Compliance
PHA	Public Housing Authority
PHA	Public Housing Authority
PIC	PIH (Public and Indian Housing) Information Center
PIH	Public and Indian Housing
PITI	Principal, Interest, Taxes and Insurance
PMI	Private Mortgage Insurance
PPM	Prepayment Penalty Mortgage
PUD	Planned Unit Development
QCT	Qualified Census Tract
QM	Quality Management
RCS	Rent Comparability Study
RD	Rural Development (USDA)
REMIC	Real Estate Mortgage Investment Conduit
REO	Real Estate Owned
RESPA	Real Estate Settlement Procedures Act
REV PROC	Revenue Procedure
REV RUL	Revenue Ruling
RHED	Rural Housing and Economic Development (HUD)
RHS	Rural Housing Service
RP	Research and Planning
S8CA	Section 8 Contract Administration
S8RA	Section 8 Rental Assistance
SAHMA	Southeastern Affordable Housing Management Association
SCTDD	South Central Tennessee Development District
SETDD	Southeast Tennessee Development District
SF	Single Family
SFP	Single Family Programs
SMTAR	Southern Middle Tennessee Association of REALTORS®
SRO	Single Room Occupancy
SWTDD	Southwest Tennessee Development District
TAAH	Tennessee Association of Affordable Housing
TAHRA	Tennessee Association of Housing and Redevelopment Authorities

TARP	Troubled Assets Relief Program
TCA	Traditional Contract Administrator or Administration
TCAP	Tax Credit Assistance Program
TDDA	Tennessee Development District Association
TDEC	Tennessee Dept of Environment and Conservation
THRC	Tennessee Human Rights Commission
TILA	Truth-In-Lending Act
TSAHC	Tennessee Statewide Affordable Housing Coalition
TVAR	Tennessee Valley Association of REALTORS®
UCAR	Upper Cumberland Association of REALTORS®
UCDD	Upper Cumberland Development District
USDA/RD	US Department of Agriculture/Rural Development
VA	Department of Veterans Affairs
WAP	Weatherization Assistance Program
WCAR	Williamson County Association of REALTORS®
WTHRN	West Tennessee Housing Resource Network

Definitions of Common Terms

Adjustable Rate Mortgage	a flexible rate mortgage with an interest rate and monthly payment that adjusts at regular intervals based on the index rate. Also referred to as adjustable mortgage loans (AMLs) or variable-rate mortgages (VRMs). Initial interest rates on ARM loans usually are lower than fixed-rate mortgages.
Abstract of Title	documents recording the ownership of property throughout time.
Acceleration	the right of the lender to demand payment on the outstanding balance of a loan.
Acceptance	the written approval of the buyer's offer by the seller.
Additional Principal Payment	money paid to the lender in addition to the established payment amount used directly against the loan principal to shorten the length of the loan.
Adjustment Date	the actual date that the interest rate is changed for an ARM.
Adjustment Index	the published market index used to calculate the interest rate of an ARM at the time of origination or adjustment.
Adjustment Interval	the time between the interest rate change and the monthly payment for an ARM. The interval is usually every one, three or five years depending on the index.
Affidavit	a signed, sworn statement made by the buyer or seller regarding the truth of information provided.

Amenity	a feature of the home or property that serves as a benefit to the buyer but that is not necessary to its use; may be natural (like location, woods, water) or man-made (like a swimming pool or garden).
Amortization	a payment plan that enables you to reduce your debt gradually through monthly payments. The payments may be principal and interest, or interest-only. The monthly amount is based on the schedule for the entire term or length of the loan.
Annual Mortgagor Statement	yearly statement to borrowers detailing the remaining principal and amounts paid for taxes and interest.
Annual Percentage Rate	percentage that the total finance charge calculated on an annual basis bears to the amount of the loan. This rate is likely to be higher than the interest rate on the mortgage because it includes points and other credit costs.
Application	the first step in the official loan approval process; this form is used to record important information about the potential borrower necessary to the underwriting process.
Application Fee	a fee charged by lenders to process a loan application.
Appraisal	a document from a professional that gives an estimate of a property's fair market value based on the sales of comparable homes in the area and the features of a property; an appraisal is generally required by a lender before loan approval to ensure that the mortgage loan amount is not more than the value of the property.
Appraisal Fee	fee charged by an appraiser to estimate the market value of a property.
Appraised Value	an estimation of the current market value of a property.
Appraiser	a qualified individual who uses his or her experience and knowledge to prepare the appraisal estimate.
Appreciation	an increase in property value.
Arbitration	a legal method of resolving a dispute without going to court.
As-is Condition	the purchase or sale of a property in its existing condition without repairs.
Asking Price	a seller's stated price for a property.
Assessed Value	the value that a public official has placed on any asset (used to determine taxes).
Assessments	the method of placing value on an asset for taxation purposes.
Assessor	a government official who is responsible for determining the value of a property for the purpose of taxation.
Assets	any item with measurable value.
Assignment of a Deed of Trust	a written document that transfers the beneficial interest in a note and deed of trust.

Assumable Mortgage	a mortgage that can be taken over ("assumed") by the buyer when a home is sold.
Assumption Clause	a provision in the terms of a loan that allows the buyer to take legal responsibility for the mortgage from the seller.
Authorization to Sign as an Agent Agreement	written document given by a beneficiary authorizing an agent to sign a document on their behalf (such as a notice of default).
Automated Underwriting	loan processing completed through a computer-based system that evaluates past credit history to determine if a loan should be approved. This system removes the possibility of personal bias against the buyer.
Average Price	determining the cost of a home by totaling the cost of all houses sold in one area and dividing by the number of homes sold.
Back End Ratio (debt ratio)	a ratio that compares the total of all monthly debt payments (mortgage, real estate taxes and insurance, car loans, and other consumer loans) to gross monthly income.
Back to Back Escrow	arrangements that an owner makes to oversee the sale of one property and the purchase of another at the same time.
Balance Sheet	a financial statement that shows the assets, liabilities and net worth of an individual or company.
Balloon Loan or Mortgage	a mortgage that typically offers low rates for an initial period of time (usually 5, 7, or 10) years; after that time period elapses, the balance is due or is refinanced by the borrower.
Balloon Payment	the final lump sum payment due at the end of a balloon mortgage.
Bankruptcy	a legal proceeding which allows a debtor to discharge certain debts or obligations without paying the full amount or allows the debtor time to reorganize his financial affairs so he can fully repay his debts.
Beneficiary	the lender or their successor in interest for whose benefit a trust is created and to whom the debt is owed.
Bid Authorization Letter	written authorization instructing the trustee to make the initial opening bid at the trustee's sale on the lender's behalf.
Borrower	a person who has been approved to receive a loan and is then obligated to repay it and any additional fees according to the loan terms.
Breach of Contract	failure without legal excuse to perform any promise made in a contract.
Bridge Loan	a short-term loan paid back relatively fast. Normally used until a long-term loan can be processed.

Broker	a licensed individual or firm that charges a fee to serve as the mediator between the buyer and seller. Mortgage brokers are individuals in the business of arranging funding or negotiating contracts for a client, but who does not loan the money. A real estate broker is someone who helps find a house.
Building Code	based on agreed upon safety standards within a specific area, a building code is a regulation that determines the design, construction, and materials used in building.
Buy Down	the seller pays an amount to the lender so the lender provides a lower rate and lower payments many times for an ARM. The seller may increase the sales price to cover the cost of the buy down.
Cap	a limit, such as one placed on an adjustable rate mortgage, on how much a monthly payment or interest rate can increase or decrease, either at each adjustment period or during the life of the mortgage. Payment caps do not limit the amount of interest the lender is earning, so they may cause negative amortization.
Capital Improvements	property improvements that either will enhance the property value or will increase the useful life of the property.
Certificate of Title	a document provided by a qualified source (such as a title company or attorney) that describes the status of the title to a parcel; before the title is transferred at closing, it should be clear and free of all liens or other claims.
Chapter 13 Bankruptcy	this type of bankruptcy sets a payment plan between the borrower and the creditor monitored by the court. The homeowner can keep the property, but must make payments according to the court's terms within a 3 to 5 year period.
Chapter 7 Bankruptcy	a bankruptcy that requires assets be liquidated in exchange for the cancellation of debt.
Claim Data	an itemization of the trustee’s fee and expenses, provided to the lender when the notice of default is recorded and again at publication. A claim date is furnished for the lenders information and is not an invoice.
Clear Title	a property title that has no defects. Properties with clear titles are marketable for sale.
Closing	the final step in property purchase where the title is transferred from the seller to the buyer. Closing occurs at a meeting between the buyer, seller, settlement agent, and other agents. At the closing the seller receives payment for the property. Also known as settlement.

Closing Costs	fees for final property transfer not included in the price of the property. Typical closing costs include charges for the mortgage loan such as origination fees, discount points, appraisal fee, survey, title insurance, legal fees, real estate professional fees, prepayment of taxes and insurance, and real estate transfer taxes. A common estimate of a Buyer's closing costs is 2 to 4 percent of the purchase price of the home. A common estimate for Seller's closing costs is 3 to 9 percent.
Cloud On The Title	any condition which affects the clear title to real property.
Co-Borrower	an additional person that is responsible for loan repayment and is listed on the title.
Collateral	security in the form of money or property pledged for the payment of a loan. For example, on a home loan, the home is the collateral and can be taken away from the borrower if mortgage payments are not made.
Commission	an amount, usually a percentage of the property sales price that is collected by a real estate professional as a fee for negotiating the transaction. Traditionally the home seller pays the commission. The amount of commission is determined by the real estate professional and the seller and can be as much as 6% of the sales price.
Comparative Market Analysis	a property evaluation that determines property value by comparing similar properties sold within the last year.
Condominium	a form of ownership in which individuals purchase and own a unit of housing in a multi-unit complex. The owner also shares financial responsibility for common areas.
Conforming loan	is a loan that does not exceed Fannie Mae's and Freddie Mac's loan limits. Freddie Mac and Fannie Mae loans are referred to as conforming loans.
Consideration	an item of value given in exchange for a promise or act.
Construction Loan	a short-term, to finance the cost of building a new home. The lender pays the builder based on milestones accomplished during the building process. For example, once a sub-contractor pours the foundation and it is approved by inspectors the lender will pay for their service.
Contingency	a clause in a purchase contract outlining conditions that must be fulfilled before the contract is executed. Both, buyer or seller may include contingencies in a contract, but both parties must accept the contingency.
Conventional Loan	a private sector loan, one that is not guaranteed or insured by the U.S. government.

Conversion Clause	a provision in some ARMs allowing it to change to a fixed-rate loan at some point during the term. Usually conversions are allowed at the end of the first adjustment period. At the time of the conversion, the new fixed rate is generally set at one of the rates then prevailing for fixed rate mortgages. There may be additional cost for this clause.
Convertible ARM	an adjustable-rate mortgage that provides the borrower the ability to convert to a fixed-rate within a specified time.
Co-Signed Account	an account signed by someone in addition to the primary borrower, making both people responsible for the amount borrowed.
Co-Signer	a person that signs a credit application with another person, agreeing to be equally responsible for the repayment of the loan.
Cost of Funds Index	an index used to determine interest rate changes for some adjustable-rate mortgages.
Credit Counseling	education on how to improve bad credit and how to avoid having more debt than can be repaid.
Credit Enhancement	a method used by a lender to reduce default of a loan by requiring collateral, mortgage insurance, or other agreements.
Credit History	a record of an individual that lists all debts and the payment history for each. The report that is generated from the history is called a credit report. Lenders use this information to gauge a potential borrower's ability to repay a loan.
Credit Report	a report generated by the credit bureau that contains the borrower's credit history for the past seven years. Lenders use this information to determine if a loan will be granted.
Credit Risk	a term used to describe the possibility of default on a loan by a borrower.
Credit Score	a score calculated by using a person's credit report to determine the likelihood of a loan being repaid on time. Scores range from about 360 - 840: a lower score meaning a person is a higher risk, while a higher score means that there is less risk.
Debt-to-Income Ratio:	a comparison or ratio of gross income to housing and non-housing expenses; With the FHA, the-monthly mortgage payment should be no more than 29% of monthly gross income (before taxes) and the mortgage payment combined with non-housing debts should not exceed 41% of income.
Declaration of Default	a written document that instructs the trustee to prepare and record a notice of default and if necessary, to sell the secured property in order to satisfy the unpaid obligation.
Decree of Foreclosure	a court order to set out the outstanding amount on a delinquent mortgage in order to sell the property.

Deductible	the amount of cash payment that is made by the insured (the homeowner) to cover a portion of a damage or loss. Sometimes also called "out-of-pocket expenses." For example, out of a total damage claim of $1,000, the homeowner might pay a $250 deductible toward the loss, while the insurance company pays $750 toward the loss. Typically, the higher the deductible, the lower the cost of the policy.
Deed	a legal instrument that conveys title to real property on delivery and acceptance by the grantee.
Deed of Trust	a written document describing the real property that is being given as security for the repayment of an obligation.
Deed-in-Lieu	to avoid foreclosure ("in lieu" of foreclosure), a deed is given to the lender to fulfill the obligation to repay the debt; this process does not allow the borrower to remain in the house but helps avoid the costs, time, and effort associated with foreclosure.
Default:	the inability to make timely monthly mortgage payments or otherwise comply with mortgage terms. A loan is considered in default when payment has not been paid after 60 to 90 days. Once in default the lender can exercise legal rights defined in the contract to begin foreclosure proceedings
Deficiency Judgment	a money judgment awarded to the mortgagee when funds obtained as a result of a foreclosure sale are insufficient to pay the debt.
Delinquency	failure of a borrower to make timely mortgage payments under a loan agreement. Generally after fifteen days a late fee may be assessed.
Deposit (Earnest Money)	money put down by a potential buyer to show that they are serious about purchasing the home; it becomes part of the down payment if the offer is accepted, is returned if the offer is rejected, or is forfeited if the buyer pulls out of the deal. During the contingency period the money may be returned to the buyer if the contingencies are not met to the buyer's satisfaction.
Depreciation	a decrease in the value or price of a property due to changes in market conditions, wear and tear on the property, or other factors.
Down Payment	the portion of a home's purchase price that is paid in cash and is not part of the mortgage loan. This amount varies based on the loan type, but is determined by taking the difference of the sale price and the actual mortgage loan amount. Mortgage insurance is required when a down payment less than 20 percent is made.
Earnings Per Share	a corporation's profit that is divided among each share of common stock. It is determined by taking the net earnings divided by the number of outstanding common stocks held. This is a way that a company reports profitability.

Easements	the legal rights that give someone other than the owner access to use property for a specific purpose. Easements may affect property values and are sometimes a part of the deed.
Eminent Domain	when a government takes private property for public use. The owner receives payment for its fair market value. The property can then proceed to condemnation proceedings.
Equal Credit Opportunity Act	a federal law requiring lenders to make credit available equally without discrimination based on race, color, religion, national origin, age, sex, marital status, or receipt of income from public assistance programs.
Equity	an owner's financial interest in a property; calculated by subtracting the amount still owed on the mortgage loon(s)from the fair market value of the property.
Equity Right of Redemption	the right of a mortgagor or another person with an interest in real estate to reclaim it after default but before foreclosure in order to avoid foreclosure action by paying off the debts, interest and fees that have accumulated on the property.
Escape Clause	a provision in a purchase contract that allows either party to cancel part or the entire contract if the other does not respond to changes to the sale within a set period. The most common use of the escape clause is if the buyer makes the purchase offer contingent on the sale of another house.
Escrow	funds held in an account to be used by the lender to pay for home insurance and property taxes. The funds may also be held by a third party until contractual conditions are met and then paid out.
Escrow Account	a separate account into which the lender puts a portion of each monthly mortgage payment; an escrow account provides the funds needed for such expenses as property taxes, homeowners insurance, mortgage insurance, etc.
Fair Credit Reporting Act	a consumer protection law that regulates the disclosure of consumer credit reports by consumer credit reporting agencies and establishes procedures for correcting mistakes on one’s credit record.
Fair Housing Act	a law that prohibits discrimination in all facets of the home buying process on the basis of race, color, national origin, religion, sex, familial status, or disability.
Fair Lending	the prohibition of lenders from practicing unlawful discrimination against anyone on the basis of race, color, religion, national origin, age, sex, marital status, family status, or handicap.
Fair Market Value	the hypothetical price that a willing buyer and seller will agree upon when they are acting freely, carefully, and with complete knowledge of the situation.

Fannie Mae	Federal National Mortgage Association (FNMA); a federally-chartered enterprise owned by private stockholders that purchases residential mortgages and converts them into securities for sale to investors; by purchasing mortgages, Fannie Mae supplies funds that lenders may loan to potential homebuyers. Also known as a Government Sponsored Enterprise (GSE).
Federal Housing Administration	an agency of the U.S. Department of Housing and Urban Development (HUD) whose main activity is insuring residential mortgage loans made by private lenders.
FICO Score	FICO is an abbreviation for Fair Isaac Corporation and refers to a person's credit score based on credit history. Lenders and credit card companies use the number to decide if the person is likely to pay his or her bills. A credit score is evaluated using information from the three major credit bureaus and is usually between 300 and 850.
Fixed-Rate Mortgage	a mortgage with payments that remain the same throughout the life of the loan because the interest rate and other terms are fixed and do not change.
Forbearance	loss mitigation option where the lender agrees to arrange a revised repayment plan for the borrower that may include a temporary reduction or suspension of monthly loan payments.
Foreclosure	a legal process in which mortgaged property is sold to pay the loan of the defaulting borrower. Foreclosure laws are based on the statutes of each state.
Foreclosure Mitigation	a process whereby a property owner agrees in writing to allow a third-party to communicate directly with their lender during the process of foreclosure.
Freddie Mac	Federal Home Loan Mortgage Corporation (FHLM); a federally chartered corporation that purchases residential mortgages, securitizes them, and sells them to investors; this provides lenders with funds for new homebuyers. Also known as a Government Sponsored Enterprise (GSE).
Good Faith Estimate	an estimate of all closing fees including pre-paid and escrow items as well as lender charges; must be given to the borrower within three days after submission of a loan application.
Grace Period	a period of days during which a debtor may cure a delinquency without penalty (before triggering a late charge, a foreclosure or an acceleration of the balance due).

Graduated Payment Mortgages	mortgages that begin with lower monthly payments that gets slowly larger over a period of years, eventually reaching a fixed level and remaining there for the life of the loan. Graduated payment loans may be good if you expect your annual income to increase.
Guaranty Fee	payment to Fannie Mae from a lender for the assurance of timely principal and interest payments to MBS (Mortgage Backed Security) security holders.
Home Equity Line of Credit	a mortgage loan, usually in second mortgage, allowing a borrower to obtain cash against the equity of a home, up to a predetermined amount.
Home Equity Loan	a loan secured by a primary residence or second home to the extent of the excess of fair market value over the debt incurred in the purchase.
Home Mortgage Disclosure Act	an act established by Congress in 1975 and implemented by the Federal Reserve Board's Regulation C that requires lending institutions to report public loan data.
Homeowner's Insurance	an insurance policy, also called hazard insurance, that combines protection against damage to a dwelling and its contents including fire, storms or other damages with protection against claims of negligence or inappropriate action that result in someone's injury or property damage. Most lenders require homeowners insurance and may escrow the cost. Flood insurance is generally not included in standard policies and must be purchased separately.
Indemnify	any losses and damages endured by another person for which you are fully responsible.
Index	the measure of interest rate changes that the lender uses to decide how much the interest rate of an ARM will change over time. No one can be sure when an index rate will go up or down. If a lender bases interest rate adjustments on the average value of an index over time, your interest rate would not be as volatile. You should ask your lender how the index for any ARM you are considering has changed in recent years, and where it is reported.
Inflation	the number of dollars in circulation exceeds the amount of goods and services available for purchase; inflation results in a decrease in the dollar's value.
Interest	a fee charged for the use of borrowing money.
Involuntary Lien	a lien issued against a property without the owner's approval.
Judgment	the final decision of the court resolving the dispute and determining the rights and obligations of the parties.
Judicial Foreclosure	a foreclosure process which is executed via a court action.

Jumbo Loan	or non-conforming loan, is a loan that exceeds Fannie Mae's and Freddie Mac's loan limits. Freddie Mac and Fannie Mae loans are referred to as conforming loans.
Late Payment Charges	the penalty the homeowner must pay when a mortgage payment is made after the due date grace period.
Lease	a written agreement between a property owner and a tenant (resident) that stipulates the payment and conditions under which the tenant may occupy a home or apartment and states a specified period of time.
Lease Purchase (Lease Option)	assists low to moderate income homebuyers in purchasing a home by allowing them to lease a home with an option to buy; the rent payment is made up of the monthly rental payment plus an additional amount that is credited to an account for use as a down payment.
Lender	A term referring to a person or company that makes loans for real estate purchases. Sometimes referred to as a loan officer or lender.
Lien	a legal claim against property that must be satisfied when the property is sold. A claim of money against a property, wherein the value of the property is used as security in repayment of a debt. Examples include a mechanic's lien, which might be for the unpaid cost of building supplies, or a tax lien for unpaid property taxes. A lien is a defect on the title and needs to be settled before transfer of ownership. A lien release is a written report of the settlement of a lien and is recorded in the public record as evidence of payment.
Line of Credit	an agreement by a financial institution such as a bank to extend credit up to a certain amount for a certain time to a specified borrower.
Loan Modification	procedure that alters terms of the loan; e.g., interest rate, monthly payment, or duration.
Loan Origination Fee	a charge by the lender to cover the administrative costs of making the mortgage. This charge is paid at the closing and varies with the lender and type of loan. A loan origination fee of 1 to 2 percent of the mortgage amount is common.
Loan Servicer	the company that collects monthly mortgage payments and disperses property taxes and insurance payments. Loan servicers also monitor nonperforming loans, contact delinquent borrowers, and notify insurers and investors of potential problems. Loan servicers may be the lender or a specialized company that just handles loan servicing under contract with the lender or the investor who owns the loan.
Loan to Value Ratio	a percentage calculated by dividing the amount borrowed by the price or appraised value of the home to be purchased; the higher the LTV, the less cash a borrower is required to pay as down payment.

Loss Mitigation	a process to avoid foreclosure; the lender tries to help a borrower who has been unable to make loan payments and is in danger of defaulting on his or her loan
Margin	the number of percentage points the lender adds to the index rate to calculate the ARM interest rate at each adjustment.
Market Value	the amount a willing buyer would pay a willing seller for a home. An appraised value is an estimate of the current fair market value.
Maturity:	the date when the principal balance of a loan becomes due and payable.
Median Price	the price of the house that falls in the middle of the total number of homes for sale in that area.
Modification Agreement	a written document, signed by the beneficiary and the borrower that alters the terms of either the note of deed of trust.
Mortgage	an interest in land created by a written instrument providing security for the performance of a duty or the payment of a debt.
Mortgage Insurance	protects lenders against some or most of the losses when a borrower defaults on a mortgage loan.
Mortgage Insurance Premium	a monthly payment -usually part of the mortgage payment - paid by a borrower for mortgage insurance.
Mortgage Modification	allows a borrower to refinance and/or extend the term of the mortgage.
Mortgage Qualifying Ratio	Used to calculate the maximum amount of funds that an individual traditionally may be able to afford. A typical mortgage qualifying ratio is 28: 36.
Mortgage-Backed Security	a Fannie Mae security that represents an undivided interest in a group of mortgages. Principal and interest payments from the individual mortgage loans are grouped and paid out to the MBS holders.
Mortgagor	the person who borrows the money from the lender to purchase a property.
No Cash Out Refinance	a refinance of an existing loan only for the amount remaining on the mortgage. The borrower does not get any cash against the equity of the home. Also called a "rate and term refinance."
No Cost Loan	there are many variations of a no cost loan. Generally, it is a loan that does not charge for items such as title insurance, escrow fees, settlement fees, appraisal, recording fees or notary fees. It may also offer no points. This lessens the need for upfront cash during the buying process however no cost loans have a higher interest rate.

Nonmilitary Affidavits	a sworn statement, in writing from the beneficiary or his agent which declares that the property owner is not entitled to any rights under the Soldiers and Sailors Civil Relief Act of 1940.
Note	the borrower's written promise to repay a loan according to its terms; a written document that sets forth the amount of the obligation and the terms of repayment.
Notice of Default	a written document that gives constructive notice of a trustor's failure to perform his obligation under a deed of trust.
Origination	the process of preparing, submitting, and evaluating a loan application; generally includes a credit check, verification of employment, and a property appraisal.
Origination Fee	the charge for originating a loan; is usually calculated in the form of points and paid at closing. One point equals one percent of the loan amount. On a conventional loan, the loan origination fee is the number of points a borrower pays.
Partial Claim	a loss mitigation option offered by the FHA that allows a borrower, with help from a lender, to get an interest-free loan from HUD to bring their mortgage payments up to date.
Points	a point is equal to one percent of the principal amount of your mortgage. For example, if you get a mortgage for $95,000, one point means you pay $950 to the lender. Lenders frequently charge points in both fixed-rate and adjustable-rate mortgages in order to increase the yield on the mortgage and to cover loan closing costs. These points usually are collected at closing and may be paid by the borrower or the home seller, or may be split between them.
Power of Attorney	a legal document that authorizes another person to act on your behalf. A power of attorney can grant complete authority or can be limited to certain acts or certain periods of time or both.
Pre-Approval	a lender commits to lend to a potential borrower a fixed loan amount based on a completed loan application, credit reports, debt, savings and has been reviewed by an underwriter. The commitment remains as long as the borrower still meets the qualification requirements at the time of purchase. This does not guaranty a loan until the property has passed inspections underwriting guidelines.

Predatory Lending	an unsuitable loan designed to exploit vulnerable and unsophisticated borrowers. Predatory loans are a subset of prime loans. A predatory loan has one or more of the following features: 1) charges more in interest and fees than is required to cover the added risk of lending to borrowers and lead to increased indebtedness, 3) does not take into account the borrower's ability to repay the loan, and 4) often violates fair lending laws by targeting women, minorities, and communities of color.
Pre-foreclosure Sale	a procedure in which the borrower is allowed to sell a property for an amount less than what is owed on it to avoid a foreclosure. This sale fully satisfies the borrower's debt.
Pre-Qualify	a lender informally determines the maximum amount an individual is eligible to borrow. This is not a guaranty of a loan.
Prime Rate	the interest rate that banks charge to preferred customers. Changes in the prime rate are publicized in the business media. Prime rate can be used as the basis for adjustable rate mortgages (ARMs) or home equity lines of credit. The prime rate also affects the current interest rates being offered at a particular point in time on fixed mortgages. Changes in the prime rate do not affect the interest on a fixed mortgage.
Principal	the amount of money borrowed to buy a house or the amount of the loan that has not been paid back to the lender. This does not include the interest paid to borrow that money. The principal balance is the amount owed on a loan at any given time. It is the original loan amount minus the total repayments of principal made.
Private Mortgage Insurance	insurance purchased by a buyer to protect the lender in the event of default. The cost of mortgage insurance is usually added to the monthly payment. Mortgage insurance is generally maintained until over 20 Percent of the outstanding amount of the loan is paid or for a set period of time, seven years is normal. Mortgage insurance may be available through a government agency, such as the Federal Housing Administration (FHA) or the Veterans Administration (VA), or through private mortgage insurance companies (PMI).
Promissory Note	a written promise to repay a specified amount over a specified period of time.
Property Tax	a tax charged by local government and used to fund municipal services such as schools, police, or street maintenance. The amount of property tax is determined locally by a formula, usually based on a percent per $1,000 of assessed value of the property.
Property Tax Deduction	the U.S. tax code allows homeowners to deduct the amount they have paid in property taxes from their total income.

Qualifying Ratios	guidelines utilized by lenders to determine how much money a homebuyer is qualified to borrow. Lending guidelines typically include a maximum housing expense to income ratio and a maximum monthly expense to income ratio.
Quit Claim Deed	a deed of conveyance that releases any title, interest, or claim, which the grantor may have in the premises.
Rate Lock	a commitment by a lender to a borrower guaranteeing a specific interest rate over a period of time at a set cost.
Real Estate Mortgage Investment Conduit	a security representing an interest in a trust having multiple classes of securities. The securities of each class entitle investors to cash payments structured differently from the payments on the underlying mortgages.
Real Estate Property Tax Deduction:	a tax deductible expense reducing a taxpayer's taxable income.
Real Estate Settlement Procedures Act	a law protecting consumers from abuses during the residential real estate purchase and loan process by requiring lenders to disclose all settlement costs, practices, and relationships
Real Estate Settlement Procedures Act	a federal law that requires that lending institutions disclose certain information to purchasers of residential real estate after an application has been made.
Redlining	when a lender denies a loan in certain parts of a city due to discrimination.
Refinancing	paying off one loan by obtaining another; refinancing is generally done to secure better loan terms (like a lower interest rate).
Reinstatement Period	a phase of the foreclosure process where the homeowner has an opportunity to stop the foreclosure by paying money that is owed to the lender.
Repayment plan	an agreement between a lender and a delinquent borrower where the borrower agrees to make additional payments to pay down past due amounts while making regularly scheduled payments.
Reverse Mortgage	the reverse mortgage is used by senior homeowners age 62 and older to convert the equity in their home into monthly streams of income and/or a line of credit to be repaid when they no longer occupy the home. A lending institution such as a mortgage lender, bank, credit union or savings and loan association funds the FHA insured loan, commonly known as HECM.
Second Mortgage	an additional mortgage on property. In case of a default the first mortgage must be paid before the second mortgage. Second loans are more risky for the lender and usually carry a higher interest rate.

Secondary Mortgage Market	the buying and selling of mortgage loans. Investors purchase residential mortgages originated by lenders, which in turn provides the lenders with capital for additional lending.
Secured Loan	a loan backed by collateral such as property.
Security	the property that will be pledged as collateral for a loan.
Servicer	a business that collects mortgage payments from borrowers and manages the borrower's escrow accounts.
Servicing	the collection of mortgage payments from borrowers and related responsibilities of a loan servicer.
Soldier's and Sailor's Relief Act	an act passed by Congress in 1940, protecting those serving in the military.
Special Forbearance	a loss mitigation option where the lender arranges a revised repayment plan for the borrower that may include a temporary reduction or suspension of monthly loan payments.
Sub-Prime	industry term used to describe credit and loan products that have less stringent lending and underwriting (loan approval) terms and conditions, often with higher interest rates and fees.
Sub-Prime Loan	"B" Loan or "B" paper with FICO scores from 620 - 659. "C" Loan or "C" Paper with FICO scores typically from 580 to 619. An industry term used to describe loans with less stringent lending and underwriting terms and conditions. Due to the higher risk, sub-prime loans charge higher interest rates and fees.
Survey	a property diagram that indicates legal boundaries, easements, encroachments, rights of way, improvement locations, etc. Surveys are conducted by licensed surveyors and are normally required by the lender in order to confirm that the property boundaries and features such as buildings, and easements are correctly described in the legal description of the property.
Title	a legal document establishing the right of ownership and is recorded to make it part of the public record. Also known as a Deed.
Transfer of Ownership	any means by which ownership of a property changes hands. These include purchase of a property, assumption of mortgage debt, and exchange of possession of a property via a land sales contract or any other land trust device.
Trust	a legal relationship in which a person transfers legal title to property to a trustee who manages it for the beneficiaries of the trust.
Trust Deed	a three party security instrument conveying the legal title to real property as security for the repayment of a loan.
Trustee	a legally empowered person who holds or controls a piece of property for another person.

Trustee's Sale	the public auction of the real property, described in the deed of trust, to satisfy the unpaid obligation.
Trustor	the borrower (or property owner) at the time the deed of trust was created. Often refers to the current owner.
Truth-in-Lending	a federal law obligating a lender to give full written disclosure of all fees, terms, and conditions associated with the loan initial period and then adjusts to another rate that lasts for the term of the loan.
Underwriting	the process of analyzing a loan application to determine the amount of risk involved in making the loan; it includes a review of the potential borrower's credit history and a judgment of the property value.
Uniform Settlement Statement	a closing statement required for all federally related residential first mortgages.
Unlawful Detainer Action	a legal action to remove someone who has unjustly retained possession of real property after one’s right to possess has terminated.
Up Front Charges	the fees charged to homeowners by the lender at the time of closing a mortgage loan. This includes points, broker's fees, insurance, and other charges.
VA Loan	a loan guaranteed by the U.S. Department of Veterans Affairs
Vested	a point in time when you may withdraw funds from an investment account, such as a retirement account, without penalty.
Warranty Deed	a legal document that includes the guarantee the seller is the true owner of the property, has the right to sell the property and there are no claims against the property.

V. DISCRIMINATORY PRACTICES

The purpose of this section is to provide examples of prohibited discriminatory practices specific to THDA, for staff's knowledge as well as to increase public awareness. A list of possible discriminatory practices includes:

- Denying housing assistance because of race.
- Providing different levels of services to minorities and non-minorities.
- Only providing mortgage assistance to predominantly non-minority census tracts

An example of a discriminatory practice could be found in the HOME's homeowner rehabilitation program. If 10 families receive homeowner rehabilitation, nine of which are white and one is African American, all should receive the same degree of rehabilitation. If the minority beneficiary receives sub-standard repairs below specifications and the white homeowners all receive standard repairs at specification, discrimination on the basis of Title VI could be alleged.

VI. LIMITED ENGLISH PROFICIENCY (LEP)

THDA identified the development and implementation of a formal LEP Policy as a priority area in the 2010 Title VI Compliance Implementation Plan. THDA recently developed a formal LEP Policy and Procedure, which can be found in Appendix A of this report.

Another priority with regards to LEP was the implementation of a Language Line provided by Avaza Language Services Corporation. THDA has taken steps in researching and implementing the use of a Language Line, which will provide various services to LEP persons. Currently, THDA is in the process of arranging training for relevant staff with THDA and plans to fully implement the Language Line and make it available to clients by October, 2011.

THDA utilizes resources and materials available through HUD, which can be accessed at: http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/promotingfh/whatislep. The website provides a range of brochures, booklets, fact sheets, forms, "I Speak Card" language ID cards, posters and public service announcements in a number of languages. THDA translates public notices and documents for public comment to Spanish and is working to increase the number of documents available in Spanish. In addition, THDA employs staff members who are fluent in Spanish to assist with THDA outreach efforts including translation of documents, public notices and documents for public comment.

In Fiscal Year 2010-11, Spanish, Arabic, Lao and Somali were the only languages encountered by the agency as a result of on-site and telephonic encounters from the public. THDA, recognizing that the Limited English Proficiency (LEP) population of the state has increased, continues to investigate efficient ways in which to accommodate this segment of our population. The development of a formal LEP policy and the future implementation of the Language Line will assist with these efforts.

VII. COMPLAINT PROCEDURES

Any person alleging discrimination based on race, color or national origin has a right to file a complaint no later than 180 days after the alleged discrimination, unless the time for filing is extended by the responsible department official or his/her designee. At the complainant's discretion, the complaint can be filed with the federal department, the state recipient, or the agency providing the service. It is not necessary to know the identity of the complainant, so long as the information is sufficient to determine the identity of the recipient and to indicate the possibility of a violation.

All complaints, written or verbal, should be accepted. In the event a complainant sets forth the allegations verbally and refuses to reduce such allegations to writing, the person to whom the complaint is made should reduce the elements of the complaint to writing. An example of the complaint form used by THDA is provided in Appendix B. Complaints, whether written or later reduced to writing by a staff person, should contain the following information:

1. Name, address and telephone number of the complainant.

2. The location and name of the entity delivering the service.

3. The nature of the incident that led the complainant to feel discrimination was a factor.

4. The basis of the complaint, i.e. race, color or national origin.

5. Names, addresses and phone numbers of people who may have knowledge of the event.

6. The date or dates on which the alleged discriminatory event or events occurred. Forms may be developed to aid a complainant in filing a complaint, but the use of such forms should not be required for acceptance of a complaint.

Procedures for Title VI Complaints

In handling Title VI complaints, THDA uses the following process:

1. Complaints should be handled within 90 days of their receipt. THDA shall to the fullest extent practicable seek the cooperation of recipients in obtaining compliance and shall provide assistance and guidance to recipients to help them comply voluntarily.

2. A letter should be sent acknowledging receipt of the complaint and requesting a time and date an investigator can reach the complainant by phone to discuss the complaint.

3. Complainants are not parties to a Title VI investigation and do not enjoy a status different from other persons interviewed.

4. A preliminary inquiry should be conducted on all complaints to substantiate or refute the allegation.

5. If the preliminary inquiry indicates there may be a problem, then a full complaint investigation should be initiated. A letter should be sent to the complainant explaining that an investigation will be started and that their cooperation will be needed in the future.

6. If the allegations are not substantiated, a letter should be sent to the complainant that contains a description of the allegations investigated, the scope of the investigation, the facts learned and a closing statement summarizing the basis on which the determination was made.

7. A complaint log should be kept for records and submission to the proper state and federal authorities. Additionally, information should be sent to the Tennessee Human Rights Commission (THRC).

VIII. COMPLIANCE REVIEWS

The authority for THDA to conduct compliance reviews is derived from Title VI of the Civil Rights Act of 1964 and its implementing regulations. Additionally, Public Chapter 502 of the Public Acts of 1993 requires state agencies to develop an implementation plan for the enforcement of Title VI. THDA, along with its subrecipients and contractors shall make available any compliance report to be reviewed by THRC upon request.

A. Pre-Award Procedures

All funding applications are reviewed by THDA for HOME and Section 8 Rental Assistance programs prior to approval. These reviews are coordinated with the THDA Division Director to ensure that applicants or recipients with outstanding findings of non-compliance with Title VI are not funded or that THDA incorporated appropriate conditions in its approval to ensure the funds are not drawn down until appropriate corrective action is taken by the recipient. All HUD funded applications include "Assurance of Compliance Under Title VI of the Civil Rights Act of 1964" by the applicants or recipients to be considered for approval. In addition, THDA Compliance Monitors conduct Civil Rights Front End Limited Monitoring which addresses the Affirmative Fair Housing Marketing Plans, Tenant Selection Plans, Recent Advertising, and the posting of the Fair Housing Logo and Fair Housing Poster for the properties being reviewed.

List of Subrecipients / Contractors by Program:
Includes Statement of Assurance Information

Subrecipient / Contractor	Program	Signed Statement of Assurance
AIM Center	ESG	Yes
Behavioral Health Initiatives	ESG	Yes
Carey Counseling, Inc.	ESG	Yes
City of Jackson	ESG	Yes
Damascus Road	ESG	Yes
Matthew 25:40	ESG	Yes
Northwest Safeline	ESG	Yes

Area Relief Ministries	ESG	Yes
Blount County Children's Home	ESG	Yes
Centerstone	ESG	Yes
City of Bristol	ESG	Yes
City of Chattanooga	ESG	Yes
City of Clarksville	ESG	Yes
City of Cleveland	ESG	Yes
City of Franklin	ESG	Yes
City of Johnson City	ESG	Yes
City of Kingsport	ESG	Yes
City of Morristown	ESG	Yes
City of Murfreesboro	ESG	Yes
City of Oak Ridge	ESG	Yes
Community Health of East TN	ESG	Yes
Families in Crisis	ESG	Yes
Frontier Health	ESG	Yes
Good Neighbor Mission	ESG	Yes
HOPE Ministries	ESG	Yes
Interfaith Hospitality Network of Johnson City	ESG	Yes
Johnson County Safe Haven	ESG	Yes
Keystone Dental	ESG	Yes
Park Center	ESG	Yes
Ridgeview, Inc.	ESG	Yes
Smoky Mt. Area Rescue Mission	ESG	Yes
Aid to Distressed Families	HOME	Yes
Anderson County	HOME	Yes
Bradley/Cleveland Services	HOME	Yes
Brighton	HOME	Yes
Buffalo Valley	HOME	Yes
Campbell County	HOME	Yes
Carey Counseling Center	HOME	Yes
Carter County	HOME	Yes
Caryville	HOME	Yes
Coffee County	HOME	Yes
Comcare, Inc.	HOME	Yes
Creative Compassion	HOME	Yes
Dunlap	HOME	Yes
Eastern Eight CDC	HOME	Yes
Fentress County	HOME	Yes
Gallatin	HOME	Yes
Giles County	HOME	Yes
Greenfield	HOME	Yes
Grundy County	HOME	Yes
Hamblen County	HOME	Yes
Hancock County	HOME	Yes

Hardeman County	HOME	Yes
Hope of Martin	HOME	Yes
Jamestown	HOME	Yes
Jellico	HOME	Yes
LaFollette	HOME	Yes
Lake County	HOME	Yes
Lavergne	HOME	Yes
Lenoir City	HOME	Yes
Livingston	HOME	Yes
Loudon	HOME	Yes
Loudon County Habitat	HOME	Yes
Mason	HOME	Yes
Maury County	HOME	Yes
Montgomery County	HOME	Yes
Murfreesboro	HOME	Yes
Overton County	HOME	Yes
Portland	HOME	Yes
Ridgely	HOME	Yes
Rutherford County	HOME	Yes
Sequatchie County	HOME	Yes
Sevier County	HOME	Yes
Sevierville	HOME	Yes
Tiptonville	HOME	Yes
Vol Behavioral Hlth Initiative	HOME	Yes
Volunteer Housing Develop Corp	HOME	Yes
Watauga	HOME	Yes
Whiteville	HOME	Yes
Wilson County	HOME	Yes
Appalachian Regional Coalition on	HPRP	Yes
Buffalo Valley/HNM	HPRP	Yes
Chattanooga/SE Region	HPRP	Yes
Homelessness (ARCH)	HPRP	Yes
Knoxville/Knox County	HPRP	Yes
Memphis/Shelby County	HPRP	Yes
MH Housing Facilitators	HPRP	Yes
Murfreesboro/Rutherford County	HPRP	Yes
Nashville/Davidson County	HPRP	Yes
TN Valley Coalition to End Homelessness	HPRP	Yes
The Next Door	HPRP	Yes
Upper Cumberland	HPRP	Yes
West TN Homeless Resource Network	HPRP	Yes
City of Oak Ridge	NSP	Yes
City of Shelbyville	NSP	Yes
Community Action Network, Inc.	NSP	Yes
Blount County Habitat for Humanity	NSP	Yes

City of Cleveland	NSP	Yes
Southeast TN Development District	NSP	Yes
Community Health of East Tennessee	NSP	Yes
Town of Huntingdon	NSP	Yes
Claiborne County	NSP	Yes
City of Newport	NSP	Yes
Coffee	NSP	Yes
Town of Bells	NSP	Yes
Town of Alamo	NSP	Yes
Urban Housing Solutions	NSP	Yes
Southwest Human Resource Agency	NSP	Yes
Cumberland Regional Development Corp.	NSP	Yes
City of Dyersburg	NSP	Yes
Buffalo Valley	NSP	Yes
City of Milan	NSP	Yes
City of Trenton	NSP	Yes
City of Pulaski	NSP	Yes
First TN Development District - Horizon	NSP	Yes
Southeast TN Development District	NSP	Yes
City of Morristown	NSP	Yes
City of Chattanooga	NSP	Yes
28th Legislative District	NSP	Yes
Chattanooga CHDO	NSP	Yes
Southeast TN Development District	NSP	Yes
Southwest Human Resource Agency	NSP	Yes
City of Paris	NSP	Yes
Houston	NSP	Yes
Humphreys	NSP	Yes
City of Knoxville	NSP	Yes
Knoxville Community Development Corp.	NSP	Yes
Lauderdale County	NSP	Yes
CHP	NSP	Yes
Cumberland Regional Development Corp.	NSP	Yes
Jackson Housing Authority - CD office	NSP	Yes
Southeast TN Development District	NSP	Yes
CHP	NSP	Yes
City of Columbia	NSP	Yes
Southeast TN Development District	NSP	Yes
Southwest Human Resource Agency	NSP	Yes
City of Clarksville	NSP	Yes
Hope of Martin	NSP	Yes
We Care	NSP	Yes
Food on Foot	NSP	Yes
Buffalo Valley	NSP	Yes
City of Murfreesboro	NSP	Yes

City of Murfreesboro	NSP	Yes
Scott-Morgan CDC	NSP	Yes
Southeast TN Development District	NSP	Yes
Oasis of Hope	NSP	Yes
North Memphis CDC	NSP	Yes
Shelby Residential and Vocational Services	NSP	Yes
The Works	NSP	Yes
Neighborhood Hsg Opportunities Mgmt	NSP	Yes
Cooper-Young Development Corp.	NSP	Yes
Frayser CDC	NSP	Yes
Binghampton Development Corp.	NSP	Yes
Habitat of Humanity of Greater Memphis	NSP	Yes
United Housing, Inc.	NSP	Yes
Shelby CDGB	NSP	Yes
FTNDD - Greater Kingsport Alliance for Dvmt	NSP	Yes
First TN Development District - City of Bristol	NSP	Yes
Buffalo Valley	NSP	Yes
City of Covington	NSP	Yes
Buffalo Valley	NSP	Yes
Union County	NSP	Yes
Cumberland Regional Development Corp.	NSP	Yes
First TN Development Distict- Eastern 8	NSP	Yes
Weakley	NSP	Yes
Cumberland Regional Development Corp.	NSP	Yes
Hickory Pointe	MFB	No
Atchley Homes	LIHTC	No
Briarwood Apts	LIHTC	No
Cumberland Way	LIHTC	No
East Haven Apts	LIHTC	No
Eastland Place	LIHTC	No
Elkway Apts	LIHTC	No
Gallatin Park Apts	LIHTC	No
Hickory Pointe	LIHTC	No
Legends Park North	LIHTC	No
Monroe Ridge	LIHTC	No
Rossville Manor	LIHTC	No
Ryman Lofts at Rolling Mill	LIHTC	No
Sterling Greene	LIHTC	No
Atchley Homes	1602	No
Jordan Landing	1602	No
Quail Run Estates	1602	No
Mallard Cove Estates	1602	No
Hanover Ridge Apartments	1602	No
Hallmark @ Oak Ridge Apartments	1602	No
Austin Park Place	1602	No

Park Ridge Estates	1602	No
Cane Creek	1602	No
City View	1602	No
East River Place	1602	No
Prairie Creek	1602	No
Greenview Village	1602	No
Sherwood Forest	1602	No
Holston Ridge Apartments	1602	No
Weatherly Ridge Apartments, II	1602	No
Chapel Place Homes	1602	No
Sterling Greene	1602	No
The Ridge at Shelbyville	1602	No
Riverview Place	1602	No
Williamsburg Landing	1602	No
Town Creek Village	1602	No
Water Mill Apartments	1602	No
Gist Creek Apartments	1602	No
Dogwood Ridge Apartments	1602	No
The Village At Cypresswood	1602	No
Nance Place Apartments	1602	No
Paddock Ridge Apartments	1602	No
Hickory Ridge Apartments	1602	No
October Homes	1602	No
Lyons Ridge Apartments	1602	No
Rogersville Villas	1602	No
Taylor Way Apartments	1602	No
Tranquility Apartments	1602	No
Waddell Gardens	1602	No
Lafayette Gardens	1602	No
Rossville Manor Apartments	1602	No
Civic Place Apartments	1602	No
East Haven Apts.	1602	No
Kareday Terrace Apartments	1602	No
Elk Way Apartments	1602	No
Cumberland Way Apartments	1602	No
Gallatin Park Apartments	1602	No
Briarwood Apts.	1602	No
Eastland Place Apartments	1602	No
Monroe Ridge	1602	No
Union City Apartments	1602	No
Gunn Garden Apartments	1602	No
Cypress Garden Apartments	1602	No
Lake Ridge Apartments	1602	No
Brookwood Terrace Apartments	1602	No
Rideway Apartments	1602	No

Peaks of Loudon	1602	No
Algood Manor Apartments	1602	No
Cumberland Place Apartments	1602	No
Cloverleaf Apts.	1602	No
Model City II, LP	TCAP	No
Beersheba II, LP	TCAP	No
Pedcor Investments, LP	TCAP	No
Whispering Oaks, LP	TCAP	No
Legends Park West, LP	TCAP	No
Gallaway Manor Apartments, LP	TCAP	No
Lexington Civic Apartments	TCAP	No
Minvilla Manor, LP	TCAP	No
Highland Housing	TCAP	No
Mendenhall Housing	TCAP	No
North Terrace Housing	TCAP	No
North Gate Housing	TCAP	No
The Village	TCAP	No
CVI	TCAP	No
Walker Rosa Apartments, LP	TCAP	No
Rynard Properties, Hilldale, LP	TCAP	No
Hunter Ridge, LP	TCAP	No
Stoneridge Estates, LP	TCAP	No
Rosewood Place, LP	TCAP	No
Alco Saints Court Partners, LP	TCAP	No
Jeffrey Meadows, LP	TCAP	No
Summit Parkwood Villa Apartments, LP	TCAP	No
Mountain Hollow, LP	TCAP	No
Flenniken Housing LP	TCAP	No
Alco Dellway Partners, LP	TCAP	No
Airway Ridge Apartments, LP	TCAP	No
Rynard Properties, Ridgecrest, LP	TCAP	No
Summerwind Apartments, LP	TCAP	No
Affordable Housing Resources	NFMC*	No
Binghampton Development Corporation	NFMC	No
Chattanooga Neighborhood Enterprise	NFMC	No
Citizens for Affordable Housing	NFMC	No
Clinch Powell RC&D	NFMC	No
Dominion Financial Management Inc.	NFMC	No
Eastern Eight CDC	NFMC	No
Financial Counselors of America	NFMC	No
GAP Community Development Resources	NFMC	No
Jackson Housing Authority	NFMC	No
Knox Housing Partnership	NFMC	No
Knoxville Area Urban League	NFMC	No
Life of Victory Intl Christian Ministries	NFMC	No

Memphis Area Legal Services	NFMC	No
Residential Resources	NFMC	No
Southeast Memphis CDC	NFMC	No
The Housing Fund	NFMC	No
United Housing Inc.	NFMC	No
Woodbine Community Organization	NFMC	No

There were 283 subrecipients in FY 2010-11.
**The same network of counselors is used for the HHF program.*

Contract Language

Examples of contractual provisions prohibiting discrimination, which are agreed to by subrecipients and those involved with THDA programs are as follows:

"The (Name of Organization) does not discriminate on the basis of race, color, religion, national origin, sex, age, or handicapped status in the admission or access to, or treatment or employment in, its federally assisted programs or activities."

"Under Title VI of the Civil Rights Act of 1964, no person shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance."

Pending Federal Financial Assistance Applications

At this time there are no pending federal financial assistance applications filed by THDA.

Pre-Assessments / Self Surveys

At this time, THDA does not require pre-assessments or self-surveys from subrecipients or contractors.

Field or On-Site Reviews

The Program Compliance Division of THDA conducts field and on-site reviews. The total number of field reviews for Fiscal Year 2010-11 was 497. The number of field reviews and their corresponding programs include:

- Section 8 Project Based Contract Administration (361 reviews)
- HOME (50 reviews)
- LIHTC (86 reviews)

Title VI Training

During last year's Title VI reporting period, THDA enlisted the services of Sara Pratt, a consultant on civil rights law, to perform an evaluation of THDA's compliance with all federal anti-discrimination laws, including Title VI. THDA has since received the final report and reviewed the report's final recommendations.

As a result of training recommendations, THDA is in the process of working with West Tennessee Legal Services to conduct THDA staff training regarding Title VI. Dependent upon the proposal and curriculum to be established, training regarding Title VI could be extended beyond THDA staff to subrecipients. Training for subrecipients is also provided based upon the THDA program. For example, anti-discrimination modules are conducted during the annual HOME Grantee Workshop. The Compliance Division is also pursuing a training module related to anti-discrimination.

B. Post-Award Procedures

a. Prior to final allocation of funds: THDA has procedures detailing inspection, the close-out and final payment of a completed project or grant. Before final payment is made, work must be completed in accordance with the contract (including requirements established by Title VI.)

b. After final allocation of funds: THDA will conduct a final compliance review as outlined below:

1) Compliance reviews of service delivery point operations should cover at a minimum.

a) Files and records examination.
b) Grantee interviews with beneficiaries, potential beneficiaries and denied applicants.
c) Determine if public notification efforts are adequate in increasing program participation.
d) Determine if complaints are handled in a proper manner.
e) Determine the level of minority participation and compare it to the number of potentially eligible participants by racial/ethnic category.
f) Determine if equal access of physical facilities is maintained.
g) Determine if location of service delivery point unnecessarily denies access to any person.
h) Determine if there are any lawsuits alleging discrimination on the basis of race color or national origin filed against the recipient.
i) Determine if the recipient is receiving assistance from other federal agencies.
j) Determine whether any civil rights compliance reviews had been conducted in the last two years.

2) The frequency and number of compliance reviews will be determined by the program director. HOME has a pre-award and post-award compliance review. If the grant completion time is over a year in duration, a routine compliance review will be possible.

3) A log will be kept by each program division of each recipient review report by type of review. Included with the log are self-evaluation reports done by THDA.

4) Training of THDA personnel responsible for anti-discrimination compliance is provided by the following:

- HUD, Region IV, Office of Fair Housing and Equal Opportunity
- Southeastern Affordable Housing Management Association (SAHMA)
- Tennessee Association of Housing & Redevelopment Authorities (TAHRA)

5) The Program Directors are responsible for program documents to include assurance of nondiscrimination per Title VI.

6) The THDA 19-member Board of Directors is appointed according to THDA, enabling legislation which is discussed earlier in this plan.

7) All records pertaining to Title VI Compliance are maintained by the THDA. Annual reports will be forwarded to appropriate state and Federal agencies.

8) THDA has a grievance procedure for the prevention of acts of retaliation or intimidation.

Pre-Assessments / Self Surveys

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Field or On-Site Reviews

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Monitoring

THDA Compliance Monitors conduct routine compliance reviews of recipients of the funds for the HOME, and Section 8 Programs. The selection of a particular recipient for a routine review is based on, but not limited to, such factors as:

- A periodic assessment of compliance including but not limited to ensuring assurance forms are completed;
- An increase in complaints;
- No complaints;
- Community patterns of discrimination;
- Failure to file compliance reports or reports which show pattern of discrimination;
- Recipient found to be in non-compliance by other state or federal agencies;
- Previously un-reviewed recipients.

As a normal part of the administration of the programs covered by Title VI, THDA reviews the activities and statistical data to determine compliance.

C. Minority Representation

The HOME program is required to submit the number of Minority Business Enterprises (MBE) and Women Business Enterprises (WBE) contracted each fiscal year as part of HUD's reporting requirements. In Fiscal Year 2010-11, HOME contracted with 28 MBEs and seven WBEs. In addition, the HOME program provides all grantees with the state list of minority and female contractors.

THDA contracts with various entities to provide services such as software development and application, hotels for meetings, temporary employee placement agencies, coffee and vending services, and industry specific publication services, as well as additional services. THDA has not tracked the racial information for such contractors. The vast majority of THDA's contractors are nationally traded corporations for which racial and ethnic data would not be available in a meaningful format.

D. Public Notice and Outreach

Participants in THDA programs must comply with state and federal laws with regard to fair housing and equal opportunity, which protects individuals and groups against discrimination based on race, color, national origin, sex, age, physical and mental disability, and family status. Most federal programs require that subrecipients create affirmative fair housing marketing plans.

The Section 8 Rental Assistance program provides fair housing education and information for both landlords and tenants. The Section 8 Contract Administration program monitors for fair housing and anti-discrimination compliance. In addition, the *Fair Housing* booklet is distributed to all beneficiaries and potential beneficiaries. The *Fair Housing* booklet informs the public about the Fair Housing Act, which prohibits discrimination in housing and related transactions on the basis of race, color, national origin, sex, religion, disability and familial status (the

presence or anticipated presence of children under 18 in a home.) It also contains a Housing Discrimination Complaint form to be used if there are any suspicions of housing discrimination.

In order to accommodate the growing Limited English Proficiency population of Tennessee, THDA has made efforts to reach the LEP population and promote participation in the public comment process. Reporting requirements of many federal programs require THDA to conduct a public comment period. Public notices and documents provided for public for comment are provided in both English and Spanish versions and posted on THDA's website. THDA has also conducted research regarding Spanish newspapers in the state with the intent of expanding public notice resources.

E. Procedures for Noncompliance

If THDA determines there may be a Title VI violation, then a full complaint investigation will be initiated. A letter will be sent to the complainant explaining that an investigation will be started and that their cooperation will be needed in the future. A complaint log is kept for records and submission and all violations are reported to the appropriate State or Federal Agency. It should be noted that THDA does not have enforcement authority. Once the possible violation has been reported, any enforcement and/or punitive decisions are made by the appropriate agency. For more information regarding THDA's procedures for handling Title VI compliance, please refer to Section VII. Complaint Procedures of this report.

IX. COMPLIANCE/NONCOMPLIANCE REPORTING

The U. S. Department of Treasury, Internal Revenue Service (IRS), has oversight for the Low-Income Housing Tax Credit Program and the Section 1602 Program under Section 42 of the Internal Revenue Code of 1986, as amended (the "Code"), and related Treasury Regulations, found primarily at 26 C.F.R. Section 1.42 et seq.; and the Homeownership Program under Section 143 of the Code pursuant to which tax exempt bond issues are made for the mortgage program, and volume cap under Section 146 of the Code allocated to THDA and made available to local issuers to permit issuance of tax-exempt bonds for multi-family housing. The U.S. Department of Treasury also has oversight for the Hardest Hit Fund, authorized by Section 109 of the Emergency Economic Stabilization Act (ESSA), Division A of Pub.L. 110-343, 112 Stat. 3774 (2008).

The U. S. Department of Housing and Urban Development (HUD) has oversight for the following programs: HOME Investment Partnership, Emergency Shelter Grant (ESG), Tax Credit Assistance Program (TCAP), Neighborhood Stabilization Program (NSP), Homelessness Prevention and Rapid Re-Housing Program (HPRP), Section 8 Rental Assistance: Housing Choice Voucher Program, and Section 8 Contract Administration.

Home: The HOME program is governed by 24 CFR 92.
ESG: The ESG program is governed by 24 CFR 576.
TCAP: The TCAP program is governed by 24 CFR 1.
NSP: The NSP program is governed by 24 CFR 1.
HPRP: The HPRP program is governed by 24 CFR 5.105(a).
Section 8 Rental Assistance: This program is governed by 24 CFR 982.54 (d)(6).

Section 8 Contract Administration: This program is governed by 24 CFR 983.

With the exception of the Tennessee Human Rights Commission, THDA does not submit Title VI reports to any federal or state agency.

X. TITLE VI TRAINING

THDA staff involved in Title VI compliance receives training necessary to ensure effective identification of Title VI violations. Resources for this training come from the THDA's training budget. Anti-discrimination training is provided by a variety of organizations including: West Tennessee Legal Services, the Tennessee Fair Housing Council, Tennessee Southeastern Affordable Housing Management Association, the Tennessee Human Rights Commission and the Tennessee Association of Housing & Redevelopment Agencies. Examples of training and events attended by THDA staff are described in the below table.

Event/Host	Number of THDA Participants
Tennessee Fair Housing Matters Conference	30 staff across five divisions
Regional Southeastern Affordable Housing Management Association	Four staff across three divisions
Tennessee Southeastern Affordable Housing Management Association	42 staff across four divisions
TN Association of Housing & Redevelopment Authorities	20 staff from one division
National Council of State Housing Agencies	Five events annually with five to fifteen staff depending on area of expertise

Additionally, in Fiscal Year 2010-11, a minimum of 28% of subrecipients received Title VI training. During last year's Title VI reporting period, THDA enlisted the services of Sara Pratt, a consultant on civil rights law to perform an evaluation of THDA's compliance with all federal anti-discrimination laws, including Title VI. THDA has since received the final report and reviewed the report's final recommendations.

As a result of training recommendations, THDA is in the process of working with West Tennessee Legal Services to conduct THDA staff training regarding Title VI. Dependent upon the proposal and curriculum to be established, training regarding Title VI could be extended beyond THDA staff to subrecipients. Training for subrecipients is also provided dependent on the THDA program. For example, anti-discrimination modules are conducted during the annual HOME Grantee Workshop. The Compliance Division is also pursuing a training module related to anti-discrimination.

XII. PUBLIC NOTICE AND OUTREACH

THDA presently informs Tennesseans about all our programs through the following means:

- Industry meetings
- Workshops with housing industry and special interest groups

- Application workshops, Grantee workshops
- Homebuyer counseling information
- News releases
- Direct mail to special interest groups
- Public notification through radio
- Special needs directories
- THDA newsletter
- Radio and television interviews about THDA programs
- Workshops to educated consumers about Title VI and Fair Housing
- Public Service Announcements
- THDA Web site
- Public speaking

THDA presents civil rights and non-discrimination information through the following means:

- Workshops and training for staff, grantees, program participants
- *Fair Housing* booklet from HUD (available in Spanish)
- HOME grant program policies regarding non-discrimination and Title VI
- Contract Language
- Display of nondiscrimination posters (available in Spanish)
- HUD Title VI, fair housing and LEP resources and materials

In order to accommodate the growing Limited English Proficiency population of Tennessee, THDA has made efforts to reach the LEP populations and promote participation in the public comment process. Reporting requirements of many federal programs require THDA to conduct a public comment period. Public notices and documents provided to the public for comment are provided in both English and Spanish versions on THDA's website. THDA has also conducted research regarding Spanish newspapers in the state with the intent of expanding public notice resources. In addition, THDA staff utilizes HUD LEP Resources when available. A variety of resources for LEP populations can be found at:
http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/promotingfh/lep

THDA Advisory Boards

Name of Advisory Board	Published List of Members (Y/N)	Link to Published List of Members	Total Number Members	Minority % of Members
Lender Advisory Board	Yes	http://www.thda.org/adbds/labmembers.pdf	13	9%
Realtor Advisory Board	Yes	http://thda.org/adbds/rabmembers.pdf	15	47%

For the 15 member THDA Realtor Advisory Board, five Realtors are chosen from each Grand Division of Tennessee. Member selection is based on the realtor's level of involvement in his/her respective Realtor Associations and/or National Association of Realtors, activity in community projects, leadership in other realtor-related organizations, and their advocacy for affordable housing for first-time homebuyers and underserved populations in their respective areas within the East, Middle and West Grand Divisions of Tennessee.

Documentation of minority input

THDA allows opportunities for public comment throughout the year on various programs and reporting requirements. This information is requested through a public notice placed in all major papers throughout the state and comments are accepted either in person, through the mail, or electronically. All grant and contract notices are placed in the major papers across the state as well as on the THDA website. Public notices and documents provided to the public for comment are provided in both English and Spanish versions on THDA's website. THDA has also conducted research regarding Spanish newspapers in the state with the intent of expanding public notice resources.

Availability of Title VI Implementation Plan

The Title VI Implementation Plan is available on the agency website at http://www.thda.org/titlevi/tvicover.html. Additionally, copies are available upon request.

XIII. EVALUATION PROCEDURES

In fall of 2010, THDA received a Civil Rights Assessment, conducted by Sara Pratt, a consultant on civil rights law. The Civil Rights Assessment evaluates THDA's compliance with all federal anti-discrimination laws, including Title VI. The evaluation includes a number of recommendations to assure compliance for the agency and its partners, as well as guidance on the development of a range of agency-specific training curriculum.

Since receiving this report, members of the THDA staff, including the Title VI Coordinator, have reviewed the full report and identified priority areas for THDA. Among the priority areas identified that specifically relate to Title VI include: assessing the need for translation/interpretation services, developing an LEP Policy and enhancing training opportunities for THDA staff specific to Title VI.

In an effort to improve translation services available to LEP persons, THDA has begun the process of developing and implementing a Language Line utilizing the services of Avanza Language Services Corporation. THDA is in the process of arranging training for relevant staff and plans to have the Language Line available to LEP persons by October, 2011.

In regards to the creation of an LEP Policy, THDA successfully developed and implemented a LEP policy and LEP procedures. The LEP policy and procedures can be found in Appendix A of this report.

The last priority area identified for THDA from the Civil Rights Assessment was the development of staff training specifically related to Title VI. THDA is working with West Tennessee Legal Services on the development of a proposal and curriculum for staff training. The proposal and sample curriculum are expected in January 2012. Training for THDA staff regarding Title VI is expected to begin during Fiscal Year 2011-12.

THDA will continue to identify priority areas in relation to Title VI and monitor its progress throughout the next year. Having made significant progress in the two areas of LEP translation services and an LEP policy and procedures, THDA will continue to move forward with implementing staff training and identifying areas for further improvement.

XIV. RESPONSIBLE OFFICIALS

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Appendix A

Limited English Proficiency (LEP) Policy and Procedures

2011
Title VI Implementation Plan

POLICY AND PROCEDURES FOR COMMUNICATION WITH PERSONS WITH LIMITED ENGLISH PROFICIENCY

POLICY:

Tennessee Housing Development Agency ("THDA") will take reasonable steps to ensure that persons with Limited English Proficiency (LEP) have meaningful access and an equal opportunity to participate in our services, activities, programs and other benefits. The policy of THDA is to ensure meaningful communication with persons that experience LEP and their authorized representatives. The policy also provides for communication of information contained in vital documents. All interpreters, translators and other aids needed to comply with this policy shall be provided without cost to the person being served.

Language assistance will be provided through use of competent bilingual staff, staff interpreters, contracts or formal arrangements with organizations providing interpretation or translation services, or technology and telephonic interpretation services. All staff will be provided notice of this policy and procedure, and staff that may have direct contact with LEP individuals will be trained in effective communication techniques, including the effective use of an interpreter.

THDA will conduct a regular review of the language access needs of our clients, as well as update and monitor the implementation of this policy and these procedures, as necessary.

PROCEDURES:

1. IDENTIFYING LEP PERSONS AND THEIR LANGUAGE:

   THDA will promptly identify the language and communication needs of the LEP person. If necessary, staff will use a language identification card (or "I speak cards") or posters to determine the language. In addition, when records are kept of past interactions with individuals or their family members, the language used to communicate with the LEP person will be included as part of the record.

2. OBTAINING A QUALIFIED INTERPRETER:

   THDA staff is responsible for:

   a) Maintaining an accurate and current list showing the name, language, phone number and hours of availability of bilingual staff;
   b) Contacting the appropriate bilingual staff member to interpret, in the event that an interpreter is needed, if an employee who speaks the needed language is available and is qualified to interpret;
   c) Obtaining an outside interpreter if a bilingual staff or staff interpreter is not available or does not speak the needed language.

Some LEP persons may prefer or request to use a family member or friend as an interpreter. However, family members or friends of the LEP person will not be used as interpreters unless specifically requested by that individual and after the LEP person has understood that an offer of an interpreter at no charge to the person has been made by THDA. Such an offer and the response will be documented in the person's file. If the LEP person chooses to use a family member or friend as an interpreter, issues of competency of interpretation, confidentiality, privacy, and conflict of interest will be considered. If the family member or friend is not competent or appropriate for any of these reasons, competent interpreter services will be provided to the LEP person.

Children (e.g. persons under the age of 18) and other THDA clients will not be used to interpret, in order to ensure confidentiality of information and accurate communication.

3. PROVIDING WRITTEN TRANSLATIONS:

   a) When translation of vital documents is needed, each division or unit of THDA will submit documents for translation into frequently-encountered languages to the Public Affairs Division. Original documents being submitted for translation will be in final, approved form.
   b) THDA will set timeframes for translation of vital documents into additional languages over time.

4. PROVIDING NOTICE TO LEP PERSONS:

   THDA will inform LEP persons of the availability of language assistance, free of charge, by providing written notice in languages LEP persons will understand. At a minimum, notices and signs will be posted and provided in intake areas and other points of entry, including but not limited to the central office front desk and the front desks of all field offices.

5. MONITORING LANGUAGE NEEDS AND IMPLEMENTATION:

   On an ongoing basis, THDA will assess changes in demographics, types of services or other needs that may require reevaluation of this policy and its procedures. In addition, THDA will regularly assess the efficacy of these procedures, including but not limited to mechanisms for securing interpreter services, equipment used for the delivery of language assistance, complaints filed by LEP persons and feedback from the public and community organizations.

Appendix B

Discrimination Complaint Form

2011
Title VI Implementation Plan

Discrimination Complaint Form

Note: We are asking for the following information to assist us in processing your complaint. If you need help in completing this form, please let us know. For questions about the Discrimination Complaint Form, please contact Bruce Balcom, Assistant General Counsel, at (615) 815-2026 or bbalcom@thda.org.

1. Complainant's Name _____

Address _____

City, State and Zip Code _____

Telephone Number:

(home) ( ) _____

(business) ( ) _____

Person discriminated against (if someone other than the complainant):

Name _____

Address _____

City, State and Zip Code _____

Telephone Number ( ) _____

2. What is the name and location of the institution or agency that you believe discriminated against you? _____

Name _____

Address _____

City, State and Zip Code _____

Telephone Number ( ) _____

3. Which of the following best describes the reason you believe the discrimination took place?

Was it because of your:

a. Race/Color? (Specify)_____

b. National Origin? (Specify) _____

c. _____

4. What date did the alleged discrimination take place?_____

5. In your own words, describe the alleged discrimination. Explain what happened and whom you believe is responsible.

_____
_____
_____
_____
_____
_____
_____
_____
_____
_____

7. Have you tried to resolve this complaint through the internal grievance procedure at the institution or agency? ☐ Yes ☐ No

If yes, what is the status of the grievance?

_____
_____
_____
_____
_____
_____
_____
_____
_____

Name and title of the person who is handling the grievance procedure.

Name: _____

Title: _____

8. Have you filed this complaint with any other federal, state, or local agency; or with any federal or state court? ☐ Yes ☐ No

If yes, check all that apply:

Federal agency ☐

Federal court ☐

State agency ☐

State court ☐

Local Agency ☐

Please provide information about a contact person at the agency/court where the complaint was filed.

Name _____

Address _____

City, State and Zip Code _____

Telephone Number ( ) _____

9. Do you intend to file this complaint with another agency? ☐ Yes ☐ No

If yes, when and where do you plan to file the complaint?

Date _____

Agency Address _____

City, State and Zip Code _____

Telephone Number ( ) _____

10. Has this complaint been filed with this agency before? ☐ Yes ☐ No

If yes, when? Date _____

11. Have you filed any other complaints with this agency? ☐ Yes ☐ No

If yes, when and against whom were they filed?

Date _____

Name _____

Address _____

City, State and Zip Code _____

Telephone Number( ) _____

Give a brief description of the other complaint:

_____
_____
_____
_____
_____
_____
_____
_____
_____
_____

What is the status of the other complaint?

_____
_____
_____
_____
_____
_____
_____
_____
_____
_____

12. Please sign below. You may attach any written materials or other information that you think is relevant to your complaint.

_____ _____

Complainant's Signature **Date**