

LANGUAGE ACCESS IN HOUSING OUTLINE

NOVEMBER 2015

I. WHO ARE LEP PERSONS?

A limited English proficient (“LEP”) person is anyone:

1. who does not speak English as his/her primary language and who has a limited ability to read, write, speak, or understand English;¹ or
2. who speaks English “less than very well.”

II. LIST OF LEGAL AUTHORITY REQUIRING LANGUAGE ACCESS IN HOUSING

A. Statutes

1. Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, *et seq.*
2. Fair Housing Act, 42 U.S.C. § 3601, *et seq.*
3. Violence Against Women Reauthorization Act of 2013 (VAWA 2013), 42 U.S.C. § 14043e-11(d) (housing rights notice provision)

B. *Lau v. Nichols*, 414 U.S. 563 (1974).

C. Executive Order 13166, “Improving Access to Services for Persons with Limited English Proficiency,” 65 Fed. Reg. 50,121 (Aug. 16, 2000), available at: <http://www.gpo.gov/fdsys/pkg/FR-2000-08-16/pdf/00-20938.pdf>

D. Administrative Guidance

1. **HUD Final LEP Guidance:** U.S. Dep’t of Housing and Urban Dev., “Final Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons,” 72 Fed. Reg. 2732 (Jan. 22, 2007), available at: <http://www.gpo.gov/fdsys/pkg/FR-2007-01-22/pdf/07-217.pdf>
2. **USDA (Rural Development) Final Guidance:** U.S. Dep’t of Agriculture, “Guidance to Federal Financial Assistance Recipients Regarding the Title VI Prohibition Against National Origin Discrimination Affecting Persons With Limited English Proficiency.” 79 Fed. Reg. 70,771 (Nov. 28, 2014), available at: <http://www.gpo.gov/fdsys/pkg/FR-2014-11-28/pdf/2014-27960.pdf>

E. State and Local Laws

1. State and local laws may provide additional housing protections for LEP individuals.

III. TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

¹ U.S. Dep’t of Housing and Urban Dev., “Final Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons” 72 Fed. Reg. 2732 (Jan. 22, 2007).

- A. Prohibits discrimination on the basis of race, color, or **national origin**
 - 1. Must provide equal services in terms of scope and quality
 - 2. Cannot unreasonably delay services
 - 3. Cannot require a LEP person to provide her own interpreter
 - 4. Cannot limit participation in a program
 - 5. State and local “English-only” laws do not excuse federally assisted programs from LEP compliance.
- B. Covers all entities receiving “federal financial assistance”
 - 1. Programs receiving federal financial assistance **include**
 - a. Public housing, project-based Section 8, CDBG funds, HOME funds
 - b. For a more complete (but not necessarily exhaustive) listing of federally assisted housing programs subject to Title VI, *see* U.S. Dep’t of Housing and Urban Dev., “List of Federally Assisted Programs,” 69 Fed. Reg. 68,700 (Nov. 24, 2004), available at: <http://www.gpo.gov/fdsys/pkg/FR-2004-11-24/pdf/04-25986.pdf>
 - 2. Entities **not covered** under Title VI
 - a. Private housing, including landlords who accept tenant-based Section 8 Housing Choice Vouchers (except if other covered federal funds are received)
 - 3. Programs **likely not covered/unclear** under Title VI
 - a. Low Income Housing Tax Credit (LIHTC) program
 - i. Exception: American Recovery and Reinvestment Act (ARRA) of 2009; *see e.g.*, Eric Holder, Attorney General, Memorandum for Heads of Executive Departments and Agencies Providing Federal Financial Assistance re: Enforcement of Nondiscrimination Laws in Programs and Activities that Receive American Recovery and Reinvestment Act Funding (Sept. 27, 2010), available at: http://www.justice.gov/sites/default/files/crt/legacy/2011/01/20/arra_mem_o.pdf
 - 4. Entities that receive **any** “federal financial assistance” are subject to LEP administrative guidance.
 - a. Thus, housing that receives some funding covered by Title VI as well as additional funding not covered by the statute would still have LEP obligations under Title VI.

IV. *LAU v. NICHOLS*, 414 U.S. 563 (1974)

- A. In this decision, the U.S. Supreme Court found that a school district’s failure to provide English language instruction denied meaningful opportunity to participate in a public educational program.
- B. This failure to provide language access constituted a violation of the Title VI prohibition against national origin discrimination. This case established the link between language discrimination and national origin discrimination under Title VI.

V. EXECUTIVE ORDER 13166, “IMPROVING ACCESS TO SERVICES FOR PERSONS WITH LIMITED ENGLISH PROFICIENCY”

- A. Reaffirms the relationship between national origin and limited English proficiency

- B. Orders federal agencies and federally assisted programs to create plans to ensure language access
- C. Directs agencies/programs to work with LEP persons and their representatives when creating language access plans

VI. ADMINISTRATIVE GUIDANCE

A. HUD Final LEP Guidance

- 1. Directs recipients of federal funds to:
 - a. conduct a four-factor analysis;
 - b. develop a Language Assistance/Access Plan (LAP); and
 - c. provide language assistance, in accordance with that plan
 - 2. Four-factor analysis in determining LEP needs
 - a. Number of LEP persons from a particular language group in the area served/encountered, or number that would be served if provided meaningful language access
 - i. Examples of types of data:
 - 1. U.S. Census data (available online at American FactFinder);
 - a. American Factfinder, available at:
<http://factfinder.census.gov/faces/nav/jsf/pages/index.xhtml>
 - 2. data from school systems;
 - 3. community organizations; and
 - 4. state and local governments
 - b. How often funding recipient interacts with LEP persons
 - c. Importance/nature of the program, service, or activity to LEP persons
 - i. Housing is critical!
 - d. Resources available, as well as the costs of providing language access
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 - c. Importance/nature of the program, service, or activity to LEP persons
 - i. Housing is critical!
 - d. Resources available, as well as the costs of providing language access
3. Written translation
 - a. Safe harbor provision for written translation only
 - i. Provide translation of vital documents for language groups making up 5 percent of the population, or 1,000 individuals (whichever is less) in the eligible service population
 - 1. Doing so is viewed as “strong evidence of compliance”
 - ii. If the language group that meets the 5 percent threshold constitutes fewer than 50 people, provide translated written notification that free oral interpretation of the written documents is available
 - b. Directs recipients to translate vital documents
 - i. Vital documents are documents that “those that are critical for ensuring meaningful access by beneficiaries or potential beneficiaries generally and LEP persons specifically”; additionally, the LEP Guidance states that whether a document is “vital” may “depend upon the importance of the program, information, encounter, or service involved, and the consequence to the LEP person if the information in question is not provided accurately or in a timely manner.” HUD LEP Guidance at 2,752.
 - ii. The Office of Public and Indian Housing has identified the following non-exhaustive list of “vital” documents:

1. Tenancy addendum for the Section 8 voucher program,
 2. Housing Assistance Payment contract,
 3. Request for Tenancy Approval,
 4. Authorization for Release of Information,
 5. Family Self Sufficiency (FSS) Escrow Account worksheet,
 6. Voucher Program, Statement of Homeownership Obligations,
 7. FSS contract of participation and the document entitled “A Good Place to Live,” and
 8. HUD has already translated the “How Your Rent is Determined” fact sheet into Spanish, Chinese, Korean, and Vietnamese.
 - a. http://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/programs/ph/rhiip/factsheet
- iii. The HUD LEP Guidance identified other documents that may be “vital”:
1. Consent/complaint forms
 2. Notices of eviction
 3. Notices advising LEP persons of free language assistance
 4. Intake forms
 5. Hearing notices
 6. Written notices of rights, denial, or a decrease in services or benefits
 7. Leases/tenant rules
 8. Applications to receive benefits/services or to participate in a program
 9. Notices of public hearings, particularly those meeting Community Planning and Development’s requirements concerning citizen participation
4. Oral Interpretation
- a. Can use bilingual staff
 - b. Counsels caution for use of friends and family (informal interpreters) generally (conflict of interest, candidness, etc.), particularly in emergency situations; and calls the use of family or friends as interpreters often “inappropriate.” HUD LEP Guidance at 2743.
 - c. Outlines concerns with using children as interpreters
 - d. HUD LEP Guidance at 2743:
 - i. “In many circumstances, family members (especially children) or friends are not competent to provide quality and accurate interpretations. Confidentiality, privacy, or conflict-of-interest issues may also arise. LEP persons may feel uncomfortable revealing or describing sensitive, confidential, or potentially embarrassing medical, law enforcement (e.g., sexual or violent assaults), family, or financial information to a family member, friend, or member of the local community. For example, special circumstances may raise additional serious concerns regarding the voluntary nature, conflicts of interest, and privacy issues surrounding the use of family members and friends as interpreters, particularly where an important right, benefit, service, disciplinary concern, or access to personal or law enforcement information is at stake. In addition to ensuring competency and accuracy of the interpretation, recipients should take these special circumstances into account when determining whether a beneficiary makes a knowing and voluntary choice to use another family member or friend as

an interpreter. Furthermore, such informal interpreters may have a personal connection to the LEP person or an undisclosed conflict of interest, such as the desire to protect themselves or another perpetrator in a domestic violence or other criminal matter. For these reasons, when oral language services are necessary, recipients would generally offer competent interpreter services free of cost to the LEP person. For HUD recipient programs and activities, this is particularly true in a courtroom or administrative hearing or in situations in which health, safety, or access to important housing benefits and services are at stake; or when credibility and accuracy are important to protect an individual's rights and access to important services."

5. Developing a Language Assistance Plan (HUD LEP Guidance at 2734)
 - a. Identifying "LEP persons who need language assistance and the specific language assistance that is needed";
 - b. Identifying the points and types of contact the agency and staff may have with LEP persons;
 - c. Identifying ways "in which language assistance will be provided";
 - d. Conducting "effective outreach to the LEP community";
 - e. Training staff;
 - f. Determining which documents and informational materials are vital;
 - g. Translating "informational materials in identified language(s) that detail services and activities provided to beneficiaries (e.g., model leases, tenants' rights and responsibilities brochures, fair housing materials, first-time homebuyer guide)";
 - h. Providing "appropriately translated notices to LEP persons (e.g., eviction notices, security information, emergency plans)";
 - i. Providing "interpreters for large, medium, small, and one-on-one meetings";
 - j. Developing community resources/ partnerships/other relationships to assist with the provision of language services; and
 - k. Making "provisions for monitoring and updating the LAP," including seeking input from beneficiaries and the community on how it is working and on what other actions should be taken.
6. Examples of services/practices that assist LEP persons (HUD LEP Guidance at 2752):
 - a. Bilingual staff;
 - b. Oral interpretation services;
 - c. Written translation services;
 - d. Telephone service lines interpreter;
 - e. Notices to staff and recipients of the availability of LEP services;
 - f. Referrals to community liaisons proficient in the language of LEP persons; and
 - g. Language identification cards invite LEP persons to identify their own language needs ("I Speak" cards).
7. *National Multi Housing Council v. Jackson*, 539 F. Supp. 2d 425 (D.D.C. 2008) (concluding that landlord groups challenging the HUD LEP Guidance lacked standing to do so, and that the claim that the guidance is arbitrary and capricious was unripe, even though other claims were ripe; granting defendant's motion to dismiss)

1. Includes a four-factor analysis
 - a. Number of LEP individuals served/encountered
 - b. Frequency of contact with LEP individuals
 - c. Importance of activity/program
 - d. Costs and available resources
2. Includes a safe-harbor provision for written translation (no safe harbor for oral interpretation)
 - a. Funding recipient translates vital documents for each LEP group that comprises 5% of eligible service population or 1,000 persons (whichever is lower).
 - b. If there are fewer than 50 LEP individuals, but the 5% threshold is met, then the funding recipient provides written notification that free oral written language assistance is available.
3. Instructs funding recipients to create a language assistance plan

VII. FAIR HOUSING ACT

- A. The Fair Housing Act (FHA) prohibits discrimination on the basis of national origin in the sale, rental, or financing (and associated terms, conditions, and privileges) of dwellings. 42 U.S.C. § 3601, *et seq.*
- B. However, the courts have not uniformly accepted a link between national origin discrimination and language discrimination under the FHA.
 1. *Cabrera v. Alvarez*, 977 F. Supp. 2d 969 (N.D. Cal. 2013). The court denied housing authority's motion to dismiss intentional discrimination claim under FHA, but granted PHA's motion to dismiss disparate impact claim under the FHA. In this case, the landlord allegedly refused to translate documents or provide interpretation, and told plaintiff to "learn English."
 2. *Pomales v. Hous. Auth. of City of Dania Beach*, slip op., 2013 WL 8115425 (S.D. Fla. Mar. 27, 2013). The court found plaintiffs sufficiently pleaded FHA claim against PHA employee who refused to provide language assistance to LEP applicants.
 3. *Veles v. Lindow*, 243 F.3d 552 (Table) (9th Cir. 2000). In an unpublished decision, the Ninth Circuit concluded that any lower court errors regarding jury instructions about disparate treatment or disparate impact theory were harmless in a Fair Housing Act case in which the plaintiffs alleged that the landlord's requirement that one person in each household speak English discriminated on the basis of national origin. The court noted that the plaintiffs failed to prove that the defendants "intended to discriminate on the basis of national origin," and "also provided virtually no evidence to prove disparate impact and inexplicably failed to object to the district court's exclusion of statistical evidence in support of their claim."
 4. *Vialez v. N.Y.C. Hous. Auth.*, 783 F. Supp. 109 (S.D.N.Y. 1991). The court found that the failure to translate a notice of housing authority charges against tenant or the hearing officer's decision does not violate the FHA, reasoning that all non-English speakers were equally affected. The court also rejected claims that failure to translate documents including the notice of charges against the tenant and the hearing officer's decision violated tenant's right to due process, or that such failure to translate these

documents (notice of charges against tenant and the hearing officer's decision) violated Title VI.

5. For more discussion, see NHLP, *HUD Housing Programs: Tenants' Rights* (2014 Supplement), § 13.14.3.3
- C. The FHA has a broader scope than Title VI because it applies to private dwellings, not just federally-funded housing.
1. Applies to almost all housing, with a few narrow exceptions

VIII. ENFORCEMENT

A. *Alexander v. Sandoval*, 532 U.S. 275 (2001)

1. No private right of action under disparate impact cases brought under Title VI; federal government can still bring these claims
2. Private litigants can ***still sue under discriminatory intent theory*** under Title VI
3. Some have suggested that this decision called the scope of Title VI LEP obligations for recipients of federal financial recipients into question, ***however***:
 - a. Ralph Boyd, Assistant AG Civil Rights Division, Memorandum for Heads of Departments and Agencies, General Counsels and Civil Rights Directors re: Executive 13166 (Improving Access to Services for Persons with Limited English Proficiency) (Oct. 26, 2001), available at: <http://www.justice.gov/crt/about/cor/lep/Oct26memorandum.pdf>
 - b. Eric Holder, Attorney General, Memorandum for Heads of Department Components, re: Language Access Obligations Under Executive Order 13166 (June 28, 2010), available at: http://www.justice.gov/sites/default/files/crt/legacy/2012/05/04/language_access_memo.pdf
 - c. Eric Holder, Attorney General, Memorandum for Heads of Federal Agencies, General Counsels and Civil Rights Heads re: Federal Government's Renewed Commitment to Language Access Obligations Under Executive Order 13166 (Feb. 17, 2011), available at: http://www.justice.gov/sites/default/files/crt/legacy/2011/02/25/AG_021711_EO_13166_Memo_to_Agencies_with_Supplement.pdf
 - d. Federal agencies have continued to construe language access as a form of national origin discrimination (e.g., HUD Final LEP Guidance, 2007); and
 - e. Relatively recent opinion contains language reaffirming the link between national origin discrimination and language discrimination (*United States v. Maricopa County*, 915 F. Supp. 2d 1073, 1079-81 (D. Ariz. 2012)).
 - i. However, despite cases such as *Lau* and *Maricopa County*, some courts have previously concluded that the failure to provide translated documents (e.g., notice of charges against tenant by housing authority; hearing officer's decision) does not constitute national origin discrimination under Title VI, but rather a preference for English. See e.g., *Vialez v. N.Y. City Hous. Auth.*, 783 F. Supp. 109 (S.D.N.Y. 1991), citing *Soberal-Perez v. Heckler*, 717 F.2d 36 (2d Cir. 1983).

B. Individuals can still file an administrative complaint with HUD.

1. Title VI can still be enforced by HUD for acts of language discrimination or failure to provide language access.
2. For example, HUD can conclude that certain housing authorities are non-compliant with Title VI.
 - a. Example: In 2015, HUD concluded Reading Housing Authority (PA) was non-compliant with Title VI obligations.
3. Additionally, complainants can allege national origin discrimination under the Fair Housing Act (FHA) in a HUD complaint.
 - a. HUD recently issued a discrimination charge against a private housing provider that did not want to rent to a family of Hmong descent because the landlord perceived an adult family member as LEP:
 - i. Discrimination charge in *HUD v. Page Edmunds III*, available at: <http://portal.hud.gov/hudportal/documents/huddoc?id=15chargeMinnNatOri.pdf>; HUD press release: http://portal.hud.gov/hudportal/HUD?src=/press/press_releases_media_advisories/2015/HUDNo_15-045
 - ii. DOJ has filed a complaint in federal court. *See* Complaint, *United States v. Page Edmunds III*, 0:15-cv-02705 (D. Minn. filed June 10, 2015), available at: <http://www.justice.gov/sites/default/files/crt/legacy/2015/06/11/edmundscomp.pdf>

C. Prior Settlement Agreements

1. The following housing providers, housing authorities, jurisdictions, and agencies have entered into agreements with HUD regarding language access:
 - a. City of Hazleton Housing Authority (Pa. 2015) (Title VI and FHA).
 - i. PHA entered into this agreement to settle claims that it was not providing meaningful language assistance to LEP individuals participating in and applying for the public housing and Section 8 Housing Choice Voucher programs. LEP tenants and applicants also alleged that the PHA discriminated on the basis of national origin. Such discrimination included subjecting individuals to “different terms and conditions, posting signs and posters with discriminatory statements, and denying full benefits of housing to persons of a specific national origin.” As part of the relief, two complainants are permitted to use Title VI as a defense in new Section 8 termination hearings granted under the agreement. Additionally, the PHA will provide “a competent interpreter” free of charge at the new hearings. The PHA is also required to remove signage that asks LEP individuals to bring their own interpreter, and replace it with signage advertising the availability of language assistance. The PHA will also hire staff to accommodate the need for language assistance, update its language access plan to include items such as a prohibition on requiring family/friends/other informal interpreters to interpret for an LEP person, and conduct community outreach.

- ii. *See* Conciliation Agreement with Housing Authority of the City of Hazleton, available at:
<http://portal.hud.gov/hudportal/documents/huddoc?id=HAZLETONHSGAUTHENG.PDF>; HUD press release:
http://portal.hud.gov/hudportal/HUD?src=/press/press_releases_media_advisories/2015/HUDNo_15-055
- b. Housing Authority of Independence (Mo. 2015) (Title VI)
 - i. HUD compliance review discovered non-compliance with Title VI.
 - ii. *See* Voluntary Compliance Agreement between HUD and Housing Authority of Independence, available at:
<http://portal.hud.gov/hudportal/documents/huddoc?id=07-13-R001-6-VCASigned.pdf>; HUD press release:
http://portal.hud.gov/hudportal/HUD?src=/press/press_releases_media_advisories/2015/HUDNo_15-042
- c. Coronado Terrace/Related Management (Ca. 2015) (Title VI and FHA)
 - i. Tenant alleged that the owner failed to translate vital documents, despite large monolingual Spanish-speaking population. Conciliation agreement/voluntary compliance agreement was reached between the parties; relief included allowing tenant to remain at the property, required translation of forms, and adoption of a LAP.
- d. Nebraska Department of Economic Development (DED) (Neb. 2014) (Title VI)
 - i. HUD compliance review discovered DED's non-compliance with Title VI, including a failure to monitor sub-recipient compliance with Title VI. Per the voluntary compliance agreement, the DED must conduct a four-factor analysis, create a language access plan, and notify as well as train sub-recipients regarding their Title VI obligations.
 - ii. *See* Voluntary Compliance Agreement between HUD and State of Nebraska Department of Economic Development, available at:
<http://portal.hud.gov/hudportal/documents/huddoc?id=VCA3-4-2014.pdf>; HUD press release:
http://portal.hud.gov/hudportal/HUD?src=/press/press_releases_media_advisories/2014/HUDNo.14-033
- e. State of New Jersey (N.J. 2014) (Title VI and FHA)
 - i. This agreement stemmed from the provision of recovery funds by the State of New Jersey in the wake of Superstorm Sandy. Eventually, an agreement was reached between HUD and the state to settle a broader complaint filed by several civil rights groups that alleged the state had violated applicable civil rights laws while administering these federal recovery funds. In relevant part, the agreement requires establishment of language access policies. In a letter to the state (which was eventually forwarded to HUD pursuant to HUD's overall investigation), the Latino Action Network had cited the state's failure to provide the same information in English and Spanish; failure to provide necessary documents in Spanish; and failure inform Spanish speakers of the denial appeals process, as well as important deadlines.

- ii. *See* Voluntary Compliance Agreement and Conciliation Agreement between HUD, Latino Action Network, N.J. State Conference of the NAACP, Fair Share Housing Center and the State of New Jersey and N.J. Dept. of Community Affairs, available at:
<http://portal.hud.gov/hudportal/documents/huddoc?id=NewJerseyAgreementsigned.pdf>; HUD press release:
http://portal.hud.gov/hudportal/HUD?src=/press/press_releases_media_advisories/2014/HUDNo_14-062
- f. Virginia Realty of Tidewater (Va. 2012) (FHA)
 - i. HUD filed and settled a complaint alleging national origin discrimination under the FHA when private landlord had a written policy prohibiting LEP persons from renting. A separate settlement was reached between the individual complainant and the landlord.
 - ii. Conciliation Agreement between HUD and Virginia Realty of Tidewater, Inc., Thomas Gale, and Penny Ruperti, available at:
<http://portal.hud.gov/hudportal/documents/huddoc?id=OPADOC.PDF>;
 HUD press release:
http://portal.hud.gov/hudportal/HUD?src=/press/press_releases_media_advisories/2013/HUDNo.13-006
- g. County of Marin (Ca. 2010)
 - i. As part of a broader voluntary compliance agreement, jurisdiction was required to develop a LAP to ensure meaningful outreach to LEP populations; while HUD found that Marin was in general compliance with Title VI, HUD did find noncompliance with other fair housing regulations.
 - ii. *See* Voluntary Compliance Agreement between HUD and the County of Marin CDBG Program, available at:
<http://portal.hud.gov/hudportal/documents/huddoc?id=MarinCountyCAVCA.pdf>; HUD press release:
http://portal.hud.gov/hudportal/HUD?src=/press/press_releases_media_advisories/2011/HUDNo.11-002
- h. Ontario Townhouses (Md. 2007) (Title VI and FHA)
 - i. HUD entered into a series of agreements with this housing provider arising out of the alleged discriminatory actions based on national origin by the former resident manager. Remedies for these complaints included interpretation assistance for LEP individuals. Two agreements that referenced discrimination on the basis of limited English proficiency/language use are included below. The remaining agreements can be located at:
http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/enforcement/conciliations
 - ii. Cuevas Conciliation (2007) (Title VI and FHA)
 - i. Complainants alleged that the resident manager “refused to allow them to speak Spanish.” Agreement required that oral interpretation assistance be made available for LEP individuals. Agreement available at:

http://portal.hud.gov/hudportal/documents/huddoc?id=DOC_14746.pdf

- iii. Ochoa Conciliation (2007) (Title VI and FHA)
 - i. Complainants alleged that resident manager “yelled at them because of their inability to communicate in English...[,]refused to communicate with them (as well as other tenants) in Spanish or accommodate them because of their limited English proficiency (LEP)”; agreement required oral interpretation assistance be made available for LEP individuals. Agreement available at: http://portal.hud.gov/hudportal/documents/huddoc?id=DOC_14757.pdf
- i. Nashua Housing Authority (N.H. 2007) (Title VI and FHA)
 - i. Complainants alleged discrimination on the basis of national origin under the FHA and Title VI; relief included compensation to the complainants and required development of a LAP.
 - ii. *See* Conciliation Agreement between HUD, Rafael and Ana Rodriguez, and Nashua Housing Authority, available at: https://portal.hud.gov/hudportal/documents/huddoc?id=DOC_7563.pdf
- j. Revere Housing Authority (Ma. 2004) (Title VI)
 - i. Complainant alleged that the PHA denied complainant and other program participants/applicants language access; relief included adoption of a LAP.
- k. Housing Authority of the City of Las Vegas (Title VI)
 - i. HUD review resulted in a preliminary letter of findings of noncompliance with Title VI; PHA required to develop language assistance plans.
 - ii. *See* Voluntary Compliance Agreement between HUD and the Housing Authority of Las Vegas, available at: <https://nhlp.org/files/LVHA-vca.pdf>

ADDITIONAL ONLINE RESOURCES

Federal Government LEP materials

- <http://www.lep.gov> (federal government clearinghouse for LEP information)
- <http://www.lep.gov/selfassesstool.htm> (a self-assessment tool for federal grantees to use in preparing LEP implementation plans)
- <http://www.lep.gov/ISpeakCards2004.pdf> (“I Speak” card that allows organizations who serve LEP clients identify the specific language spoken by an LEP person)

LEP Statistics

- <http://www.migrationinformation.org/Feature/display.cfm?ID=960> (page includes link to Excel spreadsheet with LEP data at the county level for all 50 states and D.C.)

HUD LEP Resources

- http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/promotingfh/lep-faq (HUD FAQ section that discusses the agency’s Final LEP Guidance issued in 2007 and includes topics such as: vital documents, language access plans, and what the Guidance requires of recipients of federal funds)

- www.hud.gov/offices/fheo/lep.xml (HUD LEP page with many, but not all, documents/forms translated by HUD)
- http://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/hudclips (HUDCLIPS also provides HUD translated forms, organized by form number)

FOR MORE INFORMATION

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