

CHAPTER 1. OVERVIEW OF VOLUNTARY AFFIRMATIVE MARKETING
AGREEMENTS (VAMAS)

- 1-1. PURPOSE. This Handbook describes HUD's voluntary affirmative marketing agreements with national housing industry groups and places particular emphasis on the citizen participation component to the agreements. It is intended for use by the members of a citizens component, referred to as a Community Housing Resource Board (CHRB).
- 1-2. INTRODUCTION. Title VIII of the Civil Rights Act of 1968, as amended, established that: "It is the policy of the United States to provide, within constitutional limitations, for fair housing throughout the United States." In 1974, the scope of Title VIII, which originally prohibited discrimination in housing based on race, color, religion or national origin, was amended, through the Housing and Community Development Act, to include sex. Additionally, In 1988, the law was amended to include handicapped persons and families with children as protected classes. Although "fair housing" is not defined in the Act, since 1968 it has become clear that, apart from the statutory prohibition against housing discrimination, "fair housing" at the very least means "equal housing opportunity." That concept is defined in HUD's Affirmative Fair Housing Marketing Regulations (24 CFR Part 200, Subpart M) as "...a condition in which individuals of similar income levels in the same housing market area have a like range of housing choices available to them regardless of their race, color, religion, sex, handicap, familial status, or national origin." Moreover, all executive departments and agencies are charged, under Title VIII, to "administer their programs and activities relating to housing and urban development in a manner affirmatively to further the purposes of the Title...."
- 1-3. AUTHORITY. Section 809 of Title VIII states:
"Immediately after the enactment of this Title the Secretary shall commence such educational and conciliatory activities as in his judgment will further the purposes of this Title. He shall call conferences of persons in the housing industry and other interested parties to acquaint them with the provisions of this Title and his suggested means of implementing it, and shall endeavor with their advice to work out programs of voluntary compliance and of enforcement" Congress affirmed, in its inclusion of Section 809, the importance of voluntary compliance. To work out programs of voluntary compliance, HUD established an Office of Voluntary Compliance (OVC) within the Office

of Fair Housing and Equal Opportunity (FHEO). Its original charge was and continues to be, to extend the range of equal opportunity activities beyond the area of law enforcement by promoting institutional change designed to secure voluntary compliance with the spirit of the law and its policy of fair housing.

1-4. EXAMPLES OF VOLUNTARY COMPLIANCE. There is a broad range of activities that may properly be related to voluntary compliance, including conferences, seminars and advertising programs that promote equal treatment in housing and employment. Community planning and funding processes, and HUD research and demonstration projects may be used to promote it. Excellent vehicles for achieving equal housing opportunity are voluntary affirmative marketing plans and agreements. Properly implemented, they vastly extend the impact of the Voluntary Affirmative Marketing Program beyond HUD-assisted housing to the conventional market in major housing areas.

1-5. VOLUNTARY AFFIRMATIVE MARKETING AGREEMENTS (VAMAs). These Agreements are negotiated between HUD Headquarters and any national association that represents some component of the housing industry, e.g., Realtors, Realtists, home builders, real estate license commissions, rental housing managers, appraisers, etc. Each Agreement is designed to carry out a broad equal opportunity program, including outreach, advertising, affirmative employment, safeguards against racial steering, etc., which are designed to ensure that housing will be marketed on an equal opportunity basis. The national association becomes party to an Agreement and then commends its adoption by its member affiliates on State and local levels. At this point HUD's relationship with the housing industry group shifts to the Field Offices for purposes of technical assistance, monitoring, and organizing a citizen participation component.

1-6. ADVANTAGES OF VOLUNTARY AGREEMENTS. Voluntary Affirmative Marketing Agreements promote institutional change on an area-wide basis. HUD cannot expect effective equal housing opportunity until the various housing industries, financial institutions, and local governments demonstrate their acceptance of all applicants and affirmatively promote open communities. The Voluntary Affirmative Marketing Agreements are designed to accomplish this objective.

a. Advantages to the Housing Industry:

(1) Enables local signatories to avoid the necessity

marketing plans for HUD project applications.

- (2) Involves minorities and females in an equitable and effective housing search and location process.
- (3) Achieves economies of scale over individual action, since industry group staff assists individual firms in fulfilling their commitments under the voluntary agreement or plan.
- (4) Provides credit for leadership in dealing with critical social problems, and puts signatory firms on record in support of fair housing and equal opportunity.
- (5) Promotes understanding and good will between the minority community, women's groups and housing industry groups.
- (6) Makes it difficult for firms involved in discriminatory practices to undercut legitimate business competition.
- (7) Reduces the likelihood of discrimination by agents of signatory firms.

b. Advantages to the Community: Properly executed voluntary agreements offer advantages to communities by stimulating the creation and implementation of action plans which:

- (1) Make housing readily available;
- (2) Provide an outlet for all types of demands;
- (3) Reduce blockbusting and racial steering;
- (4) Enhance the image of the city which should result in reduced racial tension; and
- (5) Promote voluntary compliance with civil rights laws, thereby enhancing awareness of and generating a willingness to comply with these laws.