
CHAPTER 3. THE PHACA TITLE VI SELF-ASSESSMENT

- 3-1 INTRODUCTION. The Title VI Self-Assessment process provides a new role for PHAs in the Title VI compliance review program. In a HUD-initiated Title VI compliance review, HUD provides the PHA with an extensive list of data and information to collect and send back for HUD to analyze. At that point, the PHA's task is done and the PHA awaits HUD's determination. In the Title VI Self-Assessment process, the PHA not only collects data and information, but also analyzes the information in order to come to a set of conclusions about the status of its operations in light of the requirements of Title VI and HUD's implementing regulations. If the PHA discovers any problems with its operations, or wants to undertake actions which it believes may promote Title VI objectives more affirmatively, the PHA must also devise an affirmative strategy drawing on the HUD-approved Affirmative Compliance Options described in the relevant sections of the PHACA Title VI Self-Assessment Instrument.
- 3-2 SELF-ASSESSMENT SCOPE. The scope of the PHACA Title VI Self-Assessment is limited to Title VI of the Civil Rights Act of 1964 and the Department's Regulations at 24 CFR Part 1.
- 3-3 STEPS IN THE SELF-ASSESSMENT PROCESS. A PHA agrees to undertake and complete a Title VI Self-Assessment as part of the PHACA Agreement that the PHA signs with the Department. Through the process, the PHA reviews and analyzes each major area of its public housing program operations to determine if the PHA is carrying out the program in a manner which complies with the requirements of Title VI and the Department's Title VI regulations. The Department will provide the PHA with an official finding in this regard, following submission to HUD of the completed self-assessment documentation. The PHACA Title VI Self-Assessment Instrument guides the PHA through each step of the process. In addition, the PHACA Resource Center provides technical assistance and training to each PHA that elects to enter into a PHACA Agreement and to undertake the PHACA Title VI Self-Assessment process. A PHA may use the PHACA Self-Assessment Instrument to conduct an assessment at any time. However, the Department will not review, or render a Title VI determination on, any information submitted by the PHA in the form of the Self-Assessment Instrument unless a PHACA Voluntary Agreement is in effect to which the PHA and the

Department are parties. PHAs that do not enter into a PHACA Agreement but wish to conduct some aspects of the Assessment process may contact the appropriate Regional FHEO Director for information, should they have questions about the Self-Assessment Instrument.

- A. PHAs that have elected to sign a PHACA Agreement, and which desire to perform certain analyses contained in this Self-Assessment process using the PHACA Software developed by HUD for this purpose, should not begin the Self-Assessment process until Headquarters FHEO has provided a copy of the Software disks and User's Manual to the PHA. This will occur at the same time as HUD Headquarters sends a copy of the executed PHACA Voluntary Agreement to the Authority.
- B. When a PHACA Agreement PHA has completed the Self-Assessment, the PHA submits it to HUD for review and determination of the PHA's Title VI status. The completed Self-Assessment documentation should be sent to the appropriate Regional FHEO Director. This documentation should include each of the specific reports, analyses and answers described in the Assessment Instrument and a description of the actions the PHA wishes to take to address any Title VI related problems it has found or that the PHA believes would be appropriate means, even in the absence of specific problems and deficiencies, to promote Title VI objectives in its public housing program.
- C. To ensure regular contact with the PHA during the Self-Assessment process, Regional FHEO staff will set up a "tickler file" in order to monitor the life of the PHACA Voluntary Agreement. At sixty (60) day intervals, the Regional FHEO staff will contact a participating PHA to determine how its PHACA activities are progressing.

3-4 ASSESSMENT AREAS. The Self-Assessment Instrument provides the PHA with detailed information and guidance concerning each of the major areas of operation the PHA reviews in the assessment process. The Instrument has the following sections or areas:

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- A. Section 1: Background Information. This section guides the PHA in the collection and description of information which provides a background for the assessment, and which will be used throughout the

self-assessment process.

- B. Section 2: Outreach. This section guides the PHA in the review of its outreach policies, procedures and practices and the effect these may have on the racial/ethnic composition of the applicants and tenants. This section also focuses on the racial and ethnic composition of the Section 8 Certificate and Section 8 Voucher Programs Waiting Lists and asks the PHA to compare the composition of these lists to the public housing waiting list.
- C. Section 3: Application Processing. In this section, the PHA evaluates the policies, procedures and practices of the PHA with respect to taking applications, making offers, determining eligibility, assigning preferences, and maintaining waiting lists and the effect these may have on the racial/ethnic makeup of persons on the waiting list and residing in public housing.
- D. Section 4: Tenant Selection and Assignment. The PHA reviews its policies, procedures and actual practices for tenanting public housing units. Through a series of analysis, the PHA focuses on two key issues with respect to tenant selection and assignment:
 - 1. whether applicants have received housing offers when they should, regardless of race or ethnicity; and
 - 2. whether applicants have received offers of housing where they should, regardless of race or ethnicity.
- E. Section 5: Project Facilities, Maintenance, and Services. In this section the PHA examines whether, under its policies, procedures, and practices, general conditions and facilities are provided and maintained at all project locations without regard to race or ethnicity.

- F. Section 6: Unit Amenities and Maintenance. Here the PHA determines whether amenities and maintenance in public housing units are provided without regard to race or ethnicity.

3-5 PHA REQUEST FOR AN EXTENSION OF 180 DAYS. If the PHA wishes an extension of the 180-day time frame for completion of its

Self-Assessment, it must notify the appropriate Regional FHEO Director in writing of the impending delay in completing the assessment and the reasons for the delay. The PHA must notify Regional FHEO at least thirty (30) days prior to the expiration date of the PHACA Voluntary Agreement.

- A. The Regional FHEO Director who reviews the extension request will provide the PHA with a written response within 5 working days of receipt of the request.
- B. If the request is granted, the Regional FHEO Director will provide a copy of the response to the:
 - 1. Assistant Secretary of FHEO
Attention: PHACA Program Coordinator;
 - 2. PHACA Program Resource Center.

3-6 PHA FAILURE TO COMPLETE AND SUBMIT THE TITLE VI SELF-ASSESSMENT. The PHA may decide upon completion of the Self-Assessment that it does not wish to submit the results to HUD. If the PHA does not submit its Assessment:

- A. The PHACA Voluntary Agreement will be terminated.
 - 1. HUD will not provide the PHA with an approval of any Affirmative Compliance Options selected by the PHA that require HUD approval; and
 - 2. HUD's agreement not to conduct a Title VI compliance review of the PHA ends and the PHA becomes immediately eligible for such review.
- B. The Regional FHEO Director, before terminating the Agreement, advises the PHA (in writing by certified letter, receipt requested) of its failure to abide by the Agreement, as well as any corrective steps that the Director may deem appropriate. If the PHA does not respond within seven (7) days, the Regional FHEO

Director will send the PHA a letter advising the PHA that HUD's agreement not to conduct a compliance investigation has ended, thus the PHA is immediately eligible for a Title VI compliance review.