

April 29, 2021, Fair Housing Month Series: Limited English Proficiency and Language Access Plans.

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>> The broadcast is now starting. All attendees are in listen-only mode.

>> Nathan: Good afternoon, everybody. My name is Nathan Darus with the Texas Department of Housing and Community Affairs and you're joining us for our Limited English Proficiency and Language Access Plan webinar today. We're going to get started in approximately five minutes so that's at 2:05.

In the meantime let's get a couple of items of housekeeping out of the way. We're going to try to get to questions as often as we can and also at the end of the webinar.

So if you have questions, go ahead and put those into the questions box in the Go-to Webinar screen. And that's how we will know that you have a question and we'll be able to answer that for you either today during the webinar or if it is a difficult or specific question we may need to do some research and we will get back to you with an answer by email.

I'm also going to be putting up a poll here in a minute, just go ahead and answer the question as best you can. It's not a knowledge question. It's just so that we know

who you are and what you're looking for out of this webinar today.

So I'll be putting that up here in just a minute.

And last but not least -- not last, second to last. We do have two handouts today, one of which are the slides. If you want to have those in front of you, you can also take notes on them. And then we also have one guidance document that you may find helpful when producing your language access plan.

And then now finally if you want to make sure that you're going to get the best audio out of this webinar, go ahead and open that audio tab and use the sound check option.

So I'm going to put the poll up and we will be back at 2:05.

[Poll question]

>> Cate Tracz: Good afternoon, everyone.

Welcome to our eighth and final webinar for Fair Housing month in April.

Today's final session will be on Limited English Proficiency, and we'll go through some guidance that TDHCA puts forward for meeting our Limited English Proficiency

requirements.

So welcome, everyone. Before we get started if we could go to the next slide, please.

We just have a quick disclaimer. This presentation today has been underwritten by support from a grant that the department has from HUD. So basically the disclaimer is if we misspeak or if something is unclear, please know that any opinions or findings or conclusions that you hear from this webinar do not necessarily reflect the views of HUD, just a quick disclaimer. So next slide, please.

A couple of housekeeping items before we start. All the materials, recordings and a transcript of this webinar will be available on the TDHCA website there are some handouts that are available for this presentation that are available in the Go-to Webinar dashboard.

As we go through the presentation today if you have any questions please enter them in the chat or questions box and either after every segment or towards the end we'll try to get to all of the questions.

And then finally this, just an informational training that we are providing in celebration of Fair Housing month in April. If you are seeking training to satisfy any of

the TDHCA requirements for our multi-family programs, either post-bond closing or for your 10 percent test, this training will not satisfy those requirements, but we do hope you stick around. We are not going to be issuing certificates or giving any testing at the end of this webinar. Again, this is just for informational purposes only.

So with that, let's get started. Could you go to the next slide, please.

Okay. So I am Cate Tracz, I'm the Fair Housing manager at the Texas Department of Housing and Community Affairs. For the main presentation today I'm going to hand it over to Nathan Darus, our Fair Housing specialist.

So if you have any questions at the end of this webinar, you want to go back and ask yous about something, please feel free to reach out to us directly. We'll try to get you some assistance as quickly as possible.

So with that I'm going to hand it over to Nathan to deliver today's presentation on Limited English Proficiency.

Nathan?

>> Nathan: Thanks, Cate.

So today we're going to be covering the definition of Limited English Proficiency and we're going to talk about also Executive Order 13166. And we're going to cover some HUD guidance on Limited English Proficiency and then the four-factor analysis that HUD provides or requires.

And then how to produce your Language Access Plan and some best practices for your Language Access Plan.

By the end of today's webinar we want you to understand what Limited English Proficiency is, know how to complete a four-factor analysis, and understand how to develop a Language Access Plan.

In this first section we're going to discuss the Fair Housing Act. The definition of Limited English Proficiency and Executive Order 13166.

Fair Housing Act is a cornerstone of civil rights history in this country. It helps Title VIII of the Civil Rights Act of 1968. The Federal Fair Housing Act is the policy of the United States to provide within constitutional limitations for Fair Housing throughout the United States.

No person shall be subjected to discrimination because of their race, color religion, sex, disability,

familial status or national origin when it comes to the sale, rental or advertising of dwellings, in the provision of brokerage services or in the availability of real estate-related transactions.

Limited English Proficiency individuals are protected within the Fair Housing Act under the guise of National Origin as the protected class.

And just for reference, 6:00 if you see it throughout this -- CFR if you see it throughout this presentation, is the Code of Federal Regulations and it's divided into 50 sections, Housing and Urban Development is found in Title 24, which is also where you would find the majority of Fair Housing Act regulations.

So what does Limited English Proficiency or LEP mean? It is someone who does not speak English as their primary language and has a limited ability to read, speak, write or understand English.

A person self-identifies as Limited English Proficiency or LEP.

A person can be LEP in one situation or circumstance but not in another. They can be comfortable speaking conversational English in casual conversation, but won't

be able to fully speak or understand English while say at a doctor's appointment or shopping in a grocery store or at a leasing office where maybe the technical terminology is very different than what they are accustomed to.

The an individual identifies as having a Limited English Proficiency, so when interacting with someone, allow them to do so.

On August 11th, 2000, president Clinton signed Executive Order 13166, titled improving access to services for persons with Limited English Proficiency.

This Executive Order requires Federal agencies and recipients of Federal funds to assess and address needs of eligible persons who wish to access federally conducted programs and activities, but due to their Limited English Proficiency cannot fully and equally participate in or benefit from those programs and activities.

The Executive Order requires Federal agencies and federally funded recipients to develop and implement systems to ensure limited English proficient individuals have access to their services.

Title VI of the Civil Rights Act, LEP obligations, apply to every beneficiary who meets the program

requirements regardless of the beneficiary's citizenship status.

So now we're going to talk a little bit about HUD guidance when it comes to Limited English Proficiency.

On January 22nd, 2007, HUD issued its final guidance on LEP, which is applicable to any program or entity receiving HUD funding, whether directly or indirectly.

This includes but is not limited to the following programs: The HOME Investment Partnership Program, Community Development Block Grant program, Housing Opportunities for Persons with AIDS, Emergency Solutions Grant Program, Project Based Rental Assistance Program such as the Section 811 Project Rental Assistance Program or the Neighborhood Stabilization Program, as well as any state or city-funded projects.

Recipients of HUD funds have an obligation to reduce language barriers that preclude access to their services.

Federally assisted recipients are required to make reasonable efforts to provide language assistance to ensure meaningful access for LEP persons to the recipient's programs and activities.

To do this the recipient should conduct a four-factor

analysis, develop a Language Access Plan and provide appropriate language assistance.

The actions that the recipient may be expected to take to meet its Limited English Proficiency obligations depend upon the results of the four-factor analysis, including the services the recipient offers, the community the recipient serves, the resources the recipient poses and the costs of various language options.

All organizations would ensure non-discrimination by taking reasonable steps to ensure meaningful access for persons who are limited English proficient.

HUD recognizes that some project's budgets and resources are constrained by agreements with HUD. These may pose an material burden on the project. Where it is a burden, HUD views this as a critical item in the consideration of costs in the four-factor analysis.

However, refusing to serve Limited English Proficiency persons or not adequately serving or delaying services for persons with Limited English Proficiency would violate Title VI. The agency may have a contract with another organization to supply an interpreter when needed, maybe use a telephone line interpreter or if it

would not cause an undue burden or delay to the client, the agency may seek the assistance of another agency in the same community with bilingual staff to help provide oral interpretation services.

So you've heard me talk about a four-factor analysis so let's dive into that with a little more detail.

Recipients are required to take reasonable steps to ensure meaningful access to Limited English Proficiency persons. This reasonableness standard is intended to be flexible and fact dependent. It is also intended to balance the need to ensure meaningful access by limited English proficient persons to critical services while not imposing undue financial burdens on small businesses, small local governments or small non-profit organizations.

HUD guidance directs recipients and subrecipients to conduct a four-factor analysis to determine what type of language assistance is needed.

As a starting point, the recipient may conduct an individualized assessment that balances the following four factors. Factor one: The number or proportion of Limited English Proficiency persons served or encountered

in the eligible service population. Served or encountered may include those persons who would be served or encountered by the recipient if the person has received adequate education and outreach and the recipient provided sufficient language services.

It also depends upon the frequency with which LEP persons come into contact with the program, the nature and importance of the program, activity or service provided by the program, and the resources available and costs to the recipient.

Examples of applying the four-factor analysis to HUD-specific programs are located in appendix A of the LEP final guidance, but we will also go through an example in this webinar.

Factor two is the frequency with which LEP persons come into contact with the program. This is similar to factor one and this is where you can take anecdotal evidence into account. If your staff does not regularly encounter languages besides Spanish and there are not any speakers of Spanish non-English speakers, take this into account. This may be why your staff does not encounter other languages, so remember to take that into account as

well.

In our example we'll have no anecdotal evidence, we'll just assume that what we found in factor one is sufficient.

Factor three is the nature and importance of the program, activity or service. HUD final guidance on the matter indicates that housing and housing complimentary programs are usually high on the critical, non-critical scale given that housing is a critical need. However, some HUD funded programs may be adding recreational spaces or other non-critical services that are not directly related to housing.

Consider how housing-centric your activity is and whether or not it provides or eases the barriers to fundamental needs like housing or food.

And finally, factor four, resources and available costs. Many recipients are small local non-profits that do not have copious resources available to them either monetary or capital or human.

Others are large cities that have access to more resources of all types.

Also consider the amount of funding that you're receiving for your activity. If you are only receiving

a small amount, translation services is probably not an efficient way to spend 10 or more of your funding. But if your activity supports monthly or quarterly informational meetings it may be sufficient to hire a translator for those meetings even if the cost is high relative to available resources.

So looking at first factor, how to identify limited English proficient populations. That is the first step we'll look at is looking at the population that is eligible for services and then we're going to research the languages that are spoken by those individuals and then compare our research data against applicant files to our program.

So what is the eligible service population? Factor one is determining who the LEP persons are that are in your eligible service population. The eligible service population is every household in the market area that is below 80% of the area median family income.

This is the criteria for low income housing tax credit properties and this may differ for each housing program.

The market area is determined by you and the area which you believe people will seek your property to live in or

where your program is available.

This will most always be your county or your Metropolitan Statistical Area, so for example, Dallas-Fort Worth is a metropolitan statistical area. The city of Dallas is in the Dallas-Fort Worth MSA.

Depending on the population and population density of the city, county or even the MSA, that will influence what you determine to be your market area.

You need to figure out how many people are eligible for your program in that market area that are also limited English proficient.

The difficult part is there is no American Community Survey data on or readily available data of any sort that has this information readily available.

There is the Public Use Microsample or PUMS data that encompass your market area and you can pull this to get that specific information. However, that data is difficult to understand and requires an understanding of survey weighting.

So the problem is that we do have household -- we need household and individual data, but -- sorry, excuse me. The problem with PUMS data is that there is household data

and there is individual data, but that data is far too big to export into any normal program that we might use, and it also uses what are called Public Use Microsample areas, which do not easily relate or correlate to counties or cities or any other geography that we usually use.

So the next best thing is to make an assumption. You can perhaps indicate the households that fall below 80 percent of the area median income, given that those that you hope to live are not in the same county.

Alternatively you could make no assumption here and consider 100% of households eligible. You could have market rate units in your property, for example. So with these assumptions that indicate your market area, you can now use the American Community Survey data to determine limited -- the limited English proficient persons in your service population.

The place to go for this is the data.census.gov website. And we're going to dive pretty deep into this so get ready to put your math hats on.

In the search bar at data.census.gov, you'll want to enter in the following. You can use either c16001 or b16002.

These are two tables that will show you what languages are spoken and how well English is spoken in your geographic area.

For either table, make sure to change the product to the most recent ACS five-year estimates and then click customized table. You will see more of this on the next couple of slides.

After customizing you should see the title that is titled language spoken at home for the population five years and over.

And as I said, it is very important to change the product to the most recently available five-year estimates table.

Then when you click customized table it's going to give you a table showing the entirety of the United States.

So click customized table and this is where we're going to be able to narrow down our search to your particular geographic area.

To do this just click on the geos button and it will bring up a drop-down menu that will give you different geographies to look through in this particular instance we chose to look at a county. We want to see El Paso County.

So we look at county and it asks us what state we want to look in. Obviously we're in Texas, we want to look at Texas. And then we just have to find El Paso County in Texas.

You can go ahead and then close the geos tab or the drop-down menu. The table will now show the number of people in the county per the most recent American Community Survey five-year data.

Here's where the difference between B 16002 and B 16002 comes in.

C 16001 is the entire population where B 16002 shows the number of households.

This is a little bit confusing and there may be some -- you may want to think about which of these tables you want to use to try to cut down on how difficult this will be for you.

So what we want to do is now that we have our data we need to just copy and paste it into a blank Excel spreadsheet or Google Sheets, whatever you're most comfortable with.

But you also before you do that, you'll want to click this margin of error button. It will remove the margin

of error columns and it's going to make it a lot easier for you to see -- to copy and paste just what you need.

So here's where we get real math-y. We now have a table with one column. The El Paso County, Texas column. That we've copied from census.census.gov. We'll now add some additional columns to the table. We'll add a language column on the left-hand side which will aid in identifying which language is in the row when we filter in this table later on.

To add an additional column simply highlight column A and press insert located at the top in the Excel menu.

Left of the delete button.

In this new column you will type language in cell A 1 and total in cell A 2. And there you will indicate the language that coordinates with the language in column B. The first language is English for the speak only English category.

A after English the languages will be listed in sets of languages of three. The speaks English very well category and the speak English less than very well category.

And from here we're now going to generate percentages

from this table that will calculate the percentage of LEP persons in the county.

This is going to be helpful for the safe harbor guidance that we're going to talk about a little bit later. So we're going to add a column on the far right side of the table titled percentages. We will add an equation in the second cell below the title.

The equation is equal sign C2/dollar sign C dollar sign 2.

The C is in reference to the data in column C and the 2 indicates row 2.

We now want to copy this formula down the lengths of column D.

The cell with the formula should now be outlined in green once you've typed in. In the bottom right corner there's a small green square. Double-click that square and this will autofill the whole column for you so you don't have to do a lot of typing.

The column will be filled with raw percentages. Highlight column D and click the percentage button in the Excel menu at the top.

It's in the section that is titled number.

Click on the increase decimal button, the decimal with the arrow pointing left. We've now successfully determined the percentage of LEP persons in our market area.

So let's filter this data so that we can use it.

Sorry, did not mean to move slides.

Go to the data tab at the top of the Excel spreadsheet and click the filter button. Then click the drop-down button in column B and select speak English less than very well. This will show you the percentage and populations in your county.

So let's move a little bit into the language access plan itself.

The Language Access Plan must be developed to address the limited English deficient population in the program service areas. The LAP needs to include the Limited English Proficiency population in need of services which you've already identified using the data.census.gov website or the ACS data. The plan should include but is not limited to methods of identifying LEP individuals who need language assistance, information on how language assistance is provided, methods of providing notice of

language assistance to LEP persons, how to outreach effectively to the limited English proficient community. How your staff will be trained. And the method that you will use for monitoring and updating your Language Access Plan.

It will also include language assistance measures to assist these populations.

In the handouts of this presentation there is an LAP guide which includes a sample Language Access Plan for reference.

Make sure to review your program and consider the obligation to communicate and inform eligible persons about your program.

The more important the information service or program, the greater the possible consequences of the contact to the LEP persons. The more likely the need for language services.

Consider things such as how to respond to LEP callers, written communication with LEP persons, and how to ensure the competency of interpreters and translation services.

Any document that is critical for ensuring meaningful access by beneficiaries or potential beneficiaries

generally an LEP person specifically, are vital documents. This means any document that the household completes to maintain tenancy in your property or to establish themselves as eligible for your program.

These documents should all be translated.

Language assistance that a recipient might provide to limited English proficient persons includes but is not limited to oral interpretation services. This language assistance is always required to be part of your Language Access Plan.

You can use a language line or partner with a local college language department for oral interpretation services.

You could also have bilingual staff. You can contract a telephone service line interpreter, or you can provide written translation services.

Notices to staff and recipients of the availability of limited English proficient services or referrals to community liaisons proficient in the language of limited English proficient persons.

So this is all felt very technical and very difficult, which is why HUD has adopted a safe harbor for translation

of written materials.

A safe harbor in the context of this guidance means that the recipient has undertaken efforts to comply with respect to the needed translation of vital written documents -- vital written materials. If a recipient conducts the four-factor analysis, determines that translated documents are needed by LEP persons or beneficiaries, a plan that identifies the materials and makes the trans populations. The recipient provides evidence in its agencies or reports to the agency providing Federal assistance that it has made reasonable efforts to provide written language assistance.

The guidance identifies actions that will be considered strong evidence of compliance with Title VI obligations. Failure to provide written translations under these cited circumstances does not mean that the recipient is necessarily in noncompliance.

Rather, the safe harbors provide a starting point for recipients to consider. Whether and at what point the service, benefit or activity involved warrants written translations of commonly used forms into languages other than English. Where it's translations of commonly used

forms in languages other than English. Whether the number or proportion of LEP persons served warrants written translations of commonly used forms and frequently encountered languages other than English.

And finally, whether the demographics of the eligible population are specific to the situations for which the need for language services is being evaluated.

In many cases, use of safe harbors would mean provision of written language services when marketing to the eligible limited English proficient population within the market area. However, when the actual population served, for example occupants of or applicants to a housing project, is used to determine the need for written translation services, written translations may not be necessary.

So what does this all mean in terms of numbers?

This table is taken directly from HUD's safe harbor guidance which shows the recommended written language assistance by the size of the eligible population. Take the table that we created from determining our limited English proficient populations to assist you in determining which provisions are needed.

For each percentage of LEP persons in your service area over five percent, vital documents should be translated.

So let's take our scenario from earlier with El Paso County. The table indicated that 31.2% of Spanish speakers speak English less than very well. This number is far above the five percent of the eligible population so all vital documents and written notices should be translated.

All other languages in the table fell below five percent, so no written translations are required. Additionally no other languages topped 1,000 speakers. so again, no written translation required.

The guidance identifies actions that will be considered strong evidence of compliance with Title VI obligations. Failure to provide written translations under these cited circumstances does not mean that the recipient is in compliance, but it does mean that you are very likely -- it does provide strong evidence that you are attempting to assist limited English proficient populations in accordance with Title VI requirements.

The safe harbors provide a starting point -- sorry.

Excuse me. Didn't want to repeat myself there.

So when it comes to TDHCA, TDHCA requires that their subrecipient's language access plan always include Spanish as a language requiring written translation. This is a minimum requirement and does not preclude other languages from being identified.

It simply means that no matter where you are in Texas, you should always have your vital documents translated into Spanish.

As a best practice, do not rely upon family members or friends of a limited English proficient person as an informal interpreter. Make sure you follow your Language Access Plan to acquire an interpreter.

If a limited English proficient person wants to choose their own interpreter, no matter if they are a professional or not, they should be permitted to do so at their own expense.

TDHCA has received complaints concerning resources and documents not being available in other languages, thus prohibiting tenants and applicants meaningful access to housing programs. If you are the recipient of a complaint here's what you can expect.

If you have a complaint failed against you, you will be notified of the allegations in writing. You will likely be invited to mediate or conciliate. If you decide not to conciliate you might file an answer that is in writing, under penalty of perjury and may be amended at any time.

If you need to file a complaint, you can go to Texasworkforce.org/civilrights and figure out the form and submit it or you can submit it by email, fax or mail.

This complaint is filed under penalty of perjury and may be amended at any time.

We did discuss mediation. Virtually all parties of complaints are invited to participate in mediation before the investigation begins. The mediation program is voluntary. If both parties do not agree to mediate, then the complaint moves to the investigation process.

The mediation program at the Texas Workforce Civil Rights Division provides the following benefits: One, it is provided as a free service. It eliminates lengthy investigations and expensive litigation in a timely manner.

It resolves complaints more quickly, saves time and

money. Opens lines of communication between disputing parties. Allows each party to understand the position of an opposing party. And when there is a resolution it is documented with an agreement which is binding upon both the complainant and the respondent.

According to the Texas Administrative Code, the Texas Department of Housing and Community Affairs also has a process to address complaints about its properties and programs.

Within 15 days -- business days of filing a complaint with TDHCA, the complainant will receive a response from the department, either that the complaint has been resolved or that it will be resolved by a certain date. After that the complainant will be notified about the complaint at least quarterly until final resolution.

TDHCA also offers training and technical assistance and you can reach us at this phone number or either of these email addresses.

Both of these email addresses are monitored by multiple individuals, so you will definitely get a response from us.

And I have a feeling we're going to have a lot of

questions today, so gets go ahead and get to those.

-- let's go ahead and get to those.

>> Cate Tracz: Thanks, Nathan. It is Cate again.

So we just have a few questions coming insofar. Let me take a moment and give Nathan a moment to take a peek at these questions we've got here as well.

So we originally had some questions about the applicability of Limited English Proficiency and Language Access Plans to individuals that are deaf or hard of hearing. Nathan, could you address the populations that Language Access Plan and Limited English Proficiency plans apply to? I know that you had touched on this a little bit earlier in the webinar, but maybe just a quick refresher on the application of these plans.

>> Nathan: Right. So technically speaking, individuals who are deaf or hard of hearing would not be covered under Limited English Proficiency or Language Access Plans however, they would be covered under the auspices of disability. And in those cases what you would do is request a reasonable accommodation for a translator.

Essentially the process would be nearly the same, but it just wouldn't be covered in Language Access Plans, it

would be covered in reasonable accommodation policies.

>> Cate Tracz: Great. Thank you for that.

The next question is from -- it looks like it's from a multi-family property or a multi-family property management company. They say that out of all of the properties in their portfolio, there are only three that receive HUD funded housing assistance. So the question is do they need to have interpreters and do they need to have a Language Access Plan for all of those properties that do not receive HUD assistance?

>> Nathan: So the answer to that is yes. If you are speaking of any property that is overseen by Texas Department of Housing and Community Affairs. So if your multi-family properties are, say, low income housing tax credit properties, then yes, you still would need to have a Language Access Plan that would be functionally similar to the Language Access Plan that you would have for your properties that have HUD funding.

TDHCA has the same Language Access Plan requirements for its program participants as HUD does.

>> Cate Tracz: Thank you for that clarification, Nathan. And just to add on to that, in addition to all

of TDHCA's multi-family programs that have this requirement, it also applies to all of our single-family programs. So if you are a recipient of ESG funds through the department or one of our HOME single-family administrators, you also must have a Language Access Plan developed and on site ready for monitoring visits and at any time the department may request your plan.

If we get -- for example, if we get a complaint related to a language access issue at either a subrecipient organization or at a property, we will definitely want to see your Language Access Plan to make sure that your plan is compliant and the procedures that relate to whatever this complaint was we can see if they were or were not followed to investigate this complaint.

So again, if you receive any type of funding or assistance from the Texas Department of Housing and Community Affairs, you will need to have a language access plan prepared and ready. It's not something that you need to submit to us for approval. You certainly may submit it to make sure it's compliant, but it is something that you do need to have ready and on site.

So it looks like those are all of the questions that

have come insofar. Nathan, did you have anything else to add on that last statement?

>> Nathan: No. I was going to say thank you for clarifying. It applies to all of our programs, not just our multi-family programs.

So I do -- since we are shorter than I would have expected, while people may be formulating questions, I did want to go back and clarify something that may have been -- not clarify, but apply safe harbor guidelines to our example in a way that maybe I can explain it a little bit better.

So I'm going to send us back to our HUD safe harbor guidelines and I'll leave it here for a second, but the important thing to remember are if you have a thousand or more people in your market area who are eligible or more than five percent of your population is eligible and limited English proficient, then you need to translate all vital documents.

These other two down here happen far less often except there are some small areas in Texas and it does happen much more often with our single-family program so if you're in this situation, please reach out to us. We can certainly

help you with any technical assistance or guidance to make sure that you're getting-- giving the proper language assistance to your eligible population.

But I just want to be -- I just want to show this table again because I think this is important to note. The steps for creating a Language Access Plan or for conducting the four-factor analysis are very, very difficult and the safe harbor guidelines give you an easier and hard line metrics to say okay, these are the languages I need to translate into, these are the languages I need it to have some notice that I can -- that I will provide free oral interpretation.

So I think it's important to use those safe harbor guidelines when at all possible.

>> Cate Tracz: Okay, thank you, Nathan, for that extra explanation on safe harbor guidance. I know I use that chart all the time when a question or a complaint comes in, I always pick up that table of are guidance from HUD on the safe harbor steps and guidance.

So it looks like those are all of the questions that we've got today. I know this was a very -- like Nathan said, a math heavy kind of more technical presentation,

more so than we've been presenting through the month.

So as you are developing your plans, as you are reviewing the plans that you already have, perhaps rechecking the population and the language access needs of the population that you serve, please feel free to reach out to us when you're developing these plans.

We love to talk to you and answer the questions to make sure you're prepared ahead of time before someone comes into your office or organization needing assistance so that you're ready to provide that translation assistance immediately instead of having to determine if you need to translate into a certain language or if you need to contract with a translation service.

So please, we encourage you to have this ready ahead of time. It will certainly serve your clients better and avoid any Fair Housing issues.

I see that we've got another question coming in on vital documents. Nathan, do you want to address this one?

>> Nathan: Yes, this is an important question. The question is who reviews that vital documents have been translated accurately? And specifically they do say Google translate is not always accurate and the meaning

could be lost in translation.

100%. I would never relay on Google Translate or any automated translation service to translate on your vital documents. This is something that you should find a professional translation service for. And if you are -- if you use a lot of HUD forms, a lot of HUD forms, HUD has translated into a bundle of languages.

So you can do -- you can find a lot of pre-translated HUD documents and HUD forms on the HUD website.

Somebody else is indicating that there's the use of Rush Translate that provides certified translations. I don't know about this. And as a state agency we can't recommend one translation service over another.

I don't personally have a list.

And then a question is what is considered a vital document? Essentially a vital document is any document that is required for an individual to apply for tenancy or application to a program. It would include anything like your notices of nonrenewal, notices to vacate, eviction notices, VOWA training. If you were in that training --

>> Cate Tracz: For those of you who don't know, can

you let us know what VOWA means.

>> Nathan: Yes, it's the Violence Against Women Act. Those are forms that are required to be given out at application and at a whole bunch of places.

So those, you should have translated versions of those. HUD has programs and activities of those forms in many languages so it's not super difficult to find.

But definitely any time that you're having -- you have a written interaction with somebody on your property or in your program that has to do with their eligibility or application to the program or revoking, say, their eligibility so nonrenewal or lease termination would all be vital documents.

>> Cate Tracz: Great. I think that's it for the questions today. Let's see. Just giving a quick moment for anything else to come in.

Again, please reach out to us with any questions. You can contact Nathan or myself directly.

One last question coming in, how often do we have to pull the LEP data? Nathan, you might want to answer this and talk about how often that census or the census.gov data is updated.

>> Nathan: Right. So the census.gov data is updated annually approximately every November is when the new data comes out.

Unless you have a reason to believe that the area that you're in is experiencing linguistic shifts, I would not say that you need to update every year, but I would say that every three to five years would be wise. I don't know that there are any hard requirements in terms of when it has to be updated, at least not in our Texas Administrative Code rules.

But yeah, I think probably three to five years is probably a good time frame to make sure it's updated and you're not using data that's really old and obvious.

Like if we ask you for your plan and you have data from the 2010 census, that's probably too old because a lot of things have changed since 2010, especially in Texas.

>> Cate Tracz: Okay. Well, I think that brings us to just about an hour for our presentation today, so again, thank you all for joining us. Thank you for these excellent questions and for really committing to the technical piece of the beginning of this presentation.

It will be recorded and it will be posted on the

website if in the development of your Language Access Plan or you want to go back and figure out how to do the four-factor analysis, you can have the slides printed and go back and review the translation -- not the translation, the recording of this webinar.

So with that, I will say thank you all for joining us today. And we really appreciate you joining us for the eighth and final webinar of our Fair Housing month series.

So thank you for all the hard work you do in serving Texans in your housing programs. We really appreciate our partnership with you all.

So thank you and have a wonderful day.

[End of webinar].