

Northwest Minnesota Continuum of Care Anti-Discrimination Policy

The Coordinated Entry system must adhere to all jurisdictionally relevant civil rights and fair housing laws and regulations. The CoC has designated the Coordinated Entry Committee as the entity responsible for monitoring agencies compliance with all Coordinated Entry requirements including adherence to civil rights and fair housing laws and regulations. Failure to comply with these laws and regulations may result in a monitoring finding on the project, which may affect its position in the local CoC rating and ranking process.

Northwest Minnesota Continuum of Care (MN-506) is required to develop and operate a Coordinated Entry process that permits recipients of Federal and State funds to comply with applicable civil rights and fair housing laws and requirements. Recipients and subrecipients of CoC Program and ESG Program-funded projects must comply with the nondiscrimination and equal opportunity provisions of Federal civil rights laws as specified at 24 C.F.R. 5.105(a), including, but not limited to the following:

The **Fair Housing Act** prohibits discriminatory housing practices based on race, color, religion, sex, national origin, disability, or familial status.

The **Minnesota Human Rights Act** (Chapter 363A of the Minnesota Statutes) also prohibits discrimination based on marital status, public assistance status, and sexual orientation.

Section 504 of the Rehabilitation Act prohibits discrimination based on disability under any program or activity receiving Federal financial assistance.

Title VI of the Civil Rights Act prohibits discrimination based on race, color or national origin under any program or activity receiving Federal financial assistance; and

Title II of the Americans with Disabilities Act prohibits public entities, which includes state and local governments, and special purpose districts, from discriminating against individuals with disabilities in all their services, programs, and activities, which include housing, and housing-related services such as housing search and referral assistance.

Title III of the Americans with Disabilities Act prohibits private entities that own, lease, or operate places of public accommodation, which include shelters, social service establishments, and other public accommodations providing housing, from discriminating based on disability.

In addition, HUD's **Equal Access Rule at 24 CFR 5.105(a)(2)** prohibits discriminatory eligibility determinations in HUD-assisted or HUD-insured housing programs based on actual or perceived sexual orientation, gender identity, or marital status, including any projects funded by the CoC Program, ESG Program, and HOPWA Program.

The **CoC Program interim rule** also contains a fair housing provision at 24 CFR 578.93. For ESG, see 24 CFR 576.407(a) and (b), and for HOPWA, see 24 CFR 574.603.

The 24 CFR 578.93(c) also requires recipients of CoC Program funds to affirmatively market their housing and supportive services to eligible persons regardless of race, color, national origin, religion, sex, age, familial status, or disability who are least likely to apply in the absence of special outreach and maintain records of those marketing activities. Housing assisted by HUD and made available through the CoC must also be made available to individuals and families without regard to actual or perceived sexual orientation, gender identity, or marital status in accordance with 24 CFR 5.105 (a)(2).

Nondiscrimination and affirmative outreach requirements for the ESG program are located at 24 CFR § 576.407(a) and (b).

Policy

It is the policy of the Northwest Continuum of Care, its member agencies, its recipients of CoC, ESG or HOPWA funds that no person otherwise eligible will be excluded from participation in, denied the benefits of, or subjected to discrimination in the administration of NWCoC programs and crisis response services or homeless-designated housing based on non-merit factors such as race, color, national origin, religion, sex, gender identity, sexual orientation, or disability (physical or mental), lack of income, lack of employment, or substance use.

Delivery of Services

The Northwest Minnesota Continuum of Care, its member agencies, its recipients of CoC, ESG or HOPWA funds operates under the Low Barrier Policy. This policy states that CoC providers will make enrollment determinations on the basis of limiting barriers to enrollment in services and housing. No client, otherwise eligible, may be turned away from crisis response services or homeless-designated housing due to too little or no income, active or a history of substance use, domestic violence history, resistance to receiving services, the type or extent of disability-related services or supports that are needed, history of evictions or poor credit, lease violations or history of not being a leaseholder, or criminal record—with exceptions for state or local restrictions that prevent projects from serving people with certain convictions. CoC projects offering Prevention and/or Short-Term Rapid Rehousing assistance (i.e. 0 – 6 months of financial assistance) may choose to apply some income standards for their enrollment determinations.

Affirmative Marketing and Outreach

The Northwest Minnesota Continuum of Care, its member agencies, its recipients of CoC, ESG or HOPWA funds will affirmatively market their housing and supportive services to eligible persons regardless of race, color, national origin, religion, sex, age,

familial status, or disability who are least likely to apply in the absence of special outreach, and maintain records of those marketing activities. ([Notice CPD 17-01](#))

Reasonable Accommodation

Under the Americans with Disabilities Act, the Fair Housing Act, and the Minnesota Human Rights Act, recipients of CoC Program and ESG funds must make reasonable accommodations to rules, policies and procedures where necessary to ensure that residents with physical, mental or cognitive disabilities are able to benefit from funded programs to the same extent as residents without disabilities.

Obligation to Inform

The Northwest Minnesota Continuum of Care, its member agencies, its recipients of CoC, ESG or HOPWA funds and its Coordinated Entry System agents and partners shall inform in plain writing all persons seeking services of these policies and the process for filing a nondiscrimination complaint.

Reporting a Nondiscrimination Complaint

At any time during the Coordinated Entry process, applicants for housing or services have the right to file a complaint, should they feel that the non-discrimination principle has been violated. All Applicants, whether individuals or families, will be provided with the process for filing a complaint. All complaints will be addressed and resolved in a timely and fair manner.

The following three contacts will be provided to address discrimination or grievance related concerns:

- For nondiscrimination complaints, contact the Department of Housing & Urban Development, Chicago Regional Office: (800) 765-9372 or https://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_op/onlinecomplaint
- Minnesota Department of Human Rights: 651-539-1100 or Toll Free at 1-800-657-3704
- For complaints with Coordinated Entry policies or procedures in the Northwest Minnesota Continuum of Care, contact the CoC Coordinator, Barbara Johnson, at barbaraj@nwmf.org.
- For housing program related complaints, grievances will be directed to the appropriate housing provider for resolution.

Retaliation

The Northwest Minnesota Continuum of Care, its member agencies, its recipients of CoC, ESG or HOPWA funds, and its Coordinated Entry System agents and partners shall not retaliate against a person who files a charge of discrimination, participates in a discrimination proceeding, or otherwise opposes an unlawful practice.

