



City of Tucson Housing and Community Development Language Access Plan (LAP)

Adopted by the Board of Commissioners on October 18, 2022

I. Introduction

The City of Tucson Housing and Community Development Department (HCD) provides a variety of housing programs, funding, and services to Tucson residents, which includes the following:

- Housing Division – Operates subsidized housing programs, including both City-owned and tenant based rental assistance programs. Those programs include Low-Income Public Housing, Housing Choice Voucher Program, Veteran’s Supportive Housing Program, Family Unification Program, Mainstream and Non-Elderly Disabled programs, Emergency Housing Vouchers, Moderate Rehabilitation, and Housing for Persons with AIDS. In addition, the City of Tucson through a consortium agreement operates the Housing Choice Voucher Program for Pima County.
- Planning and Community Development Division (PCD) – The City of Tucson receives an annual entitlement allocation from the U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG), Emergency Solutions Grant (ESG), Housing Opportunities for Persons with AIDS (HOPWA), and HOME Investment Partnership (HOME) Programs. Through these programs and the local General Fund for the Human Services Program, PCD staff oversee the funding for programs operated by community providers. This division also operates the homeowner rehabilitation, lead-based paint mitigation and home accessibility modification programs for low-income homeowners. This division also serves as the Pima County Continuum of Care Collaborative Applicant, which administers funding specifically to serve those experiencing homelessness.
- Housing First Division – Provides outreach, navigation, and shelter operations for persons experiencing homelessness.
- HCD also provides critical support to all divisions to include compliance, strategic planning, and community engagement.

HCD reports to the City of Tucson City Manager and receives direction from the City of Tucson Mayor and Council.

II. Purpose

HCD is committed to ensuring equal and meaningful access to its programs, services, and activities by all residents, regardless of the primary language spoken. Consistent with federal guidelines, HCD will ensure reasonable efforts are made to provide language assistance to LEP (Limited English Proficient) individuals, including applicants, residents, and/or individuals eligible for HUD-funded programs operated by the HCD, including but not limited to, the Housing Choice Voucher, the Low-Income Public Housing Program, and the Homeowner Programs.

This Language Assistance Plan (LAP) defines the actions HCD will take to ensure Title VI compliance with respect to LEP persons. HCD will periodically review and update the LAP to ensure continued responsiveness to community needs and compliance with Title VI.

III. Authority

This LAP was prepared to ensure compliance with Title VI of the Civil Rights Act of 1964 (42 U.S.C. Section 2000d et seq.) that prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance. Persons who, as a result of national origin, do not speak English as their primary language and who have limited ability to speak, read, write, or understand English may be disadvantaged in effectively participating or benefitting from federal programs. On August 11, 2000, President Clinton signed Executive Order 13166 requiring all recipients of federal funds to take reasonable steps to ensure that persons with limited English proficiency (LEP persons) have meaningful access to federal programs and activities.

On January 22, 2007, HUD issued Final Guidance to recipients of HUD funding concerning compliance with the Title VI prohibition against national origin discrimination affecting LEP persons. HUD's Final Guidance outlines a four-factor self-assessment method (the "four-factor analysis"), which assists agencies receiving HUD funds in determining the extent of their obligations to provide LEP services.

IV. Definitions

Beneficiaries – persons who seek assistance or are current participants or residents of HCD programs.

Housing Market Area – the area from which a PHA may reasonably expect to draw a substantial number of its tenants. This could be a county or Metropolitan Division.

Interpretation – for oral language services, the act of listening to something in one language and orally translating into a different language.

Language Service Provider (LSP) – an entity or business that offers professional translation and interpretation services.

Limited English Proficiency (LEP) Persons – persons who, as a result of national origin, do not speak English as their primary language and who have a limited ability to speak, read, write, or understand English.

Translation – for written language services, the replacement of written text from language into an equivalent written text in another language.

V. Four-Factor Analysis (Identification of Language Needs within HCD's service area)

HCD's LAP is based on the four-factor analysis outlined in the Final Guidance. HCD will periodically assess and update its four-factor analysis as necessary to ensure that persons with LEP have meaningful access to HCD programs, services, and activities. These four factors are:

Factor 1: The Number or Proportion of LEP Persons Served or Encountered in the Eligible Service Population.

HCD seeks to communicate with LEP persons who seek or require interpretation and/or translation to have meaningful access to HCD programs. HCD has evaluated the persons that it has served and identified the languages in which it has provided interpretation and translation.

Housing Market Area (Eligible Service Area)

The housing market area is the Tucson Metropolitan Service Area (MSA), which includes the City of Tucson and Pima County.

Eligible LEP Language Groups

Guidance provided by HUD states that written translations of vital documents must be provided for each eligible LEP language group that constitutes either at least five percent or 1,000, whichever is less, of the population of persons eligible to be served or likely to be affected or encountered. Using data from Census.gov, the following two tables show the languages other than English that are spoken in the Tucson MSA area.

Table 1: Language Spoken at Home

Language Spoken at Home	Tucson, AZ Metro Area	
Population 5 years and over	998,933	998,933
English only	734,112	73.5%
Language other than English	264,821	26.5%
Speak English less than "very well"	70,139	7.0%
Spanish	223,855	22.4%
Speak English less than "very well"	59,478	6.0%
Other Indo-European languages	16,649	1.7%
Speak English less than "very well"	2,974	0.3%
Asian and Pacific Islander languages	14,282	1.4%
Speak English less than "very well"	6,075	0.6%
Other languages	10,035	1.0%
Speak English less than "very well"	1,612	0.2%
Census.gov DP-02 2021 ACS		

Table 3. Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over

Language	Tucson, AZ Metro Area Population Estimate
Total	980,761
Spanish	232,803
Speak English "very well"	163,006
Speak English less than "very well"	69,797
Chinese (incl. Mandarin, Cantonese)	5,714
Speak English "very well"	3,613

Speak English less than “very well”	2,101
Korean	1,984
Speak English “very well”	956
Speak English less than “very well”	1,028
Vietnamese	2,888
Speak English “very well”	1,053
Speak English less than “very well”	1,835
Arabic	4,391
Speak English “very well”	2,864
Speak English less than “very well”	1,527
Swahili or other languages of Central, Eastern, and Southern Africa	4,521
Speak English “very well”	2,182
Speak English less than “very well”	2,339
Census.gov - B16001 2018 ACS	

Factor 2: The Frequency with which LEP Persons Using a Particular Language Come Into Contact with HCD.

The software system for HCD captures first language information for participants in the programs operated by HCD as shown in Table 1. According to the computer records, 622 individuals speak a first language that is not English. Of those, 431 (69%) primarily speak Spanish. This is not a count of LEP households, but rather, a count of LEP individuals.

The result of the analysis is that the majority of LEP persons who encounter HCD through phone and in-person contact are primarily Spanish speaking. Providing Spanish speaking services occurs at least daily. Instances of languages other than Spanish and English are largely infrequent (no more than once a month). In these circumstances, staff assist LEP persons with resources to provide translation services. (See: Section VI. regarding Language Assistance below for details.)

Factor 3: The Nature and Importance of HCD Program, Activity, or Service to the LEP Person’s Life.

Housing is a basic human need, the lack of which can have serious or life-threatening implications for any individual. HCD manages or provides safe, decent, and sanitary housing to low- and moderately low-income individuals and households. The ability to understand how to apply for assistance, what are the obligations and responsibilities of the beneficiary, how to request assistance or access the needed services and address grievances or terminations are all vital parts of HCD’s programs which HCD aims to ensure equal access and understanding including those with limited English proficiency.

Table 2: Beneficiaries and Languages Served

Beneficiaries By Language	Number of Current HCD Beneficiaries	% Language Spoken by HCD Beneficiaries
----------------------------------	--	---

Total Beneficiaries	7,036	
Total Other Language Spoken	622	8.8%
Spanish	431	6.1%
French	2	0.0%
Russian	27	0.4%
Vietnamese	6	0.1%
Arabic	78	1.1%
Somali	57	0.8%
Swahili	13	0.2%
Am. Sign Language	8	0.1%
Source: HCD Housing Software, Emphasis Elite Report: Other languages spoken		

Factor 4: HCD’s Resources and the Cost of Providing Meaningful Access. Reasonable Steps May Cease to be Reasonable Where the Costs Imposed Substantially Exceed the Benefits.

The resources for providing interpretation services for meaningful access are within HCD’s financial ability and are provided by one of the following two methods:

1. Certified bilingual staff – A listing of staff who can provide translation is available in a shared electronic file for all HCD staff who may require the services.
2. Interpretation services through the interpreter phone service called “Language Line” – HCD staff are trained and provided resources on how to contact the City of Tucson contracted interpreter provider that offers over 200 languages. The Language Line is easily accessed by telephone.

In addition, translation services are provided by third-party vendors contracted by the City of Tucson. The third-party contractor translates vital documents listed under Written Translation Services under the section “VI. Language Assistance”. The cost for translating vital documents can be significant. For that reason, translation of documents beyond the identified languages of Spanish, Chinese, Korean, Vietnamese, Arabic, and Swahili will be completed upon request.

LEP Populations to be Served or Encountered and the Frequency of Encounters

Based on the four-factor analysis, the five most encountered languages are Spanish, Chinese, Korean, Vietnamese, Arabic, and Swahili.

VI. Language Assistance

LEP persons are entitled to language assistance with respect to a particular type of service, benefit, or encounter. HCD seeks to provide meaningful access to its LEP Beneficiaries with:

A Notice of Free Language Services to Persons who are LEP.

HCD recognizes that it is important to provide applicants and residents with notice that HCD offers free language assistance and will be translated in Spanish, Chinese, Korean, Vietnamese, Arabic, and Swahili.

HCD will notify persons through the following methods:

- A) Post signs in common areas, offices, and anywhere applications are taken. Signs must be clearly visible and readable.
- B) Place this statement in marketing materials. If space is limited, HCD will put it in the most common language(s).
- C) Provide notification with HCD application materials.
- D) Provide notification with recertification materials.

Language Identification.

When an LEP person cannot self-identify their preferred/primary language, HCD staff will use one of the resources provided at <https://www.lep.gov/translation#toc-language-identification-and-i-speak-cards> that provide “I Speak” or other language identification cards. These cards are used to determine the person’s language needs.

Written Translation Services.

Following the four-factor analysis and safe harbor guidance, HCD will translate vital documents into Spanish, Arabic, Swahili, Chinese, Korean, and Vietnamese.

Moreover, HCD will not use its staff or online applications such as Google translate to translate vital documents; instead, it will contract with a professional LSP to translate vital documents.

HUD has defined “vital documents” to be forms or documents that are critical for ensuring meaningful access to federally funded services or benefits. The following documents are considered “vital” for HCD’s programs because they are critical for accessing its programs and activities.

- Preapplication and Instructions for all federally-assisted programs operated by HCD
- Full Application and Instructions for all federally-assisted programs operated by HCD
- Dwelling Lease, as applicable to programs in which HCD serves as the owner/landlord
- General Release Privacy Act Form – Beneficiaries that provide a release to allow HCD to obtain information used for eligibility and understanding of their federal privacy rights.
- Grievance Form – Beneficiaries’ right to grieve or appeal decisions made by HCD
- Notice of Termination – Notices provided by HCD to Beneficiaries who are notified of termination from the housing program
- Reasonable Accommodation Request and Instructions – The process for Beneficiaries to request modifications to the program or unit because of a disability
- Marketing Materials – Materials that announce or provide information on HCD programs and/or services

Oral Interpretation Services.

HCD staff will provide oral interpretation for LEP persons.

HUD's safe harbor rule is not applicable to oral communication. In other words, HCD has an obligation to provide oral language assistance regardless of the number or percentage of persons who comprise a specific language group at a property or in the service area. The degree to which HCD will provide oral language assistance will depend on the nature and importance of the activity:

- Although recreational activities offered on HCD properties are important to the quality of life in the community, HCD does not have the resources to provide language assistance to each person during such events. However, to the degree possible, notice of such events will be provided in languages identified by the four-factor analysis.
- HCD will provide free language assistance to LEP individuals for important, critical junctures, such as assistance with the application, the application interview, recertification, health and safety related issues, fair housing related matters (including any discussions regarding the need for reasonable accommodation), conflict resolution between residents, lease violation notification and related meetings, and relocation and displacement issues.
- When HCD holds resident meetings, HCD will automatically provide an interpreter for any LEP population for which it translates vital documents in accordance with the safe harbor rule for written documents. HCD will also announce in major languages in any public notice of the meeting that anyone in need of an interpreter may call a designated phone number before the meeting to request an interpreter. HCD will provide these individuals free language assistance at the meeting.

Telephone Interpreter Service Line.

All personnel have been provided information on how to access and utilize the Language Line, which can provide immediate interpreter services in over 150 different languages at no charge to the LEP individual. This can be very helpful when an LEP applicant/resident calls or comes in and no other interpreter is available to assist. Instructions for using Language Line will be used and provided in training with Staff.

Public Documents and Brochures.

The following statement will be added to general correspondence and marketing materials in Spanish, Arabic, Swahili, Chinese, Korean, and Vietnamese: "If you require oral interpretation in a language other than English, please call (520) 791-4171."

Informal Interpreters.

Applicants and residents who have limited English proficiency often choose to bring an informal interpreter with them to assist in communication, including but not limited to the LEP client's family members, friends, legal guardians, service representatives, or personal advocates. In such instances, property staff must remember the following:

- LEP persons who bring an informal interpreter with them must be reminded that HCD is willing to provide free language interpretation. If the LEP person prefers the informal

interpreter, he/she will be permitted to do so at his/her own expense. Also, he/she must sign an acknowledgement (see LEP Manual for acknowledgement form) that HCD has offered free interpreter services and that he/she has elected not to have a formal interpreter present

- Informal interpreters may not be appropriate, depending on the circumstances and subject matter. Simply put, not all informal interpreters are competent to provide quality and accurate interpretations. As a result, such language assistance may not result in an LEP person obtaining meaningful access to our housing. If a LEP client wants an informal interpreter, HCD may choose to also have a formal interpreter to ensure accurate translation of complex, legal material
- In emergency situations that are not reasonably foreseeable, HCD may need to temporarily rely on informal interpreters. Reliance on children is especially discouraged unless there is an extreme emergency, and no competent interpreters are available
- Under most circumstances, interpreters are not required to provide a formal certification as an interpreter. However, they must still meet the following conditions:
 - Be proficient in, and able to communicate information accurately in, both English and the other applicable language
 - Understand affordable housing-related terms
 - Understand and ensure confidentiality
 - Maintain impartiality and act solely in the role of an interpreter
 - Be aware of regionalisms and be able to provide the most appropriate interpretation in a consistent manner

Regardless of who is used as an interpreter, HCD staff will adhere to the following guidelines when using an interpreter:

- Explain to the interpreter the purpose of the communication and provide a description of the information to be conveyed.
- Provide brief explanations of technical industry terms that may come up during the communication, such as eligibility, income limits, recertification, lease violation, etc.
- Avoid using acronyms, such as HUD, LIHTC, CDBG, etc.
- Speak in short sentences.
- Express one idea at a time and allow the information to be interpreted prior to continuing
- Check in with the interpreter to make sure he/she is understanding what is being said so they can properly convey it to the LEP applicant/resident.
- Avoid the use of double negatives.
- Enunciate words.
- Avoid the use of contractions.
- Talk to the applicant/resident and not to the interpreter. In other words, face the applicant/resident and look at him/her and not the interpreter.
- Be patient.
- Thank the interpreter.

VII. Distribution and Training

This LAP will be:

- Distributed to all supervisors and staff in positions that are likely to come into contact with members of the public and program Beneficiaries
- Posted on HCD's website
- Explained in orientation and training sessions for supervisors and staff who encounter LEP persons. More specifically, this training will cover the following topics:
 - Discussion of the LAP and legal obligation to provide language assistance
 - How to respond to LEP callers
 - How to respond to written communications from LEP clients
 - How to respond to in-person LEP clients
 - How to access and use the language identification or "I Speak" cards
 - How to operate the on-call telephone interpretation service
 - Becoming familiar with staff and outside vendors available for interpretation at appointments
 - Location of translated documents

VIII. Updating LAP

HCD will review the LAP periodically, but no less than every three years, to evaluate its overall effectiveness and any changes in LEP populations or needs. Modifications to the Plan may be based on:

- U.S. Census data
- Frequency of contact analysis of LEP clients and callers by staff
- Reports from HCD's housing software on the languages used by LEP persons
- Analysis of requests for interpreters and translation, languages requested, costs, etc.
- Assessment of whether existing language assistance services are meeting the needs of persons with LEP
- Review of vital documents and appropriateness of translations available
- Assessment of whether staff members understand the LAP and procedures
- Nature and importance of activities and information to LEP clients
- Availability of resources, including costs
- Whether previously identified sources for assistance are still available and viable

Language Access Coordinator.

Eleanor Castillo can be reached at (520) 791-4739 or by email at Eleanor.Castillo@tucsonaz.gov.

Fair Housing.

HCD is committed to affirmatively furthering fair housing and providing equal access to housing opportunities to all applicants and residents without regard to race, color, religion, sex, disability, familial status, national origin, sexual orientation, gender identity, gender expression, marital status, medical condition, ancestry, source of income, age, genetic information, or arbitrary

discrimination, including those for whom English is not their primary language and who have a limited ability to read, write, speak, or understand English.