



## **Equal Access in Accordance with an Individual's Gender Identity in Community Planning and Development Funded Programs**

The Riverside County Continuum of Care non-discriminatory policy, regarding the U.S. Department of Housing and Urban Development (HUD) final rule regarding equal access to Community Planning and Development (CPD) funded programs regardless of sexual orientation, gender identity, and marital status, will ensure that individuals are aware of their rights to equal access to CPD funded programs.

Thus, all CPD funded programs, including Continuum of Care and Emergency Solutions Grant funded programs, must comply with the following requirements:

- Determine client eligibility for housing regardless of sexual orientation, gender identity, or marital status, and must not discriminate against clients who do not conform to gender or sex stereotypes (i.e., because of gender identity);
- Grant equal access to CPD funded programs or facilities consistent with client gender identity, and provide client's family with equal access;
- **MUST NOT** ask clients to provide anatomical information or documentation (i.e. ID), physical, or medical evidence of gender identity; and
- Take non-discriminatory steps when necessary and appropriate to address privacy concerns raised by any residents or occupants.

These requirements are identical to those provided by HUD in a notice for continuums of care to adopt: see <https://www.hudexchange.info/resources/documents/Notice-on-Equal-Access-Rights.pdf>.

In accordance with the guidance provided by HUD in 24 CFR 5 in the Federal Register, vol. 81, No. 183, all CPD funded programs will

“post on bulletin boards and in other public spaces where information is typically made available a notice entitled “Equal Access Regardless of Sexual Orientation, Gender Identity, or Marital Status for HUD’s Community Planning and Development Programs.”

The post will include the requirements noted above.

In addition, all CPD funded programs will adhere to the requirements concerning record keeping in 24 CFR 5, which states that

“providers must document and maintain, for a period of 5 years, records of compliance with the requirements of this rule regarding establishing or amending policies and procedures.”