

**NEW MEXICO MORTGAGE FINANCE AUTHORITY**  
**LIMITED ENGLISH PROFICIENCY POLICY STATEMENT AND LANGUAGE ACTION PLAN**

The New Mexico Mortgage Finance Authority (MFA) is committed to providing equal opportunity in all programs and services to ensure full compliance with all civil rights laws, including Title VI of the 1964 Civil Rights Act which requires non-discrimination on the basis of national origin. Equal opportunity includes physical and program access for persons with disabilities and program access for persons with Limited English Proficiency (LEP). Program and physical access for persons with disabilities is covered in the Americans with Disabilities Act of 1990 and the Rehabilitation Act of 1973 as amended, Section 504. This policy is based on HUD's suggested four prong analysis which examines the number of limited English proficiency persons served, the frequency with which those persons come into contact with services, the nature and importance of services provided and the costs to the MFA. This policy is intended to ensure MFA's compliance with the Department of Housing and Urban Development's Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency" and was drafted upon consideration of the services offered, the community served, the resources of the MFA, and the costs of various language service options.

It is the policy of this agency to provide language access services to populations of persons with Limited English Proficiency (LEP) who are eligible to be served or likely to be directly affected by our programs. Such services will be focused on providing meaningful access to our programs, services and/or benefits.

Any individual eligible for programs/services through MFA who cannot speak, read, write, or understand the English language at a level that permits them to interact effectively with our staff has the following rights:

- A right to qualified interpreter services at no cost to them.
- A right not to be required to rely on their minor children, other relatives, or friends as interpreters.
- A right to file a grievance about the language access services provided them.

Marjorie Martin, MFA Legal Counsel is the agency's designated Equal Opportunity/Limited English Proficiency Coordinator. Ms. Martin may be reached on weekdays from 8:00am – 5:00pm.

Phone Numbers:

(505) 843-6880

(800) 444-6880 (Toll free in New Mexico)

Fax: (505) 243-3289

TTY/Voice:

711, or if no answer:

1-800-659-8331 (English)

OR

1-800-327-1857 (Spanish)

A New Mexico Relay CA will answer by saying: "New Mexico Relay Go Ahead."

Information about discrimination complaint resolution process is available to you upon request.



## Definitions of Terms

- **Effective Communication** – In a Housing Services assistance setting; effective communication occurs when agency staff have taken necessary steps to make sure that a person who is LEP is given adequate information in his/her language to understand the services, benefits or the requirements for services or benefits offered by the MFA. These necessary steps must allow an individual the opportunity to qualify for the benefits or services provided by MFA without unnecessary delay due to the person's LEP. Effective communication also means that a person who is LEP is able to communicate the relevant circumstances of his/her situation to MFA staff.
- **Interpretation** – Interpretation means the oral or spoken transfer of a message from one language into another language.
- **Limited English Proficiency** –A person with limited English proficiency or “LEP” is not able to speak, read, write or understand the English language well enough to allow him/her to interact effectively with MFA staff.
- **Meaningful access** – “Meaningful access” to benefits, programs and services is the standard of access required of the MFA since it receives federal funding. Meaningful access requires compliance by MFA with federal LEP requirements as set out in relevant federal laws. To ensure meaningful access for people with LEP, MFA must make available to applicants/recipients of benefits/services free language assistance that results in accurate and effective communication that does not result in undue delay or denial of benefits to which the LEP applicant/recipient is eligible.
- **Translation** – Translation means the written transfer of a message from one language into another language.
- **Vital Documents** – forms or documents designed and utilized by MFA that are critical for accessing federally funded services or benefits or are required by law. Vital documents can include but are not limited to; applications for MFA programs, consent forms designed by MFA or letters designed by MFA requesting eligibility documentation.
- **Outreach Documents** - MFA designed documents utilized to provide information to the general public but targeting individuals who are eligible or may be eligible for MFA programs.

## LEP Population, Analysis and Access Plan

The New Mexico Mortgage Finance Authority has determined that the language(s) other than English that is/are most likely to be encountered by employees of MFA is Spanish. The methodology used to make this determination is as follows: According to data from the U.S. Census Bureau, 64% of households in the State of New Mexico speak only English within the household. The language most commonly spoken at home by New Mexico citizens who are Limited English Proficient (LEP) is Spanish. According to the U.S. Census Bureau, approximately 28% of New Mexico's citizens speak Spanish at home. Executive Order 13166 mandates that if the size of the language group exceeds more than 5% of the eligible population, all vital documents shall be translated. MFA, therefore, will translate all vital documents into Spanish. Currently, no other languages meet the 5% eligible population threshold mandating translated documents.

MFA will periodically monitor the LEP population of those served or those who could be served by MFA. If it is determined that other LEP language groups are seeking benefits/services or are potentially eligible to receive benefits/services, MFA will adjust its methods and services to serve the new population accordingly. Any new LEP populations will be reflected in an updated version of the LEP plan.



<b>LANGUAGE SPOKEN AT HOME BY ABILITY TO SPEAK ENGLISH FOR THE POPULATION 5 YEARS AND OVER</b> - Universe: POPULATION 5 YEARS AND OVER			
Data Set: 2009 American Community Survey 1-Year Estimates			
Survey: American Community Survey			
	<b>New Mexico</b>		
	<b>Estimate</b>	<b>Margin of Error (+/-)</b>	<b>Percent of Total Population</b>
Total:	1,859,881	2,560	
Speak only English	1,193,998	14,199	64.198
Spanish or Spanish Creole:	527,535	11,450	28.364
French (incl. Patois, Cajun):	4,284	1,373	0.230
French Creole:	119	195	0.006
Italian:	2,176	747	0.117
Portuguese or Portuguese Creole:	769	412	0.041
German:	7,902	1,775	0.425
Yiddish:	300	371	0.016
Other West Germanic languages:	1,042	475	0.056
Scandinavian languages:	343	280	0.018
Greek:	150	158	0.008
Russian:	1,022	580	0.055
Polish:	591	445	0.032
Serbo-Croatian:	509	721	0.027
Other Slavic languages:	660	559	0.035
Armenian:	172	230	0.009
Persian:	607	500	0.033
Gujarati:	467	450	0.025
Hindi:	1,032	639	0.055
Urdu:	206	166	0.011
Other Indic languages:	635	628	0.034
Other Indo-European languages:	298	287	0.016
Chinese:	4,305	1,258	0.231
Japanese:	2,155	731	0.116
Korean:	991	730	0.053
Mon-Khmer, Cambodian:	114	182	0.006
Hmong:	0	283	0.000
Thai:	345	340	0.019
Laotian:	487	583	0.026
Vietnamese:	2,731	1,229	0.147
Other Asian languages:	404	436	0.022
Tagalog:	2,851	1,002	0.153
Other Pacific Island languages:	1,101	712	0.059
Navajo:	63,430	4,884	3.410



Other Native North American languages:	32,782	5,093	1.763
Hungarian:	866	458	0.047
Arabic:	564	437	0.030
Hebrew:	990	686	0.053
African languages:	849	604	0.046
Other and unspecified languages:	99	184	0.005
Source: U.S. Census Bureau, 2009 American Community Survey			

**Interpreter Services:** MFA, at no cost to the LEP individuals or families, provides interpreter services to all LEP individuals or families applying for, participating in programs or receiving services/benefits through MFA. The interpreter services are provided in an efficient and timely manner so as not to delay a determination of eligibility for an individual or family, receipt of eligible services/benefits or participation in a MFA run program beyond that of an English speaking individual or family. English and Spanish applications and outreach material are available. Additionally, English and Spanish brochures describing services are available at the agency and at various community events, fairs and speaking engagements.

MFA addresses phone calls and voice mail by LEP individuals in the following manner: Clients indicating they speak Spanish are automatically transferred to Spanish speaking staff by the receptionist. MFA addresses walk-ins who are LEP individuals in the same manner (refers to receptionists or point of contact). Spanish speaking staff is also available for walk-in clients, scheduled appointments and written translation.

MFA does not require, suggest or encourage LEP individuals or families to use friends, family members or minor children as interpreters. If a LEP individual or family insists that a friend or family member serve as interpreter, that choice is documented. MFA will then, on a case by case basis, consider factors such as: competence of the family or friend used as the interpreter; the appropriateness of the use in light of the circumstances and ability to provide quality and accurate information, especially if the interview could result in a negative effect on the individual or family's eligibility for benefits/services; potential or actual conflicts of interest; and confidentiality of the information being interpreted to determine whether the agency should provide its own independent interpreter for itself. In no case does MFA allow a minor child to act as interpreter for an LEP individual or family.

**Translation of Documents:** As a result of our analysis which indicates that 28.36% of New Mexico residents are Spanish speaking, the MFA is beginning the process of translating all agency designated vital documents into Spanish. The translation process will be conducted as expeditiously as possible with a goal of completing the process within the next calendar year.

**Internet Access:**

MFA has a Spanish language webpage with a link on the main page which can be used locate MFA resources and other important information.

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Deputy Director of Programs

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Date

