



## Affirmatively Furthering Fair Housing Rule

### Assessment of Fair Housing | Potential Roles for Stakeholders in the AFH Process

The Fair Housing Act of 1968 requires HUD to conduct programs in such a manner that “affirmatively furthers fair housing” – a term that has never been defined. The Affirmatively Furthering Fair Housing Rule (AFFH) clarifies the definition of AFFH by fostering diverse stakeholder participation in the development of an inclusive strategy to increase access to opportunity for traditionally marginalized communities. The shift from the Analysis of Impediments to the Assessment of Fair Housing (AFH) requires the engagement of a broader set of stakeholders that can leverage their expertise, resources, and investments toward strategies that will have the broadest impact in terms of creating access to opportunity – by reducing segregation, investing in neighborhoods of concentrated poverty, and increasing opportunities for mobility. In this table, you will find examples of the different types of stakeholders that could be included in the AFH and what expertise and assets they may bring. You will find information on the kinds of data they might have access to, resources and in-kind support they might leverage and policies or programs they could implement to increase access to opportunity and promote fair housing. This is not meant to be a checklist, but rather a tool for brainstorming potential stakeholders that will amplify the success of the AFH. Keep in mind that not every HUD program participant will need to include all of these players; however, many may play a vital role in ensuring better AFH outcomes, which leads to increased access to opportunity for historically marginalized communities.

Agency	What They Bring	Data for Consideration	Questions for Deliberation	Decision-Making Scope and Options
<b>Metropolitan Planning Commissions (MPOs), Councils of Government (COGs), or Regional Planning Organizations (RPOs)</b>	<ul style="list-style-type: none"> <li>Often positioned to be natural regional convener of multiple jurisdictions and interests</li> <li>Data management capacity</li> <li>Jurisdiction over regional transportation investments</li> <li>Many are knowledgeable on the intersection of land use, transportation, housing, and economic development</li> <li>Cross-jurisdictional relationships</li> </ul>	<ul style="list-style-type: none"> <li>Will have data on past and projected investments in transportation by mode and project</li> <li>May have air quality data at the neighborhood level</li> <li>May have demographic information</li> <li>May be conducting scenario planning, with plenty of data forecasting future development scenarios with equity implications</li> </ul>	<ul style="list-style-type: none"> <li>Where future investments in transportation, infrastructure, and land use are planned?</li> <li>How will future transit investments slated in RTP or TIP increase access and mobility for transit-dependent and low-opportunity neighborhoods?</li> <li>How could future infrastructure investments increase access to jobs and other centers for low-income and transit-dependent communities?</li> <li>How have investments and growth patterns exacerbated or elevated segregation and concentrated poverty?</li> </ul>	<ul style="list-style-type: none"> <li>Prioritize transportation investments that serve transit-dependent, protected classes</li> <li>Develop regional transportation plans that connect low-income communities of color to regional job centers while improving local bus networks</li> <li>Prioritize pedestrian and bicycle infrastructure in low-income communities of color</li> <li>Strengthen existing transportation infrastructure</li> </ul>
<b>Transit Agencies</b>	<ul style="list-style-type: none"> <li>Provide an essential service critical to accessing opportunity for many low-income people and communities of color</li> <li>Can be knowledgeable on particular and unique transportation needs in disadvantaged communities</li> <li>Often own land near transit routes</li> </ul>	<ul style="list-style-type: none"> <li>Will have data on ridership, sometimes by demographic variables</li> <li>Will have data on budgets and spending by mode share</li> </ul>	<ul style="list-style-type: none"> <li>Do current transit routes serve low-income communities and communities of color well (connecting them to jobs, educational opportunity, affordable housing)?</li> <li>Where are improvements planned relative to low-opportunity communities?</li> <li>How are decisions made about where to operate low-emissions busses?</li> </ul>	<ul style="list-style-type: none"> <li>Determine affordable fares for transit-dependent riders to positively impact household budgets spent on transportation</li> <li>Work with disadvantaged communities to develop routes and hours of service that meet community needs</li> <li>Target apprenticeships and jobs created by transit operations and investments to marginalized populations</li> <li>Partner with housing authorities, developers, and cities to develop affordable housing on land they own</li> </ul>
<b>Fair Housing Organizations</b>	<ul style="list-style-type: none"> <li>Have extensive experience with current enforcement of fair housing law and management of fair housing programs</li> <li>May have experience with Analyses of Impediments to fair housing in some entitlement jurisdictions</li> <li>Conduct landlord trainings to prevent discrimination</li> <li>Have connections to low-income renters or homeowners facing foreclosure who have sought their services</li> <li>Knowledgeable of discriminatory land use and permitting issues</li> </ul>	<ul style="list-style-type: none"> <li>Track fair housing complaints by protected class (race, color, religion, sex, national origin, disability, and familial status) and geography</li> <li>Track number of people who seek out their services (through intake and other records)</li> <li>Inventory land use barriers</li> </ul>	<ul style="list-style-type: none"> <li>What actions are recommended to overcome impediments to fair housing?</li> <li>How is fair housing law intended to address broader issues of equity and access to opportunity?</li> <li>What proactive approaches can fair housing advocates and organizations practice to increase housing choice and opportunity?</li> </ul>	<ul style="list-style-type: none"> <li>Can work with diverse jurisdictions to pursue non-litigious strategies to prevent fair housing violations</li> <li>Can provide technical assistance to planners, policymakers, realtors, and developers on preventing fair housing violations or removing existing barriers</li> </ul>
<b>Housing Authorities</b>	<ul style="list-style-type: none"> <li>Manage Section 8 voucher and project-based programs, public housing redevelopment</li> <li>Often are significant land owners</li> <li>Have significant connections to HUD-assisted residents</li> <li>Larger PHAs often manage HUD Section 3 workforce and contracting requirements</li> <li>Bring knowledgeable connections between housing and social services for low-income residents</li> </ul>	<ul style="list-style-type: none"> <li>Will have data on location of Section 8 tenants; number of public housing residents; number of people on waitlist for HUD-assisted housing (indicator of demand for affordable housing)</li> <li>May have data on crucial services and opportunities that HUD-assisted residents need</li> <li>May be able to help survey residents and people on waiting lists for housing assistance</li> </ul>	<ul style="list-style-type: none"> <li>Where is federally-assisted housing located relative to high-opportunity neighborhoods?</li> <li>Where are voucher holders living relative to high-opportunity neighborhoods?</li> <li>What barriers exist in applying federally-assisted resources to high-opportunity communities?</li> </ul>	<ul style="list-style-type: none"> <li>Align the Public Housing Authority Plan and align priorities with consolidated plans and annual plans</li> <li>Prioritize funds for capital improvements to align with AFFH goals</li> <li>Implement landlord education programs</li> <li>Allocate funds for resident services and housing counseling that support goals</li> <li>Establish collaboratives to deliver regional housing mobility programs</li> </ul>
<b>Issue Based Advocacy Organizations, Equity Networks</b>	<ul style="list-style-type: none"> <li>Bring together networks across low-income neighborhoods of region</li> <li>Bridge human service providers, physical development, and neighborhood serving enterprises</li> <li>Experts in community engagement and organizing</li> </ul>	<ul style="list-style-type: none"> <li>Publications</li> <li>Equity Atlases</li> <li>Data Analyses and framing</li> </ul>	<ul style="list-style-type: none"> <li>What opportunity structures need investment in diverse neighborhoods where RCAP/ECAPs are located?</li> <li>What development capacity can they bring to suburbs, jurisdictions without CDC capacity?</li> <li>What strategic vision, data, or community process guide investments and activities?</li> </ul>	<ul style="list-style-type: none"> <li>Serve on boards and commissions</li> <li>Participate in regional or municipal level planning activities</li> <li>Can coordinate community engagement and resident training on technical issues</li> </ul>

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<p><b>Cities, Counties, or Towns</b></p>	<ul style="list-style-type: none"> <li>Level of government closest to communities, community sentiments and neighborhood dynamics</li> <li>Regulate development through zoning, planning, and building codes, and perform planning activities such as long-range comprehensive and neighborhood plans</li> <li>Enact policies to facilitate affordable housing development and work with developers to coordinate financing</li> <li>Allocate federal and state funding for housing and community development activities (CDBG, HOME) and establish other local funding mechanisms (local housing trust funds from in-lieu fees, impact fees, job-housing linkage fees, hotel occupancy taxes, etc).</li> <li>Provide social and homeless services</li> <li>Counties address the service and infrastructure needs of unincorporated communities</li> </ul>	<ul style="list-style-type: none"> <li>Entitlement jurisdictions will produce 'Assessments of Fair Housing' that include data provided in the HUD data tool and supplemental data identified in partnership with stakeholders</li> <li>Collect data regarding infrastructure capacity, traffic/congestion, environmental health impacts, labor and jobs, business siting, and opportunity sites for new development in comprehensive plans</li> <li>Zoning data by parcel and planned/current land uses</li> <li>Property tax assessment data</li> </ul>	<ul style="list-style-type: none"> <li>What are the constraints to affordable housing development in the city/county/town, such as zoning, land disposition, funding, or development uncertainty?</li> <li>What are the criteria for allocating funding for affordable housing and community development? How could it be further developed to consider access to opportunity, such as transit access or school performance?</li> <li>What measures have succeeded or faced strong political opposition in the past?</li> </ul>	<ul style="list-style-type: none"> <li>Zoning code revisions to reduce minimum lot size and allow for apartment homes with a range of bedrooms in higher-opportunity communities</li> <li>Establish zoning and development code that impacts the locations of housing relative to avenues of opportunity (good schools, transit accessibility, etc.)</li> <li>Oversee economic and workforce development programs and strategies</li> </ul>
<p><b>Air Quality Districts</b></p>	<ul style="list-style-type: none"> <li>Required to consider the "disparate impacts" of air quality at the community level</li> <li>Experienced in community engagement with impacted communities and in assessing environmental justice concerns</li> </ul>	<ul style="list-style-type: none"> <li>Data on emissions by source and by geography of exposure</li> <li>Established methods of tracking performance over time</li> </ul>	<ul style="list-style-type: none"> <li>Are low-income communities of color negatively impacted by poor air quality?</li> <li>How do areas of high pollutants/emissions overlay with residential development patterns related to segregation and poverty?</li> </ul>	<ul style="list-style-type: none"> <li>Set emissions standards that reduce harm to impacted communities</li> <li>Develop grants programs for projects that advance environmental justice</li> <li>Develop a cumulative impacts strategy that includes environmental justice considerations and addresses pollution and emissions at the district (regional) scale</li> </ul>
<p><b>School Districts</b></p>	<ul style="list-style-type: none"> <li>Increasingly play vital role in connecting lower-income students and families to services and opportunity inside and outside of classroom</li> <li>Make critical decisions that affect students' access to high-quality schools and to workforce opportunities</li> <li>School quality—whether real or perceived—can be a contributing factor to residential segregation and also contributes to upward economic mobility</li> </ul>	<ul style="list-style-type: none"> <li>School performance data</li> <li>Data on planned capital investments in existing and new facilities</li> <li>Students eligible for free/reduced lunch</li> <li>Data on number of languages spoken in schools</li> </ul>	<ul style="list-style-type: none"> <li>How have residential segregation and historic patterns of discrimination contributed to school quality and school segregation?</li> <li>What efforts have been made to desegregate schools in the region? Have they been successful?</li> <li>How is school funding affected by population shifts related to housing allocation decisions?</li> </ul>	<ul style="list-style-type: none"> <li>Design creative approaches to desegregating schools and opening up opportunity to lower-income students through school siting plans, controlled choice plans, redistricting</li> <li>Promote magnet schools in lower-opportunity neighborhoods with regional commute sheds</li> <li>Prioritize capital improvement plans every 5-10 years for school facilities in high poverty communities</li> <li>Can foster development of Community Schools that provide wrap-around services in high poverty communities</li> </ul>
<p><b>Philanthropy</b></p>	<ul style="list-style-type: none"> <li>Funding to support collaborative partnerships and implement strategies to improve access to opportunity</li> <li>Capacity-building resources</li> <li>Commitment and access to grassroots voice and involvement</li> <li>Knowledge of, and ability to convene community leadership</li> </ul>	<ul style="list-style-type: none"> <li>May have data on community needs</li> </ul>	<ul style="list-style-type: none"> <li>May be able to connect to organizations with longstanding community history and knowledge</li> </ul>	<ul style="list-style-type: none"> <li>May be able to provide funding to implement investments that will improve access to opportunity</li> </ul>
<p><b>Social Service Providers</b></p>	<ul style="list-style-type: none"> <li>Relationships with and knowledge about the needs of low-income communities of color, children, elderly people, persons with disabilities, and homeless populations</li> </ul>	<ul style="list-style-type: none"> <li>Will have data on number of people who seek out their services</li> <li>Will have knowledge of needs of people from areas of low opportunity</li> </ul>	<ul style="list-style-type: none"> <li>What policies have contributed to an increase or decrease of specific social services low-income communities of color, children, elderly, or homeless people?</li> </ul>	<ul style="list-style-type: none"> <li>Can better target strategies to under-represented or under-served populations in more effective ways</li> <li>Can serve on working groups to help develop recommendations to better serve community needs</li> </ul>

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<p><b>Community Development Corporations and Faith Based Development or Service Organizations</b></p>	<ul style="list-style-type: none"> <li>Understand the local context on issues such as local hiring, displacement, transit access and mobility, neighborhood connectivity, environmental justice, and community health</li> <li>Are practitioners of meaningful community engagement with connections to residents of affected communities</li> <li>Engage in real estate development, particularly affordable housing</li> <li>Engage in economic development activities, including small business lending, small business technical assistance, small business incubation</li> <li>Provide education for residents, such as early childhood education and workforce training</li> <li>Organize their communities around issues facing neighborhoods</li> <li>Facilitate community access to grant funding</li> </ul>	<ul style="list-style-type: none"> <li>Number of residents served across their program areas</li> <li>Outcomes from their program areas in terms of number of units, dollars spent or saved, etc.</li> <li>Neighborhood level data from community data enterprises, participatory research, university partnerships</li> <li>CDFI and community investment data under CRA lending requirements</li> </ul>	<ul style="list-style-type: none"> <li>What neighborhood indicators guide investments and activities by your organization? Which indicators not currently considered would be helpful?</li> </ul>	<ul style="list-style-type: none"> <li>Undertake community planning efforts, such as master planning for retail and community development projects</li> <li>Plan for use of vacant lots</li> <li>Initiate programs responding to the local conditions with regard to fair housing, economic and employment opportunity, youth development, and education</li> <li>Work to acquire sites in high opportunity areas</li> <li>Integrate affordability into all new TOD</li> <li>Anchor community services, healthy food access with housing and transportation</li> </ul>
<p><b>Public Health Departments</b></p>	<ul style="list-style-type: none"> <li>Are a natural bridge to thinking about how people-based and place-based strategies connect in the context of individual health outcomes and environmental health factors</li> <li>Have strong community connections through community health centers and community engagement</li> <li>Provide expertise on the impact of land use and transportation policy decisions on individuals with regard to health</li> <li>Often have considered definitions of equity and understand disparities</li> </ul>	<ul style="list-style-type: none"> <li>Are a clearinghouse for epidemiological data: asthma, low birth rate, lead poisoning, obesity, health-care access, environmental health (toxic sites, brownfields), pedestrian/bicycle injuries</li> <li>Have the results of Health Development Checklists and Bike/Pedestrian Quality Checklists and associated data</li> <li>Have the results of project-based Health Impact Assessments</li> </ul>	<ul style="list-style-type: none"> <li>How do identified health outcomes in the city/county/state reflect patterns of segregation or poverty concentration?</li> <li>How can health enforcement mechanisms also consider housing quality and fair housing compliance?</li> <li>How do the services provided by public health departments enhance residents' opportunity or help to improve other, non-health outcomes?</li> </ul>	<ul style="list-style-type: none"> <li>Partner with public housing authorities and housing developers to ensure "healthy housing," such as reducing lead exposure</li> <li>Can partner to secure financing and alleviate land use restrictions for healthy food retail outlets in low---income communities</li> <li>Can support development of Safe Routes to School programs for neighborhoods</li> <li>Can provide technical assistance on healthy communities design and incorporating healthy food access into project evaluation</li> </ul>
<p><b>Real Estate Developers</b></p>	<ul style="list-style-type: none"> <li>Raise and leverage investment, often targeted to specific neighborhoods, sometimes through public---private partnerships</li> <li>Identify and shape development trends and opportunities</li> <li>Have experience developing affordable housing, often through partnerships with municipalities</li> </ul>	<ul style="list-style-type: none"> <li>Conduct market studies to determine whether their development types and locations are viable given market conditions (both supply and demand)</li> <li>Are familiar with a range of public and private funding mechanisms and how to structure a deal to receive awards and investments, such as low---income housing tax credits</li> </ul>	<ul style="list-style-type: none"> <li>How do you determine where to build and the demand for different housing products?</li> <li>What barriers exist to developing housing in various locations (inner city, suburbs) and market settings (weak market, strong market, areas struggling with vacancy and foreclosure)?</li> <li>What community benefits do your developments confer?</li> </ul>	<ul style="list-style-type: none"> <li>Use trade association meetings to garner feedback on a number of development-related topics</li> <li>Create new funding mechanisms, such as Infrastructure Financing Districts, Veterans Affairs Supportive Housing vouchers, etc.</li> <li>Can help promote flexible housing tenures, such as lease-to-own</li> <li>Can provide political support for developing affordable housing in jurisdictions with many NIMBYs</li> </ul>

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<b>Workforce Investment Boards and Economic Development Districts</b>	<p>WIBs:</p> <ul style="list-style-type: none"> <li>Some oversee One-Stop Career Centers, where job seekers can get employment and job training information</li> <li>Some coordinate transportation services for low-income workers</li> </ul> <p>Economic Development Districts/Boards:</p> <ul style="list-style-type: none"> <li>Work cross-jurisdictionally through formal or informal agreements and cooperate with the private sector</li> <li>Coordinate job training and other services for the elderly, low-income, and other disadvantaged groups</li> </ul>	<ul style="list-style-type: none"> <li>Conduct and publish research on workforce development programs and the needs of their regional economy</li> <li>Will have data on numbers of jobs and wages by location and sector</li> <li>Will have knowledge of where major job centers, major employers, and their operations are located</li> </ul>	<ul style="list-style-type: none"> <li>How are location-based business initiatives and/or workforce development connected to housing patterns?</li> <li>What are the major barriers to employment for people living in urban cores? In the suburbs?</li> </ul>	<ul style="list-style-type: none"> <li>Direct funding to workforce development programs that reduce unemployment in communities of color</li> <li>Target locations for fiscal incentives to encourage growth in specific sectors and increase local hiring</li> <li>Develop strategies for job creation and retention</li> <li>Encourage entrepreneurial development and small business development through financing, tax breaks, and technical assistance on topics such as taxes and bookkeeping</li> </ul>
<b>Housing Finance Agencies/State Housing and Community Development Agencies</b>	<ul style="list-style-type: none"> <li>Prepare the state's Qualified Allocation Plan (QAP) to determine eligibility criteria for low-income housing tax credits</li> <li>May provide rental and home ownership financing</li> </ul>	<ul style="list-style-type: none"> <li>Will likely have data on location, affordability levels, and expiration dates for low-income housing tax credits</li> <li>May have data on housing need, trends in housing affordability, job concentrations, and economic trends</li> </ul>	<ul style="list-style-type: none"> <li>How do LIHTC allocation criteria in the QAP reinforce patterns of racial segregation or concentrated poverty?</li> <li>How can LIHTC criteria be modified to encourage construction of new units in higher opportunity neighborhoods or in gentrifying neighborhoods?</li> <li>How do developers respond to incentives for LIHTCs in the QAP?</li> </ul>	<ul style="list-style-type: none"> <li>Qualified Allocation Plans can contain criteria to prioritize allocation near transit or high-quality schools or both</li> <li>States may have to tailor their criteria for urban, suburban, and rural neighborhoods to ensure that credits are actually going to high-opportunity neighborhoods</li> <li>May be able to develop mortgage strategies that will support communities of color</li> </ul>
<b>Civil Rights Organizations</b>	<ul style="list-style-type: none"> <li>Understand historical context of fair housing and civil rights in region</li> <li>Bring significant knowledge of long-standing discriminatory impacts of policy and actors on communities of color</li> <li>Can play an important bridging institutions and communities and leaders of color</li> </ul>	<ul style="list-style-type: none"> <li>Will have knowledge of additional sources to consider that can both explain historic and current patterns of discrimination and ongoing impacts on communities of color (e.g., incarceration rates, environmental justice infractions, fair lending violations, voting rights issues, etc.)</li> </ul>	<ul style="list-style-type: none"> <li>What policies, actions, or actors have contributed both locally and nationally to perpetuate historic patterns of segregation and discrimination?</li> <li>What is needed to reverse these trends and increase access to opportunity for communities of color?</li> </ul>	<ul style="list-style-type: none"> <li>Can serve on working groups or action committees to help develop further recommendations and provide support around community engagement strategies</li> </ul>
<b>Tenant/resident Organizations</b>	<ul style="list-style-type: none"> <li>Understanding of local housing needs</li> <li>Provide a community voice</li> </ul>	<ul style="list-style-type: none"> <li>May have local knowledge about housing needs and trends, displacement, obstacles to fair housing</li> </ul>	<ul style="list-style-type: none"> <li>What are common obstacles people face in securing accessible and affordable housing?</li> </ul>	<ul style="list-style-type: none"> <li>Can advocate for housing rights and unify tenant voices</li> </ul>
<b>Business Organizations/Chambers of Commerce</b>	<ul style="list-style-type: none"> <li>Understanding of regional economic needs and job providers</li> </ul>	<ul style="list-style-type: none"> <li>May have data on hiring trends, workforce needs, small or minority-owned businesses</li> </ul>	<ul style="list-style-type: none"> <li>How can public and private investments improve hiring in communities of color and investments in minority-owned businesses?</li> </ul>	<ul style="list-style-type: none"> <li>Can convene business leaders to provide support for local hiring or services for small and minority-owned businesses in lower-opportunity communities</li> </ul>
<b>State and Local Universities</b>	<ul style="list-style-type: none"> <li>Understanding of local and national trends in housing markets, economics, politics, and other relevant fields</li> <li>Resources to advance the study of local trends</li> </ul>	<ul style="list-style-type: none"> <li>Conduct, publish, and have access to research and latest studies on topics such as displacement, gentrification, or other trends</li> </ul>	<ul style="list-style-type: none"> <li>What does current research indicate are best practices or promising strategies in the fields of housing, economic development, and transportation?</li> <li>How can academic resources be leveraged to contribute to equity-based planning efforts?</li> </ul>	<ul style="list-style-type: none"> <li>Can publish public reports establishing precedent for best future practices</li> </ul>
<b>Realtors, Property Managers, and Lenders</b>	<ul style="list-style-type: none"> <li>Knowledge of rental or homeownership trends</li> <li>Expertise of housing and lending conditions and regulatory environments</li> </ul>	<ul style="list-style-type: none"> <li>May have data on lending activity</li> <li>Track data about local residents including access to credit and affordable rental housing among low-income communities or communities of color</li> </ul>	<ul style="list-style-type: none"> <li>Where are there discrepancies between local demand and available housing resources?</li> </ul>	<ul style="list-style-type: none"> <li>Can better target services for under-represented or under-served populations in more effective ways</li> <li>Can evaluate and propose solutions to obstacles to housing choice</li> </ul>