

# Our Housing Futures: AFFH Comment Party!

## February 28, 2023



**Affirmatively Furthering Fair Housing (AFFH)**



# Welcome!

# HOUSING FUTURES



# AGENDA

1. Overview of the Draft Rule and Main Takeaways
2. Making Your Comment Count with Dr. T
3. What's missing from AFFH? with Liz Ryan Murray
4. Writing Party
5. Close



# What is AFFH?

**Affirmatively Furthering Fair Housing (AFFH)**

The AFFH rule requires that jurisdictions receiving public federal funds assess disparities and, based on the analysis, target federal resources in a manner that solves chronic, persistent disparities in housing choices and access to fair housing.

- Implements the Fair Housing Act's Affirmatively Furthering Fair Housing mandate by requiring state and local communities and PHAs to identify and address fair housing issues.
- Prior to the 2015 AFFH Rule being codified, AFFH was unevenly enforced
- A process that encourages:
  - data-driven analysis
  - regional and cross-sector collaboration

# Why does it matter to us?

- 2015 AFFH required cities to do an Assessment of Fair Housing (AFH), which are an important avenue for policy change at the local level
- AFFH was intended to help HUD grantees weave together **housing, health, transportation, education, environmental and economic development approaches** that support the transformation of areas of concentrated poverty into thriving communities

# Why do we need the AFFH Rule?

- Where you live determines your access to:
  - Jobs
  - Education
  - Transit
  - Health and Social Services
  - Healthy Food
  - Credit
  - Environmental Health
  - And many other factors...
- Today's disparities are the result of yesterday's decisions

# The New 2023 AFFH Rule

- Builds on 2015 AFFH Rule Framework
- Equity Plans - staggered across program, based on size and year; every 5 years
- Defines fair housing more comprehensively
- Community Engagement Section
- Compliance and Complaint Process
- Clear links to the Consolidated Planning, Annual Action Plan, and PHA Plan Processes





# Designing Our Just Housing Futures: AFFH Public Comment Toolkit

- Coverage on Introductory Topics:
  - What is the AFFH Rule?
  - The Federal Rulemaking and Commenting Process
- Steps to Submitting a Powerful Comment
  - Uplifting Equity in Your Comments\*
- Data and Research Tools to Build Your Case
- Cross-Sector Engagement with AFFH

## Designing Our Just Housing Futures Affirmatively Furthering Fair Housing (AFFH) Public Comment Guide

Tram Hoang, Jasmine Rangel, and Rasheedah Phillips





**Dr. Tiffany Manuel (Dr.T),**  
TheCaseMade



**Liz Ryan Murray,**  
Public Advocates

# What's Strong in the Proposed Rule?

- Having it back!
- Democratized enforcement & transparency
- Explicit requirements for public input and stakeholder engagement

# What's missing? What could be better?

- Add an assessment category to the Equity Plan
- Explicitly require meetings with tenants, tenant unions, and tenant groups
- Suggest types eviction & tenant protections
- Prioritize and invest in social housing
- Include equity and displacement protections in zoning reform efforts

# Join us in pushing to strengthen the Fair Housing Act!

Now is our chance to ensure that AFFH fulfills its potential as a critical tool in building more equitable communities.

[Sign the petition!](#)



# AFFH Working Block!

## *30 minutes*



# Choose Your Own Adventure!

## **Small Group 1:**

Tenant Protections + SH + Zoning *with Liz Ryan Murray*

## **Small Group 2:**

Uplifting Equity and Narrative *with Jasmine Rangel*

## **Small Group 3:**

Cross-sector Issues + Engaging Partner Organizations *with Tram Hoang*

## **Small Group 4:**

Party Room *with Rasheedah Phillips*



# Tenant Protections Breakout

Please reference slides 12-14 and you can find and sign the Alliance for Housing Justice Proposed AFFH Rule Sign-On Comment here:

<https://actionnetwork.org/petitions/affh>

# Equity & Narrative Breakout

**You can access slides and resources for integrating an equity lens into your AFFH comment here:**

- [Integrating an Equity Lens Into Your AFFH Public Comment](#)
- [TheCaseMade Knowledge Center](#)
- [Designing Our Just Housing Futures AFFH Public Comment Guide](#)

# Cross-Sector Breakout

## Including Cross-Sector Points in Your Comment

- **Step 1: Why It Matters**
  - Explain the intersection of issues by the impact they have on people
- **Step 2: How It Relates to AFFH**
  - Make the case for more coordination between processes and funding

# Education

## Why it Matters

- State and local K–12 education policies are closely related to housing and urban development outcomes in how they impact access to high-performing schools for members of protected classes.
- Housing affordability issues often drive socioeconomic and racial diversity in neighborhoods as well as the ability of school staff to live near where they work.

## How it Relates to AFFH

- The final AFFH rule must provide clear requirements and guidelines to jurisdictions on how to assess whether families who are members of protected classes have equal access to high-performing schools, analyze the factors contributing to this disparity, and meaningfully advance solutions.
- The rule must acknowledge and address the fair housing implications of eviction and displacement on protected-class communities, and the devastating impacts that a lack of adequate renter protections has on educational outcomes and student success.

# Transportation

## Why it Matters

- By better connecting high unemployment communities to job centers through transit, people previously isolated from employment opportunities can better engage in the workforce and contribute to local economies.
- As cities expand their public transportation systems into historically disinvested neighborhoods, the risk of housing displacement increases for low-income residents, especially renters.

## How it Relates to AFFH

- Stress the importance of requiring a genuine community participation process for regional and local fair housing planning, so that metropolitan planning commissions, transportation planning bodies such as DOT-related metropolitan planning organizations that prepare metropolitan transportation plans and transportation improvement plans, transit agencies, transit advocates, transit riders, and residents can have a meaningful voice.
- Demand that the DOT play an active role in encouraging or requiring its funding recipients to coordinate with the AFFH process.

# Environmental Justice & Climate Equity

## Why it Matters

- Decades of discriminatory zoning practices, federal discrimination, urban renewal, and historic disinvestment in communities of color have led to disproportionate exposure of Black, Indigenous, and other communities of color to climate-related disasters, environmental pollution, or co-location to toxic waste sites.
- In recent years, the relationship between fair housing and environmental justice has become increasingly clear. The impacts of Hurricanes Katrina, Sandy, Harvey, Maria, Fiona, and Ian highlight the need for proactive and equitable climate adaptations in planning for housing.

## How it Relates to AFFH

- HUD should require the Equity Plan to include climate mitigation and adaptation planning, so that future housing investments take into account the growing number of climate-related disasters and their disproportionate impact on protected classes.
- Stress the importance of requiring a genuine community participation process for regional and local fair housing planning, so that environmental advocates, air quality districts, homebuilders, climate scientists and researchers, public health advocates, and residents experiencing disproportionate burdens of pollution can have a meaningful voice.

# Workforce Development & Economic Equity

## Why it Matters

- When there is a spatial mismatch between economic opportunities (i.e., jobs and training) and affordable, transit-accessible housing, workers and job-seekers face significant cost, time, and logistical hurdles to participating in the local economy.
- Places that support the development of high-quality affordable housing and new infrastructure in disinvested neighborhoods also create new jobs, both in the short and the long term for communities.

## How it Relates to AFFH

- Ensure that local planning processes look beyond the number of jobs when creating strategies to support low-income and unemployed residents, and consider equally important workforce supports, such as job training, inclusive hiring and contracting practices, provisions for good wages and benefits, and broader community benefits
- Demand that the Department of Labor play an active role in encouraging or requiring its funding recipients to coordinate with the AFFH process, such as ensuring the development of affordable housing near new job centers so that workers providing essential services are not displaced from their neighborhoods.

# Community Safety & Justice

## Why it Matters

- Individuals who have been involved in the criminal-legal system are disproportionately people of color, people with disabilities, and LGBTQ individuals. Tenant screening practices that use criminal records and credit checks to screen tenants out of homes discriminate against justice-involved people, denying them the opportunity to achieve housing stability post-incarceration and putting them at risk of homelessness and recidivism.

## How it Relates to AFFH

- The final AFFH rule must provide clear requirements and guidelines to grantees on how to assess whether members of protected classes have equal access to safe neighborhoods, and whether people who have prior arrests or convictions have access to housing, analyze the factors contributing to this disparity, and meaningfully advance solutions.
- Urge HUD to require states, local governments, and housing authorities to consult with people with lived experience to analyze the impact of policies and practices related to housing issues (such as crime-free housing ordinances), identify the fair housing impediments they create, and identify the steps the jurisdiction should take to overcome the identified impediments, including repeal.



# Public Health

## Why it Matters

- Because of government-sanctioned discrimination and predatory private actors, people who live in high-poverty neighborhoods experience higher rates of environmental exposure such as lead and industrial pollution, are less likely to have access to high-quality nutritious foods, have less access to safe parks and recreational facilities, and face higher rates of crime and violence. Even health care is harder to access in high-poverty communities. As a result, there are significant disparities in life expectancy between neighborhoods in the same city.

## How it Relates to AFFH

- Ensure that local planning processes look beyond the prevalence of disease when creating strategies to support the development of healthy communities, and consider equally important factors that shape health, such as safe environmental conditions, access to high-quality and affordable health care, and a vibrant neighborhood for meaningful social connections. Pairing local planning processes with community health needs assessments and community health improvement plans are one way to align strategies.

# Party Room Breakout

Feel free to go off camera, surround yourself with coffee, tea, water, and snacks. Jam out with us or put on your favorite music!

- **Questions?** Put them in the chat!
- **Reflections?** Put them in the chat!
- **Thoughts/Ideas?** Put them in the chat!

# Housing Futures Platform

- **Communities most affected by disinvestment should shape our housing futures.** Communities that have been systematically denied opportunities for fair housing over generations should be at the front of the table in designing new housing policies and investments, and be able to hold governments accountable to action.
- **Prioritize protecting renters and homeowners from displacement.** Bolstering renter protections against displacement and eviction is critical to building community and family health and stability.
- **Ensure freedom from housing discrimination.** No matter your race, class, disability status, or religion, everyone should have access to a safe, stable home.
- **Expand opportunities and housing options for those in disinvested neighborhoods.** New investments can open opportunities for residents of disinvested neighborhoods to access good schools, jobs, transportation, and other public services—and ultimately offer them expanded housing options.
- **Build a future where all neighborhoods allow communities to thrive.** Today, a person's zip code is a strong determining factor in the quality of life they expect. By directing our public funds to neighborhoods that have faced generations of divestment, we can build a future where people in all zip codes can thrive.



# RESPECT YOUR OWN TEMPORALITY

- Take a stretch
- Hug/pet your pets
- Hydrate or grab a snack
- Sing a song
- Daydream
- Take a super-short walk
- Peek at your plants