

# The Affirmatively Furthering Fair Housing Rule and Health Equity

## A FACTSHEET



The U.S. Department of Housing and Urban Development (HUD) has proposed [a revision to the Affirmatively Furthering Fair Housing \(AFFH\) rule](#) — a key tool to address residential segregation in communities across the country. Learn more about why this is a threat to health equity and how your organization can get involved before the March 16, 2020, deadline for comments.

### What is the link between fair housing and health equity?

A safe, affordable, and stable home in a community with good schools, fair-paying jobs, and access to healthy foods and green spaces is foundational for well-being. However, housing inequities in this country are pervasive. People of color, families with children, and those with disabilities, among others, [face persistent bias](#) in the housing sector. Moreover, [past](#) and [ongoing](#) housing discrimination has created widespread segregation by race and by income, [fostering](#) our nation's race- and income-based health inequities.

In city after city, segregation was followed consistently and inescapably by public and private sector disinvestment, creating predominantly African-American central cities with limited access to green space and high-quality health care and greater exposure to violence, environmental pollution, and stores selling health-harming products. Over the course of a lifetime, residential segregation limits wealth accumulation and social and economic mobility for people of color and people with low incomes and results in [lower life expectancies](#), well as data about the drivers of health at the state, county, city and census tract levels. These data resources allow communities to uncover health challenges, better target resources, and measure progress toward assuring a fair and just opportunity for health.

### What is the Affirmatively Furthering Fair Housing rule?

In 2015, the U.S. Department of Housing and Urban Development (HUD) adopted the Affirmatively Furthering Fair Housing (AFFH) rule, which [requires](#) communities receiving HUD funding to undertake a planning process every five years to assess segregation locally and regionally, explore disparities in access to opportunity, and engage residents and stakeholders in developing a plan for fostering inclusive communities. Prior to the 2015 AFFH rule, HUD's guidance for promoting fair housing was [found to be ineffective](#). In contrast, the 2015 AFFH rule has had [positive impacts](#) on community engagement; concrete, measurable goal-setting; and new proposed actions to address various objectives, including desegregation.

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## How does the proposed revision to AFFH compromise health equity?

In January 2020, [HUD proposed changes to the AFFH rule](#) that would drastically change AFFH and limit its effectiveness in promoting fair housing and inclusive communities.

### 1. It ignores residential segregation and housing discrimination.

The proposed rule effectively eliminates any reference to desegregation and creating areas of opportunity and redefines AFFH as “advancing fair housing choice within the program participant’s control or influence.” This change disregards the fact that housing inequities have been created and maintained through law and private sector policies and that ongoing discrimination limits people’s access to stable, safe housing in communities of their choice.

### 2. It shifts the focus solely to affordability without attention to inclusion.

The proposed rule shifts the overarching goal from fostering inclusive communities to ensuring “an adequate supply of affordable housing throughout the jurisdiction.” While this is a laudable objective, it does not guarantee that people with the lowest incomes will be able to afford their housing costs. Moreover, even with an adequate supply, many people may not be able to live where they desire because of [bias](#) in rental and mortgage lending practices.

### 3. It threatens policies that can promote housing stability and safety.

The proposed rule allows communities to meet their AFFH obligations by stating their intent to address three of 16 “obstacles” to fair housing as designated by HUD. Most of these obstacles are [not related to fair housing](#) and some may actually promote fair housing, such as rent stabilization policies and environmental protections.

### 4. It disempowers the very communities that will be most impacted.

The proposed rule removes the requirement for community participation and engagement focused on fair housing issues, including a public hearing and a written comment period. This change reverts to the pre-AFFH era and relies on fair housing issues being raised through a community’s Consolidated Plan process. [Civic engagement](#) and [building community power](#) are essential to democratic decision-making and advancing health equity.

### 5. It excludes public housing agencies and the millions of residents who live there.

Lastly, the proposed rule no longer obligates public housing agencies (PHAs) to submit their own fair housing goals and strategies. Public and subsidized housing residents face unique barriers to health and well-being and, because of the historical design of these programs, often live in economically and racially segregated communities. In addition, PHAs have specific tools available to them to promote fair housing and desegregation.

## How to get involved

We encourage organizations, particularly those from the health and health care sectors, to submit comments on this proposal **before the comment period closes on March 16, 2020.**

The proposed rule and a link to submit comments can be found here:

<https://www.regulations.gov/document?D=HUD-2020-0011-0001>

For a detailed summary of fair housing, health equity, and the AFFH rule:

[https://www.rwjf.org/content/dam/farm/communication\\_and\\_promotion/promotion\\_or\\_communication/2020/rwjf459969](https://www.rwjf.org/content/dam/farm/communication_and_promotion/promotion_or_communication/2020/rwjf459969)

To learn more about the connection between housing and health:

<https://rwjf.org/housingandhealth>