

Engaging the Disability Community in Fair Housing Planning - AFFH for Individuals with Disabilities

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Sarale Sewell: Welcome to HUD's first of two webinar trainings on Affirmatively Furthering Fair Housing. I am Sarale Sewell, a Program Analyst in HUD's Office of Fair Housing and Equal Opportunity, Policy and Legislative Initiatives Division.

Joshua Gillerman: And I'm Josh Gillerman, Disability Law and Fair Housing Attorney in HUD's Office of General Counsel, Fair Housing Division.

Sarale Sewell: These webinars are a collaboration between the U.S. Department of Housing & Urban Development's Office of Fair Housing & Equal Opportunity and the U.S. Department of Health & Human Services' Administration for Community Living. Our goals are twofold: first to educate our audience on the federal requirement to "Affirmatively Further Fair Housing" and to spur you to action to engage the disability community in the fair housing planning process.

Joshua Gillerman: Today we will guide you through the important topic of affirmatively furthering fair housing and tomorrow will focus on community engagement. Both sessions will provide opportunities for your input. To start, please put in the city where you reside in the chat.

Sarale Sewell: So, I'm seeing a lot of diverse places. It is going very fast, but Denver, Grand Forks, Reno, Lakeport, Salem, Cincinnati, Boston. So, we have a good representation from all over the country it looks like, which is very exciting.

Now we would like to introduce you to two amazing leaders who will set us on the right path to understanding the interface of fair housing and disability.

Demetria McCain serves as the Principal Deputy Assistant Secretary for Fair Housing and Equal Opportunity (FHEO) at the U.S. Department of Housing and Urban Development (HUD). At FHEO, McCain assists HUD's efforts to eliminate housing discrimination, promote economic opportunity, and achieve diverse, inclusive communities.

McCain joins HUD following fifteen years of service, with five as president, at the Inclusive Communities Project (ICP), a Dallas, TX-based affordable fair housing nonprofit. Prior to becoming president, she oversaw operations, communications and ICP's Mobility Assistance Program, a housing mobility program that helps housing choice voucher holders exercise their fair housing rights. Conceived by Demetria, ICP's "Voices for Opportunity" initiative has provided advocacy training to low-income renters and neighborhood groups of color.

Before joining ICP, McCain worked on USDA Section 515 rural multifamily housing matters at the National Housing Law. She was also a staff attorney for the Neighborhood Legal Services Program of Washington, D.C., assigned to the southeast office, where her portfolio primarily included landlord-tenant matters for low-income renters in private and public housing. She has taught, as an adjunct instructor, a Fair Housing and Homelessness course to undergraduate Coppin State University students.

McCain brings dual vantage points to FHEO after having spent years assisting both housing choice voucher holders who sought low-poverty well-resourced housing options and neighborhood groups in underserved communities of color who sought more equitable distribution of resources and services. McCain has sat on several local and national nonprofit boards and is a sought-after panelist and commentator on affordable fair housing and the impacts of residential segregation. She is a graduate of Howard University School of Law, New York University and Brooklyn College and a member of the Dallas Alumnae Chapter of Delta Sigma Theta Sorority, Inc.

Alison Barkoff is currently serving as ACL's Acting Administrator and as the Acting Assistant Secretary for Aging.

A sibling of an adult brother with developmental disabilities and a civil rights attorney, Alison is a lifelong advocate for community living – both professionally and personally – and has been at the forefront of national efforts to expand the home and community-based services that make it possible.

As part of countless coalitions of people with disabilities, older adults, and advocates, she has fought to uphold the rights of people with disabilities and older adults and ensure their access to health care, housing, employment, education, and all other facets of American life. She has testified before Congress and the US Commission on Civil Rights on disability rights and community living.

She has served in a variety of leadership roles with disability rights organizations, including leading advocacy efforts at the Center for Public Representation and the Bazelon Center for Mental Health Law.

She also is a veteran of the federal government. As Special Counsel for Olmstead Enforcement in the Civil Rights Division of the Department of Justice, she led efforts to enforce the rights of people with disabilities to live, work and fully participate in their communities. She also led interagency initiatives with the Centers for Medicare & Medicaid Services on Medicaid HCBS and with the Department of Labor on direct care workforce issues

She has brought that same focus on collaboration and coordination to her current role. Under her leadership, ACL is working with partners across HHS and the federal government on initiatives and interagency approaches to issues that affect people with disabilities and older adults, such as expanding access to HCBS and affordable, accessible housing; strengthening the direct care workforce; increasing competitive, integrated employment for people with disabilities; and advancing equity, to name just a few. So, without further ado, I will hand it over to Demetria McCain who will be followed by Alison Barkoff.

Demetria McCain: Thank you, thank you, thank you, so much, Sarale. I appreciate that. Listen, I am really excited to join you all today and share this partnership with the US Department of Health and Human Services Administration for Community Living. I am thrilled to be here, and I just want to say a big Happy Fair Housing Month to everyone--we just have a few days left, but it is for housing month. So, I want to thank you for joining this webinar series on engaging the disability community in fair housing planning. Now, the Office of Fair Housing and Equal Opportunity has exerted efforts since the 1968 passage of the fair housing act to: one, eliminate discriminatory housing practices. That is really key and super important. Our office actually seeks to lead the development, the enforcement and the public understanding of the Fair Housing Act, as well as other civil rights protections, to protect people from discrimination on the basis of race, color, sex (including sexual orientation and gender identity), religion, national origin, disability, and familial status. Now often, discrimination occurs in an intersectional way

with a number of these protected classes or categories being merged and really evoked. I say that like the case that happened in Milwaukee where a Milwaukee man complained of horrific harassment by his property manager based on his sexual orientation and his mental disability. As a result of this alleged property manager's actions, this man was forced to leave his home. Just last month, HUD charged the case, because let me tell you: no one, no one should have to endure discrimination and harassment in the sanctity of their own home. Or like the tenants and the prospective tenants of multi-family properties managed by a New York provider of a project-based subsidized housing complex, who alleged discrimination on the basis of disability and race--see that intersectionality that I was talking about? Following a consent order with HUD, this provider has agreed to make modifications, so their units and their common areas are accessible to individuals with disabilities. Also, they are required to provide families who are seeking housing and equal opportunity to apply for, and live in, units regardless of race, color, sex, religion, disability, or other characteristics protected by the federal fair housing laws. Specifically, they must conduct affirmative fair housing marketing and modify its waitlist policies and procedures. Because the fair housing act requires HUD and its funded recipients to do more than simply not discriminate, the fair housing act explicitly includes-- this is why we're all here right now--includes the obligation to affirmatively further fair housing or AFFH for short as some of us call it. This means that they have got to take meaningful actions to overcome the patterns of segregation as well as foster inclusive communities, as it relates to the protected classes. Well, as you can well imagine, HUD cannot do this work alone. Affirmatively furthering fair housing is a phrase--it is a phrase that we hear a lot, at least those of us in this fair housing space. It is a mandate that is imbued in partnership with all of you: our city, our county, our state government, and public housing partners plus our local non-profit agencies, private businesses, and community organizations. More importantly, it is people like you who have ideas and input on how to direct your community's efforts to address discriminatory housing practices and their impacts--impact being long-term or short-term. So, this week we are holding two fair housing planning webinars focusing on our engagement with individuals with disabilities and their stakeholders. Now today's webinar focuses on affirmatively furthering fair housing for people with disabilities. Now these two past years we have experienced things in incredible ways considering the worldwide pandemic, but also there has been an enlivening across the country on issues related to racial equity and other disparities that we find. We can all follow different approaches to address these disparities from changing the hearts and minds of people and communities to the strategic work on policy. This environment that we are in nowadays provides us with an excellent opportunity to listen to each other and respond with concerted action--to do what? To affirmatively further fair housing in our communities. Folks, the time is now. Last year, HUD released this interim final rule to restore the definitions and proper certifications to the fair housing acts affirmatively furthering fair housing requirement, that traces way back as I said earlier, the original 1968 statute. In addition, the Biden administration's executive order on advancing racial equity and support for underserved communities stresses our need to listen and learn from you on issues related to disabilities. This is exactly why we are here today. So, thank you again for joining us today and tomorrow and learning about affirmatively furthering fair housing and to better engage members of the disability community and their advocates. And now it is my pleasure to turn it over to my colleague Allison Barkoff. she's the Administration for Community Living's Acting Administrator and Acting Assistant Secretary for Aging. Allison?

Alison Barkoff: Thank you so much, Demetria, for those opening comments and that call to action. I am going to take a step back and really try to frame why housing is so important to an agency like ours, focused on community living. I want to start by, on behalf of the Administration for Community Living, saying how excited we are to join this webinar today in collaboration with HUD's Office of Fair Housing and Equal Opportunity. I want to thank the collaborative HHS-HUD Housing and Services Resource

Center for their work to support today's webinar. For those of you who are not familiar with Administration for Community Living, we are the agency within the U.S. Department of Health and Human Services. Our mission is "for all people, regardless of age and disability, to live with dignity, make their own choices, and participate fully in society." ACL serves as the advisor to the HHS Secretary and across the federal government on disability and aging policy. We work to ensure that the needs of people with disabilities and older adults are considered in all federal policies.

ACL operates from the principle that people have the right to live in their communities, with the people they want to live with, and in their own home. For many people with disabilities, community living requires access to a range of community services, like home and community-based services, tenancy supports, and access to affordable and accessible housing. Without both housing and services, many people with disabilities end up in institutions like nursing homes, or are homeless, where they are at high risk of entering these institutional settings. We know from experience and studies that people are happier and healthier when they live in their own communities. But the lack of affordable and accessible housing is often the barrier to community living and for persons with disabilities. ACL has realized that we cannot effectively support community living if we do not collaborate to address the growing national problem of housing instability. We know there is an insufficient supply of accessible and affordable housing is disproportionately impacting people with disabilities. The stock of affordable housing units has been shrinking, making it difficult for people with disabilities to live in the community. We also know there is a lack of affordable housing, and that under 1% of the US housing stock is wheelchair accessible and less than 5% can accommodate people with moderate mobility disabilities, making finding units that are both affordable and accessible a huge challenge. In many places, states have put in place programs to support people with disabilities to transition from institutions to the community. But, the challenge to finding affordable and accessible housing becomes the issue that slows down or even prevents the transition. That is why at ACL, affirmatively furthering fair housing is crucial to our agency's goals too.

Community living is not just what most people want. As you will hear today, the Supreme Court's powerful *Olmstead* Decision made clear that community living is a civil right – it has really spurred states to rebalance their long-term care systems to expand opportunities to live in the community. As you will learn today, HUD's work to affirmatively further fair housing is an important tool to advance that right to community living and is a really important place for the disability community to engage and use this tool to expand affordable and accessible housing for people with disabilities.

To advance accessible and affordable housing efforts, HHS and HUD, earlier this year, launched the Housing and Services Resource Center. I want to acknowledge HUD's commitment to this work and that we have also joined with other HHS partners who have equities in this space, including: the Centers for Medicare and Medicaid Services, the Substance Abuse and Mental Health Services Administration, and the Office of the Assistant Secretary for Planning and Evaluation. The Housing and Services Resource Center, who is helping sponsor today's webinar, is a hub for our federal collaboration. Our goal is to coordinate and leverage the technical assistance and the research and training efforts of each of our agencies to reach a broad audience of the aging, disability, housing, health, and homeless networks and stakeholders. We are working to facilitate state and local partnerships between housing and service systems and to assist communities in leveraging new housing and service resources that are available through the American Rescue Plan and other new resources. We are looking to build and implement a federally coordinated approach to providing resources, guidance, training, and technical assistance to all of our stakeholders. The Housing and Services Resource Center brings together – for the first time – federal resources and guidance on both housing and services that support community living. That is why

today's webinar about another tool in our shared toolkit, the affirmatively furthering fair housing planning regulations, is so crucial.

As these webinars will make clear, we need partners, we need all of you. The opportunity in this webinar series is to learn about fair housing and ensure that the disability community is engaged. Together, we can partner to address fair housing in our communities because, as Demetria just said, "the time is now." Thank you so much and turning it back over to the host.

Sarale Sewell: So thank you so much. Thank you both for those thoughtful and insightful welcome remarks.

It is important to ground us in the passage of the Fair Housing Act in 1968, its amendments in 1988, and the overarching theme of "Affirmatively Furthering Fair Housing."

Joshua Gillerman: The Fair Housing Act, Title VIII of the Civil Rights Act, was enacted in 1968 and amended to include disability as a protected characteristic in 1988. The Act prohibits discrimination in the sale, rental, and financing of dwellings, and other real estate related transactions, because of race, color, religion, sex, national origin, familial status, and disability. The Act also requires recipients of federal funds to proactively overcome patterns of segregation, promote fair housing choice, and foster inclusive communities free from discrimination. This requirement is known as the obligation to affirmatively further fair housing (or "A-F-F-H").

Sarale Sewell: The passage of this act was in response to Dr. Martin Luther King, Jr.'s work to address housing discrimination. Senator Walter Mondale stated that "the reach of the proposed law was to replace the ghettos 'by truly integrated and balanced living patterns.'" In interpreting the legislative history of the act, the Second Circuit U.S. Court of Appeals declared the following year that, under Title 8, "action must be taken to fulfill, as much as possible, the goal of open, integrated residential housing patterns and to prevent the increase of segregation, in ghettos, of racial groups whose lack of opportunities the Act was designed to combat." More recently, a 2015 Supreme Court opinion affirmed the important role that the FHA must continue to play in avoiding the Kerner Commission's grim prophecy that "our Nation is moving toward two societies, one black, one white—separate and unequal," and the Court acknowledged the Fair Housing Act's continuing role in "moving the Nation toward a more integrated society."

Joshua Gillerman: The AFFH obligation requires recipients of HUD funds to take meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics.

Sarale Sewell: The AFFH mandate applies to HUD and its grantees, as well as all executive agencies and departments of the federal government and relates to the administration of any program or activity relating to housing and urban development.

Joshua Gillerman: Generally, in administering programs and activities relating to housing and community development, the federal government, HUD, and its recipients must ask these questions to inform their "meaningful actions":

Sarale Sewell: So, who lacks access to opportunity in our community?

Joshua Gillerman: How can we address inequity among protected class groups?

Sarale Sewell: How can we promote integration and reduce segregation?

Joshua Gillerman: How can we transform racially or ethnically concentrated areas of poverty into areas of opportunity?

Sarale Sewell: While the legal obligation to AFFH falls to HUD, recipients of HUD funds, other federal agencies, and public housing authorities, disability stakeholders play a key role in the fair housing planning process in order to improve outcomes for individuals with disabilities.

Joshua Gillerman: Here are some examples of disability stakeholders: state and local disability departments and commissions, private nonprofit agencies that serve individuals with disabilities, advocacy organizations, individuals with disabilities who use government services such as bus services, accessible parking and sidewalks, and policy makers who focus on disability legislation.

Sarale Sewell: Be sure to include the Administration for Community Living's disability stakeholders, including: Centers for Independent Living, protection and advocacy agencies, Councils on Developmental Disabilities, University Centers for Excellence in Developmental Disabilities, and State Units of Aging and Area Agencies on Aging.

As a reminder, AFFH is intended to take meaningful actions, foster inclusive communities, overcome patterns of segregation, and eliminate barriers that restrict access to opportunity. We need to consider the protected characteristics of the Fair Housing Act that Josh shared earlier – race, color, religion, sex, national origin, familial status, and disability. You might wonder why fair housing planning will benefit from involving individuals with disabilities and their stakeholders.

Joshua Gillerman: As an example of how individuals with disabilities are impacted, in fiscal year 2019, 61.7% of the total 7,729 filed complaints alleging a violation of fair housing laws were based on disability discrimination, and frequently cited a failure to make reasonable accommodations.

Sarale Sewell: This 2011 photo shows Lois Curtis, the plaintiff in the *Olmstead v. L.C.* Supreme Court case, presenting President Barack Obama with a self-portrait of herself as a child. Joining them are, from the left, Janet Hill and Jessica Long, from the Georgia Department of Labor, and Lee Sanders, of Briggs and Associates.

Joshua Gillerman: The Supreme Court's *Olmstead* decision requires public entities to provide services to individuals with disabilities in the most integrated setting possible. The Court found the "[un]justified institutional isolation of persons with disabilities" to be a form of discrimination.

Sarale Sewell: In other words, this Supreme Court decision makes it clear that individuals with disabilities have a civil right under the Americans with Disabilities Act to live and fully participate in their communities and affirms our responsibility to honor the living choices of individuals with disabilities and to ensure that integrated, community-based settings are available.

Joshua Gillerman: The last two years of the global COVID-19 pandemic have had a huge impact on individuals with disabilities, older adults and their caregivers in our communities. Staff and residents of institutional and other congregate settings accounted for 31% of COVID-19 deaths in the U.S. as of June

2021, confirming that older adults, those with disabilities, and the individuals responsible for their care are disproportionately likely to have to reside in congregate settings.

Sarale Sewell: To emphasize further, the National Disability Institute reported that in 2015, the 27% poverty rate for adults with disabilities was more than twice the rate of adults with no disability.

Locating affordable, accessible, and integrated housing proves to be a challenge for individuals with disabilities across the U.S. As a 2015 HUD study found, fewer than 5% of housing units are livable for individuals with moderate mobility difficulties, while less than 1% of units are accessible to people who use a wheelchair full time.

Joshua Gillerman: On the important issue in our communities, the Centers for Disease Control and Prevention, or the CDC, found that adults with disabilities are twice as likely as those without disabilities to have inadequate transportation, (31% vs. 13%) thereby limiting access to health care services, grocery stores, education, and employment opportunities that allow individuals with disabilities and older adults to fully participate in society and maintain individual autonomy. Transportation is a key consideration in any fair housing planning process.

Sarale Sewell: Now that we've demonstrated reasons to include people with disabilities and their stakeholders in fair housing planning, it's time for a poll. Please share some barriers to disability access in your communities in the chat.

Joshua Gillerman: So, for review, we now know about the Fair Housing Act, the requirement to "Affirmatively Further Fair Housing," and the importance of engaging the disability community. Now we'll talk about the application of the AFFH mandate.

Sarale Sewell: From the passage of the Fair Housing Act in 1968 through the 1980s, the focus of the AFFH mandate was primarily through litigation, brought against HUD or its recipients, with a primary emphasis on racial integration.

Joshua Gillerman: With disability added as a protected characteristic to the Fair Housing Act in 1988, it became necessary to expand fair housing planning to include consideration of individuals with disabilities.

Sarale Sewell: The key points of AFFH are to consider the mandates of housing and integration. In regard to housing, our work is to ensure accessibility and affordability, access to community-based supportive services, and integration within housing developments. As strong partners in this work, we all must focus on integration by ensuring access to HUD and other subsidized programs, put "meaningful" fair housing plans and actions into place, and address institutional transition and diversion.

Joshua Gillerman: Work to affirmatively further fair housing has had a rich history. HUD's focus from 1996 to 2015 offered planning guides to complete an Analysis of Impediments to Fair Housing Choice. In an effort to deepen and strengthen "taking meaningful action, fostering inclusive communities, overcoming patterns of segregation, and eliminating barriers that restrict access" HUD published a rule in 2015 which created the Assessment of Fair Housing process. HUD recently published its 2021 Interim Final Rule (IFR) to restore meaningful definitions and certifications to the AFFH requirement, although recipients have flexibility in how they support their certifications. This is where we are now. HUD is currently working on a new planning scheme in a forthcoming Notice of Public

Rulemaking, with the aim of streamlining the fair housing analysis to both reduce burden and promote better fair housing outcomes.

Sarale Sewell: The IFR provides clarity and familiarity to funding recipients who can engage in familiar fair housing planning processes to comply with their AFFH obligations. *Analyses of Impediments to Fair Housing Choice*, or “A-Is”, were still conducted by program participants that were not yet required to conduct and submit an Assessment of Fair Housing, or “A-F-H”, to HUD. HUD grantees covered by this rule are required to certify that they will AFFH, but have flexibility in how they conduct fair housing planning in support of these certifications. The submission of a plan for FHEO feedback is purely voluntary.

This graphic demonstrates where we are now. To support their certification to AFFH, program participants can choose their method of fair housing planning. They can perform an AI, or continue to implement an AI, conduct an AFH, or continue to implement an AFH, or engage in any other means of fair housing planning so long as it meaningfully supports their certification. The IFR restored the substantive obligation but does not impose specific procedural requirements.

Joshua Gillerman: With all the discussion to define AFFH and the importance of inclusion of our disability community members, it’s now time to transition to some details about different kinds of fair housing planning. This is the “how to” section of our two-part webinar series.

Sarale Sewell: Though it might be obvious, it’s important to understand what a fair housing “issue” actually is. As we described, the Fair Housing Act protections and elements to AFFH, we need to discuss actions, omissions or decisions taken either because of one’s race, color, religion, sex, disability, familial status or national origin OR actions, omissions or decisions that have the effect of restricting housing choices or availability because of those same protected characteristics.

Joshua Gillerman: This is the necessary deep dive into how jurisdictions can take “meaningful actions, that overcome patterns of segregation, foster inclusive communities, and eliminate barriers that restrict access to opportunity.”

Sarale Sewell: So, to rephrase, we all need to look at our community with this lens to find the actions, omissions, or decisions related to discriminatory patterns because of race, color, religion, sex, disability, familial status, and national origin. Let us look at what some of these might be.

Joshua Gillerman: So, here are some issues that can restrict fair housing choice and access to opportunity. Based on the look of the chat, it is very clear that folks have already provided or identified a number of these issues occurring in their community. So first, just as an example, responses to cries of “not in my backyard” or NIMBY attitudes towards group homes for people with disabilities. Other land use and zoning laws or policies that allow only multi-family or other affordable housing opportunities for seniors or individuals with disabilities in low-income areas. Using the NIMBY attitudes as a zoning example, this could be zoning that puts group homes outside of neighborhoods where there are high-performing schools, grocery stores, and access to efficient public transportation. The availability of government dollars to modify homes for individuals with disabilities. Public transportation routes or offerings that are not accessible. As well as critically affordable housing options concentrated in areas with disproportionate exposure to environmental hazards and catastrophic weather events. This has become particularly acute in light of all the work done in the environmental justice movement as we grapple with climate change.

Sarale Sewell: Mapping is a powerful tool that really helps to identify fair housing impediments and to engage the community. Analysis of Population Profile Mapping provides everyone the opportunity to ask important questions such as: “are persons with disabilities geographically dispersed or concentrated in the jurisdiction, state, region, or service area? are persons with disabilities in racially and ethnically concentrated areas of poverty (or R/ECAPs) and other identified segregated areas?”, and “are there patterns in dispersal based on types of disabilities and age ranges?”

Joshua Gillerman: Here are some examples to consider in your fair housing planning: examining whether there is an adequate supply of housing that is accessible to persons with disabilities in the jurisdiction, region, state or service area; review of affordability of housing in a range of unit sizes and accessibility for different types of disabilities; and the location of accessible housing as it relates to segregated areas, or Racially and Ethnically Concentrated Areas of Poverty, and areas with greater access to opportunity assets.

Sarale Sewell: Another example is examining the extent to which the supply of accessible housing aligns with the demand for such housing. Also, you can ask these questions: to what extent are persons with different disabilities able to access and live in the different categories of publicly supported housing to include the local Public Housing Authority (or “P-H-A”)? To what extent are common areas, rental offices, or other public spaces associated with housing accessible to persons with disabilities?

Joshua Gillerman: Additional questions to consider when fair housing planning with individuals with disabilities in mind. It is helpful to ask, “to what extent are persons with different types of disabilities able to access and live in the different kinds of housing and are they located near accessible transportation? Are there housing programs or incentives that help provide housing assistance for people with disabilities so that they can live in integrated, accessible, and affordable housing in the community? Do these programs or incentives support the provision of reasonable accommodations or modifications? Is there any participation in Olmstead plans or agreements, interagency coordination, implementation of certain admissions preferences (including remedial preferences)? Is there enhanced outreach? Maintaining accessible housing lists or registries, use of project-based vouchers, HUD-VASH vouchers, and administering non-elderly disabled (NED) vouchers.”

Now we are moving from the kinds of questions to ask into the kinds of opportunities available as we engage individuals with disabilities and their stakeholders in researching and contributing to the fair housing planning process. It is helpful to ask and consider: “what kinds of private, market rate, public, and affordable housing options are available to persons with disabilities? What kinds of state and local policies contribute to people with disabilities residing in segregated settings? What kinds of barriers exist to integrated community-based settings in the following categories: for children (including foster care placements), persons at risk of institutionalization, individuals with mental health disabilities, individuals with intellectual or developmental disabilities, individuals with visual impairments, individuals who are deaf, as well as individuals with mobility disabilities?”

Sarale Sewell: Let’s do another poll in the chat. What kind of housing is needed for people with disabilities in your community?

Joshua Gillerman: Let us see. So, we have permanent supportive, housing access for individuals with mobility impairments, access to transportation, we have multifamily housing, safe, accessible single-family housing, supportive housing for individuals with intellectual disabilities, appropriate affordable housing for low-income individuals, transitional housing. This is all on point, I really appreciate the engagement and feedback here.

Sarale Sewell: People with disabilities and their advocates may: examine efforts or plans to transition individuals with disabilities to integrated settings, including timeframes and goals adopted by their community; include the State's efforts to transfer individuals with disabilities to integrated, community-based settings from the following types of facilities: nursing facilities, board and care and adult care facilities, mental health facilities, institutions for individuals with intellectual or developmental disabilities, day activity centers or sheltered workshops, and schools, among others; they can also examine the State's *Money Follows the Person* program, if any, as well as any Medicaid home and community-based waivers or options, and other state programs or services serving people with disabilities in integrated settings; people with disabilities, and their advocates, can review partnerships between local and state housing agencies and other agencies, including supportive services, healthcare, education, and criminal justice, to facilitate community integration of individuals with disabilities and to identify affordable, accessible, integrated housing opportunities.

Joshua Gillerman: People with disabilities and their advocates may examine any disproportionate housing needs experienced by individuals with disabilities and by persons with certain types of disabilities in the jurisdiction, region, state, or service area.

Sarale Sewell: Here are areas that they can consider. Are there disparities in access to opportunity? How about with government services and facilities? Or, public infrastructure (for example, sidewalks, pedestrian crossings, or pedestrian signals)? Transportation? Proficient schools and educational programs? Jobs and job programs? Parks and recreational facilities? Criminal justice diversion and post-incarceration reentry services? Healthcare services? Food? Or examination of the processes for persons with disabilities to request and obtain reasonable accommodations and accessibility modifications? What about achieving homeownership experienced by persons with disabilities and by persons with different types of disabilities in the jurisdiction and region? Also, are there white papers, studies, activities, and any advocacy efforts that have not been considered?

Sarale Sewell: With that informed analysis it's time to take "meaningful action" with concrete and measurable goals. Including individuals with disabilities and their advocates here is also important. With fair housing issues identified, it is time to establish goals. Ask these questions: How does the goal address the identified fair housing issues? Have metrics, milestones, responsible parties, and timelines been included for achieving results?

Joshua Gillerman: Another way to approach achievable goals is to use the SMART framework. It is: specific (detailed and crafted to explicitly address the stated goal); measurable (contains metrics and milestones to be used for measuring the success in achieving the identified goal); action-oriented (describes measures to be undertaken, rather than simply express an aspiration for change); realistic (acknowledges the limitations and feasibility of the identified goal); time-bound (includes a set deadline and specific timeframe for the achievement of the desired goal).

Sarale Sewell: Consider including identified goals in the strategies, actions, and funding priorities established in your communities Consolidated Plan and Public Housing Authority Plan. Identified goals may be incorporated into subsequent planning processes (including the strategies, actions, and funding priorities established in the Consolidated Plan and PHA plan).

Joshua Gillerman: HUD anticipates issuing a forthcoming notice of proposed rulemaking. A future rule to guide this framework. Our goal is to provide greater emphasis on goals that achieve material positive change, a streamlined analysis that reduces burden, integrating disability throughout the analysis. We hope to provide more comprehensive disability-related data, and also to enhanced community participation which will be the focus of tomorrow's webinar.

This is a tremendous opportunity for advocates and stakeholders to provide feedback on the future direction of the AFFH rule. The rule is also likely to include many direct solicitations with specific prompts for feedback and assistance. So please keep an eye out and be prepared to provide HUD feedback on the future of HUD's implementation of the rule!

Sarale Sewell: We would like to thank you for participating in the first of two presentations on involving individuals with disabilities and their advocates in fair housing planning. Please join us tomorrow for our session on community engagement. We are grateful for your participation as we work together to abide by the direction of the Fair Housing Act to affirmatively further fair housing by: taking meaningful action, overcoming patterns of segregation, fostering inclusive communities, and eliminating barriers that restrict access to opportunity.

Sarale Sewell: And so just again, thank you so much for joining today! We really hope the information presented was useful to you, and we hope to see you tomorrow for part 2 of our webinar. In the meantime, I will leave you with a few resources for further information.

You can access a wealth of fair housing planning resources on HUD's AFFH webpage at www.hud.gov/affh. From that webpage, you can find links to HUD's publicly available, interactive data and mapping tool as well as the AFFH Rule Guidebook (which assists with preparing an assessment of fair housing), and the Fair Housing Planning Guides, volumes 1 and 2 (which assists with preparing an analysis of impediments to fair housing choice). In addition, you can find some ACL resources, including a link to resources for the Disability Network and to its Housing and Services Resource Center webpage. In addition, in connection with the AFFH interim final rule, HUD will provide training and technical assistance for HUD program participants who wish to engage in fair housing planning. For additional questions or general inquiries about AFFH, you can email HUD at AFFH@HUD.gov

All of these resources, including video recordings of this webinar series, the power points, and a supplementary fact sheet, will be made available on the HUD exchange and ACL's Housing and Services Resources Center webpage.

Thanks again so much and have a wonderful afternoon.