

Affirmatively Furthering Fair Housing (AFFH) & Disability



Office of Fair Housing and Equal Opportunity & Office of General Counsel
U.S. Department of Housing and Urban Development

U.S. Department of Health & Human Services,
Administration for Community Living

Our Partnership on Disabilities

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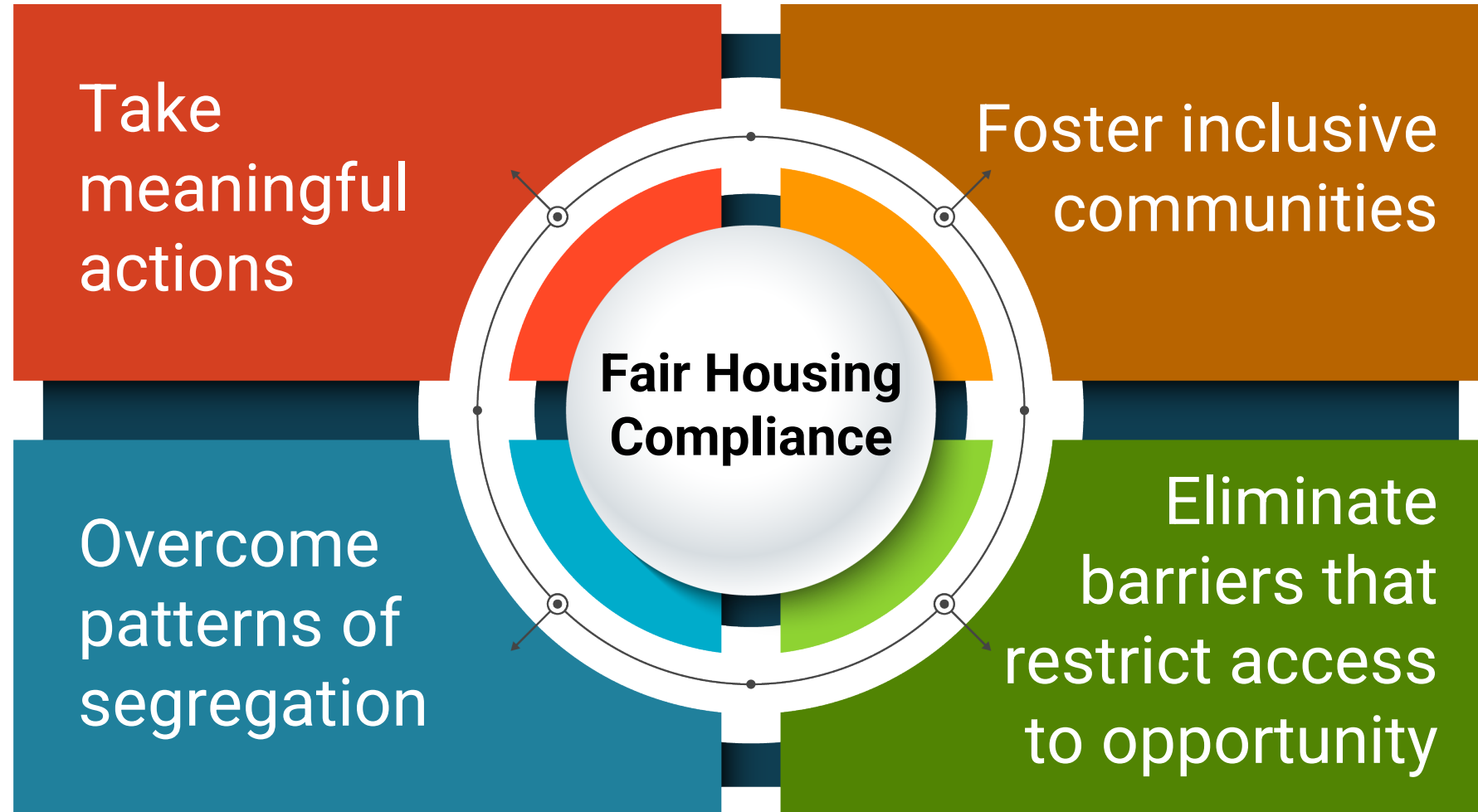


What is Affirmatively Furthering Fair Housing (AFFH)?

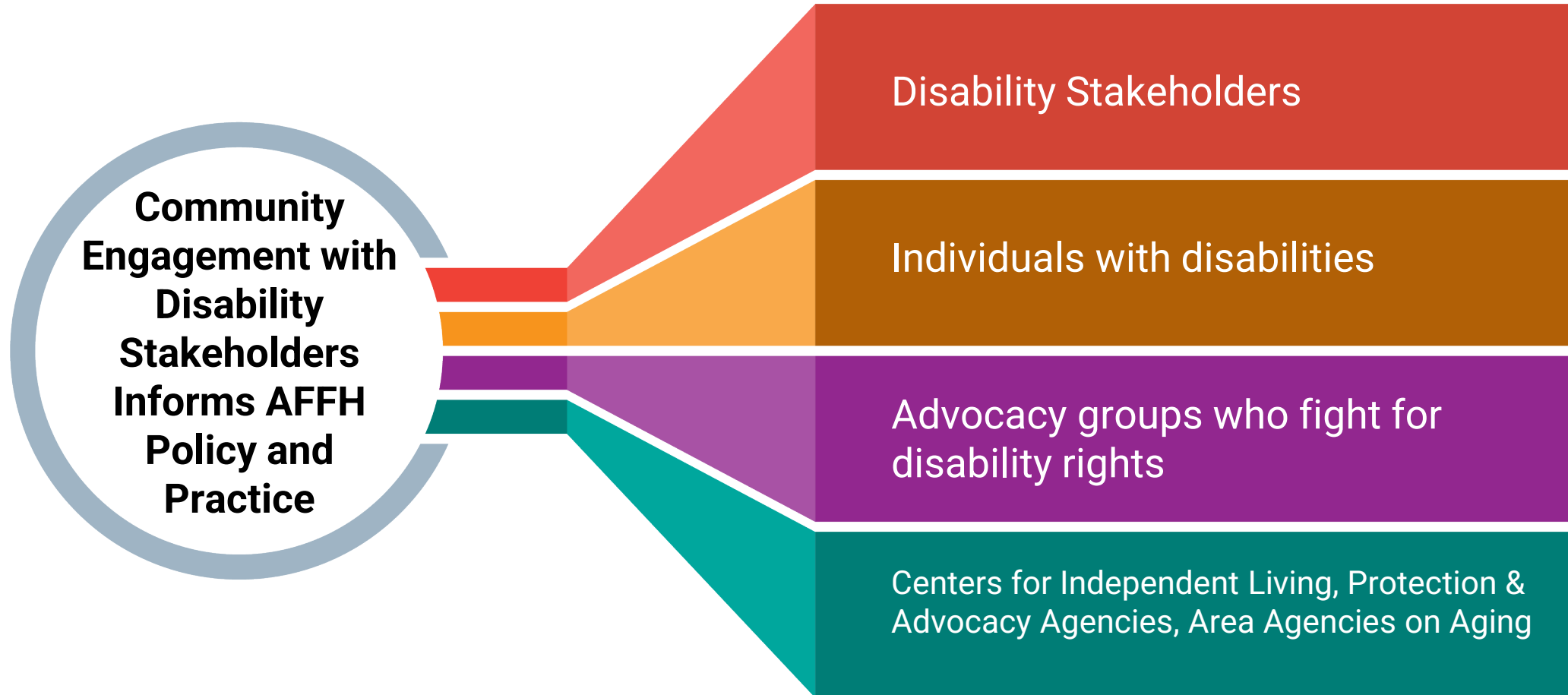
- The Fair Housing Act
- Sale, rental, and financing of dwellings, and other real estate
- Protected Characteristics
 - Race, color, religion, national origin, familial status
- Requires recipients to affirmatively further



What is The Obligation to Affirmatively Further Fair Housing (AFFH)?

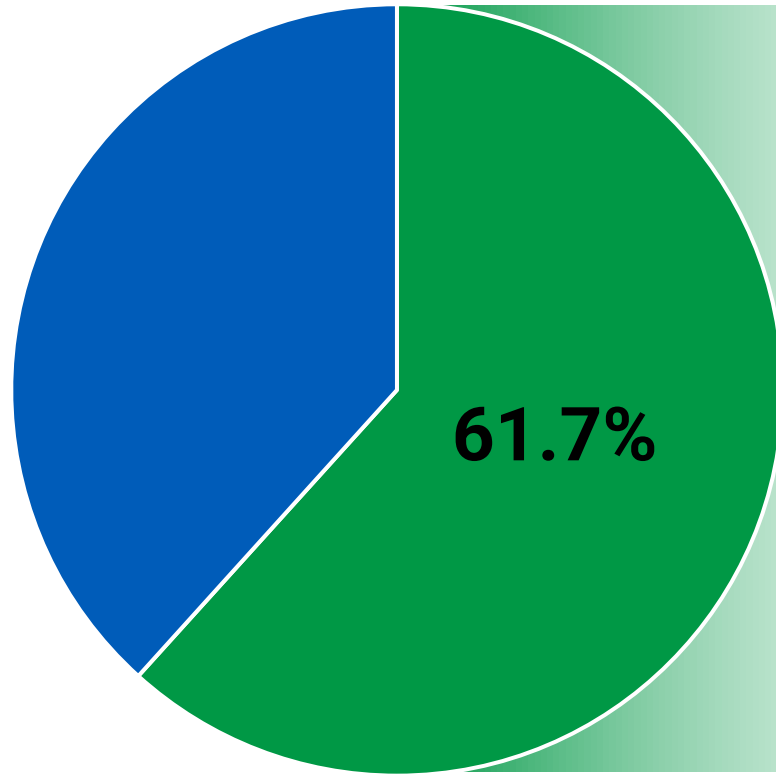


The Role of Disability Stakeholders in Fair Housing Planning



The Need For AFFH For Individuals With Disabilities

Fair Housing Complaints Filed in 2019



- In FY 2019, 61.7% (4,769) of the total 7,729 filed fair housing discrimination complaints were based on disability and a failure to make reasonable accommodations.

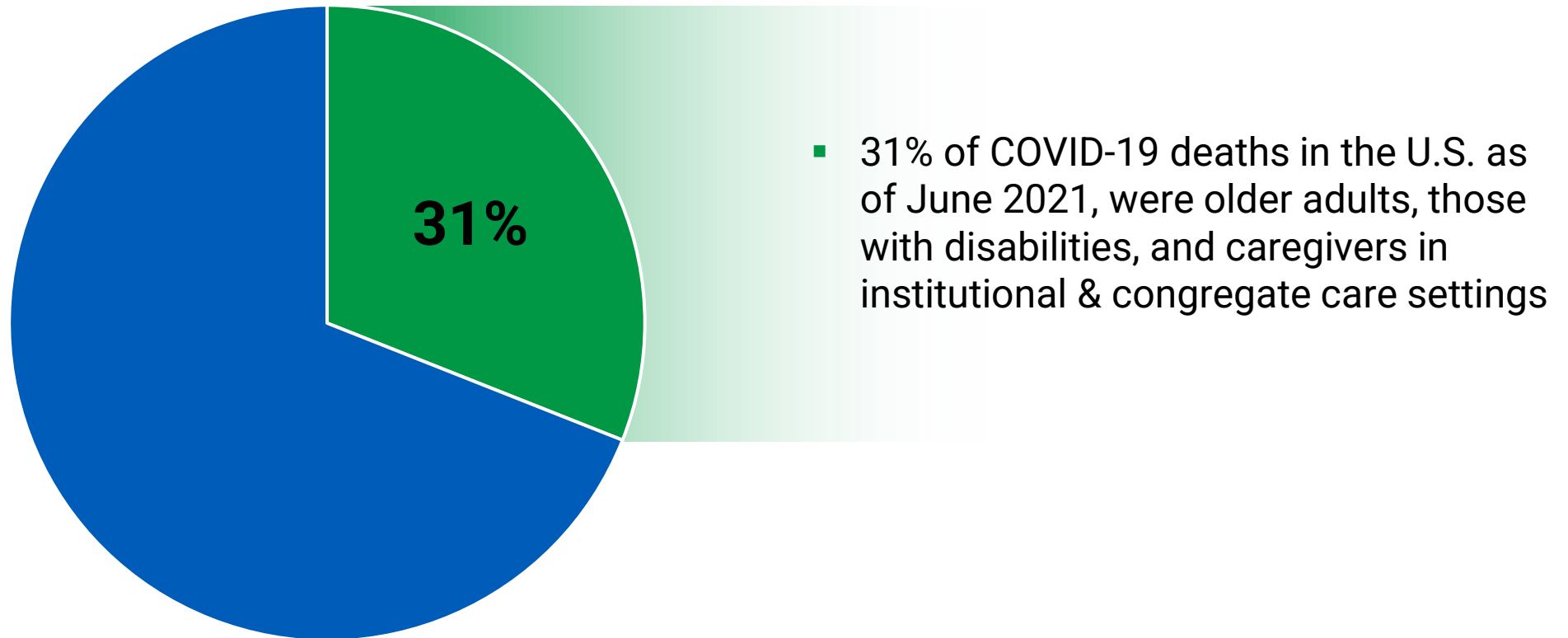
The Need For AFFH For Individuals With Disabilities

The impact of
**“[un]justified institutional
isolation of persons with
disabilities”**
as a form of
discrimination –
Olmstead v. L.C.



The Need For AFFH For Individuals With Disabilities

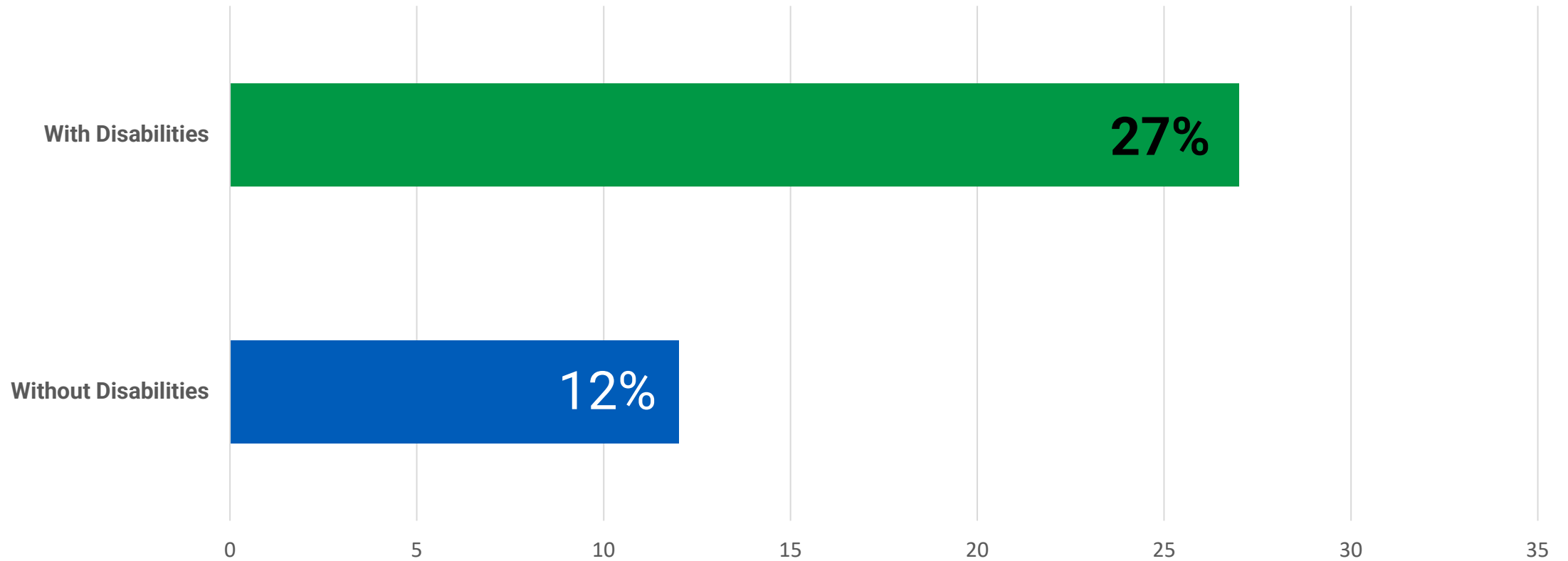
COVID-19 Deaths in the U.S. as of June 2021



[Nursing Homes Experienced Steeper Increase In COVID-19 Cases and Deaths in August 2021 Than the Rest of the Country | KFF](#)

The Need For AFFH For Individuals With Disabilities

Poverty Rates



The Need For AFFH For Individuals With Disabilities

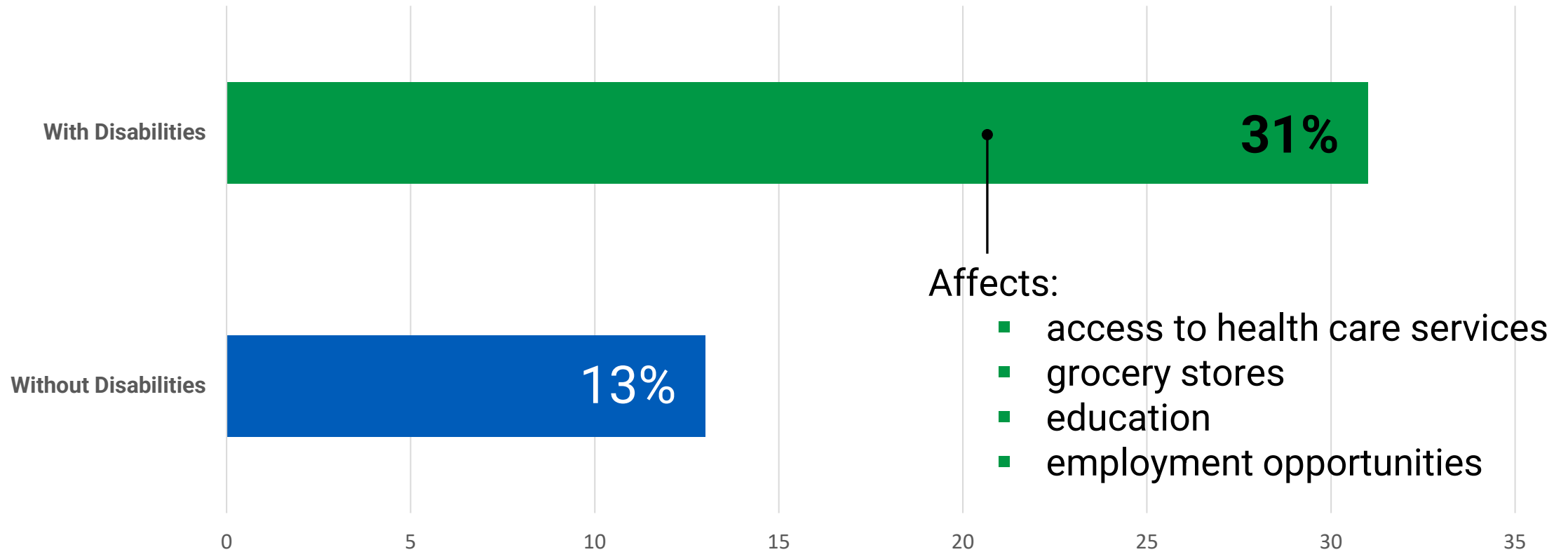


Fewer than 5%
of housing units are livable
for individuals with
moderate mobility
difficulties, while

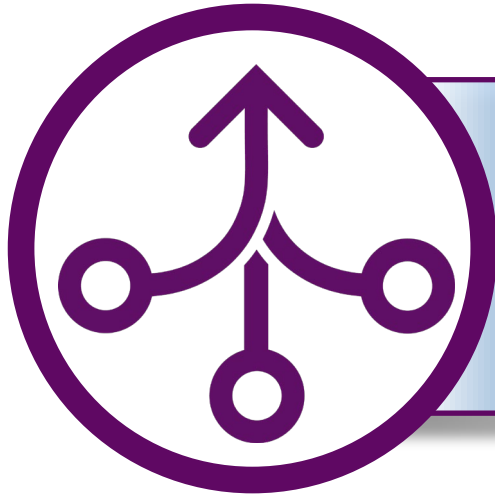
Less than 1%
are accessible to people
who use a wheelchair full
time.

The Need For AFFH For Individuals With Disabilities

Likelihood of Having Inadequate Transportation



Application of the AFFH Mandate

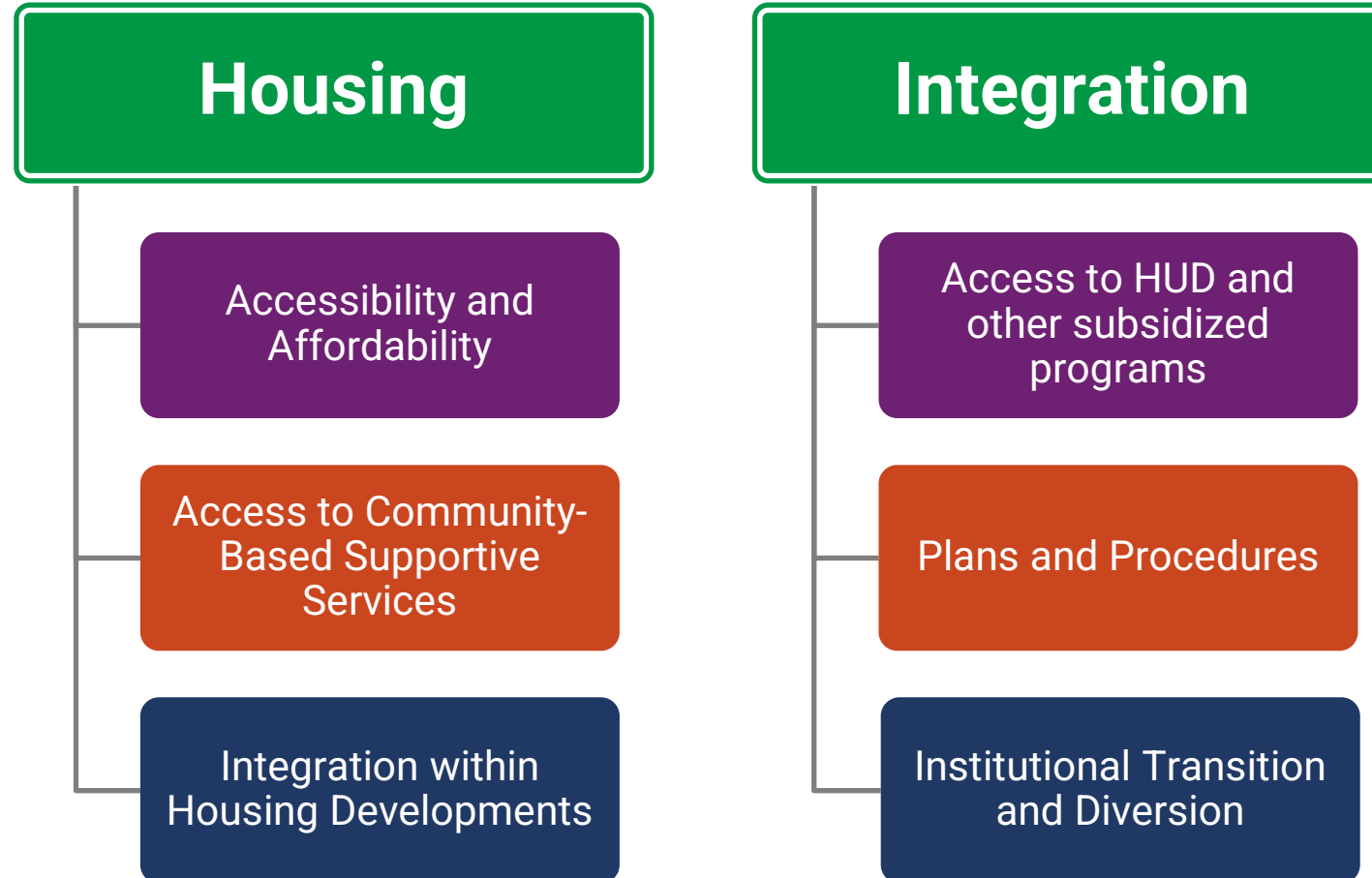


AFFH primary focus on racial integration from 1968 - 1980s

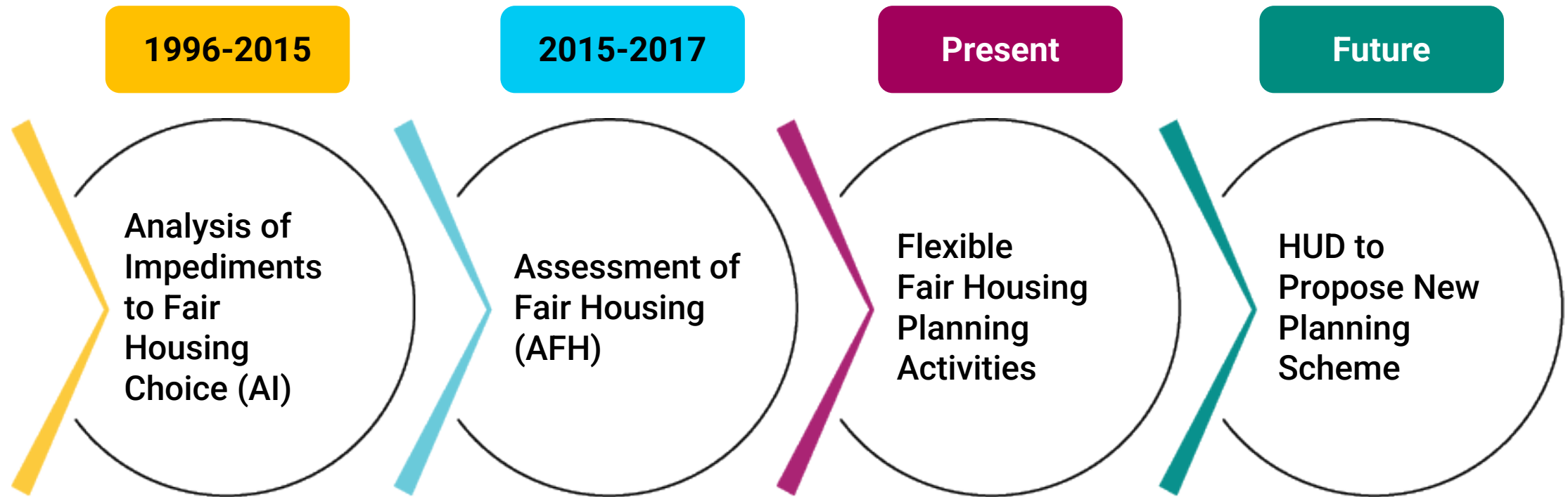


1988 Fair Housing Act amendments connects disability to AFFH mandate

The AFFH & Integration Mandates

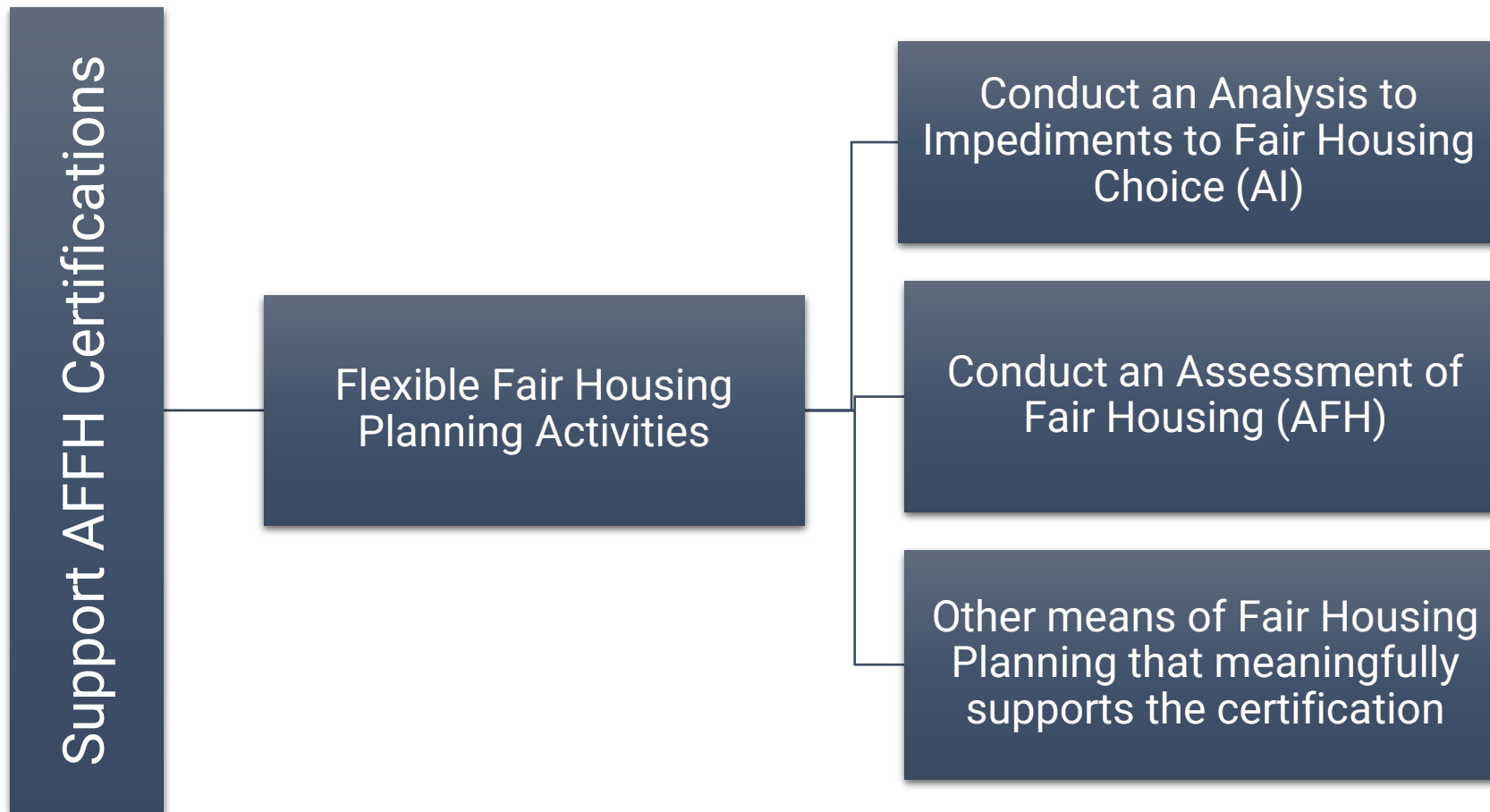


A Brief History of HUD's Implementation of AFFH



Flexible Fair Housing Planning Activities

HUD's 2021 Interim Final Rule



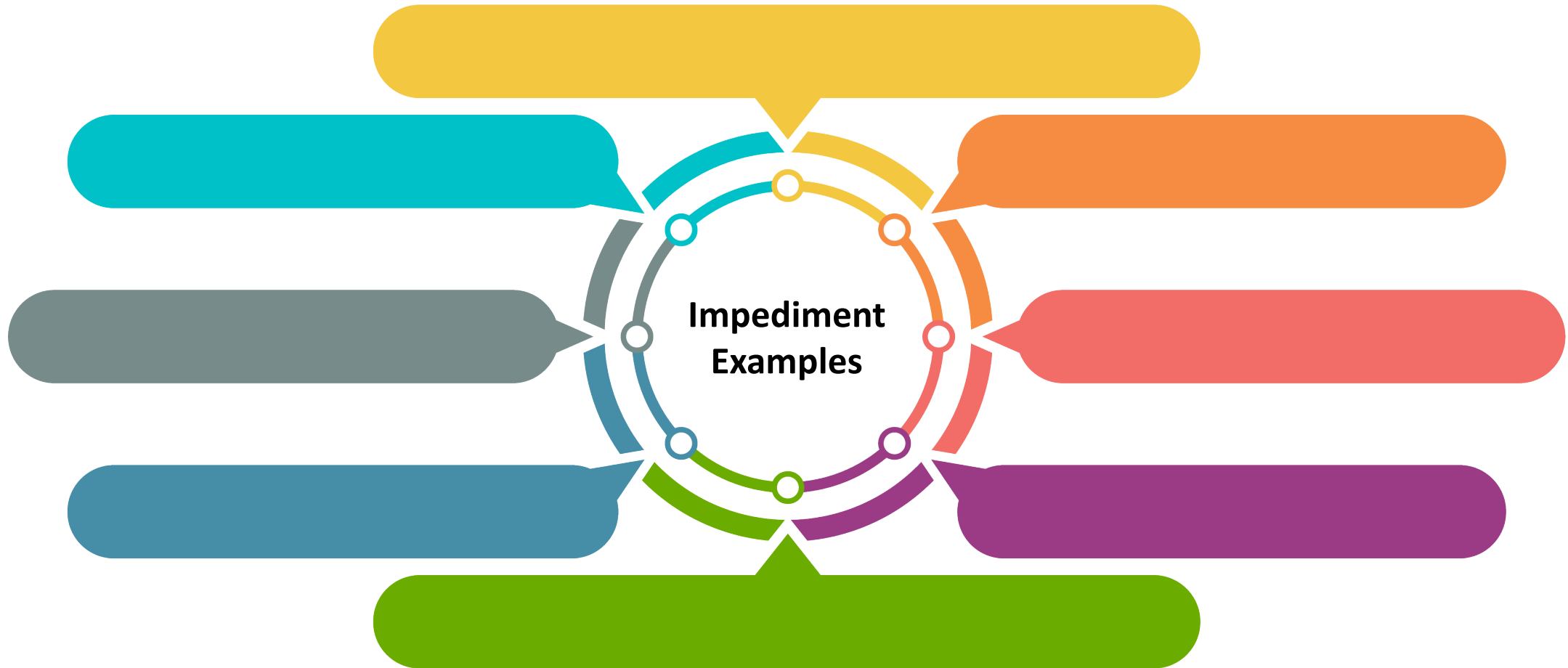
What is a Fair Housing Issue?



A fair housing *issue* is defined as:

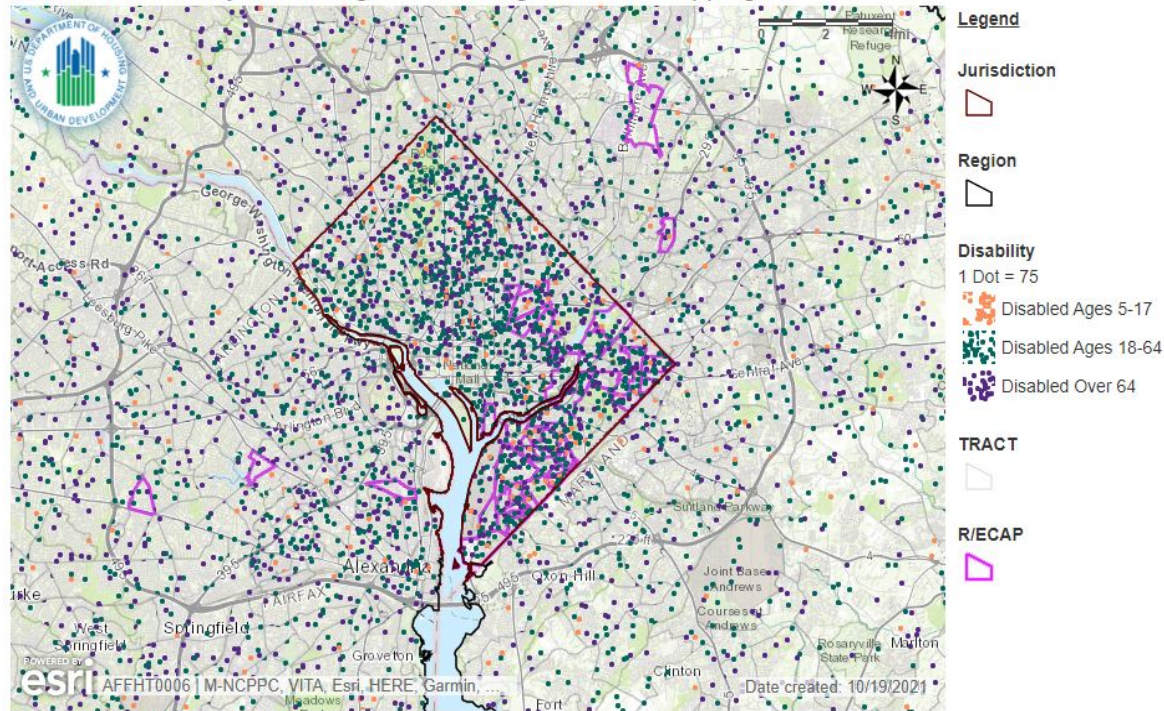
- ***Any actions, omissions, or decisions taken because of race, color, religion, sex, disability, familial status, or national origin*** which restrict housing choices or the availability of housing choices
- Any actions, omissions, or decisions ***which have the effect of restricting housing choices or the availability of housing choices on the basis of race, color, religion, sex, disability, familial status, or national origin***

What is a Fair Housing Issue?



Mapping and Community Engagement

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool



Name: Map 15 - Disability by Age Group

Description: All persons with disabilities by age range (5-17)(18-64)(65+) with R/ECAPs

Jurisdiction: District Of Columbia (CDBG)

Region: Washington-Arlington-Alexandria, DC-VA-MD-WV

HUD-Provided Data Version: AFFHT0006

Disability by Publicly Supported Housing Programs Category

District of Columbia, DC CDBG) Jurisdiction	People with a Disability	
	#	%
Public Housing	1,864	31.52
Project-Based Section 8	1,025	11.14
Other Multifamily	82	15.98
HCV Program	2,993	24.75
Washington-Arlington-Alexandria, DC-VA-MD-WV) Region		
Public Housing	2,226	29.63
Project-Based Section 8	2,173	10.55
Other Multifamily	537	26.82
HCV Program	N/A	N/A

Considerations for Fair Housing Planning




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Considerations for Fair Housing Planning




Examine efforts to transition individuals with disabilities to integrated settings



Examine the State's **Money Follows the Person** program & other state programs



Include the state's efforts to transfer individuals with disabilities to integrated, community-based settings



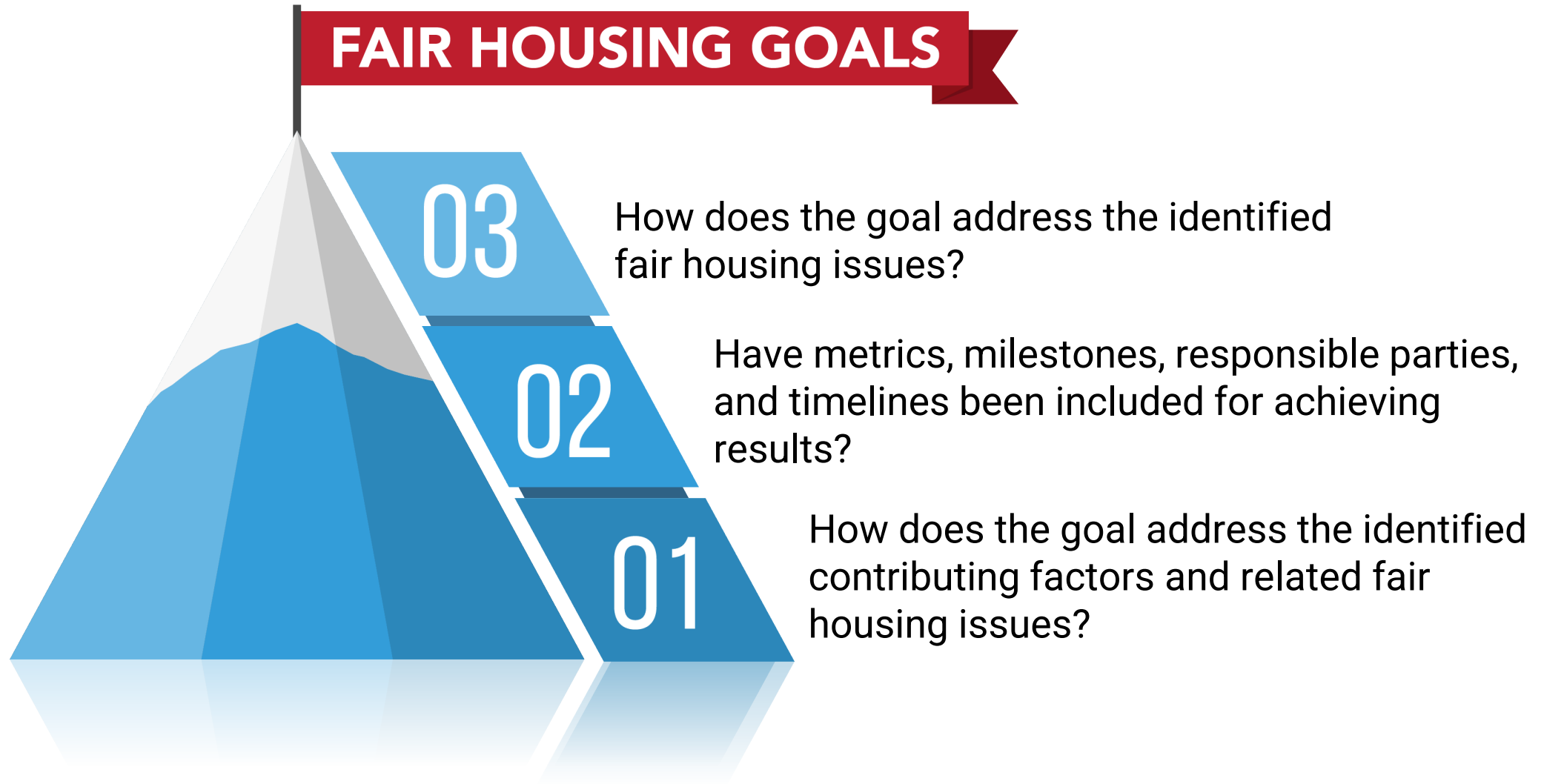
Disability stakeholders can review partnerships between state & local housing agencies (and other agencies)

Considerations for Fair Housing Planning

- 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?



Setting Goals in the Fair Housing Planning Process



Setting Goals in the Fair Housing Planning Process

S

Specific

M

Measurable

A

Action-
Oriented

R

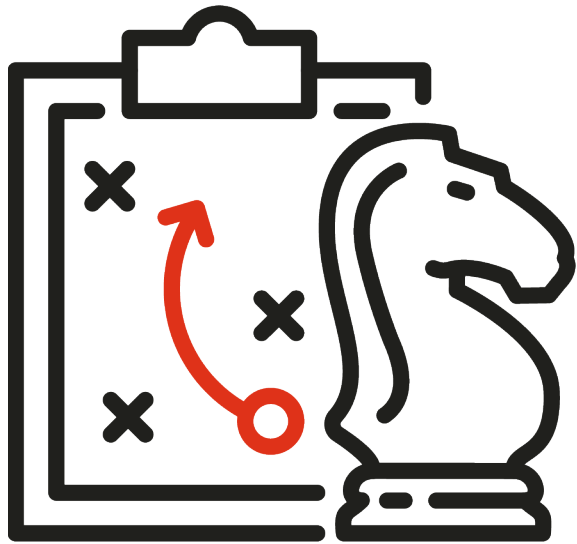
Realistic

T

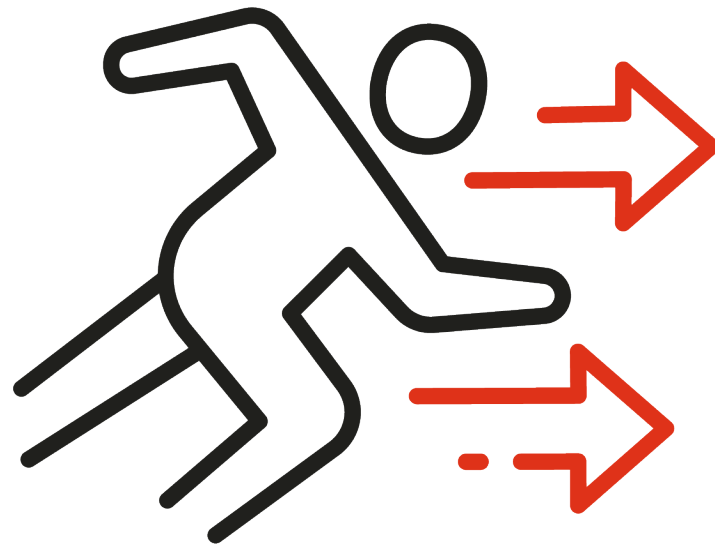
Time-
Bound

Setting Goals in the Fair Housing Planning Process

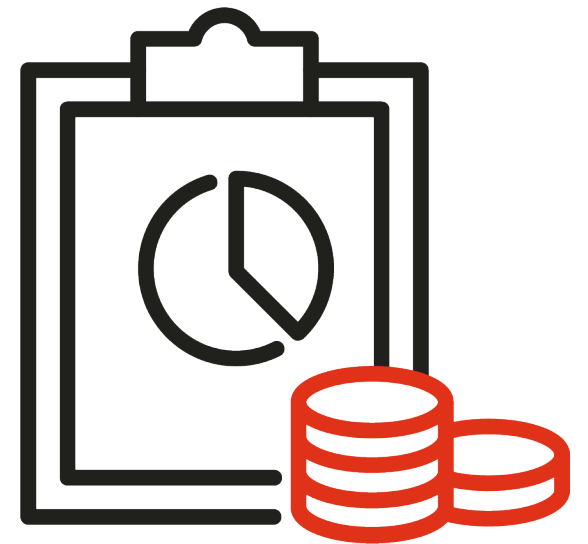
Consider including identified goals in **strategies**, **actions**, and **funding priorities** established in your community's Consolidated Plan and Public Housing Authority plan



Strategies



Actions



Funding Priorities

The Future of Fair Housing Planning



Questions?



Thank you!



Fair Housing Planning Resources

- **Resources**

- HUD's AFFH Webpage: [hud.gov/AFFH](https://www.hud.gov/AFFH)
- [HUD's Data and Mapping Tool \(AFFH-T\)](#)
- [AFFH Rule Guidebook](#)
- Fair Housing Planning Guides: [Vol. 1](#) and [Vol. 2](#)
- Effective Communication: [Effective Communication | HUD.gov / U.S. Department of Housing and Urban Development \(HUD\)](#)
- ACL's Disability Network: [ACL Network](#)
- [ACL Website](#)

- **Technical Assistance**

- 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 general inquiries about AFFH, email: AFFH@hud.gov