

# Affirmatively Furthering Fair Housing & Assessment of Fair Housing



**Mayor's Office of Housing and Community Development**  
City and County of San Francisco

# Fair Housing Act of 1968

History



Result of 150-year movement to combat government-sponsored or sanctioned discrimination

- Redlining
- Segregated Public Housing
- Segregation requirements for building suburban housing
- Blockbusting
- Steering
- Discriminatory Advertising

# Fair Housing Act

Rule & Federal Protected Classes



Prohibits discrimination in the sale, rental and financing of housing and other real estate transactions because of:

- Race
- Color
- Religion
- Sex
- National Origin
- Disability – added in 1988
- Familial Status (having children under 18 in household, including pregnant women) – added in 1988

# California Fair Employment & Housing Act (FEHA)

Rule & California Protected Classes



Prohibits discrimination in all aspects of the housing business due to:

- Race, color
- Ancestry, national origin
- Religion
- Disability, mental or physical
- Sex, gender
- Sexual orientation
- Gender identity, gender expression
- Genetic information
- Marital status
- Familial status
- Source of income

## Affirmatively Furthering Fair Housing (AFFH) Rule



New Affirmatively Furthering Fair Housing Rule passed in July 2015 aims to:

- Increase transparency through robust public process
- Provide framework for HUD's review of Assessments of Fair Housing
- Reduce data collection costs and make analysis easier through HUD-provided national data and tools for interpreting data
- Connect fair housing planning to investment planning - connecting the Assessment of Fair Housing to Consolidated Plan, Action Plans and Public Housing Authority (PHA) Plans

# Affirmatively Furthering Fair Housing (AFFH) Rule

Fair Housing Goals



1. Reduce segregation, and build on the nation's increasing racial, geographic and economic diversity.
2. Eliminate racially and ethnically concentrated areas of poverty.
3. Reduce inequalities in access to community assets such as quality schools, job centers, and transit.
4. Narrow gaps that leave families with children, people with disabilities, and people of different races, colors, and national origins with more severe housing problems (aka. Disproportionate housing needs).

# Assessment of Fair Housing (AFH) Planning Process



The fair housing planning process must include:

- 1. Community Participation**
- 2. Assessment of Fair Housing Issues**
  - Ongoing local or regional segregation or lack of integration based on race, color, religion, sex, familial status, national origin, and disability;
  - Racially or ethnically concentrated areas of poverty (R/ECAPs);
  - Significant disparities in access to opportunity for any protected class; and
  - Disproportionate housing needs for any protected class.
- 3. Identification of Contributing Factors**
- 4. Prioritization of Contributing Factors**
- 5. Setting of Fair Housing Goals**

# Assessment of Fair Housing (AFH) Planning Process



## AFH Process



*AFH Fact Sheet: The Fair Housing Planning Process Under the AFH Rule*



## Collaboration & Partnership

### Partnership with San Francisco Housing Authority

- PHAs required to submit their own Assessment of Fair Housing
- As a single jurisdiction with similar fair housing challenges, partnering with SFHA to submit a joint Assessment of Fair Housing makes logical sense

# Community Participation

Top priority for Assessment of Fair Housing process



Community Participation per AFFH is defined as:

“a solicitation of views and recommendations from members of the community and other interested parties, a consideration of the views and recommendations received, and a process for incorporating such views and recommendations into decisions and outcomes.”

Solicit - Consider - Incorporate

# Community Participation

## Guiding Principles



## Guiding Principles from HUD:

- Ask who is missing
- Prioritize inclusivity and transparency
- Outreach to groups who historically experience exclusion
  - Racial and ethnic minorities
  - Limited English Proficient (LEP) persons
  - Persons with disabilities

# Community Participation

HUD-suggested organizations and stakeholders



- Fair housing and civil rights organizations
- Organizations that represent race, national origin groups or women
- Disability rights organizations
- Service organizations that serve members of protected classes
- Organizations that represent LGBT individuals
- Religious congregations
- Housing developers
- Property managers
- Real estate agents
- Community organizing groups
- Labor unions
- Universities and anchor institutions
- Financial institutions
- Elected officials
- Other government agencies

# Community Participation

Types of Outreach



- Surveys
- Community meetings
- Focus groups
- One-on-ones
- Use types of communication that reach the broadest audience
- Use social media and technology to supplement outreach efforts

# Assessment of Fair Housing (AFH) Planning Process

## Timeline



AFH due to HUD 270 days prior to start of new 5-year Consolidated Plan program year

- 2020-2025 Consolidated Plan starts July 2020
- AFH due by October 2019
- MOHCD would like to submit AFH by June 2019 so can receive HUD feedback prior to issuing MOHCD services RFP in November 2019
- Community participation should begin in late 2017-early 2018

## How can the CCCD help



Consider and answer these questions:

- What principles and lenses should we use to determine where/how to prioritize our community engagement?
- What organizations, networks and groups do you think we should speak with?
- What issues, policy areas and/or community challenges should be the focus of our community engagement process?
- How should we structure these feedback sessions? What questions should we ask and information should we present to elicit actionable responses?