

Introduction to Fair Housing and Affirmatively Furthering Fair Housing



What is discrimination?



Discrimination: treating a person or group of people differently from other people or groups of people



Housing Discrimination



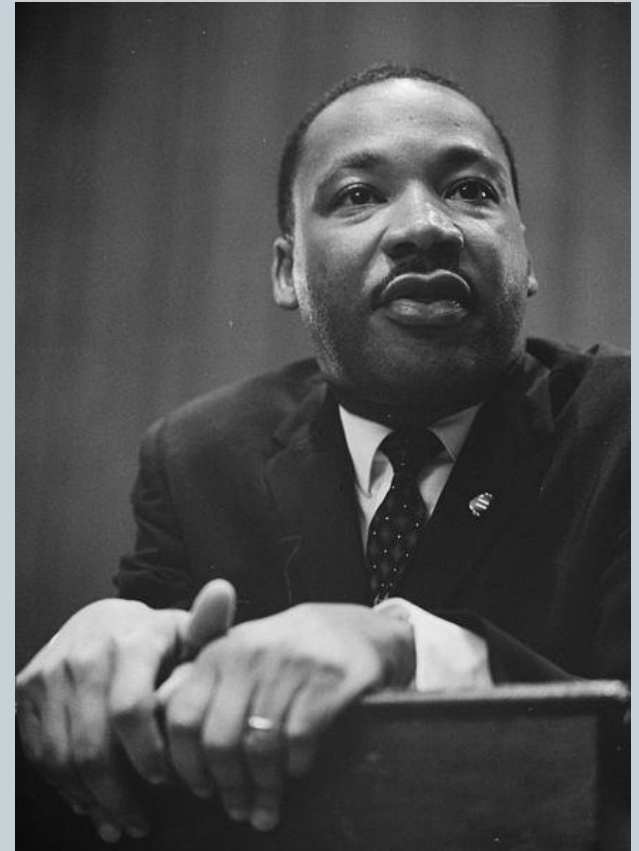
- Federal, state, and local fair housing laws ensure equal housing opportunity, or non-discrimination, in housing for the “protected classes” within each of their jurisdictions.
- Applies to ALL housing-related transactions, including: rental, sale, lending, insurance, homeowners associations, etc.



Creation of the Fair Housing Act



- On April 11th, 1968, President Lyndon B. Johnson signed the Civil Rights Act of 1968. This included what is known as the Fair Housing Act.
- Signed one week after the assassination of Dr. Martin Luther King Jr.



Fair Housing Act



- Provides protections from housing discrimination on the basis of protected classes.
- A protected class is a characteristic of someone that cannot be targeted for discrimination.



Protected Classes



Federal law:

- Race
- Color
- National Origin
- Religion
- Sex
- Family Status
- Disability



Additional protected classes in Ohio:

- Ancestry
- Military Status

Examples of Housing Discrimination



- To refuse to sell or rent housing after an offer is made
- Differing terms or conditions of sale or rental of a dwelling
- Discriminating in the provision of services or facilities
- To make, print, or publish any statement, notice, or advertisement that indicates any preference, limitation, or discrimination
- To falsely deny the availability of a dwelling

Affirmatively Furthering Fair Housing (AFFH)



- The Fair Housing Act also states that local recipients of federal (HUD) funding are required to affirmatively further the purposes of the Fair Housing Act.
- If an eligible recipient wants federal dollars, they **must** affirmatively further fair housing.

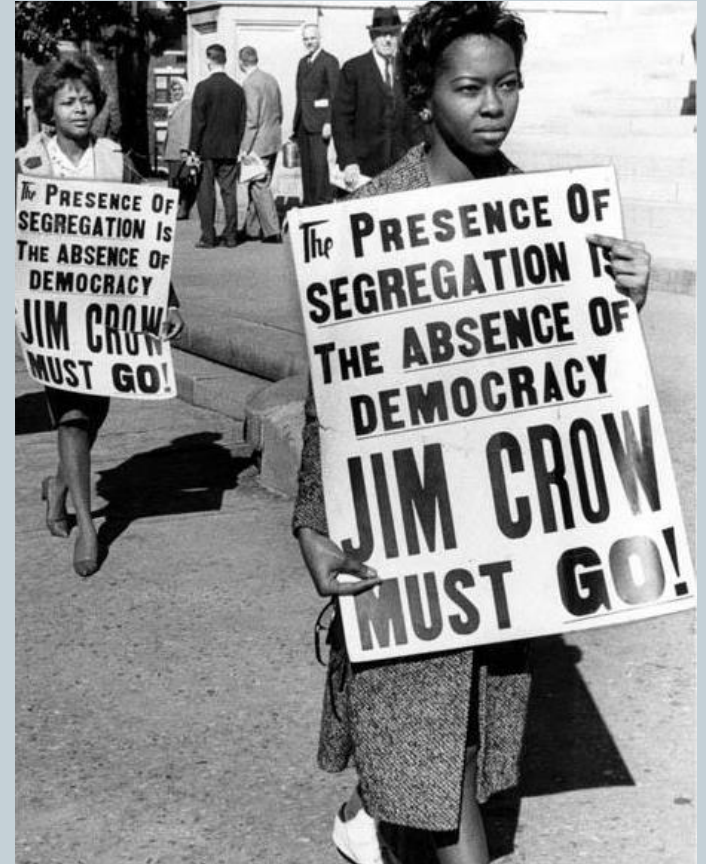
AFFH



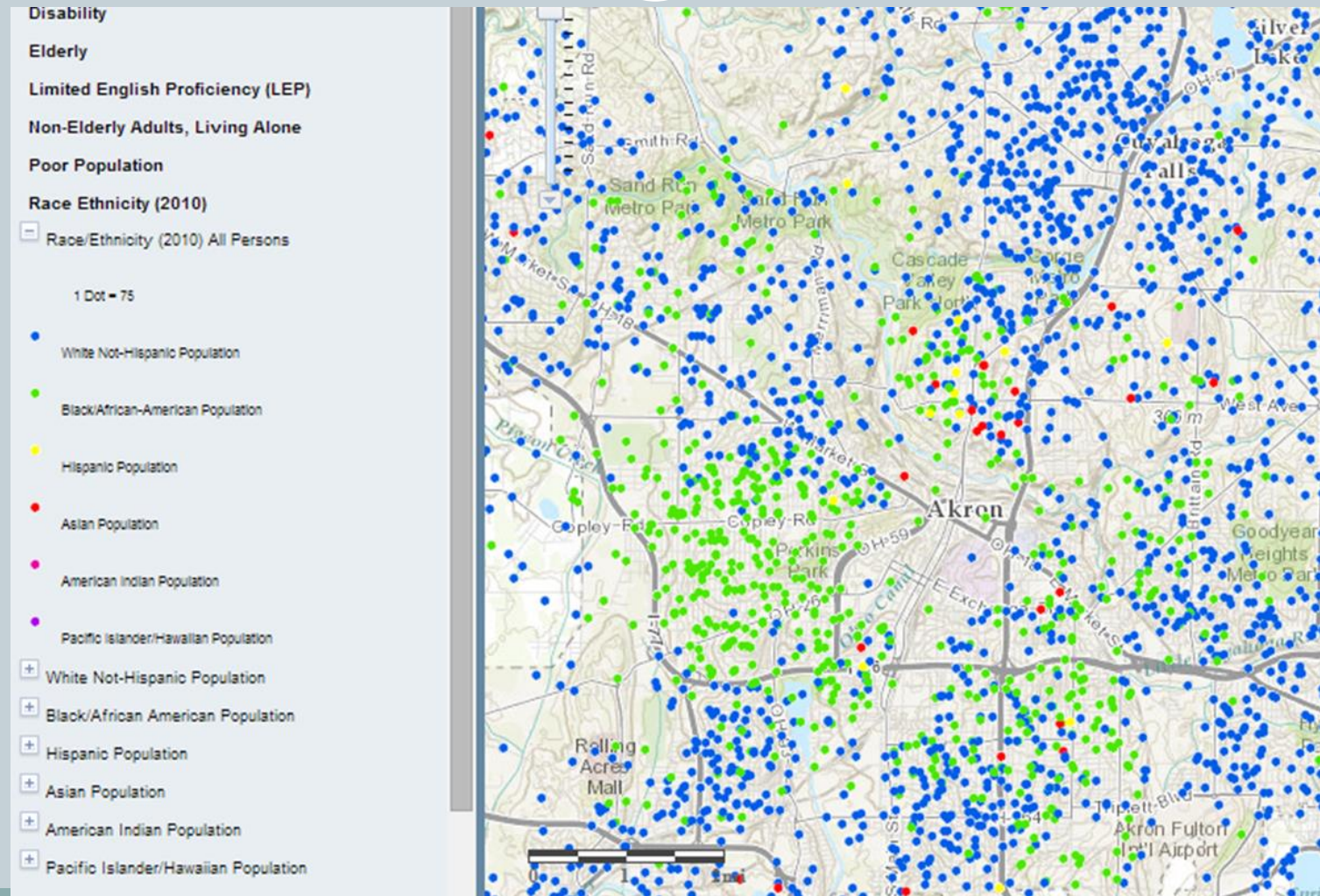
The primary focus of AFFH is addressing patterns of segregation in a community, many of which have continued for decades.

Banning discrimination does not overcome segregation.

Segregation: *setting apart or separating from others.*



Examining Local Patterns of Segregation



Four Goals for Recipients



- Improve integrated living patterns and overcoming historic patterns of segregation
- Reducing racial or ethnic concentrations of poverty
- Reducing differences in access to community assets across protected classes
- Responding to unequal housing needs by protected classes

How to AFFH



1. Identify barriers to fair housing choice
2. Develop a strategy to address identified impediments
3. Detail and track how the impediment was addressed

Consequences



- In 2009, HUD ruled that Westchester County, NY failed to AFFH by restricting affordable apartment complexes to certain areas.
- To restore HUD funding, the Settlement required the county to:
 - Build additional affordable housing units in primarily white neighborhoods
 - Correct the zoning policy
 - Add source of income to protected classes

Consequences



- HUD ruled that the state of Texas did not rebuild affordable housing after Hurricane Ike struck in 2008. HUD withheld **\$1.7 BILLION** until Texas:
 - Set aside \$100 million to rebuild public housing
 - Use an additional \$152 million for low income and moderate housing
 - Create a “Moving to Opportunity” program
 - Create a buyout program to allow low-income victims to move out of damaged areas