

HUD Archives: News Releases

HUD No. 18-079
HUD Public Affairs
(202) 708-0685

For Release
Monday
August 13, 2018

HUD SEEKS TO STREAMLINE AND ENHANCE 'AFFIRMATIVELY FURTHERING FAIR HOUSING' RULE

Notice solicits public's comments on ways to improve fair housing choice

WASHINGTON - The U.S. Housing and Urban Development (HUD) today published a notice inviting public comment on amendments to its *Affirmatively Furthering Fair Housing (AFFH)* regulations. HUD's goal in pursuing new rulemaking is to offer more helpful guidance to states and local communities to effectively promote fair housing choice through the use of their federal funds. Read HUD's Advance Notice of Proposed Rulemaking (<https://www.gpo.gov/fdsys/pkg/FR-2018-08-16/pdf/2018-17671.pdf>).

As HUD begins the process of amending the existing AFFH regulations, it is soliciting public comment on changes that will: (1) minimize regulatory burden while more effectively aiding program participants to meet their statutory obligations, (2) create a process focused primarily on accomplishing positive results, rather than on analysis, (3) provide for greater local control and innovation, (4) seek to encourage actions that increase housing choice, including through greater housing supply, and (5) more efficiently utilize HUD resources.

"HUD believes very deeply in the purposes of the *Fair Housing Act* and that states, local governments, and public housing authorities further fair housing choice," said HUD Secretary Ben Carson. "HUD's 2015 rule often dictated unworkable requirements and actually impeded the development and rehabilitation of affordable housing."

"It's ironic that the current AFFH rule, which was designed to expand affordable housing choices, is actually suffocating investment in some of our most distressed neighborhoods that need our investment the most," Carson continued. "We do not have to abandon communities in need. Instead we believe we can craft a new, fairer rule that creates choices for quality housing across all communities."

"Today we begin the formal process of examining how we can get this regulation right by first listening and learning from those who must put these rules to work and live with its impact," Carson concluded.

Background

On July 16, 2015, HUD published its AFFH final rule. The stated purpose of that regulation was to provide HUD program participants with a revised planning approach to assist them in meeting their legal obligation to affirmatively further fair housing. Since then, HUD found that in contrast to its stated goals, the AFFH rule proved ineffective, highly prescriptive, and effectively discouraged the production of affordable housing.

Last January, HUD suspended the obligation of local governments to file plans under the regulation and, in May, withdrew a computer assessment tool required to be used by local governments in preparing those plans. HUD found that rather than assisting local governments in formulating acceptable fair housing assessments, the 'Local Government Assessment Tool' was confusing, difficult to use, contained errors, and frequently produced unacceptable assessments, and otherwise required an unsustainable level of technical assistance. HUD continues to review comments submitted in response to the withdrawal of the Local Government Assessment Tool. The Department will consider those comments during its consideration of potential changes to the AFFH regulations.

###

HUD's mission is to create strong, sustainable, inclusive communities and quality affordable homes for all. More information about HUD and its programs is available on the Internet at www.hud.gov and <http://espanol.hud.gov>.

You can also connect with HUD on social media and follow Secretary Carson on Twitter and Facebook or sign up for news alerts on HUD's Email List.



[FOIA](#)

[Privacy](#)

[Web Policies and Important Links](#)



U.S. Department of Housing and Urban Development
451 7th Street S.W.
Washington, DC 20410
Telephone: (202) 708-1112 TTY: (202) 708-1455

