

## USEFUL TIPS FOR COMMUNITY ENGAGEMENT

Localities and Public Housing Agencies that are required to Affirmatively Further Fair Housing should seek public input as part of the fair housing planning process.

Contact your local housing and community development department or Public Housing Agency to find out if your community is developing a fair housing plan and so you can:

- Find out how to review draft and final fair housing plans.
- Find out when public hearings are taking place and when there are opportunities to provide public comments about how HUD funding will be used to Affirmative Further Fair Housing.
- Share your concerns and ideas for solutions to meet the fair housing needs in your community.

As of January 19, 2023, HUD is seeking Public Comment on a NEW Affirmative Furthering Fair Housing Rule. Visit [www.fairhousingnc.org](http://www.fairhousingnc.org) or [HUD.gov](http://HUD.gov) for more information.



## THE FAIR HOUSING PROJECT

**T**he Fair Housing Project of Legal Aid of North Carolina is available to provide information concerning a person's rights under the federal Fair Housing Act. If you believe you are a victim of housing discrimination, contact us for assistance at 1-855-797-3247. A project staff person will discuss the situation with you and help you to decide what to do next. Your response to us will be kept confidential.

When necessary, our staff can assist you in filing a complaint with the U.S. Department of Housing and Urban Development (HUD), local human relations commissions, or in court.

### Fair Housing Project

LEGAL AID OF NORTH CAROLINA

P.O. Box 2101

Durham, NC 27702

(855) 797-FAIR

(855) 797-3247

[www.fairhousingnc.org](http://www.fairhousingnc.org)

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## HOUSING DISCRIMINATION

# Affirmatively Furthering Fair Housing

*Looking at Opportunity  
in your Community*



LEGAL AID  
OF NORTH CAROLINA

Fair Housing Project

855-797-3247

[info@fairhousingnc.org](mailto:info@fairhousingnc.org)



## FAIR HOUSING ACT

The federal Fair Housing Act prohibits discrimination in housing based on the protected characteristics of race, color, religion, national origin, sex, familial status, and disability.

The federal Fair Housing Act also imposes a duty that HUD Affirmatively Further Fair Housing (“AFFH”).

### WHAT DOES AFFIRMATIVELY FURTHER FAIR HOUSING MEAN?

Affirmatively Further Fair Housing (“AFFH”) means taking proactive and meaningful actions, in addition to combating discrimination, to overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on the characteristics protected by the Fair Housing Act.

With the AFFH mandate, Congress recognized that where a person lives is inextricably tied to educational, employment, and economic opportunities. As such, local governments and public housing authorities have a responsibility to combat the impact of laws and policies that have long discriminated against communities of color, persons with disabilities, families with children, and others who have been denied equal access to housing.



## WHO MUST COMPLY WITH AFFH?

The AFFH mandate generally applies to HUD, and the administration of HUD programs and activities. Recipients of certain HUD and other federal funding, including states, many city and/or county governments, and public housing authorities, must comply with the obligation to AFFH.

### AFFH INTERIM FINAL RULE

In 2021, HUD issued an Interim Final Rule, stating that AFFH means taking meaningful action that addresses:

- ♦ significant disparities in housing needs and in access to opportunity;
- ♦ replacing segregated living patterns with truly integrated and balanced living patterns;
- ♦ transforming racially and ethnically concentrated patterns with truly integrated and balanced living patterns;
- ♦ transforming racially and ethnically concentrated areas of poverty into areas of opportunity; and
- ♦ fostering and maintaining compliance with civil rights and fair housing laws.

### AFFH CERTIFICATION

Governments, public housing authorities, and other entities that must comply with AFFH must also certify, annually, as a condition of receiving federal funding, that they are affirmatively furthering fair housing.

## COMMUNITY FAIR HOUSING GOALS

HUD has developed planning processes to help state and local governments, public housing agencies and authorities, and other HUD funding recipients, to examine barriers to fair housing choice and identify goals to address and overcome these barriers.

Fair housing planning generally involves (1) completing questions data and information, including from public input; (2) identifying factors contributing to housing discrimination in the community, and (3) setting goals to overcome these factors.

HUD originally required an Analysis of Impediments (“AI”) to Fair Housing Choice. Then, in 2016, HUD introduced a new framework, known as an Assessment of Fair Housing (AFH). HUD has tools and technical assistance available on the HUD website ([www.hud.gov/AFFH](http://www.hud.gov/AFFH)) to assist cities, counties, and other entities who receive HUD funding with fair housing planning.

### COMMUNITY ENGAGEMENT

Fair housing planning is a way to assess fair housing barriers and develop goals to comply with AFFH obligations. During the process, there should be multiple opportunities for public participation and to input.

### 2023 PROPOSED NEW AFFH RULE

As of January 19, 2023, HUD is seeking public comment on a new Affirmatively Furthering Fair Housing Rule.