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**Subject:** HUD announces new proposed "Affirmatively Furthering Fair Housing" rule

## HUD ANNOUNCES NEW PROPOSED "AFFIRMATIVELY FURTHERING FAIR HOUSING" RULE, TAKING A MAJOR STEP TOWARDS ROOTING OUT LONGSTANDING INEQUITIES IN HOUSING AND FOSTERING INCLUSIVE COMMUNITIES

*Rule expands upon HUD's previous policy, implementing opportunities for transparency and accountability while bolstering economic equity for American families*

**WASHINGTON** - The U.S. Department of Housing and Urban Development (HUD) will imminently publish a [Notice of Proposed Rulemaking](#) in the Federal Register to fulfill the promise of the 1968 Fair Housing Act. The proposed rule aims to remedy the effects of the long history of discrimination in housing, will help to foster opportunity in communities across the country where every resident can thrive. In addition, this proposed rule meets President Biden's call in his first days in office to fully enforce the Fair Housing Act, outlined in [Memorandum on Redressing Our Nation's and the Federal Government's History of Discriminatory Housing Practices and Policies](#).

This proposed rule implements the Fair Housing Act's affirmatively furthering fair housing mandate, which directs the government to promote fair housing choice, eliminate disparities in housing, and foster inclusive communities. While building avenues for greater accountability, this proposed rule streamlines the required fair housing analysis for local communities, states, and public housing agencies and requires them to set ambitious goals to address fair housing issues facing their communities, among other landmark changes.

"This proposed rule is a major step towards fulfilling the law's full promise and advancing our legal, ethical, and moral charge to provide equitable access to opportunity for all," said **Marcia L. Fudge, Secretary of Housing and Urban Development**.

"Affirmatively furthering fair housing means more than merely steering clear of housing discrimination violations" said **Demetria L. McCain, Principal Deputy Assistant Secretary for Fair Housing and Equal Opportunity**. "Today, HUD is taking new, bold action to eliminate the historic patterns of segregation that continue to harm American families. This action will help make the purpose of the Fair Housing Act reality by making it easier for local communities to identify inequities and make concrete commitments to address them."

This proposed rule, a significant step in addressing the country's history of discriminatory housing policies and practices, responds to both [President Biden's directive](#), the [Memorandum on Redressing Our Nation's and the Federal Government's History of Discriminatory Housing Practices and Policies](#), to HUD and Secretary Fudge's call to weave equity throughout HUD's work. Specifically, it would spur HUD program participants to take action in order to ensure members of protected classes have equitable access to affordable housing opportunities, which can be a crucial lifeline for underserved communities that have long been denied equal access to opportunity. The proposed rule incorporates much of the framework of the 2015 AFFH rule, which was effective for only a short time before the previous Administration dismantled it, and includes several refinements based on feedback HUD received from a variety of stakeholders.

In particular, the proposed rule is designed to simplify the required fair housing analysis, emphasize goal-setting, increase transparency for public review and comment, foster local commitment to addressing fair housing issues, enhance HUD technical assistance to local communities, and provide mechanisms for regular program evaluation and greater accountability, among other changes.

Under the proposed rule, program participants every five years would submit to HUD for review and acceptance an Equity Plan. That plan, which must be developed following robust community engagement, would contain their analysis of fair housing issues confronting their communities, goals, and strategies to remedy those issues in concrete ways, and a description of community engagement. The proposed rule would then require program participants to incorporate goals and strategies from their accepted Equity Plans into subsequent planning documents (e.g., Consolidated Plans, Annual Action Plans, and Public Housing Agency Plans).

In addition, program participants would be required to conduct and submit to HUD annual progress evaluations that describe progress toward and/or any needed modifications of each goal in the Equity Plan. Both the Equity Plans and the annual progress evaluations would be posted online. The proposed rule includes provisions that permit members of the public to file complaints with HUD if program participants are not living up to their AFFH commitments and various other provisions that enable HUD to ensure that program participants are held accountable for complying with this rule.

HUD seeks [public comment](#) on this proposed rule and invites all interested parties and members of the public to submit their views, comments, and recommendations for improvement for this proposal. Comments may be submitted electronically through [www.regulations.gov](http://www.regulations.gov), or through the methods described in the proposed rule.

Read HUD's [Notice of Proposed Rulemaking](#) on Affirmatively Furthering Fair Housing.

For further information, please reference this [fact sheet](#), [quick reference guide](#), and [public comment how to guide](#).

Link to the HUD press release is here: [HUD Announces New Proposed “Affirmatively Furthering Fair Housing” Rule, Taking a Major Step Towards Rooting Out Longstanding Inequities in Housing and Fostering Inclusive Communities | HUD.gov / U.S. Department of Housing and Urban Development \(HUD\)](#)



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*Each year, HOPWA ensures housing stability for more than 100,000 American households that are low-income and living with HIV.*

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