



# APPLIED RESEARCH CENTER

*Racial Justice Through Media, Research and Leadership Development*

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September 17, 2013

Regulations Division  
Office of General Counsel  
Department of Housing and Urban Development  
451 7<sup>th</sup> Street SW  
Room 10276  
Washington, DC 20410-0500

Docket No. FR-5173-P-01, Affirmatively Furthering Fair Housing

Submitted electronically via <http://www.regulations.gov/#!documentDetail;D=HUD-2013-0066-0001>

Dear Colleagues,

The Applied Research Center (ARC) is a thirty-two year-old, national racial justice organization. We define racial justice as the systemic fair treatment of people of all races, resulting in equal opportunities and outcomes for all. ARC strives to build awareness, solutions, and leadership for racial justice by generating transformative ideas, information, and experiences. We strive to advance racial justice through media, research, and leadership development.

ARC supports the Department of Housing and Urban Development's (HUD) proposed regulations to implement the Affirmatively Furthering Fair Housing (AFFH) provisions of the Fair Housing Act as an important step in the imperative struggle to fulfill the promise of the Federal Housing Act. We support any process that strives to reduce disparities for people of color, people with disabilities, and people of different national origins with housing needs. The proposed AFFH rule will encourage community engagement and discussion about issues regarding racial and ethnic segregation, and racial and ethnic disparities in housing. The proposed rule will serve as a platform for community organizing around fair housing, and will encourage further research about the unequal housing patterns in the United States.

While the proposed rule is an important step in the right direction, we have the following recommendations on how to improve the final rule:

1. First, in order to ensure successful implementation and enforcement of the rule, we feel that there should be certain mechanisms put in place for effective community participation. There should be a mechanism in the final rule enabling advocates to appeal -- to HUD Headquarters Office of Fair Housing and Equal Opportunity -- decisions by the local HUD office to accept an Assessment of Fair Housing or a certification that program participants are affirmatively furthering fair housing choices.

2. Also, other mechanisms should be put in place in order to ensure that the data analysis is completed by each jurisdiction or public housing authority (PHA). We recommend provisions to ensure there is ongoing data analysis and public reporting along with stakeholder participation and public accountability.

3. Additionally, other mechanisms should be put in place in order for the data analysis to be performed in a correct and consistent manner by each jurisdiction or public housing authority (PHA). We recommend that there is data analysis training for program participants to ensure that the analysis is conducted in a precise manner across all entities. The data analysis training should be a requirement for program participants and also provided for in the budget.

4. The proposed rule does not require progress toward racial and economic integration. "The proposed rule does not mandate specific outcomes for the planning process."<sup>1</sup> HUD should require that jurisdictions identify specific goals and timetables for the reduction of racial segregation, and neighborhood improvements for these communities.

5. There are some provisions for communities to be involved in the planning process in the new rule. However, the new rule lacks monetary support and guidelines for outreach efforts for engaging the different community groups. We strongly suggest additional provisions should be included in the budget in order to ensure effective community engagement.

6. We strongly recommend that there should be some measurement for success indicators and progress benchmarks for the new AFFH process. The program participants should be required to list specific actions that will be taken toward achieving their goals, and a timetable for each goal, and the entity responsible for taking each action.

Overall, the proposed AFFH rule is very useful for clarifying the responsibilities and increasing the accountability of state and local grantees in compliance with the

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<sup>1</sup> Affirmatively Furthering Fair Housing, 78 Fed. Reg. 43711 (July 19, 2013).

AFFH mandate. However, we feel the aforementioned revisions would serve as strong additions to the final rule and will aid HUD in strengthening the final rule.

Thank you for the opportunity to comment on this important regulation. If you have any questions, or would like to consult ARC for additional information, please feel free to contact us through my email address [dapollong@arc.org](mailto:dapollong@arc.org).

Sincerely,

Dominique Apollon, Ph.D.  
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Applied Research Center

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