

**Affirmatively Furthering Fair Housing in the HUD Sustainable Communities Initiative:
A Checklist for SCI Action Plans**

1. Develop a regional fair share housing plan with target numbers for each municipality (or other relevant local jurisdiction) in the region

This is the most basic way of applying fair housing principles to a comprehensive regional plan – to determine the current and future need for low income housing in the region (based on HUD’s worst case needs housing study) and to make a rational allocation of that current and future need to each of the local jurisdictions in the region, for the development and preservation of low income housing units, in a manner that promotes racial integration. The setting of such official goals/expectations is important in its own right, even if it is not immediately enforceable.

2. Ensure strong income targeting in all housing allocations

Ensure that “affordable housing” targets for higher opportunity communities and new transit or economic development areas are not limited to moderate income families or elderly individuals.

3. Encourage “Inclusionary” principles in new planned transit oriented development

The most reliable way to ensure equitable location of low income housing in a region is to include a setaside of low income units in locations that are attracting new market rate housing investments. This can be accomplished through state or local zoning requirements or a number of other means.

4. Directing limited housing development and preservation funds to affirmatively further fair housing

Require affirmative site selection for new low income housing assets in low poverty, high opportunity areas with high achieving schools, preferably in locations reasonably well served by public transportation and free from adverse environmental impacts such as air, water and noise pollution from industrial facilities, major highways, bus depots, etc. and contamination due to prior or adjoining land uses.

Avoid placement of new low income housing in high poverty, racially concentrated neighborhoods or in stable, substantially integrated areas that may be destabilized by the location of new low income housing.

To the extent that housing preservation funds allocated to a region are limited and cannot preserve all low income housing units, prioritize limited preservation funds to preserve low income housing units in higher opportunity communities.

To the extent that new low income housing or housing preservation funds are targeted to areas near new rail stations in low income communities (or other areas where gentrification and land price increases are expected), develop an reliable system for assessing the likelihood of gentrification in the area in the long and short term, to justify the targeting of limited housing resources to these communities.

Protections for persons displaced from the transit-oriented development itself or ensuing gentrification - including relocation assistance, replacement housing and priority for displaced residents along with inclusion of community residents in the planning of the project.

5. Performance-based Affirmative Marketing

Implement strong affirmative marketing measures – including performance measures – for all assisted housing in the region to ensure that low income Black and Latino families (and other communities of color concentrated in low opportunity areas) have actual access to a substantial portion of assisted housing in higher opportunity communities.

6. Regional Housing Mobility

Even without new affordable housing development, SCI regions can help to break down regional patterns of racial and economic segregation through implementation of strong housing mobility programs, working alongside or embedded in central city Section 8 voucher programs, to help low income families move voluntarily from high poverty, segregated neighborhoods to low poverty, more racially integrated communities with high quality schools. In states with statewide voucher allocations, this housing mobility function can be placed in the state housing agency.

7. Showing progress over time

Using the data already compiled and submitted to the SCI program, grantees should be asked to regularly report on the progress being made to increase racial and economic integration for low income families a) in government assisted housing programs in the SCI region, b) in the region as a whole (including the private housing market), and c) in city and suburban public schools in the SCI region.

8. Engagement with advocates, residents and community based organizations

It will be tempting for many SCI grantees to reach out to the “community” by contacting various CDBG-funded service-based organizations, faith based groups, and other grassroots groups that work with the city. These groups, while very valuable to the process, do not always have the expertise or independence to fully engage with the MPO and its partners, and may not provide the kind of challenge to the status quo that will lead to creative planning. For this reason, the SCI Action Plans should also require SCI grantees to engage directly and formally with the primary legal services organizations in the region, identified Fair Housing organization enforcement organization active in the region and other community-based housing and civil/human rights organizations not currently funded by SCI grantees. If they are not already included, independent and grass roots transportation or transit equity groups should also be integrally involved in the process. Moreover, SCI grantees should provide training and technical assistance to residents and community-based organizations, to ensure their participation in SCI activities is meaningful and not superficial. Where appropriate, training materials and other information about SCI activities should be translated into languages spoken by non-English speaking residents seeking to participate in SCI activities.