CDBG-DR

AFFH 101 Brief

AFFH Goals

The goal of Affirmatively Furthering Fair Housing is to take "meaningful actions" to "overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics." HUD's grantees, such as states, local governments, and public housing agencies, are required to complete an Analysis of Impediments to Fair Housing Choice (AI) to demonstrate their commitment to affirmatively furthering fair housing.

GLO is responsible for carrying out the work for the State of Texas' AI as it relates to GLO's CDBG-DR funded recovery programs. However, CDBG-DR subrecipients should familiarize themselves with Fair Housing principles, and with the Fair Housing barriers and recommendations that are specific to Texas and outlined in the State's AI. GLO completes an AFFH review for subrecipient CDBG-DR applications and submits an AFFH Report to subrecipients prior to committing any funds. Subrecipients are monitored for compliance with Fair Housing recommendations outlined in these reports.

Fair Housing Plan Requirements

- Involve the entire community and address their concerns
- Identify impediments to fair housing choice
- Create SMART goals to overcome identified impediments
- Certify *meaningful action* toward affirmatively furthering fair housing

Texas Fair Housing Act

Chapter 301 of the State of Texas' Property Code, known as the Texas Fair Housing Act, protects Texans from discriminatory housing practices in the sale, rental, and financing of dwellings based on race, color, national origin, religion, sex, physical/mental disability, and familial status. The Texas Fair Housing Act establishes three main purposes:

- Provide for fair housing practices in the state;
- Create a procedure for investigating and settling complaints of discriminatory housing practices; and
- Provide rights and remedies substantially equivalent to those granted under federal law.

Texas Analysis of Impediments (AI)

Texas' AI provides a statewide and regional analysis of demographics and housing considerations by (1) reviewing state regulations and rules; (2) discussing and describing fair housing actions that have been taken or are currently underway in the state; (3) performing an assisted housing portfolio lending analysis; and (4) providing an overview of fair housing complaints and cases. The State of Texas identified five key impediments to Fair Housing in its AI, based on analysis, community input, and the degree to which impediments could be alleviated by HUD grantees.

Texas AI: Impediments to Fair Housing

- Not in My Backyard Syndrome (NIMBYism)
- Lack of understanding of resources on fair housing law, rights, and duties to assist low-to-moderate income residents and persons with disabilities
- Obstacles to homeownership and lending products for protected classes
- Lack of accessible and visitable housing units for persons with disabilities
- Barriers for specific protected classes that limit mobility and free housing choice

Texas AI: Recommendations and Action Steps

1. Maximize accessible housing choice by promoting preservation and limiting displacement, continuing to encourage development in high opportunity areas, and encouraging creative, innovative solutions;
2. Increase the provision of educational resources to the developer, property manager, and tenant communities, and to the mortgage lending and realtor industries;
3. Reduce stigmatizing language and practices;
4. Actively engage in the enforcement of the Fair Housing Act; and
5. Work with trade organizations, local jurisdictions, and regulatory agencies for mutual benefit.