



## Housing Assistance Council

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July 12, 2021

### Submitted via Regulations.gov

Regulations Division  
Office of General Counsel  
Department of Housing and Urban Development  
451 Seventh St., SW  
Room 10276  
Washington, DC 20410-0500

Re: Docket No. FR-6249-I-01  
Restoring Affirmatively Furthering Fair Housing Definitions and Certifications

Dear Office of General Counsel:

The Housing Assistance Council (HAC) appreciates the opportunity to comment on the Restoring Affirmatively Furthering Fair Housing Definitions and Certifications interim final rule by the Department of Housing and Urban Development (HUD). A nonprofit organization, HAC has been helping local organizations build affordable homes in rural America since 1971. With 50 years as a thought leader and voice for rural America, HAC grounds its comments in the need for strong, consistent fair housing enforcement in rural places.

HAC has steadily supported efforts to implement the Affirmatively Furthering Fair Housing (AFFH) requirement and its ultimate goal of ensuring that all have access to decent, safe and affordable housing in strong and healthy communities. To that end, HAC strongly supports HUD's interim final rule.

### Restoring a Meaningful AFFH Requirement

When HUD published its Preserving Community and Neighborhood Choice (PCNC) final rule in August 2020, HAC issued a statement saying the regulation "willfully overlooks the history of racist

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housing policies that has created deep and persistent segregation in our country – in rural places, cities and suburbs – and ignores our moral obligation to correct segregation and its harmful effects.”<sup>1</sup>

HAC fully agrees that, as HUD’s interim final rule notes, the AFFH obligation requires HUD and recipients of its funding to take proactive steps towards fair housing, beyond simply refraining from discrimination. They must meaningfully assess racial and other forms of segregation and other impediments to fair housing and then take meaningful actions to address them.

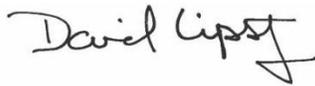
HAC also agrees with HUD that the PCNC rule did not require such assessment or actions and therefore did not fulfill the legal requirements of the AFFH mandate. The definitions and certifications now restored by the interim rule do meet those legal requirements.

## **Conclusion**

This interim final rule is an important step towards providing equitable access to decent, affordable housing. Working towards equality is essential. It is inherently the right thing to do – and it is crucial because research shows children’s life chances are deeply impacted by the neighborhoods where they grow up. Taking active steps to eliminate discrimination and segregation in homes and neighborhoods through enforcement of the Affirmatively Furthering Fair Housing requirement leads to inclusive and equitable rural, urban and suburban communities, where all residents can thrive.

If you have questions or would like to discuss these comments further, please feel free to contact me.

Sincerely,

A handwritten signature in black ink that reads "David Lipsetz". The signature is written in a cursive, slightly slanted style.

David Lipsetz  
President and Chief Executive Officer

DL/lrs

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<sup>1</sup> “HAC Condemns Weak Fair Housing Rule,” August 7, 2020, <https://ruralhome.org/hac-condemns-weak-fair-housing-rule/>.