



HUD Revokes Housing Anti-discrimination Protections Leaving Low-income, Black, And Brown Neighbors Vulnerable

The White House and HUD recently terminated the 2015 Affirmatively Furthering Fair Housing (AFFH) Rule. The Rule, under the 1968 Fair Housing Act, mandated that localities receiving federal funds to assess housing discrimination and racial bias within their communities and plan for how to diminish these realities.

The Fair Housing Act was initially passed in the aftermath of Martin Luther King Jr's assassination. In a time of renewed racial reckoning and reconciliation, HUD and its partners should be turning towards the AFFH rule instead of away from it.

AFFH has been described as “**unworkable and ultimately a waste of time**”. However, AFFH remains the most powerful enforcement mechanism in fighting against the history and present realities of redlining and racial segregation in housing.

The **Fair Housing Act of 1968** reads “All executive departments and agencies shall administer their programs and activities relating to housing and urban development (including any Federal agency having regulatory or supervisory authority over financial institutions) in a manner **affirmatively** to further the purposes of this subchapter and shall cooperate with the Secretary to further such purposes.” It took us almost half a century to create necessary enforcement to achieve the original goals in the 1968 Fair Housing Act. This move by HUD and President Trump's administration is going in the opposite direction.

The justifications behind striking down the AFFH rule are shockingly reminiscent of the *Shelby v. Holder* (2013) decision. *Shelby* **revoked pre-clearance** for states trying to enact laws that would impact voting or elections in Southern states with more documented voter suppression tactics. Critics, such as **Van R. Newkirk II** in the Atlantic and **voting rights groups** knew that preclearance was a necessary step to ensure fair elections. The Court also mentioned that because the data on voter suppression tactics was 40 years old that it may not be all that relevant anymore, as if racism as a system somehow disappeared. What **followed Shelby** was primarily Southern states passing restrictive voter ID laws, restricting access to mail in ballots, and moving and restricting access to polling places (especially in communities of color).



By revoking AFFH, the Trump administration is holding open the proverbial doors to more overt and covert acts of housing discrimination on the basis of income and race. AFFH has been politicized and racialized in the Trump administration. When the President says statements like suburbanites would **“no longer be bothered or financially hurt by having low-income housing built in your neighborhood”** or the **“suburban housewife will be voting for me”**, this is just code for racial hatred, fear, and hope for white hegemony.

There is a shortage of more than 7 million affordable housing units across the country, and more than 500,000 units needed in Texas for extremely low-income renters according to the National Low-Income Housing Coalition’s [2020 Gap Report](#). [Housing](#) and [schools](#) in the United States are nearly as segregated now as when President Johnson signed the Fair Housing Act into law 52 years ago.

There is certainly more work needed to ensure fair and anti-racist housing policies. THN and our partner agencies across the country need AFFH to continue to build on our work and ensure equitable outcomes for people exiting the homeless crisis response system and into permanent supportive housing.