

## **Sample Comment Letter**

### **HUD's Proposed Changes to the Affirmatively Furthering Fair Housing Rule**

Comments should be as unique and individualized as possible to ensure HUD will count your submission. To help get you started, Build Healthy Places Network put together this template using PolicyLink's [Designing Our Just Housing Futures Affirmatively Furthering Fair Housing \(AFFH\) Public Comment Guide](#) and input from [National Community Reinvestment Coalition](#).

How to use this template:

1. This template is divided into sections to provide a basic outline with some explanatory text.
2. Fill in the areas highlighted in **yellow** with the specific information noted in brackets.
3. This is only a template – omit much of the language as you want. Delete information, add new points, share your connection to the issue, and write about your experiences in your community.
4. Remove any instructions or explanatory text before submitting the letter.

Here is some background information about the Affirmatively Furthering Fair Housing Rule (AFFH) if you are unfamiliar with the rule. This information is for educational purposes only and should not be included in the comment since HUD is familiar with these facts.

The Fair Housing Act was passed as part of the Civil Rights Act in 1968, which banned housing discrimination and predatory real estate practices. Although this legal obligation was in the law as a provision, local and federal state governments were not held accountable and no meaningful guidance existed for addressing the neighborhood inequities that persisted in their communities. The Affirmatively Furthering Fair Housing (AFFH) rule was published in 2015 under the Obama Administration which strengthened the AFFH rule by requiring housing authorities, local, and state governments to advance housing equity and create more opportunities for disinvested neighborhoods. The rule equipped communities with the tools and guidance they needed to meet their obligations under the Fair Housing Act, giving jurisdictions the flexibility to identify their unique fair housing challenges and develop priorities and methods for addressing them in a way that fit their circumstances.

The Department of Housing and Urban Development (HUD) announced its intent to publish a Notice of Proposed Rulemaking for an AFFH rule on January 19, 2023. The proposed rule follows similar components of the 2015 AFFH rule in which participants must identify and address fair housing issues for underserved communities, set priorities, and develop goals to address them. Furthermore, the development of an equity plan to address fair housing issues, and engaging with community members are key components of the proposed AFFH rule. **HUD welcomes public comments by April 10, 2023.**

#### **How to Submit Your Letter**

Submit electronically using the [Regulations.gov](#) website. Locate the AFFH docket by using the search bar at the top of the page and the docket number, or scroll down to see “What’s

Trending.” Once you access the AFFH comment page, select the blue “Comment” button on the left side of the page. This will direct you to a page where you can either copy and paste or attach your comment. Be sure to save your public comment on a document such as Microsoft Word or Google Docs so that it can easily be attached or copied and pasted into the form provided. It is highly recommended that you upload your comment as a file.

### **Suggested Letter Outline**

1. **Header:** Include Date, Docket Number and Address

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

RE: Docket No.FR-6250-P-01, Affirmatively Furthering Fair Housing

2. **Introduction:** Add information about yourself or organization, location and the scope of work, overall reaction to the rule, an overview of your concerns and suggestions.
3. **State the Importance of Public Health and/or Healthcare with the Affirmatively Furthering Fair Housing rule:** This is an opportunity to share more about how public health and healthcare connection and interest in affirmatively furthering fair housing, equitable communities, and creating healthier neighborhoods for communities to thrive.
4. **Outline your major concerns/comments:** Provide details about your concerns with details and any data to back up your argument.
5. **Closing:** Briefly summarize your suggestions.

### **Suggestions for Content**

#### **Introduction**

I am writing on behalf of [your organization or name] to express my [concern or suggestions with supportive arguments and data] to HUD’s proposed 2023 Affirmatively Furthering Fair Housing rule. We strongly urge HUD to [share suggestions for the proposed rule, omit parts of the proposed rule, and provide a position that the agency did not consider; provide details about your concerns with supportive data and citations, be clear and organized, and voice your equity concerns throughout all of your main points.]

[If submitting for an organization, describe your organization and the people you serve or advocate for, and provide examples of economic and social challenges in your community, discuss how the social determinants of health contribute to negative health outcomes, highlight barriers that are present among the communities you work with; if submitting for yourself, explain your interest and connection to fair housing and/or equitable communities, and share your reactions to the new rule in a way that reflects your personal experiences. Include how you or your community have been impacted by existing inequities, etc.]

**Importance of Public Health and Healthcare Affirmatively Furthering Fair Housing:** Below is some important text about the importance of AFFH and the role of public health and healthcare in addressing housing inequities that you can use in your letter.

Housing justice and racial justice are inextricably linked. Today's housing crisis does disproportionate harm to people of color. Most deeply poor renters paying more than half of their income for rent and utilities are people of color, the result of decades of discrimination and disinvestment. Communities of color and protected classes often have limited access to safe and stable housing, public transportation, grocery stores, parks and green spaces, and financial institutions. These determinants of health contribute to adverse health outcomes and poor quality of life. As a public health/healthcare organization we believe it's important to address this AFFH rule because we are hoping for a future where the zip code someone was born into no longer determines their health, career pathway, or opportunities to thrive and prosper. We believe this rule will help create healthier neighborhoods where families can thrive and have access to valuable resources and opportunities. [Share specific information about inequities you see in your community: racial segregation, a lack of accessible housing, disinvestment in communities of color, inequitable public transportation, access to high-quality and affordable health care, lack of healthy food options/grocery stores, lack of parks and greenspaces, limited workforce and career opportunities, transit stops near affordable housing developments, environmental conditions, etc.]

**Outline Major Concerns/Suggestions:** To achieve health equity organizations must address the non-medical factors that contribute to poor health. This section provides specific topics your organization could focus on and examples of what you should include in your comment. These suggestions are from PolicyLink's [Designing Our Just Housing Futures Affirmatively Furthering Fair Housing \(AFFH\) Public Comment Guide](#).

### **Housing**

- The rule must advance access to safe and stable housing and prevent the displacement of communities of color, and protected class communities.
- The rule must acknowledge and address the fair housing implications of eviction and displacement on protected-class communities, and the devastating impacts that a lack of adequate renters protections has on community and family health and stability.
- The rule must provide clear requirements and guidelines to jurisdictions on how to assess whether members of protected classes have equal access to rental housing and homeownership, analyze contributing factors for disparities, and advance impactful solutions.
- Emphasize the importance of developing affordable housing outside of segregated neighborhoods and address racially concentrated areas of poverty.
- Stress the importance of requiring a genuine community participation process for regional and local fair housing planning, so that grassroots organizers, racial equity advocates, and tenant groups can have a meaningful voice.

### **Transportation**

- States, local governments, and housing authorities should be required to align housing and community development priorities with the Infrastructure Investment and Jobs Act and Inflation Reduction Act Investment priorities.
- Urge HUD to require states, local governments, and housing authorities to consult with transit authorities to address transit-related housing issues, such as affordable housing development near transit stops.

- HUD should require local planning process to include antidisplacement planning, policies, and mitigation efforts to pair with infrastructure development – this is not just limited to transportation but also related to sewers, water service, sidewalks, bike lanes, parks, and greenspaces.

### **Workforce development and economic equity**

- The rule must ensure that fair housing assessments support the development of affordable housing near job centers and economic development corridors, and address the mismatch between places where workers of color reside and the location of jobs.
- Ensure that local planning processes look beyond the number of jobs when creating strategies to support low-income and unemployed residents, and consider equally important workforce supports, such as job training, inclusive hiring and contracting practices, provisions for good wages and benefits, and broader community benefits.
- Urge the Department of Labor to play an active role and encourage and require funding participants to coordinate with the AFFH process, such as ensuring the development of affordable housing near job centers so that workers providing essential services are not displaced from their neighborhoods.

### **Community safety and justice**

- The rule must ensure that fair housing assessments include an analysis of policing in historically disinvested neighborhoods, such as a comparison of policing budgets and budgets for housing and social services that advance community stability and safety.
- Ensure that local planning processes look beyond crime levels when creating strategies to advance community safety, such as exploring the relationship between redlining and gun safety.
- Emphasize the use of regional and local fair housing processes to assess which protected classes are hardest hit by inequities in our criminal-legal system, examine how that relates to housing outcomes, and pass policies mitigating their impacts, such as fair chance housing laws and decriminalizing homelessness.

### **Environmental health**

- The rule should provide for fair housing assessments to include an analysis of both environmental benefits and environmental burdens (such as exposure to toxins) when examining access to opportunity and community assets.
- Planning processes should connect fair housing and equitable climate planning, including distribution of mitigation and adaptation resources as well as disaster recovery
- The rule should provide for meaningful goals that promote health, such as policies that enable housing choice in healthy areas and policies that channel community development resources to under-invested areas.

### **Process elements of rule**

- The rule should include specific requirements that recipients incorporate and assess HUD-provided data, including health data.

- The rule should include strong oversight requirements that enable community advocates to raise fair housing issues and ensure that program participants (grantees and housing authorities) address them, including a complaint process that can be used to raise and resolve problems with inadequate plans.
- It is important that the AFFH obligation extends throughout the program participants' policies and activities relating to housing and community development, given the extensive impacts of those activities on health outcomes and other quality of life concerns.

**Conclusion:** Summarize your overall reactions, concerns, and suggestions.