

1 [Opposing the United States Department of Housing and Urban Development’s Proposed
2 Affirmatively Further Fair Housing Rule]

3 **Resolution opposing the United States Department of Housing and Urban**
4 **Development’s proposed affirmatively further fair housing rule that was announced on**
5 **January 7, 2020, by Secretary Ben Carson.**

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7 WHEREAS, In 1968, the United States Congress realized that making housing
8 discrimination illegal was insufficient on its own to address entrenched residential segregation,
9 caused by federal laws and policies, across the United States; and

10 WHEREAS, The Fair Housing Act of 1968 was passed so the federal government,
11 states, and local communities are required by law to work to undo the segregation of
12 communities that federal housing policy created in the first place; and

13 WHEREAS, No meaningful guidance existed until the 2015 Affirmatively Furthering
14 Fair Housing (AFFH) rule was established, which made the strongest effort in decades to
15 reverse the harmful patterns of segregation and discriminatory practices in communities
16 across the country; and

17 WHEREAS, The 2015 AFFH rule equipped local and state jurisdictions with the tools
18 and guidance to meet their obligations under the Fair Housing Act, allowing flexibility to
19 identify fair housing challenges and develop priorities and methods for addressing them as
20 well as require jurisdictions to complete a robust analysis of segregation and fair housing
21 disparities in their communities in order to receive Housing and Urban Development (HUD)
22 funds; and

23 WHEREAS, In 2018, the United States Housing and Urban Development led by
24 Secretary Ben Carson, under the Trump administration, suspended implementation of the

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1 2015 AFFH rule based on 49 initial Assessment of Fair Housing (AFH) submissions by local
2 jurisdictions, 32 which were ultimately accepted by HUD; and

3 WHEREAS, On January 7, 2020, HUD published its proposed new Affirmatively
4 Furthering Fair Housing rule, which will gut the 2015 AFFH rule allowing communities to
5 ignore the essential racial desegregation obligations of fair housing laws; and

6 WHEREAS, HUD's proposal will not require jurisdictions and housing authorities to
7 directly examine or address the legacy of unequal housing opportunities in our communities;
8 and

9 WHEREAS, HUD's proposal will minimalize oversight and accountability for entities
10 that receive federal housing dollars and will not require communities to consider whether their
11 own policies advance housing opportunities for groups that have historically experienced
12 housing discrimination; and

13 WHEREAS, HUD's proposal excuses housing authorities from conducting any
14 meaningful fair housing analysis; and

15 WHEREAS, HUD's proposal specifically identifies rent control as a potential obstacle to
16 fair housing choice, while leaving out critical issues such as displacement of communities of
17 color in tight rental markets such as in San Francisco; and

18 WHEREAS, HUD's proposal will disparage important labor and environmental
19 standards; and

20 WHEREAS, HUD's proposal eliminates the separate hearing and comment
21 requirement; and

22 WHEREAS, HUD's new proposed rule will further advance the administration's
23 deregulation agenda under the guise of fair housing and affordable housing rule; and

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1 WHEREAS, The new proposed rule promotes neither fair housing or affordable
2 housing objectives as the proposed rule falsely assumes an overall increase in the supply of
3 housing will trickle down to become “affordable” without any consideration of a jurisdiction’s
4 policies and practices affecting people in the protected classes or any focus on overcoming
5 historic patterns of housing segregation created by discriminatory federal housing policies in
6 the first place; now, therefore, be it

7 RESOLVED, That the City and County of San Francisco strongly opposes the United
8 States Department of Housing and Urban Development’s new proposed rule which will
9 eliminate the 2015 Affirmative Further Fair Housing Rule, reduce accountability and
10 transparency on where HUD money goes, use rent control and tenant protections as
11 conditions for federal dollars, and gut labor and environmental standards; and, be it

12 FURTHER RESOLVED, That the City and County of San Francisco condemns any
13 federal housing policy that removes the ability to address housing discrimination and
14 segregation created by the federal government; and, be it

15 FURTHER RESOLVED, That the City and County of San Francisco reaffirms its
16 commitment to protecting communities of color who have been displaced by large numbers as
17 a result of housing policies that have had a discriminatory impact such as redlining, the
18 foreclosure crisis, gentrification, and development patterns in historic communities of color;
19 and, be it

20 FURTHER RESOLVED, That the San Francisco Board of Supervisors hereby directs
21 the Clerk of the Board to send a copy of this resolution to Secretary Ben Carson of the United
22 States Department of Housing and Urban Development.

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