



Tacoma Housing Authority

July 27, 2020

The Honorable Benjamin Carson  
Office of the Secretary  
Department of Housing and Urban Development  
451 7th Street SW  
Washington, D.C. 20410

Dear Secretary Carson,

As leaders of public housing authorities, we are extremely distressed that on July 23 HUD released a new "Preserving Community and Neighborhood Choice" final rule that will terminate the 2015 Affirmatively Furthering Fair Housing rule and roll back the 1994 Analysis of Impediments to Fair Housing. We disagree with the provisions of the new rule and with the repeal of rules that have provided critical tools for dismantling historic discrimination in housing, and we do not accept HUD's rationale for not conducting the customary notice and comment period for such rulemaking.

HUD has been undermining the AFFH rule since the beginning of 2018 by suspending reporting provisions that ensure that the recipients of federal housing funds are taking actions to end housing discrimination. This new rule now unilaterally takes away the call for accountability in upholding fair housing laws in the expenditure of public funds.

To announce the termination of a federal program that has helped address decades of racial discrimination and lack of access to equity for people of color at a time of an outpouring of anti-racism in America is ill-timed at best. This is a moment when, as a nation, we have a unique opportunity to make greater progress on long-standing issues of discrimination. As government housing organizations, HUD and public housing authorities bear a particular responsibility to erase the lingering effects of racist covenants, redlining and other practices that shut non-whites out of the housing market.

The nation's history of racial injustice has a special pertinence to HUD and national housing policy. That history has long shaped the nation's housing markets. It shows in ways that help explain why black families today on average have one-seventh the assets of average white families, poorer health and shorter lives. Local, state and national policies, as well as public and private actions, intentionally segregated the market. In many cases the nation's major investments that created generations of a prospering middle class excluded black families: the homestead program that settled the Midwest (on land taken from native people), the G.I. Bill, the subsidized home mortgage, the invention of the 30-year mortgage, residential zoning and the enormous civic infrastructure that enabled the suburbs. These investments baked the nation's legacy of racial oppression into these new housing markets, not only segregating them intentionally, but also assigning people of color to the worst or weakest of housing, jobs and schools. What this means for public policy and publicly funded housing organizations is that there is not only a lot of work to do, there is also a lot of work to undo.

The doing and undoing of this work is one purpose of the obligation to Affirmatively Further Fair Housing. The housing challenge, and the nation's challenge, is to create communities that help people live across and eliminate deeply embedded dividing lines regarding homeownership, race, income, color, gender, national origin, language, age and physical ability. That is hard work.

To say, as you have in issuing this new rule, that such work should be left to the local communities patently abdicates HUD's fundamental responsibility to prevent discrimination in housing. We need accountability at every level, not the elimination of it. To suggest that accountability would "destroy the suburbs" or that Opportunity Zones are a substitute for enforcing fair housing laws, demonstrates a callous and egregious lack of understanding of the forces of discrimination and the perpetuation of federal and market practices that support or abide discrimination against one's neighbors. We strongly encourage you to re-examine the termination of the AFFH rule and its reporting provisions, to engage in a public dialog and to institute a new policy that positions HUD to lead the nation in righting the wrongs of racial discrimination in housing.

Respectfully,



Andrew Lofton, Executive Director  
Seattle Housing Authority



Stephen Norman, Executive Director  
King County Housing Authority



Michael Mirra, Executive Director  
Tacoma Housing Authority

Cc: Jeffrey McMorris, Region X Administrator, Department of Housing and Urban Development