

Affirmatively Furthering Fair Housing and Environmental Justice

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Office of Fair Housing and Equal Opportunity
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EXECUTIVE SUMMARY

The U.S. Department of Housing and Urban Development (HUD) and recipients of HUD funding (“program participants”) must administer programs in a manner that affirmatively furthers the policies and purposes of the Fair Housing Act (FHA), also known as “affirmatively further fair housing” or “AFFH.” Thus, program participants must take meaningful actions to replace segregated living patterns with truly integrated and balanced living patterns, transform racially or ethnically concentrated areas of poverty into areas of opportunity, while maintaining compliance with civil rights and fair housing laws. Thinking about access to opportunity also includes improving access for individuals with protected characteristics under the FHA to environmentally sound neighborhoods or, in other words, addressing disparities in exposure to environmental risks based on race, color, national origin, religion, sex, familial status, or disability. To comprehensively evaluate barriers to fair housing, program participants should examine how a broad range of environmental hazards and climate change indicators such as the location of toxic waste sites, flooding risks, heat islands, and lead exposure affects the living conditions of individuals with protected characteristics when considering access to opportunity in fair housing planning.

When enacting potential interventions to ameliorate protected classes’ disparate exposure to harm and limited adaptive capacity, HUD should implement the following recommended measures to imbue the principles of environmental justice throughout program participants’ fair housing planning processes.

Short-Term Goals (3-6 months)

- Develop Interagency Partnerships
- Encourage Future AFFH Rulemaking to Incorporate an Analysis of Environmental Hazards and Climate Change Indicators as a Part of an Analysis of Disparities in Access in the Fair Housing Planning Process

Longer-Term Goals (6-18 months)

- Issue Guidance and Provide Technical Assistance on Potential Strategies to Identify and Address Environmental and Climate Disparities
- Encourage Increased Engagement with Impacted Communities (accomplish by Q1 of FY 2023)
- Expand PD&R’s Environmental Health Index to Include Metrics on Environmental and Climate Hazards

Addressing patterns of segregation and ensuring equitable access to opportunity, thereby ensuring environmentally healthy, safe, and sustainable neighborhoods for everyone is one of the foundational aspects of AFFH. This paper seeks to examine current federal fair housing and environmental justice policies and will explore potential solutions to assist communities in addressing environmental justice concerns to build inclusive communities and meet their obligation to AFFH. This paper also presents a timeline for action, presenting a roadmap to achieving these policy solutions within the next 18 months. These recommended measures will enable FHEO and HUD broadly to lessen barriers to environmentally safe housing, by guiding and monitoring program participants with their efforts to equitably improve neighborhoods’ environmental health through the AFFH process.