

April 25, 2025

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

RE: Rescission of the Affirmative Furthering Fair Housing Rule

We write to you on behalf of the National Alliance to End Homelessness (herein referred to as the Alliance) in opposition to the U.S. Department of Housing and Urban Development's (HUD's) rescinding of the Affirmative Furthering Fair Housing Rule proposal.

The Alliance is a nonpartisan, nonprofit organization whose mission is to prevent and end homelessness. The impacts of federal, state, and local policies and practices that led to discriminatory practices against people of color and marginalized groups shows up in federal homelessness data. While homelessness impacts people of all ages, races, physical and cognitive abilities, ethnicities, gender identities, and sexual orientations, it disproportionately impacts some groups and populations. People of color, for example, are especially overrepresented, with Black Americans experiencing homelessness at three times the rate of the general population, and American Indians and Alaska Natives at five times the rate. Latinos and Native Hawaiian and Pacific Islanders also experience homelessness at very high rates.

The Alliance also recognizes the importance of fair housing and the rights of people, no matter their income, to be able to reside in the safe, reliable neighborhood of their choosing. The Fair Housing Act, originally passed in 1968 to ban discrimination in renting, lending and home sales, recognized the effects of 350 years of slavery and its aftermath. [The Affirmatively Furthering Fair Housing Provision within the Fair Housing Act](#) mandates HUD ensure that cities, counties, states, public housing authorities, and other entities it funds do not discriminate and instead take active steps to tackle segregation and inequality. The current rule referenced in this letter allows HUD to set up a formal process for communities to implement procedures to ensure compliance with the AFFH provision.

AFFH and its Importance to End Homelessness

Federal homelessness programs are among the U.S. Department of Housing and Urban Development's (HUD) funding sources that come with an AFFH requirement, as are the housing choice voucher program and mainstream housing development programs. Ensuring compliance

should be part of local implementation. More profoundly, failure by communities to provide fair housing has been a long-term driver of homelessness, and achieving fair housing will help communities move toward ending homelessness. People trying to escape homelessness often find that practices prohibited by fair housing still exist. This makes it harder to attain housing because landlords discriminate based on race or gender or the presence of children or fail to accommodate disabilities. If we are truly going to end homelessness, fair housing policies that protect people from discrimination must be enacted and strongly enforced.

Enforcement of the Fair Housing Act

HUD's proposed rescission of the AFFH Rule speaks to the larger issue of HUD's ability to enforce the Fair Housing Act going into the future. With the rollback of the AFFH rule, along with the Administration's desire to end funding for Fair Housing Initiative Program grants, the Administration has severely impaired its ability to ensure that every American, no matter their race, religion, sexual orientation, familial status or physical condition has access to good, safe and affordable housing in an area of their own choosing. This will only be further compounded if HUD proceeds with taking efforts to reduce staff in the Office of Fair Housing and Equal Opportunity, which could be as high as 77% based on media reports. As the Fair Housing Act was passed by the United States Congress and signed into law by President Johnson, this Administration, and HUD in particular, has the duty to ensure it has the staff capacity and resources needed to comply with the law it is constitutionally obligated to uphold.

As the nation continues to face an affordable housing crisis and homelessness continues to rise, rolling back the AFFH rule and placing barriers in front of people trying to obtain housing in a location of their choosing will severely hamper efforts to reverse these trends. The Alliance urges HUD to end the rescission of the AFFH rule and work to ensure that all provisions of the Fair Housing Act are properly enforced.

If you have any questions about our comments, please contact Marcy Thompson, Vice President for Programs and Policy, mthompson@naeh.org, 202-942-8246.

Sincerely,



Ann Marie Oliva
Chief Executive Officer
National Alliance to End Homelessness