

Assessment of Fair Housing Tool for Local Governments

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1 **I. Cover Sheet**

2 1. Submission date:

3 2. Submitter name:

4 3. Type of submission (*e.g.*, single program participant, joint submission):

5 4. Type of program participant(s) (*e.g.*, consolidated plan participant, PHA):

6 5. For PHAs, Jurisdiction in which the program participant is located:

7 6. Submitter members (if applicable):

8 7. Sole or lead submitter contact information:

9 a. Name:

10 b. Title:

11 c. Department:

12 d. Street address:

13 e. City:

14 f. State:

15 g. Zip code:

16 8. Period covered by this assessment:

17 9. Initial, amended, or renewal AFH:

18 10. To the best of its knowledge and belief, the statements and information contained herein are true,
19 accurate, and complete and the program participant has developed this AFH in compliance with
20 the requirements of 24 C.F.R. §§ 5.150-5.180 or comparable replacement regulations of the
21 Department of Housing and Urban Development;

22
23 11. The program participant will take meaningful actions to further the goals identified in its AFH
24 conducted in accordance with the requirements in §§ 5.150 through 5.180 and 24 C.F.R. §§
25 91.225(a)(1), 91.325(a)(1), 91.425(a)(1), 570.487(b)(1), 570.601, 903.7(o), and 903.15(d), as
26 applicable.
27

(Signature) (date)

(Signature) (date)

(Signature) (date)

33 12. Departmental acceptance or non-acceptance:

(Signature) (date)

36 Comments

1 **II. Executive Summary**

- 2 1. Summarize the fair housing issues, significant contributing factors, and goals. Also include an
3 overview of the process and analysis used to reach the goals.

4 **III. Community Participation Process**

- 5 1. Describe outreach activities undertaken to encourage and broaden meaningful community
6 participation in the AFH process, including the types of outreach activities and dates of public
7 hearings or meetings. Identify media outlets used and include a description of efforts made to
8 reach the public, including those representing populations that are typically underrepresented in
9 the planning process such as persons who reside in areas identified as R/ECAPs, persons who
10 are limited English proficient (LEP), and persons with disabilities. Briefly explain how these
11 communications were designed to reach the broadest audience possible. For PHAs, identify
12 your meetings with the Resident Advisory Board and other resident outreach.
- 13 2. Provide a list of organizations consulted during the community participation process,
- 14 3. How successful were the efforts at eliciting meaningful community participation? If there was
15 low participation, provide the reasons.
- 16 4. Summarize all comments obtained in the community participation process. Include a summary
17 of any comments or views not accepted and the reasons why.

18 **IV. Assessment of Past Goals, Actions and Strategies**

- 19 1. Indicate what fair housing goals were selected by program participant(s) in recent Analyses of
20 Impediments, Assessments of Fair Housing, or other relevant planning documents:
- 21 a. Discuss what progress has been made toward their achievement.
- 22
- 23 b. Discuss how you have been successful in achieving past goals, and/or how you have fallen short
24 of achieving those goals (including potentially harmful unintended consequences).
- 25
- 26
- 27 c. Discuss any additional policies, actions, or steps that you could take to achieve past goals, or
28 mitigate the problems you have experienced.
- 29 d. Discuss how the experience of program participant(s) with past goals has influenced the selection
30 of current goals.
- 31

32 **V. Fair Housing Analysis**

33 **[Note to Public: Where HUD has not provided data for a specific question and program participants
34 do not have local knowledge or local data that is relevant to answering the question and as otherwise
35 outlined in 24 C.F.R. § 5.152, participants may note the lack of such available information. Program
36 participants should not leave the response blank.]**

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A. Demographic Summary

1. Describe demographic patterns in the jurisdiction and region, and describe trends over time (since 1990).
2. Describe the location of homeowners and renters in the jurisdiction and region, and describe trends over time.

B. General Issues

i. Segregation/Integration

1. Analysis

- a. Describe and compare segregation levels in the jurisdiction and region. Identify the racial/ethnic groups that experience the highest levels of segregation.
- b. Identify areas in the jurisdiction and region with relatively high segregation and integration by race/ethnicity, national origin, or LEP group, and indicate the predominant groups living in each area.
- c. Explain how these segregation levels and patterns in the jurisdiction and region have changed over time (since 1990).
- d. Consider and describe the location of owner and renter occupied housing in the jurisdiction and region in determining whether such housing is located in segregated or integrated areas.
- e. Discuss whether there are any demographic trends, policies, or practices that could lead to higher segregation in the jurisdiction in the future. Participants should focus on patterns that affect the jurisdiction and region rather than creating an inventory of local laws, policies, or practices.

2. Additional Information

- a. Beyond the HUD-provided data, provide additional relevant information, if any, about segregation in the jurisdiction and region affecting groups with other protected characteristics.
- b. The program participant may also describe other information relevant to its assessment of segregation, including activities such as place-based investments and mobility options for protected class groups.

3. Contributing Factors of Segregation

Consider the listed factors and any other factors affecting the jurisdiction and region. Identify factors that significantly create, contribute to, perpetuate, or increase the severity of segregation.

- Community opposition

- 1 • Displacement of residents due to economic pressures
- 2 • Lack of community revitalization strategies
- 3 • Lack of private investments in specific neighborhoods
- 4 • Lack of public investments in specific neighborhoods, including services or amenities
- 5 • Lack of regional cooperation
- 6 • Land use and zoning laws
- 7 • Lending Discrimination
- 8 • Location and type of affordable housing
- 9 • Occupancy codes and restrictions
- 10 • Private discrimination
- 11 • Other

12

13 **ii. R/ECAPs**

14 **1. Analysis**

- 15 a. Identify any R/ECAPs or groupings of R/ECAP tracts within the jurisdiction and region.
- 16 b. Which protected classes disproportionately reside in R/ECAPs compared to the
- 17 jurisdiction and region?
- 18 c. Describe how R/ECAPs have changed over time in the jurisdiction and region (since
- 19 1990).

20 **2. Additional Information**

- 21 a. Beyond the HUD-provided data, provide additional relevant information, if any, about
- 22 R/ECAPs in the jurisdiction and region affecting groups with other protected
- 23 characteristics.
- 24 b. The program participant may also describe other information relevant to its assessment
- 25 of R/ECAPs, including activities such as place-based investments and mobility options
- 26 for protected class groups.

27 **3. Contributing Factors of R/ECAPs**

28 *Consider the listed factors and any other factors affecting the jurisdiction and region. Identify*

29 *factors that significantly create, contribute to, perpetuate, or increase the severity of R/ECAPs.*

- 30 • Community opposition
- 31 • Deteriorated and abandoned properties
- 32 • Displacement of residents due to economic pressures
- 33 • Lack of community revitalization strategies
- 34 • Lack of private investments in specific neighborhoods
- 35 • Lack of public investments in specific neighborhoods, including services or amenities
- 36 • Lack of regional cooperation
- 37 • Land use and zoning laws
- 38 • Location and type of affordable housing
- 39 • Occupancy codes and restrictions
- 40 • Private discrimination
- 41 • Other

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iii. Disparities in Access to Opportunity

1. Analysis

a. Education

- i. For the protected class group(s) HUD has provided data, describe any disparities in access to proficient schools in the jurisdiction and region.
- ii. For the protected class group(s) HUD has provided data, describe how the disparities in access to proficient schools relate to residential living patterns in the jurisdiction and region.
- iii. Informed by community participation, any consultation with other relevant government agencies, and the participant’s own local data and local knowledge, discuss programs, policies, or funding mechanisms that affect disparities in access to proficient schools.

b. Employment

- i. For the protected class group(s) HUD has provided data, describe any disparities in access to jobs and labor markets by protected class groups in the jurisdiction and region.
- ii. For the protected class group(s) HUD has provided data, describe how disparities in access to employment relate to residential living patterns in the jurisdiction and region.
- iii. Informed by community participation, any consultation with other relevant government agencies, and the participant’s own local data and local knowledge, discuss whether there are programs, policies, or funding mechanisms that affect disparities in access to employment.

c. Transportation

- i. For the protected class group(s) HUD has provided data, describe any disparities in access to transportation related to costs and access to public transit in the jurisdiction and region.
- ii. For the protected class group(s) HUD has provided data, describe how disparities in access to transportation related to residential living patterns in the jurisdiction and region.
- iii. Informed by community participation, any consultation with other relevant government agencies, and the participant’s own local data and local knowledge, discuss whether there are programs, policies, or funding mechanisms that affect disparities in access to transportation.

d. Access to Low Poverty Neighborhoods

- i. For the protected class group(s) HUD has provided data, describe any disparities in access to low poverty neighborhoods in the jurisdiction and region.

- 1 ii. For the protected class group(s) HUD has provided data, describe how disparities in
2 access to low poverty neighborhoods relate to residential living patterns of those groups
3 in the jurisdiction and region?
- 4 iii. Informed by community participation, any consultation with other relevant government
5 agencies, and the participant's own local data and local knowledge, discuss whether there
6 are programs, policies, or funding mechanisms that affect disparities in access to low
7 poverty neighborhoods.

8 **e. Access to Environmentally Healthy Neighborhoods**

- 9 i. For the protected class group(s) HUD has provided data, describe any disparities in
10 access to environmentally healthy neighborhoods in the jurisdiction and region.
- 11 ii. For the protected class group(s) HUD has provided data, describe how disparities in
12 access to environmentally healthy neighborhoods relate to residential living patterns in
13 the jurisdiction and region?
- 14 iii. Informed by community participation, any consultation with other relevant government
15 agencies, and the participant's own local data and local knowledge, discuss whether there
16 are programs, policies, or funding mechanisms that affect disparities in access to
17 environmentally healthy neighborhoods.

18 **f. Patterns in Disparities in Access to Opportunity**

- 19 i. For the protected class group(s) HUD has provided data, identify and discuss any
20 overarching patterns of access to opportunity and exposure to adverse community factors.
21 ii. Identify areas that experience an aggregate of low access to opportunity and high
22 exposure to adverse factors. Include how these patterns compare to patterns of
23 segregation and R/ECAPs. Describe these patterns for the jurisdiction and region.
24 25

26 **2. Additional Information**

- 27 a. Beyond the HUD-provided data, provide additional relevant information, if any, about
28 disparities in access to opportunity in the jurisdiction and region affecting groups with
29 other protected characteristics.
30 b. The program participant may also describe other information relevant to its assessment
31 of disparities in access to opportunity, including any activities aimed at improving
32 access to opportunities for areas that may lack such access, or in promoting access to
33 opportunity (e.g., proficient schools, employment opportunities, and transportation).
34

35 **3. Contributing Factors of Disparities in Access to Opportunity**

36 *Consider the listed factors and any other factors affecting the jurisdiction and region.*
37 *Identify factors that significantly create, contribute to, perpetuate, or increase the severity of*
38 *disparities in access to opportunity.*

- 39 • Access to financial services
40 • Lack of private investments in specific neighborhoods

- 1 • Lack of public investments in specific neighborhoods, including services or amenities
- 2 • Lack of regional cooperation
- 3 • Land use and zoning laws
- 4 • Lending Discrimination
- 5 • Location and type of affordable housing
- 6 • Location of employers
- 7 • Location of environmental health hazards
- 8 • Location of proficient schools and school assignment policies
- 9 • Occupancy codes and restrictions
- 10 • Private discrimination
- 11 • The availability, type, frequency, and reliability of public transportation
- 12 • Other

13

14 **iv. Disproportionate Housing Needs**15 **1. Analysis**

- 16 a. Which protected class groups (by race/ethnicity and familial status) experience higher rates of
- 17 housing cost burden, overcrowding, or substandard housing when compared to other groups
- 18 for the jurisdiction and region? Which groups also experience higher rates of severe housing
- 19 burdens when compared to other groups?
- 20
- 21 b. Which areas in the jurisdiction and region experience the greatest housing burdens? Which of
- 22 these areas align with segregated areas, integrated areas, or R/ECAPs and what are the
- 23 predominant race/ethnicity or national origin groups in such areas?
- 24
- 25 c. Compare the needs of families with children for housing units with two, and three or more
- 26 bedrooms with the available existing housing stock in each category of publicly supported
- 27 housing for the jurisdiction and region.
- 28
- 29 d. Describe the differences in rates of renter and owner occupied housing by race/ethnicity in the

30 **2. Additional Information**

- 31 a. Beyond the HUD-provided data, provide additional relevant information, if any, about
- 32 disproportionate housing needs in the jurisdiction and region affecting groups with other
- 33 protected characteristics.
- 34
- 35 b. The program participant may also describe other information relevant to its assessment of
- 36 disproportionate housing needs. For PHAs, such information may include a PHA's overriding

37 **3. Contributing Factors of Disproportionate Housing Needs**

38 *Consider the listed factors and any other factors affecting the jurisdiction and region. Identify*
 39 *factors that significantly create, contribute to, perpetuate, or increase the severity of*
 40 *disproportionate housing needs.*

- 41 • Availability of affordable units in a range of sizes
- 42 • Displacement of residents due to economic pressures

- 1 • Lack of housing support for victims of sexual harassment, including victims of domestic
- 2 violence
- 3 • Lack of private investments in specific neighborhoods
- 4 • Lack of public investments in specific neighborhoods, including services or amenities
- 5 • Land use and zoning laws
- 6 • Lending Discrimination
- 7 • Other

9 **C. Publicly Supported Housing Analysis**

11 **1. Analysis**

13 **a. Publicly Supported Housing Demographics**

- 14 i. Are certain racial/ethnic groups more likely to be residing in one category of publicly
- 15 supported housing than other categories (public housing, project-based Section 8, Other
- 16 HUD Multifamily Assisted developments, and Housing Choice Voucher (HCV)) in the
- 17 jurisdiction? Compare the racial/ethnic demographics of each category of publicly
- 18 supported housing for the jurisdiction to the demographics of the same category in the
- 19 region.
- 20 ii. Compare the demographics, in terms of protected class, of residents of each category of
- 21 publicly supported housing (public housing, project-based Section 8, Other HUD
- 22 Multifamily Assisted developments, and HCV) to the population in general, and persons
- 23 who meet the income eligibility requirements for the relevant category of publicly
- 24 supported housing in the jurisdiction and region. Include in the comparison, a description
- 25 of whether there is a higher or lower proportion of groups based on protected class.

27 **b. Publicly Supported Housing Location and Occupancy**

- 28 i. Describe patterns in the geographic location of publicly supported housing by
- 29 program category (public housing, project-based Section 8, Other HUD Multifamily
- 30 Assisted developments, HCV, and LIHTC) in relation to previously discussed
- 31 segregated areas and R/ECAPs in the jurisdiction and region.
- 32 ii. Describe patterns in the geographic location for publicly supported housing that
- 33 primarily serves families with children, elderly persons, or persons with disabilities in
- 34 relation to previously discussed segregated areas or R/ECAPs in the jurisdiction and
- 35 region?
- 36 iii. How does the demographic composition of occupants of publicly supported housing in
- 37 R/ECAPS compare to the demographic composition of occupants of publicly
- 38 supported housing outside of R/ECAPs in the jurisdiction and region?
- 39 iv. (A) Do any developments of public housing, properties converted under the RAD, and
- 40 LIHTC developments have a significantly different demographic composition, in terms
- 41 of protected class, than other developments of the same category for the jurisdiction?
- 42 Describe how these developments differ.

1 (B) Provide additional relevant information, if any, about occupancy, by protected
2 class, in other types of publicly supported housing for the jurisdiction and region.

- 3 v. Compare the demographics of occupants of developments, for each category of
4 publicly supported housing (public housing, project-based Section 8, Other HUD
5 Multifamily Assisted developments, properties converted under RAD, and LIHTC) to
6 the demographic composition of the areas in which they are located. For the
7 jurisdiction, describe whether developments that are primarily occupied by one
8 race/ethnicity are located in areas occupied largely by the same race/ethnicity.
9 Describe any differences for housing that primarily serves families with children,
10 elderly persons, or persons with disabilities.

11 **c. Disparities in Access to Opportunity**

- 12
13 i. Describe any disparities in access to opportunity for residents of publicly supported
14 housing in the jurisdiction and region, including within different program
15 categories (public housing, project-based Section 8, Other HUD Multifamily
16 Assisted Developments, HCV, and LIHTC) and between types (housing primarily
17 serving families with children, elderly persons, and persons with disabilities) of
18 publicly supported housing.

19
20 **2. Additional Information**

- 21
22 a. Beyond the HUD-provided data, provide additional relevant information, if any, about
23 publicly supported housing in the jurisdiction and region, particularly information about
24 groups with other protected characteristics and about housing not captured in the HUD-
25 provided data.
26
27 b. The program participant may also describe other information relevant to its assessment of
28 publicly supported housing. Information may include relevant programs, actions, or
29 activities, such as tenant self-sufficiency, place-based investments, or mobility programs.
30

31 **3. Contributing Factors of Publicly Supported Housing Location and Occupancy**

32 *Consider the listed factors and any other factors affecting the jurisdiction and region.*
33 *Identify factors that significantly create, contribute to, perpetuate, or increase the severity of*
34 *fair housing issues related to publicly supported housing, including Segregation, R/ECAPs,*
35 *Disparities in Access to Opportunity, and Disproportionate Housing Needs. For each*
36 *contributing factor that is significant, note which fair housing issue(s) the selected*
37 *contributing factor relates to.*

- 38 • Admissions and occupancy policies and procedures, including preferences in publicly
39 supported housing
40 • Community opposition
41 • Impediments to mobility
42 • Lack of private investment in specific neighborhoods
43 • Lack of public investment in specific neighborhoods, including services and amenities
44 • Lack of regional cooperation
45 • Land use and zoning laws
46 • Occupancy codes and restrictions
47 • Quality of affordable housing information programs

- 1 • Siting selection policies, practices and decisions for publicly supported housing,
- 2 including discretionary aspects of Qualified Allocation Plans and other programs
- 3 • Source of income discrimination
- 4 • Other

5
6 **D. Disability and Access Analysis**

7
8 **1. Population Profile**

- 9 a. How are persons with disabilities geographically dispersed or concentrated in the
- 10 jurisdiction and region, including R/ECAPs and other segregated areas identified in
- 11 previous sections?

- 12 b. Describe whether these geographic patterns vary for persons with each type of
- 13 disability or for persons with disabilities in different age ranges for the jurisdiction and
- 14 region.

15 **2. Housing Accessibility**

- 16 a. Describe whether the jurisdiction and region have sufficient affordable,
- 17 accessible housing in a range of unit sizes.

- 18 b. Describe the areas where affordable accessible housing units are located. Do
- 19 they align with R/ECAPs or other areas that are segregated for the jurisdiction
- 20 and region?

- 21 c. To what extent are persons with different disabilities able to access and live in
- 22 the different categories of publicly supported housing for the jurisdiction and
- 23 region?

24 **3. Integration of Persons with Disabilities Living in Institutions and Other Segregated**

25 **Settings**

- 26 a. To what extent do persons with disabilities in or from the jurisdiction or
- 27 region reside in segregated or integrated settings?

- 28 b. Describe the range of options for persons with disabilities to access
- 29 affordable housing and supportive services in the jurisdiction and region.

30 **4. Disparities in Access to Opportunity**

31

- 32 a. To what extent are persons with disabilities able to access the following in the jurisdiction
- 33 and region? Identify major barriers faced concerning:
 - 34 i. Government services and facilities
 - 35 ii. Public infrastructure (e.g., sidewalks, pedestrian crossings, pedestrian signals)
 - 36 iii. Transportation

- 1 iv. Proficient schools and educational programs
- 2 v. Jobs
- 3 b. Describe the processes that exist in the jurisdiction and region for persons with
- 4 disabilities to request and obtain reasonable accommodations and accessibility
- 5 modifications to address the barriers discussed above.
- 6
- 7 c. Describe any difficulties in achieving homeownership experienced by persons with
- 8 disabilities and by persons with different types of disabilities in the jurisdiction and
- 9 region.

10 **5. Disproportionate Housing Needs**

11 Describe any disproportionate housing needs experienced by persons with disabilities and by

12 persons with certain types of disabilities in the jurisdiction and region.

13 **6. Additional Information**

- 14
- 15
- 16
- 17
- 18 a. Beyond the HUD-provided data, provide additional relevant information, if any, about
- 19 disability and access issues in the jurisdiction and region including those affecting persons with
- 20 disabilities with other protected characteristics.
- 21
- 22 b. The program participant may also describe other information relevant to its assessment of
- 23 disability and access issues.
- 24

25 **7. Disability and Access Issues Contributing Factors**

26 *Consider the listed factors and any other factors affecting the jurisdiction and region.*

27 *Identify factors that significantly create, contribute to, perpetuate, or increase the severity of*

28 *disability and access issues and the fair housing issues, which are Segregation, R/ECAPs,*

29 *Disparities in Access to Opportunity, and Disproportionate Housing Needs. For each*

30 *contributing factor, note which fair housing issue(s) the selected contributing factor relates*

31 *to.*

- 32 • Access to proficient schools that are accessible for persons with disabilities
- 33 • Access to publicly supported housing for persons with disabilities
- 34 • Access to transportation for persons with disabilities
- 35 • Inaccessible public or private infrastructure
- 36 • Lack of affordable in-home or community-based supportive services
- 37 • Lack of affordable, accessible housing in range of unit sizes
- 38 • Lack of affordable, integrated housing for individuals who need supportive services
- 39 • Lack of assistance for housing accessibility modifications
- 40 • Lack of assistance for transitioning from institutional settings to integrated housing
- 41 • Land use and zoning laws
- 42 • Lending Discrimination
- 43 • Location of accessible housing
- 44 • Occupancy codes and restrictions
- 45 • Regulatory barriers to providing housing and supportive services for persons with disabilities
- 46 • State or local laws, policies, or practices that discourage individuals with disabilities from
- 47 being placed in or living in apartments, family homes, and other integrated settings

- Other

E. Fair Housing Enforcement, Outreach Capacity, and Resources Analysis

1. List and summarize any of the following that have not been resolved: a charge or letter of finding from HUD concerning a violation of a civil rights-related law, a cause determination from a substantially equivalent state or local fair housing agency concerning a violation of a state or local fair housing law, a letter of findings issued by or lawsuit filed or joined by the Department of Justice alleging a pattern or practice or systemic violation of a fair housing or civil rights law, or a claim under the False Claims Act related to fair housing, nondiscrimination, or civil rights generally, including an alleged failure to affirmatively further fair housing.
2. Describe any state or local fair housing laws. What characteristics are protected under each law?
3. Identify any local and regional agencies and organizations that provide fair housing information, outreach, and enforcement, including their capacity and the resources available to them.

4. Additional Information

- a. Provide additional relevant information, if any, about fair housing enforcement, outreach capacity, and resources in the jurisdiction and region.
- b. The program participant may also include information relevant to programs, actions, or activities to promote fair housing outcomes and capacity.

5. Fair Housing Enforcement, Outreach Capacity, and Resources Contributing Factors

Consider the listed factors and any other factors affecting the jurisdiction and region. Identify factors that significantly create, contribute to, perpetuate, or increase the severity of fair housing enforcement, outreach capacity, and resources and the fair housing issues, which are Segregation, R/ECAPs, Disparities in Access to Opportunity, and Disproportionate Housing Needs. For each significant contributing factor, note which fair housing issue(s) the selected contributing factor impacts.

- Lack of local private fair housing outreach and enforcement
- Lack of local public fair housing enforcement
- Lack of resources for fair housing agencies and organizations
- Lack of state or local fair housing laws
- Unresolved violations of fair housing or civil rights law
- Other

F. Small Program Participant Insert A - Qualified PHA

[Note to Public: This section is only to be completed when a Qualified PHA partners with a Local Government. For QPHAs in the same CBSA as the Local Government, the analysis is intended to meet the requirements of a QPHA service area analysis while relying on the Local Government to complete the regional analysis. For QPHAs whose service area extends

1 **beyond, or is outside of, the Local Government’s CBSA, the analysis must cover the QPHA’s**
 2 **service area and region.]**

3 **1. Segregation/Integration**

4
 5 Describe any areas of segregation and integration in the QPHA’s service area (and region, if
 6 applicable). Identify the protected class groups living in any such area. Explain how any area
 7 of segregation has changed over time.

8
 9 **2. R/ECAPs**

10
 11 Describe the locations of R/ECAPs, if any, in the QPHA’s service area (and region, if
 12 applicable). Identify the protected class groups living in R/ECAPs and describe how R/ECAPs
 13 have changed over time.

14
 15 **3. Disparities in Access to Opportunity**

16
 17 Describe any disparities in access to the following opportunities for households in the service
 18 area (and region, if applicable), based on protected class:

- 19
 20
 21
 22
 23
 24
 25
- Educational opportunities
 - Employment opportunities
 - Transportation opportunities
 - Low poverty exposure opportunities
 - Environmentally healthy neighborhood opportunities

26 **4. Disproportionate Housing Needs**

27
 28 Describe which protected class groups in the PHA’s service area (and region, if applicable)
 29 experience higher rates of housing problems (housing cost burden, severe housing cost burden,
 30 substandard housing conditions, and overcrowding).

31
 32 **5. Publicly Supported Housing Section**

33
 34 Questions on the location and occupancy of the QPHA’s publicly supported housing

35
 36 *a. Demographics*

37
 38 Provide demographic information, including protected class groups, on the residents of
 39 the QPHA and compare these with the demographics of the service area (and region, if
 40 applicable).

41
 42 *b. Segregation and R/ECAPs*

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 47
- i. Describe the location of the QPHA’s developments and Housing Choice Vouchers in relation to areas of segregation and R/ECAPs in the service area (and region, if applicable).

- 1 ii. If there are R/ECAPs, describe any differences in the demographics, including by
2 protected class group, of QPHA assisted households who live in R/ECAPs versus
3 those who live outside of R/ECAPs in the service area (and region, if applicable).
4
5 iii. Describe the demographics, by protected class group, of each of the QPHA's
6 publicly supported developments.
7

8 c. *Disparities in Access to Opportunity*
9

10 Describe the extent to which assisted households of the QPHA have access to the
11 opportunity assets discussed above. Identify any disparities in access to each opportunity
12 by protected class group in the service area (and region, if applicable).
13

14 d. *Disproportionate Housing Needs*
15

- 16 i. Compare the demographics, including by protected class group, of the QPHA's
17 assisted households to households in the service area with disproportionate
18 housing needs in the service area (and region, if applicable).
19
20 ii. Compare the needs of families with children in the Qualified PHA's service area
21 (and region, if applicable) for housing units with two, and three or more
22 bedrooms, with the QPHA's available stock of assisted units.
23

24 e. *Policies and Practices*
25

26 Describe any policies and practices of the QPHA related to fair housing choice including:
27

- 28 • Affirmative marketing plan
- 29 • Admissions preferences or housing designations
- 30 • Voucher mobility and portability policies and practices

31
32 f. Questions on other categories of publicly supported housing
33

34 Describe other publicly supported housing programs, if any, in the QPHA service area.
35 Identify the location by category of publicly supported housing in relation to areas of
36 segregation and R/ECAPs, and the demographics of the households of each category of
37 publicly supported housing, by protected class in the service area (and region, if
38 applicable).
39

40 **6. Disability and Access**
41

- 42 a. Describe how persons with disabilities are geographically dispersed or concentrated in the
43 QPHA service area (and region, if applicable), including whether persons with disabilities
44 reside in R/ECAPs and other segregated areas identified previously, and describe whether these
45 geographic patterns vary for persons with each type of disability of persons with disabilities in
46 different age ranges.
47
48 b. Describe whether the QPHA's service area (and region, if applicable) has sufficient affordable,
49 accessible housing in a range of unit sizes, describe the areas where affordable accessible
50 housing units are located, and identify to what extent persons with different disabilities are able
51 to access and live in the different categories of publicly supported housing.

- c. Describe to what extent persons with disabilities in the QPHA’s service area (and region, if applicable) reside in segregated or integrated settings.

7. Fair Housing Enforcement

Describe whether the PHA is currently the subject of any of the following: a charge or letter of finding from HUD concerning a violation of a civil rights-related law, a cause determination from a substantially equivalent state or local fair housing agency concerning a violation of a state or local fair housing law, a letter of findings issued by or lawsuit filed or joined by the Department of Justice alleging a pattern or practice or systemic violation of a fair housing or civil rights law, or a claim under the False Claims Act related to fair housing, nondiscrimination, or civil rights generally, including an alleged failure to affirmatively further fair housing.

8. Additional QPHA Information

The QPHA may also describe other information relevant to its assessment of fair housing

G. Small Program Participant Insert B – Local Government

[Note to Public: This section is only to be completed when either: (1) A local government that received a CDBG grant of \$500,000 or less in the most recent fiscal year prior to the due date for the joint or regional AFH collaborates with a local government that received a CDBG grant larger than \$500,000 in the most recent fiscal year prior to the due date for the joint or region AFH; or (2) A HOME consortia whose members collectively received less than \$500,000 in CDBG funds or received no CDBG funding partners with a with a local government that received a CDBG grant larger than \$500,000 in the most recent fiscal year prior to the due date for the joint or region AFH.]

For small program participants in the same CBSA as the lead Local Government, the analysis is intended to meet the requirements of jurisdictional analysis while relying on the lead Local Government to complete the regional analysis. For small program participants whose service area extends beyond, or is outside of, the lead Local Government’s CBSA, the analysis must cover the small program participant’s jurisdiction and region.]

1. Demographics

Describe demographic patterns in the jurisdiction (and region, if applicable). Explain how demographic trends have changed over time?

2. Segregation/Integration

Describe any areas of segregation and integration in the jurisdiction (and region, if applicable). Identify the protected class groups living in any such areas. Explain how areas of segregation have changed over time.

3. R/ECAPs

1 Describe the locations of R/ECAPs, if any, in the jurisdiction (and region, if applicable).
 2 Identify the protected class groups living in R/ECAPs and describe how R/ECAPs have
 3 changed over time.

4. **Disparities in Access to Opportunity**

7 Describe any disparities in access to the following opportunities for households in the
 8 jurisdiction (and region, if applicable), based on protected class:

- 10 • Educational opportunities
- 11 • Employment opportunities
- 12 • Transportation opportunities
- 13 • Low poverty exposure opportunities
- 14 • Environmentally healthy neighborhood opportunities

5. **Disproportionate Housing Needs**

17 Describe which protected class groups in the jurisdiction (and region, if applicable) experience
 18 higher rates of housing problems (housing cost burden, severe housing cost burden, substandard
 19 housing conditions, and overcrowding).

6. **Publicly Supported Housing Section**

a. *Publicly Supported Housing Demographics*

27 Compare the demographic population, including protected class groups, on residents
 28 living in publicly supported housing and compare these with the demographics to the
 29 population in general in the jurisdiction (and region, if applicable). Are certain protected
 30 class groups more likely to be residing in one category of publicly supported housing
 31 than other categories?

b. *Segregation and R/ECAPs*

- 35 i. Describe the location of publicly supported housing in relation to areas of
 36 segregation and R/ECAPs in the jurisdiction (and region, if applicable).
- 37
- 38 ii. If there are R/ECAPs, describe any differences in the demographics, including by
 39 protected class group, of assisted households who live in R/ECAPs versus those
 40 who live outside of R/ECAPs in the jurisdiction (and region, if applicable).
- 41
- 42 iii. Describe the demographics, by protected class group, of each of the publicly
 43 supported housing developments in the jurisdiction (and region, if applicable).
- 44

c. *Disparities in Access to Opportunity*

47 Describe the extent to which assisted households in publicly supported housing in the
 48 jurisdiction (and region, if applicable) have access to the opportunity assets discussed
 49 above. Identify any disparities in access to each opportunity by protected class group.
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d. Disproportionate Housing Needs

- i. Which protected class groups experience higher rates of housing cost burden, overcrowding, or substandard housing in the jurisdiction (and region, if applicable) when compared to other groups, and how do these groups align with segregated areas, integrated areas, and R/ECAPs.
- ii. Compare the needs of families with children in the jurisdiction (and region, if applicable) for housing units with two, and three or more bedrooms, with the available stock of assisted units.

e. Questions on other categories of publicly supported housing

Describe other publicly supported housing programs, if any, in the jurisdiction (and region, if applicable). Identify the location by category of publicly supported housing in relation to areas of segregation and R/ECAPs, and the demographics of the households of each category of publicly supported housing, by protected class.

7. Disability and Access

- a. Describe how persons with disabilities are geographically dispersed or concentrated in the jurisdiction (and region, if applicable), including whether persons with disabilities reside in R/ECAPs and other segregated areas identified previously, and describe whether these geographic patterns vary for persons with each type of disability of persons with disabilities in different age ranges.
- b. Describe whether the jurisdiction (and region, if applicable) has sufficient affordable, accessible housing in a range of unit sizes, describe the areas where affordable accessible housing units are located, and identify to what extent persons with different disabilities are able to access and live in the different categories of publicly supported housing.
- c. Describe to what extent persons with disabilities in the jurisdiction (and region, if applicable) reside in segregated or integrated settings.

8. Fair Housing Enforcement

Describe whether the program participant is currently the subject of any of the following: a charge or letter of finding from HUD concerning a violation of a civil rights-related law, a cause determination from a substantially equivalent state or local fair housing agency concerning a violation of a state or local fair housing law, a letter of findings issued by or lawsuit filed or joined by the Department of Justice alleging a pattern or practice or systemic violation of a fair housing or civil rights law, or a claim under the False Claims Act related to fair housing, nondiscrimination, or civil rights generally, including an alleged failure to affirmatively further fair housing.

9. Additional Program Participant Information

1 The program participant may also describe other information relevant to its assessment of fair
 2 housing.
 3

4 **VI. Fair Housing Goals and Priorities**

- 5
- 6 1. For each fair housing issue, prioritize the identified contributing factors. Justify the
 7 prioritization of the contributing factors that will be addressed by the goals set below in
 8 Question 2. Give the highest priority to those factors that limit or deny fair housing choice
 9 or access to opportunity, or negatively impact fair housing or civil rights compliance.
 10
 - 11 2. For each fair housing issue with significant contributing factors identified in Question 1, set
 12 one or more goals. Explain how each goal is designed to overcome the identified
 13 contributing factor and related fair housing issue(s). For goals designed to overcome more
 14 than one fair housing issue, explain how the goal will overcome each issue and the related
 15 contributing factors. For each goal, identify metrics and milestones for determining what
 16 fair housing results will be achieved, and indicate the timeframe for achievement.

<u>Goal</u>	<u>Contributing Factors</u>	<u>Fair Housing Issues</u>	<u>Metrics, Milestones, and Timeframe for Achievement</u>	<u>Responsible Program Participant(s)</u>
Discussion:				

Assessment Tool Instructions

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Assessment of Fair Housing (AFH) Instructions

Introduction

Program participants conducting an assessment of fair housing as required under the affirmatively furthering fair housing rule, published at 80 FR 42272, are required to complete and submit an Assessment Tool. For regulatory requirements of the AFFH rule and the AFH, see 24 C.F.R. §§ 5.150-5.180.

This Assessment Tool, including these instructions, will be used by local governments that receive Community Development Block Grants (CDBG), HOME Investment Partnerships Program (HOME), Emergency Solutions Grants (ESG), or Housing for Persons with AIDS (HOPWA) formula funding from HUD when conducting and submitting their own Assessment of Fair Housing (AFH). The Assessment Tool will also be used for AFHs conducted by joint and regional collaborations between: (1) local governments; (2) one or more local governments with one or more public housing agency (PHA) partners; and (3) other collaborations in which a local government (described above) is designated as the lead entity for the collaboration. A joint or regional AFH does not relieve such collaborating program participant from its obligation to analyze and address local and regional fair housing issues and contributing factors that affect fair housing choice, and set priorities and goals for its geographic area. Program participants that conduct and submit either a joint or regional AFH must provide HUD with a copy of their written agreement prior to submitting the AFH. Please see the following chart identifying which program participants will use this Assessment Tool, and the program participants that will use a different Assessment Tool.

Who must use this Assessment Tool	Who will use a different Assessment Tool
<ol style="list-style-type: none">1. Local governments (that receive CDBG, HOME, ESG or HOPWA funds) submitting an AFH alone.2. Joint or Regional Collaborations between:<ol style="list-style-type: none">a. Only local governmentsb. One or more local governments with one or more PHAsc. Other collaborations in which a local government is designated as the lead entity, including small program participants (i.e., local governments that received a CDBG grant of \$500,000 or less in the most recent fiscal year prior to the due date for the joint or regional AFH due date) electing to complete the applicable insert.	<ol style="list-style-type: none">1. States and Insular Areas submitting alone2. Joint or regional collaborations (with local governments and/or PHAs) where the State is designated as the lead entity3. PHAs submitting alone4. Joint collaborations among only PHAs

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1 All program participants must use the HUD-provided data, which includes data for the jurisdiction
2 and region, to complete the AFH. A joint or regional AFH must reference the HUD-provided data
3 for each program participant's jurisdiction and region. The Assessment Tool and HUD-provided
4 data will be used by various types of program participants (e.g. those in urban areas, rural areas,
5 suburban areas, majority-minority communities), which may have unique characteristics, issues
6 and challenges. The HUD-provided data will help program participants assess local and regional
7 fair housing issues and contributing factors and set priorities and goals to overcome them.
8 However, certain HUD-provided data may have limitations, including limitations in how they
9 apply to geographic areas with different characteristics (e.g., rural versus urban, majority minority
10 areas). For this reason, program participants must supplement the HUD-provided data with local
11 data and local knowledge outlined in 24 C.F.R. § 5.152 and discussed below.

12 HUD is only able to provide data for those protected class groups for which nationally uniform
13 data are available. For this reason, some questions focus on specific protected classes based on the
14 availability of such data. For those questions, local data and local knowledge may provide
15 information to supplement the analysis for protected classes not covered by the HUD-provided
16 data. Local data and local knowledge can be particularly helpful when program participants have
17 local data that are more up-to-date or more accurate than the HUD-provided data or when the
18 HUD-provided data do not cover all of the protected classes that would be relevant to program
19 participants' analyses.

20 Although HUD will provide nationally available data to program participants, the regulations
21 recognize the value of local data and knowledge. Local data is defined in the Final Rule at 24
22 C.F.R. § 5.152, and refers to metrics, statistics, and other quantified information, subject to a
23 determination of statistical validity by HUD, that are relevant to program participants' geographic
24 areas of analyses, can be found through a reasonable amount of searching, are readily available at
25 little or no cost, and are necessary for the completion of the AFH using the Assessment Tool.
26 Examples of local data include relevant demographic data or program-related data maintained by
27 program participants, another public agency, or another entity that are readily available and easily
28 accessible to program participants at little or no cost.

29 Local knowledge is defined in the Final Rule at 24 C.F.R. § 5.152, and means information to be
30 provided by program participants that relates to program participants' geographic areas of analyses
31 and that is relevant to program participants' AFH, is known or becomes known to program
32 participants, and is necessary for the completion of the AFH using the Assessment Tool. Examples
33 of local knowledge include laws and policies, common neighborhood names and borders, and
34 information about the housing market and housing stock. HUD does not expect program
35 participants to review every possible source to search out local knowledge. However, local
36 knowledge includes information obtained through the community participation process. Program
37 participants are required to consider the information received during the community participation
38 process as they conduct an AFH using the Assessment Tool.

39 Program participants are required to comply with the Privacy Act of 1974 (5 U.S.C. § 552a), and
40 applicable State laws in the collection, maintenance, use and dissemination of personally
41 identifiable information.

42
43 Program participants must use reasonable judgment in deciding what supplemental information
44 from among the numerous sources available would be most relevant to their analysis. HUD does
45 not expect program participants to hire statisticians or other consultants to locate and analyze all
46 possible sources of local data. Program participants are not generally expected to conduct primary
47 data gathering or analysis, or a quantitative impact evaluation requiring empirical research to

1 objectively determine causation. Note that, subject to the community participation, consultation
2 and coordination process outlined in the Final Rule at 24 C.F.R. § 5.158, program participants are
3 required to consider information relevant to the jurisdiction or region submitted during the
4 community participation process, including recommendations of other data sources for program
5 participants to assess. Program participants are required to consider the information received during
6 the community participation process, but need not expend extensive resources in doing so. Note,
7 however, that program participants must comply with the requirements for local data and local
8 knowledge outlined in 24 C.F.R. § 5.152 and as discussed in these instructions.

9
10 In conducting the analysis, program participant must identify significant contributing factors reach
11 section of the analysis. When identifying contributing factors, each section of the analysis contains
12 a discrete list of suggested factors for consideration, which includes factors commonly associated
13 with that section of the analysis. The list contains an “other” option, for program participants to
14 use in identifying other significant contributing factors not included in the list. A more exhaustive
15 list of possible contributing factors is contained in Appendix C, which also includes a description
16 of each contributing factor. Program participants are permitted to include contributing factors that
17 are not listed in Appendix C.

18
19 A contributing factor may be outside the ability of program participants to directly control or
20 influence; however, such factors must be identified if they are significant. Identifying “external
21 factors” and barriers to achieving goals is, among other things, a useful planning and performance
22 management component. For program participants submitting jointly, each program participant is
23 responsible for identifying contributing factors within its jurisdiction. These factors will be
24 prioritized in Section VI and used as a basis for establishing goals.

25
26 The Assessment Tool also contains the required analysis of fair housing issues and contributing
27 factors that program participants must undertake in order for an AFH to meet the requirements set
28 forth in 24 C.F.R. §§ 5.150 through 5.180. The content required in the AFH can be found at 24
29 C.F.R. § 5.154 and is outlined in the applicable Assessment Tool for each program participant.
30 However, please note that different program participants may work through the Assessment of Fair
31 Housing in different ways. Depending on each program participants’ familiarity with fair housing
32 planning and planning style, each program participant may choose to complete the required
33 components of an Assessment of Fair Housing in a variety of ways. For example, while the AFFH
34 rule requires that program participants identify significant contributing factors, prioritize such
35 factors, and justify the prioritization of the contributing factors that will be addressed in the
36 program participant’s fair housing goals, it does not specify a specific process for meeting these
37 requirements. Program participants may choose to complete the AFH in any order they choose, so
38 long as all requirements are met.

39 40 **Part I: Cover Sheet with Certification**

41 Complete the cover sheet with all requested information. The official authorized representative of
42 each program participant must sign and date the certification.

43 All joint or regional participants are bound by the certifications, except that some of the analysis,
44 goals, or priorities included in the AFH may only apply to an individual program participant as
45 expressly stated in the AFH.

46 **Part II: Executive Summary**

1 To complete the Executive Summary, refer to fair housing contributing factors, issues and goals
2 identified in parts IV and V of the Assessment Tool, as well as goals identified in the most recent
3 previous Analyses of Impediments to Fair Housing Choice or Assessments of Fair Housing. There
4 is no prescribed format for the Executive Summary—program participant(s) have discretion in this
5 section as to how to summarize their findings in the AFH.

6 **Part III: Community Participation Process**

7 Complete all three questions based on the community participation, consultation and coordination
8 process outlined in the Final Rule at 24 C.F.R. § 5.158. Program participants should employ
9 communications means designed to reach the broadest possible audience. Such communications
10 may be met as appropriate, by publishing a summary of each document in one or more newspapers
11 of general circulation, and by making copies of each document available on the Internet, on
12 program participants’ official government Web sites, and as well at libraries, government offices,
13 and public places.

14 Please note that for public housing agencies, community participation requirements are described
15 in 24 C.F.R. §§ 903.13, 903.15, 903.17, and 903.19. For consolidated plan program participants,
16 Citizen Participation requirements are described in 24 C.F.R. part 91. As required by applicable
17 regulations, program participants must ensure meeting are held in physically accessible locations,
18 provide appropriate auxiliary aids and services necessary to ensure effective communication with
19 individuals with disabilities, and provide limited English proficient persons meaningful access to
20 programs and services.

21 For question (1), provide a summary of the outreach activities undertaken. For PHAs, also include
22 any meetings with the Resident Advisory Board, including residents of impacted developments
23 proposed for demolition/disposition, required or voluntary conversion and conversion under RAD.

24 For question (2), provide a list of any organizations consulted during the community participation
25 process. For consolidated plan program participants, 24 C.F.R. § 5.158(a)(1), states that
26 consolidated plan program participants must follow the policies and procedures described in 24
27 C.F.R. part 91 (see 24 C.F.R. §§ 91.100, 91.105, 91.110, 91.115, 91.235, and 91.401). For PHAs,
28 24 C.F.R. § 5.158(a)(2) states that PHAs must follow policies and procedures described in 24
29 C.F.R. part 903.

30 For question (3), describe how successful the community participation process was, and provide an
31 explanation for any low participation rates.

32 In question (4), pursuant to 24 C.F.R. § 5.154(d)(6), program participants must include an
33 explanation for why any comments or views submitted through the community participation
34 process were not accepted – note that this includes information, such as supplemental data and
35 reports.

36 **Part IV: Assessment of Past Goals, Actions, and Strategies**

37 For question (1)(a), provide an explanation of what past goals program participants selected and
38 what progress has been made toward their achievement. Use the metrics and milestones identified
39 in past Analyses of Impediments or past Assessments of Fair Housing in assessing progress. New
40 program participants may still answer this question based on any other relevant planning
41 documents and/or any past fair housing goals, actions, or strategies.

1 To answer question (1)(b), explain how the past goals selected influenced the selection of current
2 goals.

3 For question (1)(c), program participants may provide any additional information about policies,
4 actions, or steps that address fair housing issues in program participants' geographic areas of
5 analyses.

6 **Part V: Fair Housing Analysis**

7 For all questions, program participants must use the HUD-provided data and supplement that
8 information with local data and local knowledge when it meets the criteria under 24 C.F.R. § 5.152
9 (described above). HUD-provided maps are located in Appendix A and HUD-provided tables are
10 located in Appendix B.

11 Where HUD has not provided data for a specific question in the Assessment Tool and program
12 participants do not have local data or local knowledge that would assist in answering the question,
13 program participants are expected to note this rather than leaving the question blank.

14 **A. Demographic Summary**

15 For question (1), refer to Tables 1 and 2, which present demographic summary data for the
16 jurisdiction and region. The demographics analyzed must include an overview of: racial/ethnic
17 populations; national origin populations, including any limited English proficient populations;
18 individuals with disabilities by disability type; and families with children.

19 For question (2), local data and local knowledge may be particularly useful in answering this
20 question. Include any geographic patterns in the location of owner-occupied properties compared
21 to renter-occupied properties over time. Program participants may also describe trends in the
22 availability of affordable housing in the jurisdiction and region for that time period.

23 **B. Fair Housing Issue Analysis**

24 **Segregation/Integration**

25 For questions (1)(a) and (1)(b), refer to Table 3. Table 3 presents the dissimilarity index for the
26 jurisdiction and region for white/non-white, black/white, Hispanic/white, and Asian/white
27 populations for multiple census years.

28 This dissimilarity index measures the degree to which two groups are evenly distributed across a
29 geographic area and is commonly used for assessing residential segregation between two groups.
30 Values range from 0 to 100, where higher numbers indicate a higher degree of segregation among
31 the two groups measured.

32 Dissimilarity index values between 0 and 39 generally indicate low segregation, values between 40
33 and 54 generally indicate moderate segregation, and values between 55 and 100 generally indicate
34 a high level of segregation. However, context is important in interpreting the dissimilarity index.
35 The index does not indicate spatial patterns of segregation, just the relative degree of segregation;
36 and, for populations that are small in absolute numbers, the dissimilarity index may be high even if
37 the group's members are evenly distributed throughout the area. Generally, when a group's
38 population is less than 1,000, program participants should exercise caution in interpreting
39 associated dissimilarity indices. Also, because the index measures only two groups at a time, it is

1 less reliable as a measure of segregation in areas with multiple demographic groups. For question
2 1(a) indicate whether the measures shown generally indicate that segregation in the jurisdiction and
3 region is low, moderate or high for each racial/ethnic group represented in Table 3, and note which
4 groups experience the highest levels of segregation.

5 For question 1(b), refer to Table 3, which also provides dissimilarity index values for 1990, 2000,
6 and 2010. Note whether the dissimilarity index values have increased or decreased over time.
7 Increasing values may indicate increasing segregation, and decreasing values may indicate
8 decreasing segregation.

9 For question (1)(c), refer to Maps 1, 3, and 4. Maps 1, 3, and 4 are dot density maps showing the
10 residential distribution of racial/ethnic, national origin, and limited English proficient (LEP)
11 populations in the jurisdiction and region. A dot density map (also known as dot distribution map)
12 uses a color-coded dot symbols representing the presence of a specified number of individuals
13 sharing a particular characteristic to show a spatial pattern. The presence of residential segregation
14 may appear as clusters of a single color of dots representing one protected class, or as clusters of
15 more than one color of dots representing a number of protected classes but still excluding one or
16 more protected classes. More integrated areas will appear as a variety of colored dots.

17 While dot density maps are useful in demonstrating residential patterns, they also have limitations.
18 Dot placement does not represent actual addresses – rather individual dots are randomly located
19 within a particular census block to match aggregate population totals for that block group. Note
20 also that the data provided for national origin is based on census data for the 5 most populous
21 “foreign born” populations by country of origin, however, some jurisdictions may have other
22 significant populations not included in the HUD-provided data but reflected in local data or local
23 knowledge. In addition, the “foreign born” population does not track exactly with the definition of
24 national origin under the Fair Housing Act, which includes place of birth as well as place of
25 ancestor’s birth. LEP data shows residential segregation by language for speakers of the five most
26 populous limited English proficient groups in the jurisdiction and region. Again, some
27 jurisdictions may have other significant populations not included in the HUD-provided data but
28 reflected in local data or local knowledge.

29 For question (1)(c), refer to Maps 1,3, and 4 to identify areas on the map that reveal clusters of
30 race/ethnicity, national origin, or LEP groups, and areas where the map indicates are particularly
31 integrated. In identifying those areas, and all areas throughout the tool, use commonly used
32 neighborhood or area names.

33 For question (1)(d), local data and local knowledge may be particularly useful in answering this
34 question.

35 For question (1)(e) refer to Maps 1 and 2, and Tables 1 and 2. Map 2 depicts racial/ethnic dot
36 density distribution for previous years (1990 and 2000). A comparison of the patterns shown in
37 Map 2 to the patterns shown in Map 1 may reveal changes in patterns of segregation by
38 race/ethnicity over time. For instance, the comparison may show that an area previously occupied
39 predominantly by one racial/ethnic group is now more integrated. Consider these changes in
40 conjunction with Tables 1 and 2 showing changes in overall demographics over time, as well as
41 local knowledge about local policies, practices, trends, and investments to answer question 1(e).

42 For question (1)(f), local data and local knowledge may be particularly useful in answering this
43 question.

1 Understanding the limitations of the HUD-provided data discussed in the introduction to these
 2 instructions, using local data and knowledge, complete question (2)(a). The Fair Housing Act
 3 protects individuals on the basis of race, color, religion, sex, familial status, national origin, or
 4 having a disability or a particular type of disability. HUD has provided data for this section only
 5 on race/ethnicity and national origin. Include any relevant information about other protected
 6 characteristics - such as characteristics protected by State or local law (*e.g.*, source of income
 7 protection, LGBT protection, among others). Note, the analysis of disability is specifically
 8 considered in Section V(D). Program participants may include relevant information relating to
 9 persons with disabilities here, but still must address the questions in Section V(D).

10 For question (2)(b), program participants may include any additional relevant information related
 11 to their analysis of segregation in the jurisdiction and region, including the removal of barriers that
 12 prevent people from accessing housing in areas of opportunity, the development of affordable
 13 housing in such areas, housing mobility programs, housing preservation, and community
 14 revitalization efforts, where any such actions are designed to achieve fair housing outcomes such as
 15 increasing integration.

16 For question (3), identify all significant contributing factors. Consider the non-exhaustive list of
 17 factors provided and identify those factors that significantly create, contribute to, perpetuate, or
 18 increase the severity of segregation. For additional instructions on selecting contributing factors,
 19 refer to the introduction of these instructions.

20 R/ECAPs

21 For question (1)(a), refer to Maps 1, 3 and 4, which include outlined census tracts that meet the
 22 threshold criteria for racially or ethnically concentrated areas of poverty (R/ECAPs). The area
 23 within the outline meets the definition of an R/ECAP, as set forth in the rule at 24 C.F.R. § 5.152.

24 To answer question (1)(b), use Maps 1, 3, and 4 and Table 4. Maps 1, 3, and 4 are dot density
 25 maps showing the residential distribution of racial/ethnic, national origin, and limited English
 26 proficient (LEP) populations in the jurisdiction and region. These maps also include outlined
 27 overlays of R/ECAPs. The presence of residential segregation in R/ECAPs may appear as clusters
 28 of a single color of dots representing one protected class, or as clusters of more than one color of
 29 dots representing a number of protected classes but still excluding one or more protected classes.
 30 More integrated areas will appear as a variety of colored dots. Table 4 shows the percentage of
 31 persons living in R/ECAPS with certain protected characteristics (race/ethnicity, families with
 32 children, national origin) in the jurisdiction and the region. Note that the percentages reflect the
 33 proportion of the total population living in R/ECAPs that has a protected characteristic, not the
 34 proportion of individuals with a particular protected characteristic living in R/ECAPs. Table 4 can
 35 be compared to Table 1, which shows the total population in the jurisdiction and region for each of
 36 the groups shown in Table 4.

37 To answer question (1)(c), refer to Maps 1 and 2. Map 1 shows the outlines of current R/ECAPs.
 38 Map 2 shows the outlines of R/ECAPs in past years (1990 and 2000). Compare the current
 39 R/ECAP outlines with previous R/ECAP outlines and describe whether R/ECAPs have remained
 40 constant, whether new R/ECAPs have emerged, or whether certain R/ECAPs no longer exist.
 41 Maps 1, 2, and 3 also show dot density distributions by race/ethnicity, national origin and LEP,
 42 including R/ECAP outlines. Note whether the maps show any changes in areas that have moved in
 43 or out of R/ECAP status over time and the groups most affected by R/ECAPs.

1 Understanding the limitations of the HUD-provided data discussed in the instruction’s introduction,
 2 using local data and knowledge, complete question (2)(a). The Fair Housing Act protects
 3 individuals on the basis of race, color, religion, sex, familial status, national origin, or having a
 4 disability or a particular type of disability. HUD has provided data for this section only on
 5 race/ethnicity and national origin. Include any relevant information about other protected
 6 characteristics, but note that the analysis of disability is specifically considered in Section V(D).
 7 Program participants may include relevant information relating to persons with disabilities here,
 8 but still must address the questions in Section V.(D).

9 For question (2)(b), program participants may include any additional relevant information related
 10 to their analysis of R/ECAPs in the jurisdiction and region, including the removal of barriers that
 11 prevent people from accessing housing in areas of opportunity, the development of affordable
 12 housing in such areas, housing mobility programs, housing preservation and community
 13 revitalization efforts, where any such actions are designed to achieve fair housing outcomes such as
 14 transforming R/ECAPs by addressing the combined effects of segregation and poverty. Relevant
 15 information may also include local assets and organizations.

16 For question (3), consider the non-exhaustive list of factors provided, which are those most
 17 commonly associated with R/ECAPs, and identify those factors that significantly create, contribute
 18 to, perpetuate, or increase the severity of R/ECAPs. For additional instructions on selecting
 19 contributing factors, refer to the introduction of these instructions

20 **Disparities in Access to Opportunity**

21 The Fair Housing Act prohibits discrimination on the basis of race, color, religion, sex, familial
 22 status, national origin, and disability. As noted, HUD provides to program participants certain
 23 nationally-uniform data in the form of maps and tables to answer specific questions. Where HUD
 24 does not provide maps and tables, program participants must supplement the HUD-provided data
 25 with local data and local knowledge outlined in 24 C.F.R. § 5.152. In this section of the
 26 Assessment Tool, HUD asks specific questions about disparities for protected classes for which
 27 HUD is providing data and notes in these instructions which HUD-provided maps and tables
 28 should be used to answer particular questions. Note, however, that Question 2(a) asks about these
 29 disparities in access to opportunity for all protected classes using local data and local knowledge
 30 beyond the HUD-provided data.

31 **Using the Opportunity Indices**

32 Questions in this section rely on the Opportunity Indices in the HUD-provided data. Table 12
 33 provides index values for the following opportunity indicator indices: Low Poverty; School
 34 Proficiency; Labor Market Engagement; Jobs Proximity; Low Transportation Costs; Transit Trips
 35 Index; and Environmental Health. The Opportunity Indices are provided by race/ethnicity,
 36 including for income adjusted comparisons (i.e. households below the poverty line by
 37 race/ethnicity). A higher value on each of the indices would indicate: higher levels of school
 38 proficiency; higher levels of labor engagement; closer proximity to jobs; lower transportation costs;
 39 better access to public transportation; lower neighborhood poverty rates; and greater neighborhood
 40 environmental quality (i.e., lower exposure rates to harmful toxins). Using the indices provided,
 41 program participants will be able to compare access to key opportunity assets with relative ease by
 42 consulting a single table. These indices are based on nationally available data sources.

43 For the questions that rely on the Opportunity Indices (Table 12), the HUD-provided data includes
 44 information for protected class groups by race/ethnicity. For the questions that rely on the

1 Opportunity Maps (Maps 9-15), the HUD-provided data includes information on protected class
 2 groups by race/ethnicity, national origin and familial status. There is one map for each Opportunity
 3 Index. All of these maps also show R/ECAP boundaries and are provided for both the jurisdiction
 4 and region.

5 Education

6 For the questions in (1)(a)(i), use the School Proficiency Index in Table 12. The School
 7 Proficiency Index measures which neighborhoods have high-performing elementary schools nearby
 8 and which are near lower performing elementary schools. The values for the School Proficiency
 9 Index are determined by the performance of 4th grade students on state exams.¹ The Index uses
 10 data for elementary schools because they are much more likely to have neighborhood-based
 11 enrollment policies. Note that local data or local knowledge may be useful in assessing access to
 12 higher-grade level schools.

13 For question (1)(a)(ii), refer to Map 9, which shows residential living patterns by race/ethnicity,
 14 national origin, and familial status. The map can be used to assess how residency patterns for each
 15 of these protected classes compares to the location of proficient schools. The map shows values for
 16 the School Proficiency Index with shading at the neighborhood (census tract) level. Darker shaded
 17 tracts indicate better access to higher proficiency schools. Lighter shading indicates lower index
 18 values, with these neighborhoods being near lower performing elementary schools (as measured by
 19 the Index).

20 Note that, to the extent the questions require consideration of middle and high schools, or local
 21 policies and practices such as school enrollment policies, then local knowledge (as defined at 24
 22 C.F.R. § 5.152) will be relevant.

23 Question (1)(a)(iii), may be answered using local data or local knowledge. Program participants
 24 should consider whether local school policies provide for alternative means of access to schools,
 25 such as local enrollment policies, that are not reflected in the HUD-provided data.

26 Employment

27 For the questions (1)(b)(i), refer to the Jobs Proximity Index and Labor Market Engagement Index
 28 in Table 12. The Jobs Proximity Index measures the physical distances between place of residence
 29 and jobs by race/ethnicity. The Labor Market Engagement Index provides a measure of
 30 unemployment rate, labor-force participation rate, and percent of the population ages 25 and above
 31 with at least a bachelor's degree, by neighborhood.

32 To answer questions (1)(b)(ii), refer to Maps 10 and 11. Maps 10 and 11 both show residency
 33 patterns of racial/ethnic and national origin groups and families with children. Map 10 shows
 34 values for the Jobs Proximity Index with shading at the neighborhood (census tract) level. Map 11
 35 shows values for the Labor Market Engagement Index with shading at the neighborhood (census
 36 tract) level. Darker shaded tracts indicate a higher (better) value for the Index being used. Thus,
 37 darker shaded tracts would indicate closer proximity to jobs or a higher level of "labor
 38 engagement" (employment rate, labor-force participation rate, and percent of the population age 25

1 ¹ The School Proficiency Index uses two methods for linking schools to census tracts: either 1) using the
 2 attendance area (where this information is available) of individuals sharing a protected characteristic; or 2)
 3 using the proficiency of elementary schools within 1.5 miles of individuals with a protected characteristic
 4 where attendance boundary data are not available

1 and above with at least a bachelor's degree) for the households living there. Lighter shaded tracts
2 would show lower (worse) index values for these index measures.

3 Transportation

4 For the questions in (1)(c)(i), refer to Table 12 (Low Transportation Cost Index and the Transit
5 Trips Index). The Low Transportation Cost Index measures cost of transportation and proximity to
6 public transportation by neighborhood. The Transit Trips Index measures how often low-income
7 families in a neighborhood use public transportation.

8 To answer questions (1)(c)(ii), refer to Maps 12 and 13. These maps both show residency patterns
9 of racial/ethnic and national origin groups and families with children. Map 12 shows values for the
10 Low Transportation Cost Index with shading at the neighborhood (census tract) level. Map 13
11 shows values for the Transit Trips Index with shading at the neighborhood (census tract) level. For
12 these maps, darker shading in a tract indicates a higher (better) value for the Index being used.
13 Thus, darker shaded tracts would indicate lower transportation costs or better access to public
14 transit for the households living there. Lighter shaded tracts would show higher transportation
15 costs and less access to transit.

16 For question (1)(c)(iii), program participants should consider whether transportation-related local
17 programs, policies, and practices affect a person's access to proficient school, jobs, and other areas
18 with opportunities. In answering this question, local knowledge (as defined at 24 C.F.R. § 5.152)
19 will be relevant. Program participants should consider whether transportation systems designed for
20 use of personal vehicles impact the ability of protected class groups' access to transportation due to
21 the lack of vehicle ownership.

22 Access to Low Poverty Neighborhoods

23 For question (1)(d)(i), refer to the Low Poverty Index in Table 12. The Low Poverty Index
24 measures concentration of poverty by neighborhood. In effect, a higher value on this index
25 indicates a higher likelihood that a family may live in a low poverty neighborhood. A lower value
26 on the Index indicates that households in the protected group have a higher likelihood of living in a
27 neighborhood with higher concentrations of poverty.

28 For question (1)(d)(ii) use Map 14, which shows residency patterns of racial/ethnic and national
29 origin groups and families with children. The map also shows values for the Low Poverty Index
30 with shading at the neighborhood (census tract) level. Darker shading (i.e. a higher value on the
31 index) in a tract indicates a lower level of poverty. Lighter shading in a tract indicates a lower
32 (worse) value on the Index and thus a higher concentration of poverty in that tract.

33 For question (1)(d)(iv), to the extent local policies and practices are discussed, local knowledge (as
34 defined at 24 C.F.R. § 5.152) will be relevant.

35 Access to Environmentally Healthy Neighborhoods

36 For question (1)(e)(i), refer to the Environmental Health Index in Table 12. The Environmental
37 Health Index measures exposure based on EPA estimates of air quality carcinogenic, respiratory
38 and neurological toxins by neighborhood.

39 For question (1)(e)(ii), use Map 15, which shows residency patterns of racial/ethnic and national
40 origin groups and families with children. The map also shows values for the Environmental Health

1 Index with shading at the neighborhood (census tract) level indicating levels of exposure to
2 environmental health hazards for the jurisdiction and the region. To answer the question, examine t
3 Map 15, by race/ethnicity, national origin, and familial status, to identify differences in exposure to
4 environmental health hazards by protected characteristic. In general, Map 15 may be more useful
5 in showing broader overall patterns, rather than in differences between individual neighborhoods.

6 While the Environment Health Index is limited to issues related to air quality, for these questions
7 on environmentally healthy neighborhoods program participants may also discuss other indicators
8 of environmental health, based on local data and local knowledge. Environmental-related policies
9 may include the siting of highways, industrial plants, or waste sites.

10 Patterns in Disparities in Access to Opportunity

11 For question (1)(f)(i), refer to the answers provided in question (1)(a)-(e).

12 Additional Information

13 Understanding the limitations of the HUD-provided data discussed in the introduction to the
14 instructions, using local data and knowledge, complete question (2)(a). The Fair Housing Act
15 protects individuals on the basis of race, color, religion, sex, familial status, national origin, or
16 having a disability or a particular type of disability. HUD has provided data for this section only
17 on race/ethnicity, national origin, and familial status. Include any relevant information about other
18 protected characteristics, but note that the analysis of disability is specifically considered in Section
19 V(D). Program participants may include relevant information relating to persons with disabilities
20 here, but still must address the questions in Section V(D).

21 For question (2)(b), program participants may include any additional relevant information related
22 to their analysis of disparities in access to opportunity in the jurisdiction and region, including the
23 removal of barriers that prevent people from accessing housing in areas of opportunity, the
24 development of affordable housing in such areas, housing mobility programs, housing preservation
25 and community revitalization efforts, where any such actions are designed to achieve fair housing
26 outcomes such as increasing access to opportunity.

27 Disparities in Access to Opportunity: Contributing Factors

28 For question (3), consider the non-exhaustive list of factors provided, which are those most
29 commonly associated with disparities in access to opportunity, and identify those factors that
30 significantly create, contribute to, perpetuate, or increase the severity of disparities in access to
31 opportunity. For additional instructions on selecting contributing factors, refer to the introduction
32 of these instructions.

33 Disproportionate Housing Needs

34 For question (1)(a), refer to Tables 9 and 10. Table 9 shows the percentage of race/ethnicity groups
35 and families with children experiencing two potential categories of housing need. The first
36 category is households experiencing one of four housing problems: housing cost burden (defined as
37 paying more than 30% of income for monthly housing costs including utilities), overcrowding,
38 lacking a complete kitchen, or lacking plumbing. The second category is households experiencing
39 “one of four severe housing problems” which are: severe housing cost burden (defined as paying
40 more than half of one’s income for monthly housing costs including utilities), overcrowding, and

1 lacking a complete kitchen, or lacking plumbing. Table 10 shows the number of persons by
2 race/ethnicity and family size experiencing severe housing cost burden.

3 For question (1)(b), refer to Maps 7 and 8. Map 7 shows the residential living patterns for persons
4 by race/ethnicity, overlaid by shading indicating the percentage of households experiencing one or
5 more housing problems. Darker shading indicates a higher prevalence of such problems. The map
6 also includes R/ECAP outlines. Map 8 shows the same information overlaid on residential living
7 patterns by national origin.

8 For question (1)(c), refer to Tables 9 and 11. Table 9 shows housing needs experienced by families
9 with 5 or more persons (used to approximate the population of families with children). Table 11
10 shows the number of households occupying units of various sizes (0-1 bedrooms, 2 bedrooms, 3 or
11 more bedrooms) in four publicly supported housing program categories (public housing, Project-
12 based Section 8, Other HUD Multifamily, and HCV). Table 11 shows the number of households
13 with children currently residing in each of those four program categories.

14 For question (1)(d), local data and local knowledge may be particularly useful in answering this
15 question.

16 Understanding the limitations of the HUD-provided data discussed in the introduction to the
17 instruction, using local data and knowledge, complete question (2). The Fair Housing Act protects
18 individuals on the basis of race, color, religion, sex, familial status, national origin, or having a
19 disability or a particular type of disability. HUD has provided data for this section only on
20 race/ethnicity, national origin, and familial status. Include any relevant information about other
21 protected characteristics, but note that the analysis of disability is specifically considered in Section
22 V(D). Program participants may include any relevant information relating to persons with
23 disabilities here, but still must address the questions in Section V(D).

24 For question (2)(b), program participants may include any additional relevant information related
25 to their analysis of disproportionate housing needs in the jurisdiction and region, including the
26 removal of barriers that prevent people from accessing housing in areas of opportunity, the
27 development of affordable housing in such areas, housing mobility programs, housing preservation
28 and community revitalization efforts, where any such actions are designed to achieve fair housing
29 outcomes such as reducing disproportionate housing needs.

30 For question (3), consider the non-exhaustive list of factors provided, which are those most
31 commonly associated with disproportionate housing needs, and identify those factors that
32 significantly create, contribute to, perpetuate, or increase the severity of disproportionate housing
33 needs. For additional instructions on selecting contributing factors, refer to the introduction of these
34 instructions.

35 Local data and local knowledge may be particularly useful in answering the Disproportionate
36 Housing Needs questions. For instance, the HUD-provided tables do not include data on homeless
37 persons. Information on homeless individuals and families, including some information on their
38 demographic characteristics (e.g. race/ethnicity, persons with disabilities) is available from a
39 variety of sources. HUD guidance can provide additional information on this topic.

40 **C. Publicly Supported Housing² Analysis**

1 ² The term “publicly supported housing” refers to housing assisted, subsidized, or financed with funding
2 through Federal, State, or local agencies or programs as well as housing that is financed or administered by
3 or through any such agencies or programs. HUD is currently providing data on five specific categories of

1 Data on publicly supported housing is grouped into five program categories: public housing;
 2 project-based Section 8; Section 8 tenant-based Housing Choice Vouchers (HCV); Other HUD
 3 Multifamily housing (including Section 202 Supportive Housing for the Elderly and Section
 4 811 Supportive Housing for Persons with Disabilities); and Low-Income Housing Tax Credit
 5 (LIHTC) housing. Relevant information may also include housing converted through the Rental
 6 Assistance Demonstration (RAD), which may be analyzed as part of Housing Choice Vouchers.
 7 HUD has included RAD as a separate category for two specific questions in this section for policy
 8 reasons. Some tables and maps provided include information on some of the program categories
 9 but not others based on availability of the data. Where a housing development includes more than
 10 one category of publicly supported housing, this development is reported in data for each housing
 11 category (e.g., project-based Section 8 combined with LIHTC). Note that other publicly supported
 12 housing programs, for instance those funded through state and local programs or by other federal
 13 agencies, such as USDA’s Rural Housing Service and the Veteran’s Administration, or other HUD
 14 programs that are not covered in the HUD-provided data may be relevant to the analysis.

15 Data related to public housing may be affected by asset management project (AMP) groupings.³
 16 For instance, where public housing agencies report data for developments located at different sites
 17 as one AMP, the map showing the locations of the categories of publicly supported housing will
 18 only display this data at one location. Similarly, the table showing the census tract and occupancy
 19 of public housing will only show AMP groupings once, rather than for each site. In certain
 20 circumstances AMP groupings may affect the fair housing analysis. For example, AMP groupings
 21 will impede siting and occupancy analyses where AMP groupings have combined buildings that
 22 are in demographically different neighborhoods. For this reason, local data and local knowledge
 23 relating to the siting and occupancy of publicly supported housing may be particularly useful in
 24 answering the questions in this section.

25 Publicly Supported Housing Demographics

26 For questions (1)(a)(i) and (ii), refer to Tables 6 and 7. Tables 6 and 7 present data by
 27 race/ethnicity for persons occupying four categories of publicly supported housing (public housing,
 28 project-based Section 8, Other HUD Multifamily, and HCV) in the jurisdiction. The tables also
 29 provide race/ethnicity data for the total population in the jurisdiction and for persons meeting the
 30 income eligibility requirements for a relevant category of publicly supported housing. Relevant
 31 information may also include housing converted through RAD, which may be analyzed as part of
 32 Housing Choice Vouchers.

33 Publicly Supported Housing Location and Occupancy

34 For questions (1)(b)(i) and (ii) refer to Maps 5 and 6, which are race/ethnicity dot density maps
 35 with a publicly supported housing overlay, including outlines of R/ECAPS. In Map 5, symbols
 36 representing four categories of publicly supported housing indicate the location of a development

1 housing: Public Housing; Project-Based Section 8;” Other HUD Multifamily Housing” (including Section
 2 202 – Supportive Housing for the Elderly and Section 811 – Supportive Housing for Persons with
 3 Disabilities); Low Income Housing Tax Credit (LIHTC) housing; and Housing Choice Vouchers (HCV).
 4 Other publicly supported housing relevant to the analysis includes housing funded through state and local
 5 programs, other federal agencies, such as USDA and VA, or other HUD-funded housing not captured in the
 6 five categories listed above.

7 ³ The Operating Fund Program final rule, published on September 19, 2005, required PHAs to convert to
 8 asset management. In practice, this allowed PHAs to group buildings under asset management. All of the
 9 AMP groupings are reported as one unit and tied together through the assignment of the same project
 10 number.

1 of that category of housing. Note that some developments may represent multiple buildings or
2 projects that are not necessarily located at the same address the symbol represents. In Map 6, the
3 density of use of Section 8 vouchers is layered over a race/ethnicity dot density map. Darker
4 shading represents a heavier concentration of vouchers. Map 5 does not distinguish between
5 developments that serve families, elderly, or persons with disabilities; however, projects serving
6 these populations are often affected differently by laws, policies and practices, resulting in
7 significantly different siting patterns. Local knowledge may be particularly useful in answering
8 this portion of the question.

9 For question (1)(b)(iii), use Table 7, which shows the percentage of occupants in four publicly
10 supported housing program categories (public housing, project-based Section 8, Other HUD
11 Multifamily, and HCV) in units located either within R/ECAPs or outside of R/ECAPs. The table
12 also breaks out this information by race/ethnicity, elderly and disability status. To answer the
13 question, compare the percentage of occupants sharing a protected characteristic living in units
14 located in R/ECAPS to the percentage of occupants sharing the same protected characteristic living
15 in units outside of R/ECAPS. Relevant information may also include housing converted through
16 RAD, which may be analyzed as part of Housing Choice Vouchers.

17 For question (1)(b)(iv)(A), refer to both the HUD-provided data and local data and local
18 knowledge. Table 8 shows the racial/ethnic composition and percentage of households with
19 children occupying public housing. Local data and local knowledge may be informative for both
20 properties converted under RAD and for LIHTC developments.

21 Compare the demographic occupancy data of developments to other developments of the same
22 category. In analyzing Table 8, be aware that the demographic occupancy information is affected
23 by the size of the development – smaller developments may appear to have greater variance, but
24 note that in small developments, a difference of a few units may alter the overall percentage of the
25 occupancy demographic composition.

26 For question (1)(b)(iv)(B), Table 8 is provided for program participants' use, however local data
27 and local knowledge, including information obtained through the community participation process,
28 may be particularly useful in answering this portion of the question.

29 For question (1)(b)(v), refer to Table 8 and Map 5 and the Map 5 Query Tool. Table 8 includes
30 development-level demographic characteristics of residents of three program categories (public
31 housing, project-based Section 8, and Other HUD Multifamily). Map 5 shows the location of
32 individual developments for four program categories (public housing, project-based Section 8,
33 Other HUD Multifamily, and LIHTC). Note that census tract boundaries may not align with
34 “neighborhoods” or “areas” as commonly understood at the local level, and local knowledge may
35 be useful to assist in the comparison.

36 The Map 5 Query Tool allows sorting and exporting of census tract and occupancy demographic
37 data from Map 5 to generate a table for the categories of publicly supported housing (i.e., public
38 housing, project-based Section 8, Other HUD Multifamily Assisted developments (e.g., Sections
39 202 and 811), and LIHTC, provided that it excludes occupancy demographic data for LIHTC
40 developments, which should be analyzed using local data and local knowledge).

41 Compare the demographic occupancy data of developments to the areas in which they are located.

42 Publicly Supported Housing: Disparities in Access to Opportunity

1 For question (1)(c)(i), refer to the opportunity indicators analyzed in Section B, and Maps 5 and 6,
 2 which are race/ethnicity dot density maps showing the locations of publicly supported housing
 3 developments (Map 5) and rates of Section 8 voucher utilization (Map 6) with R/ECAP outlines.
 4 Compare the locations of publicly supported housing to Maps 9 through 15, which depict the
 5 opportunity indicators. Note that while the location of housing may be relevant to analysis, it is not
 6 the only factor in analyzing disparities in access to opportunity. “Access” in this context
 7 encompasses consideration of infrastructure or policies related to where a person lives that impact
 8 an individual’s ability to benefit from an opportunity, such as available transportation to a job,
 9 school enrollment policies, program eligibility criteria, or local labor laws. As noted above, Map 5
 10 does not distinguish between developments that serve families, elderly, or persons with disabilities;
 11 however, projects serving these populations often reveal distinct patterns. Local knowledge may
 12 be particularly useful in answering this portion of the question.

13 Publicly Supported housing: Additional Information

14 For question 2(a), understanding the limitations of the HUD-provided data discussed in the
 15 introduction to the instructions, using local data and knowledge, complete question (2). The Fair
 16 Housing Act protects individuals on the basis of race, color, religion, sex, familial status, national
 17 origin, or having a disability or a particular type of disability. HUD has provided data for this
 18 section only on race/ethnicity, national origin, familial status, and limited data on disability.
 19 Include any relevant information about other protected characteristics – but note that the analysis of
 20 disability is also specifically considered in Section V(D). Program participants may include an
 21 analysis of disability here, but still must include such analysis in Section V(D).

22 For question (2)(b), program participants may include any additional relevant information related
 23 to their analysis of publicly supported housing in the jurisdiction and region, including the removal
 24 of barriers that prevent people from accessing housing in areas of opportunity, the development of
 25 affordable housing in such areas, housing mobility programs, housing preservation and community
 26 revitalization efforts, where any such actions are designed to achieve fair housing outcomes such as
 27 reducing disproportionate housing needs, transforming R/ECAPs by addressing the combined
 28 effects of segregation coupled with poverty, increasing integration, and increasing access to
 29 opportunity, such as high-performing schools, transportation, and jobs.

30 For question (3), consider the non-exhaustive list of factors provided, which are those most
 31 commonly associated with publicly supported housing, and identify those factors that significantly
 32 create, contribute to, perpetuate, or increase the severity of the fair housing issues of segregation,
 33 R/ECAPs, access to opportunity and disproportionate housing needs in relation to publicly
 34 supported housing. For additional instructions on selecting contributing factors, refer to the
 35 introduction of these instructions.

36 **D. Disability and Access Analysis**

37 There are limited sources of nationally uniform data on the extent to which individuals with
 38 disabilities are able to access housing and other community assets. Local data and local knowledge
 39 may be particularly useful in completing this section, including, but not limited to, information
 40 provided by the public, outside organizations and other government agencies in the community
 41 participation process.

42 For question (1)(a), refer to Map 16 and Table 13. Map 16 depicts a dot density distribution by
 43 disability type (hearing, vision, cognition, ambulatory, self-care, independent living) for the

1 jurisdiction and the region. The map also includes R/ECAP outlines. Table 13 provides data on
2 the percentage of the population with types of disabilities in the jurisdiction and the region.

3 For question (1)(b), refer to Maps 16 and 17 and Table 15. Map 17 depicts a dot density
4 distribution of persons with disabilities by age (5-17, 18-64, and 65+) for the jurisdiction and the
5 region. Table 14 provides data on the percentage of the population with disabilities by age for the
6 jurisdiction and the region.

7 For questions (2)(a) HUD is unable to provide data at this time, as there is limited nationally
8 available disability-related data at this time, including data relating to accessible housing; however,
9 to assist with answering these questions, program participants may refer to the maps provided by
10 HUD to identify R/ECAPs or other segregated areas identified in previous sections.

11 For questions (2)(b) HUD is unable to provide data at this time. Single-family housing is generally
12 not accessible to persons with disabilities unless state or local law requires it to be accessible or the
13 housing is part of a HUD-funded program or other program providing for accessibility features.
14 The Fair Housing Act requires that most multifamily properties built after 1991 meet federal
15 accessibility standards. As a result, multifamily housing built after this date, if built in compliance
16 with federal law would meet this minimum level of accessibility, while buildings built before this
17 date generally would not be accessible. The age of housing stock can be a useful measure in
18 answering this question. In addition, affordable housing subject to Section 504 of the
19 Rehabilitation Act must include a percentage of units accessible for individuals with mobility
20 impairments and units accessible for individuals with hearing or vision impairments. Map 5, which
21 shows the location of four types of publicly supported housing, may also be useful in answering
22 this question.

23 For question (2)(c), refer to Table 15. Table 15 provides data on the number and percentage of
24 persons with disabilities residing in four categories of publicly supported housing in both the
25 jurisdiction and the region. In answering the question, consider policies and practices that impact
26 individuals' ability to access the housing, including such things as wait list procedures, admissions
27 or occupancy policies (e.g., income targeting for new admissions), residency preferences,
28 availability of different accessibility features, and website accessibility.

29 The Fair Housing Act, Section 504, and the ADA contain mandates related to integrated settings
30 for persons with disabilities. Integrated settings are those that enable individuals with disabilities
31 to live and interact with individuals without disabilities to the greatest extent possible and receive
32 the healthcare and supportive services from the provider of their choice. To answer questions (3)
33 (a) and (b), refer to HUD's "Statement of the Department of Housing and Urban Development on
34 the Role of Housing in Accomplishing the Goals of *Olmstead*."⁴

35 Local data and local knowledge will likely be particularly useful in answering questions. Sources
36 of location data and local knowledge may include, among others, data Centers for Medicare &
37 Medicaid Services' data from the Money Follows the Person demonstration or on persons with
38 disabilities living in nursing facilities and intermediate care facilities, HUD data on persons with
39 disabilities experiencing homelessness, information provided by individuals with disabilities,
40 federally-funded independent living centers, state protection and advocacy organizations, advocacy
41 organizations representing the spectrum of disabilities, state developmental disability councils and
42 agencies, and state mental health/behavioral health agencies. Topics for consideration may include
43 the length of wait lists for accessible units in publicly supported housing, availability of accessible

1 ⁴ HUD's *Olmstead* Statement can be found at: [http://portal.hud.gov/hudportal/documents/huddoc?](http://portal.hud.gov/hudportal/documents/huddoc?id=OlmsteadGuidnc060413.pdf)
2 [id=OlmsteadGuidnc060413.pdf](http://portal.hud.gov/hudportal/documents/huddoc?id=OlmsteadGuidnc060413.pdf).

1 units in non-publicly supported housing available to HCV participants, whether public funding
 2 (e.g. CDBG funds) or tax credits are available for reasonable modifications in rental units and/or
 3 for homeowners, whether accessible units are occupied by households requiring accessibility
 4 features, and whether publicly supported housing is in compliance with accessibility requirements.

5 To ensure meaningful analysis of these questions, program participants may need to obtain
 6 information from state disability service authorities, which may include, for example, the
 7 developmental disabilities authority, mental health authority, social or human services department,
 8 and the state Medicaid agency, each of which is likely to have ready access to reliable information
 9 concerning the location and frequency of individuals with disabilities. A state's Olmstead Plan
 10 may contain useful information in answering these questions.

11 For questions (4)(a)-(c), HUD is unable to provide data, as there is limited nationally available
 12 disability-related data. Local data and local knowledge will likely be particularly useful in
 13 answering questions.

14 For question (5)(a), program participants may refer to Tables 9, 10, and 11 and Maps 7 and 8 for
 15 data relating to disproportionate housing needs. However, this data is not specific to individuals
 16 with disabilities, as such local data and local knowledge may be particularly useful in answering
 17 this question.

18 Understanding the limitations of the HUD-provided data discussed above, complete question (6)
 19 (a). The Fair Housing Act protects individuals on the basis of race, color, religion, sex, familial
 20 status, national origin, or having a disability or a particular type of disability. HUD has provided
 21 data for this section only on certain types of disabilities and for the ages of persons with
 22 disabilities. Include any relevant information about other protected characteristics.

23 For question (6)(b), program participants may include any additional relevant information related
 24 to their analysis of disability and access in the jurisdiction and region, including the removal of
 25 barriers that prevent people from accessing housing in areas of opportunity, the development of
 26 affordable housing in such areas, housing mobility programs, housing preservation, and community
 27 revitalization efforts, where any such actions are designed to achieve fair housing outcomes such as
 28 reducing disproportionate housing needs, transforming R/ECAPs by addressing the combined
 29 effects of segregation coupled with poverty, increasing integration, and increasing access to
 30 opportunity, such as high-performing schools, transportation, and jobs.

31 For question (7), consider the list of factors provided, which are those most commonly associated
 32 with disability and access, and identify those factors that significantly create, contribute to,
 33 perpetuate, or increase the severity of the fair housing issues of segregation, R/ECAPs, access to
 34 opportunity and disproportionate housing needs in relation to disability and access. For additional
 35 instructions on selecting contributing factors, refer to the introduction of these instructions.

36 **E. Fair Housing Enforcement, Outreach Capacity, and Resources Analysis**

37 Complete question (1). A summary of cases would typically include the parties, claims, and
 38 current status.

39 Complete question (2). Note that in the context of state and local fair housing and civil rights laws
 40 and ordinances, program participants may also discuss additional protected classes covered under
 41 those laws and ordinances.

1 For question (3), list the agencies and organizations that provide fair housing information in the
2 jurisdiction and region. Include a description of their capacity and resources available to them.

3 For questions (4)(a) and (b), program participants may include any additional relevant information
4 related to their analysis of fair housing enforcement, outreach capacity, and resources in the
5 jurisdiction and region, including the removal of barriers that prevent people from accessing
6 housing in areas of opportunity, where any such actions are designed to achieve fair housing
7 outcomes such as reducing disproportionate housing needs, transforming R/ECAPs by addressing
8 the combined effects of segregation coupled with poverty, increasing integration, and increasing
9 access to opportunity, such as high-performing schools, transportation, and jobs.

10 For question (5), consider the list of factors provided, which are those most commonly associated
11 with fair housing enforcement, outreach capacity, and resources, and identify those factors that
12 significantly create, contribute to, perpetuate, or increase the severity of the fair housing issues of
13 segregation, R/ECAPs, access to opportunity and disproportionate housing needs in relation to fair
14 housing enforcement, outreach capacity, and resources. For additional instructions on selecting
15 contributing factors, refer to the introduction of these instructions.

16 **F. Instructions for Small Program Participant Insert A**

17 As the rule makes clear, when collaborating to submit a joint or regional AFH, program
18 participants may divide work as they choose. However, this assessment tool provides a potential
19 division of work local governments partnering with one or more QPHAs. Program participants that
20 collaborate with a QPHA may use either the QPHA insert or the main portion of the assessment
21 tool to analyze the QPHA's jurisdiction. The QPHA insert is intended to reduce burden for
22 QPHAs by providing a streamlined set of questions for their service area. A QPHA insert needs to
23 be completed for each collaborating QPHA. Additionally, the regional portion of the QPHA
24 analysis is expected to be fulfilled by the local government's analysis of the entire CBSA, provided
25 the QPHA's service area falls within the scope of analysis conducted in the main portion of this
26 assessment tool. For purposes of this assessment tool, the QPHA region is defined as the CBSA if
27 the QPHA service area is within the CBSA.
28

29 HUD is aware of some limitations of the HUD-provided data, especially for rural areas, and for
30 small geographies such as those where many QPHAs are often located. As such, local data and
31 local knowledge, including information gathered from community participation, including from the
32 Resident Advisory Board, may be particularly useful in addressing the questions below.
33

34 The QPHA analysis is offered only for the purposes of submitting the service area/jurisdictional
35 analysis of a QPHA collaborating with a local government. If the QPHA analysis does not meet the
36 standards for an acceptable AFH, then HUD may decide not to accept the AFH with respect to the
37 QPHA and accept the local government assessment. By collaborating with a QPHA, the local
38 government is not making itself responsible for carrying out the QPHA portion of the assessment
39 nor accountable for AFH goals that are specifically designated as QPHA goals, unless the local
40 government and QPHA have joint goals.
41

42 If the local government and QPHA believe the QPHA insert provided in this assessment tool is not
43 beneficial for the purposes of conducting the required analysis for the QPHA, they may exclude
44 this set of questions from their analysis, provided the main assessment tool questions are completed
45 for the QPHA. All program participants are accountable for the analysis conducted at the
46 jurisdictional and regional levels as well as any joint goals and priorities. Program participants are
47 also accountable for their individual analysis, goals, and priorities. (See § 5.156(a)(3).) For

1 example, in a joint collaboration involving a local government and two QPHAs, the local
2 government may conduct certain parts of the joint analysis and the QPHAs may conduct other
3 parts, provided all necessary parts are completed. HUD believes it is best left to the program
4 participants in a joint or regional collaboration to decide how their individual expertise may best
5 contribute to a joint or regional AFH, provided it is consistent with the AFFH rule.

6 Segregation/Integration

7 For question 1, refer to Maps 1, 2, 3 and 4. Local data and local knowledge, including information
8 obtained through the community participation process, will be particularly useful in answering the
9 question. Program participants may refer to the instructions for the Segregation section of the main
10 assessment tool for additional information related to the maps and tables.

11 R/ECAPs

12 For question 2, refer to Maps 1 and 2, and Table 4. Local data and local knowledge, including
13 information obtained through the community participation process, will be particularly useful in
14 answering the question. Program participants may refer to the instructions for the R/ECAPs
15 section of the main assessment tool for additional information related to the maps and tables.

16 Disparities in Access to Opportunity

17 For question 3, refer to Maps 9-15. Local data and local knowledge, including information
18 obtained through the community participation process, will be particularly useful in answering the
19 question. Program participants may refer to the instructions for the Disparities in Access to
20 Opportunity section of the main assessment tool for additional information related to the maps and
21 tables.

22 Disproportionate Housing Needs

23 For question 4, refer to Tables 9 and 10 Local data and local knowledge, including information
24 obtained through the community participation process, will be particularly useful in answering the
25 question. Program participants may refer to the instructions for the Disproportionate Housing
26 Needs section of the main assessment tool for additional information related to the maps and tables.

27 Publicly Supported Housing

28 For question 5.a., refer to [HUD-provided table/map]. Local data and local knowledge, including
29 information obtained through the community participation process, will be particularly useful in
30 answering the question. Program participants may refer to the instructions for the Demographics
31 subsection of the Publicly Supported Housing section of the main assessment tool for additional
32 information related to the maps and tables.

33 For question 5.b.i., refer to Maps 5 and 6. Local data and local knowledge, including information
34 obtained through the community participation process, will be particularly useful in answering the
35 question. Program participants may refer to the instructions for the Segregation and R/ECAPs
36 subsection of the Publicly Supported Housing section of the main assessment tool for additional
37 information related to the maps and tables.

38 For question 5.b.ii., refer to Table 7. Local data and local knowledge, including information
39 obtained through the community participation process, will be particularly useful in answering the

1 question. Program participants may refer to the instructions for the Segregation and R/ECAPs
2 subsection of the Publicly Supported Housing section of the main assessment tool for additional
3 information related to the maps and tables.

4 For question 5.b.iii., refer to Table 8 and the Map 5 Query Tool. Local data and local knowledge,
5 including information obtained through the community participation process, will be particularly
6 useful in answering the question. Program participants may refer to the instructions for the
7 Segregation and R/ECAPs subsection of the Publicly Supported Housing section of the main
8 assessment tool for additional information related to the maps and tables.

9 For question 5.c., refer to Maps 9-15. Local data and local knowledge, including information
10 obtained through the community participation process, will be particularly useful in answering the
11 question. Program participants may refer to the instructions for the Disparities in Access to
12 Opportunity subsection of the Publicly Supported Housing section of the main assessment tool for
13 additional information related to the maps and tables.

14 For question 5.d.i., refer to [HUD-provided table with PHA demographics] and Tables 9 and 10
15 with information on Disproportionate Housing Needs. For question 6.d.ii., refer to Table 11. Local
16 data and local knowledge, including information obtained through the community participation
17 process, will be particularly useful in answering the question. Program participants may refer to
18 the instructions for the Disproportionate Housing Needs subsection of the Publicly Supported
19 Housing section of the main assessment tool for additional information related to the maps and
20 tables.

21 For question 5.e., local data and local knowledge, including information obtained through the
22 community participation process, will be particularly useful.

23 For question 5.f., local data and local knowledge, including information obtained through the
24 community participation process, will be particularly useful.

25 Disability and Access

26 For questions 6.a., refer to Maps 16-17. For questions 6.a-c., local data and local knowledge,
27 including information obtained through the community participation process, will be particularly
28 useful in answering the question. Program participants may refer to the instructions for the
29 Disability and Access section of the main assessment tool for additional information related to the
30 maps and tables.

31 Fair Housing Enforcement

32 For question 7, local data and local knowledge, including information obtained through the
33 community participation process, will be particularly useful in answering the question. Program
34 participants may refer to the instructions for the Fair Housing Enforcement section of the main
35 assessment tool for additional information related to the maps and tables.

36 Additional QPHA Information

37 For question 8, local data and local knowledge, including information obtained through the
38 community participation process, will be particularly useful in answering the question.

39 **G. Instructions for Small Program Participant Insert B**

1 As the rule makes clear, when collaborating to submit a joint or regional AFH, program
2 participants may divide work as they choose. However, this assessment tool provides a potential
3 division of work for either: (1) A local government that received a CDBG grant of \$500,000 or less
4 in the most recent fiscal year prior to the due date for the joint or regional AFH collaborates with a
5 local government that received a CDBG grant larger than \$500,000 in the most recent fiscal year
6 prior to the due date for the joint or region AFH; or (2) A HOME consortia whose members
7 collectively received less than \$500,000 in CDBG funds or received no CDBG funding partners
8 with a with a local government that received a CDBG grant larger than \$500,000 in the most recent
9 fiscal year prior to the due date for the joint or region AFH.

10
11 Program participants that collaborate with such local governments may use either this insert or the
12 main portion of the assessment tool to analyze the local government's jurisdiction. This insert is
13 also intended to reduce burden for small program participants by providing a streamlined set of
14 questions for their jurisdiction. If the collaboration elects to this division of work, this insert needs
15 to be completed for each collaborating small program participant. Additionally, the regional
16 portion of the small program participant's analysis is expected to be fulfilled by the lead entity's
17 analysis of the entire CBSA, provided the local government's region falls within the scope of
18 analysis conducted in the main portion of this assessment tool. For purposes of this assessment
19 tool, the small program participant's region is defined as the CBSA, if the local government is
20 within the CBSA.

21
22 HUD is aware of the data limitations of the HUD-provided data, especially for rural areas, and for
23 small geographies such as those where many small program participants are often located. As
24 such, local data and local knowledge, including information gathered from community
25 participation, will be particularly useful in answering questions.

26
27 This analysis is offered only for the purposes of submitting the jurisdictional analysis of a small
28 program participant collaborating with a local government that receives more than \$500,000 in
29 CDBG funding. If the small program participant's analysis does not meet the standards for an
30 acceptable AFH, then HUD may decide not to accept the AFH with respect to the small program
31 participant and accept as to the local government serving as the lead entity's assessment. By
32 collaborating with a small program participant, the local government serving as the lead entity is
33 not making itself responsible for carrying out the small program participant's portion of the
34 assessment nor accountable for AFH goals that are specifically designated as small program
35 participant goals, unless the local government serving as the lead entity and small program
36 participant have joint goals.

37
38 If the local government serving as the lead entity and the small program participant believe the
39 small program participant insert provided in this assessment tool is not beneficial for the purposes
40 of conducting the required analysis, they may exclude this set of questions from their analysis and
41 complete the questions in the main assessment tool instead for all program participant jurisdictions
42 and regions. All program participants are accountable for the analysis conducted at the
43 jurisdictional and regional level as well as any joint goals and priorities. Program participants are
44 also accountable for their individual analysis, goals, and priorities. (See § 5.156(a)(3).) For
45 example, in a regional collaboration involving two local governments and a small program
46 participant, the local government may conduct certain parts of the joint analysis and the small
47 program participants may conduct other parts, provided all necessary parts are completed. HUD
48 believes it is best left to the program participants in a joint or regional collaboration to decide how
49 their individual expertise may best contribute to a joint or regional AFH, provided it is consistent
50 with the AFFH rule.

1 Demographics

2 For question 1, refer to Tables 1 and 2. Local data and local knowledge, including information
3 obtained through the community participation process, will be particularly useful in answering the
4 question. Program participants may refer to the instructions for the Demographics section of the
5 main assessment tool for additional information related to the maps and tables.

6 Segregation/Integration

7 For question 2, refer to Maps 1, 2, 3 and 4. Local data and local knowledge, including information
8 obtained through the community participation process, will be particularly useful in answering the
9 question. Program participants may refer to the instructions for the Segregation section of the main
10 assessment tool for additional information related to the maps and tables.

11 R/ECAPs

12 For question 3, refer to Maps 1 and 2, and Table 4. Local data and local knowledge, including
13 information obtained through the community participation process, will be particularly useful in
14 answering the question. Program participants may refer to the instructions for the R/ECAPs
15 section of the main assessment tool for additional information related to the maps and tables.

16 Disparities in Access to Opportunity

17 For question 4, refer to Table 12 and Maps 9-15. Local data and local knowledge, including
18 information obtained through the community participation process, will be particularly useful in
19 answering the question. Program participants may refer to the instructions for the Disparities in
20 Access to Opportunity section of the main assessment tool for additional information related to the
21 maps and tables.

22 Disproportionate Housing Needs

23 For question 5, refer to Tables 9 and 10. Local data and local knowledge, including information
24 obtained through the community participation process, will be particularly useful in answering the
25 question. Program participants may refer to the instructions for the Disproportionate Housing
26 Needs section of the main assessment tool for additional information related to the maps and tables.

27 Publicly Supported Housing

28 For question 6.a., refer to Table 6. Local data and local knowledge, including information obtained
29 through the community participation process, will be particularly useful in answering the question.
30 Program participants may refer to the instructions for the Demographics subsection of the Publicly
31 Supported Housing section of the main assessment tool for additional information related to the
32 maps and tables.

33 For question 6.b.i., refer to Maps 5 and 6. Local data and local knowledge, including information
34 obtained through the community participation process, will be particularly useful in answering the
35 question. Program participants may refer to the instructions for the Segregation and R/ECAPs
36 subsection of the Publicly Supported Housing section of the main assessment tool for additional
37 information related to the maps and tables.

1 For question 6.b.ii., refer to Table 7. Local data and local knowledge, including information
2 obtained through the community participation process, will be particularly useful in answering the
3 question. Program participants may refer to the instructions for the Segregation and R/ECAPs
4 subsection of the Publicly Supported Housing section of the main assessment tool for additional
5 information related to the maps and tables.

6 For question 6.b.iii., refer to Table 8 and the Map 5 Query Tool. Local data and local knowledge,
7 including information obtained through the community participation process, will be particularly
8 useful in answering the question. Program participants may refer to the instructions for the
9 Segregation and R/ECAPs subsection of the Publicly Supported Housing section of the main
10 assessment tool for additional information related to the maps and tables.

11 For question 6.c., refer to Maps 9-15. Local data and local knowledge, including information
12 obtained through the community participation process, will be particularly useful in answering the
13 question. Program participants may refer to the instructions for the Disparities in Access to
14 Opportunity subsection of the Publicly Supported Housing section of the main assessment tool for
15 additional information related to the maps and tables.

16 For question 6.d.i., refer to Tables 9 and 10. For question 6.d.ii., refer to Table 11. Local data and
17 local knowledge, including information obtained through the community participation process, will
18 be particularly useful in answering the question. Program participants may refer to the instructions
19 for the Disproportionate Housing Needs subsection of the Publicly Supported Housing section of
20 the main assessment tool for additional information related to the maps and tables.

21 For question 6.e., refer to Map 5 and Table 6. Local data and local knowledge, including
22 information obtained through the community participation process, will be particularly useful.

23 Disability and Access

24 For questions 7.a., refer to Maps 15-17. For questions a-c., Local data and local knowledge,
25 including information obtained through the community participation process, will be particularly
26 useful in answering the question. Program participants may refer to the instructions for the
27 Disability and Access section of the main assessment tool for additional information related to the
28 maps and tables.

29 Fair Housing Enforcement

30 For question 8, local data and local knowledge, including information obtained through the
31 community participation process, will be particularly useful in answering the question. Program
32 participants may refer to the instructions for the Fair Housing Enforcement section of the main
33 assessment tool for additional information related to the maps and tables.

34 Additional QPHA Information

35 For question 9, local data and local knowledge, including information obtained through the
36 community participation process, will be particularly useful in answering the question.

37 **Part VI: Fair Housing Goals and Priorities**

38 To answer question (1), use the contributing factors selected in prior sections and prioritize them.
39 In prioritizing contributing factors, program participants shall give the highest priority to those

1 factors that limit or deny fair housing choice or access to opportunity, or negatively impact fair
 2 housing or civil rights compliance. Provide a justification for the prioritization of the factors. Also
 3 describe the prioritization method used. For example, if using a 1 through 5 ranking system,
 4 identify whether 1 or 5 reflects the highest priority.

5 Note that contributing factors may be outside the ability of program participants to directly control
 6 or influence. In such cases, those factors must be included in the prioritization. There still may be
 7 policy options or goals that program participants should identify, while recognizing the limitations
 8 involved.

9 For question (2), set one or more goals to address each fair housing issue with significant
 10 contributing factors. For each goal, program participants must identify one or more contributing
 11 factors that the goal is designed to address, describe how the goal relates to overcoming the
 12 identified contributing factor(s) and related fair housing issue, and identify metrics and milestones
 13 for determining what fair housing results will be achieved. For instance, where segregation in a
 14 development or geographic area is determined to be a fair housing issue, with at least one
 15 significant contributing factor, HUD would expect the AFH to include one or more goals to reduce
 16 the segregation.

17 In answering question (2), use the table provided. Provide at least one goal addressing each fair
 18 housing issue. In the “Goals” column, state the goal that is being set. In the “Contributing
 19 Factors” column, identify the contributing factors the goal is designed to overcome. In the “Fair
 20 Housing Issues” column, identify the related fair housing issues the goal is designed to address. In
 21 the “Metrics and Milestones” column, identify the metrics and milestones program participants will
 22 use for determining what fair housing results will be achieved and a timeframe for achievement.
 23 Finally, in the “Discussion” row, provide an explanation of how the goal being set is going to
 24 address the contributing factors and related fair housing issues. For program participants
 25 submitting jointly, denote which program participant is responsible for each particular goal. If
 26 program participants are setting joint goals, explain the responsibilities of each program participant
 27 with respect to the joint goal. Please note that the number of goals is not limited by the table
 28 provided. Program participants are encouraged to set more goals than the table allows for
 29 currently.⁵

30 While the statutory duty to affirmatively further fair housing requires program participants to
 31 affirmatively further fair housing, the final rule does not mandate specific outcomes for the
 32 planning process. Instead, recognizing the importance of local decision-making, the analysis
 33 conducted in the AFH is meant to help guide public sector housing and community development
 34 planning and investment decisions in being better informed about fair housing concerns and
 35 consequently help program participants to be better positioned to fulfill their obligation to
 36 affirmatively further fair housing.

37 Program participants should note that the strategies and actions, and the specifics of funding
 38 decisions, subject to the consolidated plan, PHA plan, or other applicable planning process are not
 39 required to be in the AFH. However, the goals set by program participants will factor into these
 40 planning processes. These goals will form the basis for strategies and actions in the subsequent
 41 planning documents. As stated in the regulatory text at 24 C.F.R. § 5.150, “a program participant’s
 42 strategies and actions must affirmatively further fair housing and may include various activities,
 43 such as developing affordable housing, and removing barriers to the development of such housing,
 44 in areas of high opportunity; strategically enhancing access to opportunity, including through

1 ⁵ HUD anticipates that the online user interface that is currently under development will allow for program
 2 participants to set as many goals as a program participant wishes.

1 targeted investment in neighborhood revitalization or stabilization; through preservation or
2 rehabilitation of existing affordable housing; promoting greater housing choice within or outside
3 areas of concentrated poverty and access to areas of high opportunity; and improving community
4 assets such as quality schools, employment, and transportation.” Goals addressing fair housing
5 choice may include, for example, enhanced mobility options that afford access to areas of high
6 opportunity.

7 **Certification and Submission**

8 Please note, for a joint or regional AFH, each collaborating program participant must authorize a
9 representative to sign the certification on the program participant's behalf. In a joint or regional
10 AFH, when responding to each question, collaborating program participants may provide joint
11 analyses and individual analyses. The authorized representative of each program participant
12 certifies only to information the program participant provides individually or jointly in response to
13 each question in the assessment. The authorized representative does not certify for information
14 applicable only to other collaborating program participants' analyses, if any.

APPENDIX A – HUD-Provided Maps

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- Map 1 Race/Ethnicity** – Current (2010) race/ethnicity dot density map for Jurisdiction and Region with R/ECAPs
- Map 2 Race/Ethnicity Trends** – Past (1990 and 2000) race/ethnicity dot density maps for Jurisdiction and Region with R/ECAPs
- Map 3 National Origin** – Current 5 most populous national origin groups dot density map for Jurisdiction and Region with R/ECAPs
- Map 4 LEP** – LEP persons by 5 most populous languages dot density map for Jurisdiction and Region with R/ECAPs
- Map 5 Publicly Supported Housing and Race/Ethnicity** – Public Housing, Project-Based Section 8, Other Multifamily, and LIHTC locations mapped with race/ethnicity dot density map with R/ECAPs, distinguishing categories of publicly supported housing by color, for the Jurisdiction and Region
- Map 6 Housing Choice Vouchers and Race/Ethnicity** – Housing Choice Vouchers with race/ethnicity dot density map and R/ECAPs, for the Jurisdiction and Region
- Map 7 Housing Burden and Race/Ethnicity** – Households experiencing one or more housing burdens in Jurisdiction and Region with race/ethnicity dot density map and R/ECAPs
- Map 8 Housing Burden and National Origin** – Households experiencing one or more housing burdens in Jurisdiction and Region with national origin dot density map and R/ECAPs
- Map 9 Demographics and School Proficiency** – School proficiency thematic map for Jurisdiction and Region with race/ethnicity, national origin, and familial status maps and R/ECAPs
- Map 10 Demographics and Job Proximity** – Job proximity thematic map for Jurisdiction and Region with race/ethnicity, national origin, and familial status maps and R/ECAPs
- Map 11 Demographics and Labor Market Engagement** – Labor engagement thematic map for Jurisdiction and Region with race/ethnicity, national origin, and familial status maps and R/ECAPs
- Map 12 Demographics and Transit Trips** – Transit proximity thematic map for Jurisdiction and Region with race/ethnicity, national origin, and familial status maps and R/ECAPs

- 1 **Map 13 Demographics and Low Transportation Costs** – Low transportation cost
2 thematic map for Jurisdiction and Region with race/ethnicity, national origin, and familial
3 status maps and R/ECAPs

- 4 **Map 14 Demographics and Poverty** – Low poverty thematic map for Jurisdiction and
5 Region with race/ethnicity, national origin, and familial status maps and R/ECAPs

- 6 **Map 15 Demographics and Environmental Health** – Environmental health thematic
7 map for Jurisdiction and Region with race/ethnicity, national origin, and familial status
8 maps with R/ECAPs

- 9 **Map 16 Disability by Type** – Population of persons with disabilities dot density map by
10 persons with vision, hearing, cognitive, ambulatory, self-care, and independent living
11 difficulties with R/ECAPs for Jurisdiction and Region

- 12 **Map 17 Disability by Age Group** – All persons with disabilities by age range (5-17; 18-
13 64; and 65+) dot density map with R/ECAPs for Jurisdiction and Region

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APPENDIX B – HUD-Provided Tables

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3 **Table 1 Demographics** – Tabular demographic data for Jurisdiction and Region
4 (including total population, the number and percentage of persons by race/ethnicity,
5 national origin (10 most populous), LEP (10 most populous), disability (by disability type),
6 sex, age range (under 18, 18-64, 65+), and households with children)

7 **Table 2 Demographic Trends** – Tabular demographic trend data for Jurisdiction and
8 Region (including the number and percentage of persons by race/ethnicity, total national
9 origin (foreign born), total LEP, sex, age range (under 18, 18-64, 65+), and households
10 with children)

11 **Table 3 Racial/Ethnic Dissimilarity** – Tabular race/ethnicity dissimilarity index for
12 Jurisdiction and Region

13 **Table 4 R/ECAP Demographics** – Tabular data for the percentage of racial/ethnic groups,
14 families with children, and national origin groups (10 most populous) for the Jurisdiction
15 and Region who reside in R/ECAPs

16 **Table 5 Publicly Supported Housing Units by Program Category** – Tabular data for
17 total units by 4 categories of publicly supported housing in the Jurisdiction (Public
18 Housing, Project-Based Section 8, Other Multifamily, Housing Choice Voucher (HCV)
19 Program) for the Jurisdiction

20 **Table 6 Publicly Supported Housing Residents by Race/Ethnicity** – Tabular
21 race/ethnicity data for 4 categories of publicly supported housing (Public Housing, Project-
22 Based Section 8, Other Multifamily, HCV) in the Jurisdiction compared to the population
23 as a whole, and to persons earning 30% AMI, in the Jurisdiction

24 **Table 7 R/ECAP and Non-R/ECAP Demographics by Publicly Supported Housing**
25 **Program Category** – Tabular data on publicly supported housing units and R/ECAPs for
26 the Jurisdiction

27 **Table 8 Demographics of Publicly Supported Housing Developments by Program**
28 **Category** – Development level demographics by Public Housing, Project-Based Section 8,
29 and Other Multifamily⁶ for the Jurisdiction

30 **Table 9 Demographics of Households with Disproportionate Housing Needs** – Tabular
31 data of total households in the Jurisdiction and Region and the total number and percentage
32 of households experiencing one or more housing burdens by race/ethnicity and family size
33 in the Jurisdiction and Region

34 **Table 10 Demographics of Households with Severe Housing Cost Burden** – Tabular
35 data of the total number of households in the Jurisdiction and Region and the number and

1 ⁶ Please note that, for the first year, census tract level demographic data in which publicly supported housing
2 developments are located, also including LIHTC developments, are available through the AFFH Data and
3 Mapping Tool which includes a data query function and ability to export tables.

1 percentage of households experiencing severe housing burdens by race/ethnicity for the
2 Jurisdiction and Region

3 **Table 11 Publicly Supported Housing by Program Category: Units by Number of**
4 **Bedrooms and Number of Children** – Tabular data on the number of bedrooms for units
5 of 4 categories of publicly supported housing (Public Housing, Project-Based Section 8,
6 Other Multifamily, HCV) for the Jurisdiction

7 **Table 12 Opportunity Indicators by Race/Ethnicity** – Tabular data of opportunity
8 indices for school proficiency, jobs proximity, labor-market engagement, transit trips, low
9 transportation costs, low poverty, and environmental health for the Jurisdiction and Region
10 by race/ethnicity and among households below the Federal poverty line.

11 **Table 13 Disability by Type** – Tabular data of persons with vision, hearing, cognitive,
12 ambulatory, self-care, and independent living disabilities for the Jurisdiction and Region

13 **Table 14 Disability by Age Group** – Tabular data of persons with disabilities by age
14 range (5-17, 18-64, and 65+) for the Jurisdiction and Region

15 **Table 15 Disability by Publicly Supported Housing Program Category** – Tabular data
16 on disability and publicly supported housing for the Jurisdiction and Region

17

1 **APPENDIX C – Contributing Factors Descriptions**

2

3 **Access to financial services**

4 The term “financial services” refers here to economic services provided by a range of quality
5 organizations that manage money, including credit unions, banks, credit card companies, and
6 insurance companies. These services would also include access to credit financing for mortgages,
7 home equity, and home repair loans. Access to these services includes physical access - often
8 dictated by the location of banks or other physical infrastructure - as well as the ability to obtain
9 credit, insurance or other key financial services. Access may also include equitable treatment in
10 receiving financial services, including equal provision of information and equal access to mortgage
11 modifications. For purposes of this contributing factor, financial services do not include predatory
12 lending including predatory foreclosure practices, storefront check cashing, payday loan services,
13 and similar services. Gaps in banking services can make residents vulnerable to these types of
14 predatory lending practices, and lack of access to quality banking and financial services may
15 jeopardize an individual’s credit and the overall sustainability of homeownership and wealth
16 accumulation.

17 **Access to proficient schools that are accessible for persons with disabilities**

18 Individuals with disabilities may face unique barriers to accessing proficient schools. In some
19 jurisdictions, some school facilities may not be accessible or may only be partially accessible to
20 individuals with different types of disabilities (often these are schools built before the enactment of
21 the ADA or the Rehabilitation Act of 1973). In general, a fully accessible building is a building
22 that complies with all of the ADA's requirements and has no barriers to entry for persons with
23 mobility impairments. It enables students and parents with physical or sensory disabilities to
24 access and use all areas of the building and facilities to the same extent as students and parents
25 without disabilities, enabling students with disabilities to attend classes and interact with students
26 without disabilities to the fullest extent. In contrast, a partially accessible building allows for
27 persons with mobility impairments to enter and exit the building, access all relevant programs, and
28 have use of at least one restroom, but the entire building is not accessible and students or parents
29 with disabilities may not access areas of the facility to the same extent as students and parents
30 without disabilities. In addition, in some instances school policies steer individuals with certain
31 types of disabilities to certain facilities or certain programs or certain programs do not
32 accommodate the disability-related needs of certain students.

33 **Access to publicly supported housing for persons with disabilities**

34 The lack of a sufficient number of accessible units or lack of access to key programs and services
35 poses barriers to individuals with disabilities seeking to live in publicly supported housing. For
36 purposes of this assessment, publicly supported housing refers to housing units that are subsidized
37 by federal, state, or local entities. “Accessible housing” refers to housing that accords individuals
38 with disabilities equal opportunity to use and enjoy a dwelling. The concept of “access” here
39 includes physical access for individuals with different types of disabilities (for example, ramps and
40 other accessibility features for individuals with mobility impairments, visual alarms and signals for
41 individuals who are deaf or hard of hearing, and audio signals, accessible signage, and other
42 accessibility features for individuals who are blind or have low vision), as well as the provision of
43 auxiliary aids and services to provide effective communication for individuals who are deaf or hard
44 of hearing, are blind or have low vision, or individuals who have speech impairments. The concept
45 of “access” here also includes programmatic access, which implicates such policies as application
46 procedures, waitlist procedures, transfer procedures and reasonable accommodation procedures.

1 **Access to transportation for persons with disabilities**

2 Individuals with disabilities may face unique barriers to accessing transportation, including both
3 public and private transportation, such as buses, rail services, taxis, and para-transit. The term
4 “access” in this context includes physical accessibility, policies, physical proximity, cost, safety,
5 reliability, etc. It includes the lack of accessible bus stops, the failure to make audio
6 announcements for persons who are blind or have low vision, and the denial of access to persons
7 with service animals. The absence of or clustering of accessible transportation and other
8 transportation barriers may limit the housing choice of individuals with disabilities.

9 **Admissions and occupancy policies and procedures, including preferences in publicly**
10 **supported housing**

11 The term “admissions and occupancy policies and procedures” refers here to the policies and
12 procedures used by publicly supported housing providers that affect who lives in the housing,
13 including policies and procedures related to marketing, advertising vacancies, applications, tenant
14 selection, assignment, and maintained or terminated occupancy. Procedures that may relate to fair
15 housing include, but are not limited to:

- 16 • Admissions preferences (e.g. residency preference, preferences for local workforce, etc.)
- 17 • Application, admissions, and waitlist policies (e.g. in-person application requirements,
18 rules regarding applicant acceptance or rejection of units, waitlist time limitations, first
19 come first serve, waitlist maintenance, etc.).
- 20 • Income thresholds for new admissions or for continued eligibility.
- 21 • Designations of housing developments (or portions of developments) for the elderly and/or
22 persons with disabilities.
- 23 • Occupancy limits.
- 24 • Housing providers’ policies for processing reasonable accommodations and modifications
25 requests.
- 26 • Credit or criminal record policies.
- 27 • Eviction policies and procedures.

28 **The availability of affordable units in a range of sizes**

29 The provision of affordable housing is often important to individuals with certain protected
30 characteristics because groups are disproportionately represented among those who would benefit
31 from low-cost housing. What is “affordable” varies by circumstance, but an often used rule of
32 thumb is that a low- or moderate-income family can afford to rent or buy a decent-quality dwelling
33 without spending more than 30 percent of its income. This contributing factor refers to the
34 availability of units that a low- or moderate-income family could rent or buy, including one-
35 bedroom units and multi-bedroom units for larger families. When considering availability,
36 consider transportation costs, school quality, and other important factors in housing choice.
37 Whether affordable units are available with a greater number of bedrooms and in a range of
38 different geographic locations may be a particular barrier facing families with children.

39 **The availability, type, frequency, and reliability of public transportation**

40 Public transportation is shared passenger transport service available for use by the general public,
41 including buses, light rail, and rapid transit. Public transportation includes paratransit services for
42 persons with disabilities. The availability, type, frequency, and reliability of public transportation
43 affect which households are connected to community assets and economic opportunities.
44 Transportation policies that are premised upon the use of a personal vehicle may impact public
45 transportation. “Availability” as used here includes geographic proximity, cost, safety and
46 accessibility, as well as whether the transportation connects individuals to places they need to go
47 such as jobs, schools, retail establishments, and healthcare. “Type” refers to method of

1 transportation such as bus or rail. “Frequency” refers to the interval at which the transportation
 2 runs. “Reliability” includes such factors as an assessment of how often trips are late or delayed, the
 3 frequency of outages, and whether the transportation functions in inclement weather.

4 **Community opposition**

5 The opposition of community members to proposed or existing developments—including housing
 6 developments, affordable housing, publicly supported housing (including use of housing choice
 7 vouchers), multifamily housing, or housing for persons with disabilities—is often referred to as
 8 “Not in my Backyard,” or NIMBY-ism. This opposition is often expressed in protests, challenges
 9 to land-use requests or zoning waivers or variances, lobbying of decision-making bodies, or even
 10 harassment and intimidation. Community opposition can be based on factual concerns (concerns
 11 are concrete and not speculative, based on rational, demonstrable evidence, focused on measurable
 12 impact on a neighborhood) or can be based on biases (concerns are focused on stereotypes,
 13 prejudice, and anxiety about the new residents or the units in which they will live). Community
 14 opposition, when successful at blocking housing options, may limit or deny housing choice for
 15 individuals with certain protected characteristics.

16 **Deteriorated and abandoned properties**

17 The term “deteriorated and abandoned properties” refers here to residential and commercial
 18 properties unoccupied by an owner or a tenant, which are in disrepair, unsafe, or in arrears on real
 19 property taxes. Deteriorated and abandoned properties may be signs of a community’s distress and
 20 disinvestment and are often associated with crime, increased risk to health and welfare, plunging
 21 decreasing property values, and municipal costs. The presence of multiple unused or abandoned
 22 properties in a particular neighborhood may have resulted from mortgage or property tax
 23 foreclosures. The presence of such properties can raise serious health and safety concerns and may
 24 also affect the ability of homeowners with protected characteristics to access opportunity through
 25 the accumulation of home equity. Demolition without strategic revitalization and investment can
 26 result in further deterioration of already damaged neighborhoods.

27 **Displacement of residents due to economic pressures**

28 The term “displacement” refers here to a resident’s undesired departure from a place where an
 29 individual has been living. “Economic pressures” may include, but are not limited to, rising rents,
 30 rising property taxes related to home prices, rehabilitation of existing structures, demolition of
 31 subsidized housing, loss of affordability restrictions, and public and private investments in
 32 neighborhoods. Such pressures can lead to loss of existing affordable housing in areas
 33 experiencing rapid economic growth and a resulting loss of access to opportunity assets for lower
 34 income families that previously lived there. Where displacement disproportionately affects persons
 35 with certain protected characteristic, the displacement of residents due to economic pressures may
 36 exacerbate patterns of residential segregation.

37 **Impediments to mobility**

38 The term “impediments to mobility” refers here to barriers faced by individuals and families when
 39 attempting to move to a neighborhood or area of their choice, especially integrated areas and areas
 40 of opportunity. This refers to both Housing Choice Vouchers and other public and private housing
 41 options. Many factors may impede mobility, including, but not limited to:

- 42 • Lack of quality mobility counseling. Mobility counseling is designed to assist families in
 43 moving from high-poverty to low-poverty neighborhoods that have greater access to
 44 opportunity assets appropriate for each family (e.g. proficient schools for families with
 45 children or effective public transportation.). Mobility counseling can include a range of

1 options including, assistance for families for “second moves” after they have accessed
2 stable housing, and ongoing post-move support for families.

- 3 • Lack of appropriate payment standards, including exception payment standards to the
4 standard fair market rent (FMR). Because FMRs are generally set at the 40th percentile of
5 the metropolitan-wide rent distribution, some of the most desirable neighborhoods do not
6 have a significant number of units available in the FMR range. Exception payment
7 standards are separate payment standard amounts within the basic range for a designated
8 part of an FMR area. Small areas FMRs, which vary by zip code, may be used in the
9 determination of potential exception payment standard levels to support a greater range of
10 payment standards.
- 11 • Jurisdictional fragmentation among multiple providers of publicly supported housing that
12 serve single metropolitan areas and lack of regional cooperation mechanisms, including
13 PHA jurisdictional limitations.
- 14 • HCV portability issues that prevent a household from using a housing assistance voucher
15 issued in one jurisdiction when moving to another jurisdiction where the program is
16 administered by a different local PHA.
- 17 • Lack of a consolidated waitlist for all assisted housing available in the metropolitan area.
- 18 • Discrimination based on source of income, including SSDI, Housing Choice Vouchers, or
19 other tenant-based rental assistance.

20 **Inaccessible buildings, sidewalks, pedestrian crossings, or other infrastructure**

21 Many public buildings, sidewalks, pedestrian crossings, or other infrastructure components are
22 inaccessible to individuals with disabilities including persons with mobility impairments,
23 individuals who are deaf or hard of hearing, and persons who are blind or have low vision. These
24 accessibility issues can limit realistic housing choice for individuals with disabilities.
25 Inaccessibility is often manifest by the lack of curb cuts, lack of ramps, and the lack of audible
26 pedestrian signals. While the Americans with Disabilities Act and related civil rights laws
27 establish accessibility requirements for infrastructure, these laws do not apply everywhere and/or
28 may be inadequately enforced.

29 **Inaccessible government facilities or services**

30 Inaccessible government facilities and services may pose a barrier to fair housing choice for
31 individuals with disabilities by limiting access to important community assets such as public
32 meetings, social services, libraries, and recreational facilities. Note that the concept of accessibility
33 includes both physical access (including to websites and other forms of communication) as well as
34 policies and procedures. While the Americans with Disabilities Act and related civil rights laws
35 require that newly constructed and altered government facilities, as well as programs and services,
36 be accessible to individuals with disabilities, these laws may not apply in all circumstances and/or
37 may be inadequately enforced.

38 **Lack of affordable, accessible housing in a range of unit sizes**

39 What is “affordable” varies by circumstance, but an often used rule of thumb is that a low- or
40 moderate-income family can afford to rent or buy a decent-quality dwelling without spending more
41 than 30 percent of its income. For purposes of this assessment, “accessible housing” refers to
42 housing that accords individuals with disabilities equal opportunity to use and enjoy a dwelling.
43 Characteristics that affect accessibility may include physical accessibility of units and public and
44 common use areas of housing, as well as application procedures, such as first come first serve
45 waitlists, inaccessible websites or other technology, denial of access to individuals with assistance
46 animals, or lack of information about affordable accessible housing. The clustering of affordable,
47 accessible housing with a range of unit sizes may also limit fair housing choice for individuals with
48 disabilities.

1 **Lack of affordable in-home or community-based supportive services**

2 The term “in-home or community-based supportive services” refers here to medical and other
 3 supportive services available for targeted populations, such as individuals with mental illnesses,
 4 cognitive or developmental disabilities, and/or physical disabilities in their own home or
 5 community (as opposed to in institutional settings). Such services include personal care, assistance
 6 with housekeeping, transportation, in-home meal service, integrated adult day services and other
 7 services (including, but not limited to, medical, social, education, transportation, housing,
 8 nutritional, therapeutic, behavioral, psychiatric, nursing, personal care, and respite). They also
 9 include assistance with activities of daily living such as bathing, dressing, eating, and using the
 10 toilet, shopping, managing money or medications, and various household management activities,
 11 such as doing laundry. Public entities must provide services to individuals with disabilities in
 12 community settings rather than institutions when: 1) such services are appropriate to the needs of
 13 the individual; 2) the affected persons do not oppose community-based treatment; and 3)
 14 community-based services can be reasonably accommodated, taking into account the resources
 15 available to the public entity and the needs of others who are receiving disability-related services
 16 from the entity. Assessing the cost and availability of these services is also an important
 17 consideration, including the role of state Medicaid agencies. The outreach of government entities
 18 around the availability of community supports to persons with disabilities in institutions may
 19 impact these individuals’ knowledge of such supports and their ability to transition to community-
 20 based settings.

21 **Lack of affordable, integrated housing for individuals who need supportive services**

22 What is “affordable” varies by the circumstances affecting the individual, and includes the cost of
 23 housing and services taken together. Integrated housing is housing where individuals with
 24 disabilities can live and interact with persons without disabilities to the fullest extent possible. In
 25 its 1991 rulemaking implementing Title II of the ADA, the U.S. Department of Justice defined “the
 26 most integrated setting appropriate to the needs of qualified individuals with disabilities” as “a
 27 setting that enables individuals with disabilities to interact with nondisabled persons to the fullest
 28 extent possible.” By contrast, segregated settings are occupied exclusively or primarily by
 29 individuals with disabilities. Segregated settings sometimes have qualities of an institutional
 30 nature, including, but not limited to, regimentation in daily activities, lack of privacy or autonomy,
 31 policies limiting visitors, limits on individuals’ ability to engage freely in community activities and
 32 manage their own activities of daily living, or daytime activities primarily with other individuals
 33 with disabilities. For purposes of this tool “supportive services” means medical and other
 34 voluntary supportive services available for targeted populations groups, such as individuals with
 35 mental illnesses, intellectual or developmental disabilities, and/or physical disabilities, in their own
 36 home or community (as opposed to institutional settings). Such services may include personal
 37 care, assistance with housekeeping, transportation, in-home meal service, integrated adult day
 38 services and other services. They also include assistance with activities of daily living such as
 39 bathing, dressing, and using the toilet, shopping, managing money or medications, and various
 40 household management activities, such as doing laundry.

41 **Lack of assistance for housing accessibility modifications**

42 The term “housing accessibility modification” refers here to structural changes made to existing
 43 premises, occupied or to be occupied by a person with a disability, in order to afford such person
 44 full enjoyment and use of the premises. Housing accessibility modifications can include structural
 45 changes to interiors and exteriors of dwellings and to common and public use areas. Under the Fair
 46 Housing Act, landlords are required by fair housing laws to permit certain reasonable modifications
 47 to a housing unit, but are not required to pay for the modification unless the housing provider is a
 48 recipient of Federal financial assistance and therefore subject to Section 504 of the Rehabilitation
 49 Act or is covered by the Americans with Disabilities Act (in such cases the recipient must pay for

1 the structural modification as a reasonable accommodation for an individual with disabilities).
 2 However, the cost of these modifications can be prohibitively expensive. Jurisdictions may
 3 consider establishing a modification fund to assist individuals with disabilities in paying for
 4 modifications or providing assistance to individuals applying for grants to pay for modifications.

5 **Lack of assistance for transitioning from institutional settings to integrated housing**

6 The integration mandate of the ADA and *Olmstead v. L.C.*, 527 U.S. 581 (1999) (*Olmstead*)
 7 compels states to offer community-based health care services and long-term services and supports
 8 for individuals with disabilities who can live successfully in housing with access to those services
 9 and supports. In practical terms, this means that states must find housing that enables them to
 10 assist individuals with disabilities to transition out of institutions and other segregated settings and
 11 into the most integrated setting appropriate to the needs of each individual with a disability. A
 12 critical consideration in each state is the range of housing options available in the community for
 13 individuals with disabilities and whether those options are largely limited to living with other
 14 individuals with disabilities, or whether those options include substantial opportunities for
 15 individuals with disabilities to live and interact with individuals without disabilities. For further
 16 information on the obligation to provide integrated housing opportunities, please refer to HUD's
 17 Statement on the Role of Housing in Accomplishing the Goals of *Olmstead*, the U.S. Department
 18 of Justice's Statement on *Olmstead* Enforcement, as well as the U.S. Department of Health and
 19 Human Services' Centers for Medicare and Medicaid Services final rule and regulations regarding
 20 Home and Community-Based Setting requirements. Policies that perpetuate segregation may
 21 include: inadequate community-based services; reimbursement and other policies that make needed
 22 services unavailable to support individuals with disabilities in mainstream housing; conditioning
 23 access to housing on willingness to receive supportive services; incentivizing the development or
 24 rehabilitation of segregated settings. Policies or practices that promote community integration may
 25 include: the administration of long-term State or locally-funded tenant-based rental assistance
 26 programs; applying for funds under the Section 811 Project Rental Assistance Demonstration;
 27 implementing special population preferences in the HCV and other programs; incentivizing the
 28 development of integrated supportive housing through the LIHTC program; ordinances banning
 29 housing discrimination on the basis of source of income; coordination between housing and
 30 disability services agencies; increasing the availability of accessible public transportation.

31 **Lack of community revitalization strategies**

32 The term "community revitalization strategies" refers here to realistic planned activities to improve
 33 the quality of life in areas that lack public and private investment, services and amenities, have
 34 significant deteriorated and abandoned properties, or other indicators of community distress.
 35 Revitalization can include a range of activities such as improving housing, attracting private
 36 investment, creating jobs, and expanding educational opportunities or providing links to other
 37 community assets. Strategies may include such actions as rehabilitating housing; offering
 38 economic incentives for housing developers/sponsors, businesses (for commercial and employment
 39 opportunities), bankers, and other interested entities that assist in the revitalization effort; and
 40 securing financial resources (public, for-profit, and nonprofit) from sources inside and outside the
 41 jurisdiction to fund housing improvements, community facilities and services, and business
 42 opportunities in neighborhoods in need of revitalization. When a community is being revitalized,
 43 the preservation of affordable housing units can be a strategy to promote integration.

44 **Lack of local private fair housing outreach and enforcement**

45 The term "local private fair housing outreach and enforcement" refers to outreach and enforcement
 46 actions by private individuals and organizations, including such actions as fair housing education,
 47 conducting testing, bring lawsuits, arranging and implementing settlement agreements. A lack of
 48 private enforcement is often the result of a lack of resources or a lack of awareness about rights

1 under fair housing and civil rights laws, which can lead to under-reporting of discrimination,
 2 failure to take advantage of remedies under the law, and the continuation of discriminatory
 3 practices. Activities to raise awareness may include technical training for housing industry
 4 representatives and organizations, education and outreach activities geared to the general public,
 5 advocacy campaigns, fair housing testing and enforcement.

6 **Lack of local public fair housing enforcement**

7 The term “local public fair housing enforcement” refers here to enforcement actions by State and
 8 local agencies or non-profits charged with enforcing fair housing laws, including testing, lawsuits,
 9 settlements, and fair housing audits. A lack of enforcement is a failure to enforce existing
 10 requirements under state or local fair housing laws. This may be assessed by reference to the
 11 nature, extent, and disposition of housing discrimination complaints filed in the jurisdiction.

12 **Lack of private investment in specific neighborhoods**

13 The term “private investment” refers here to investment by non-governmental entities, such as
 14 corporations, financial institutions, individuals, philanthropies, and non-profits, in housing and
 15 community development infrastructure. Private investment can be used as a tool to advance fair
 16 housing, through innovative strategies such as mixed-use developments, targeted investment, and
 17 public-private partnerships. Private investments may include, but are not limited to: housing
 18 construction or rehabilitation; investment in businesses; the creation of community amenities, such
 19 as recreational facilities and providing social services; and economic development of the
 20 neighborhoods that creates jobs and increase access to amenities such as grocery stores,
 21 pharmacies, and banks. It should be noted that investment solely in housing construction or
 22 rehabilitation in areas that lack other types of investment may perpetuate fair housing issues.
 23 While “private investment” may include many types of investment, to achieve fair housing
 24 outcomes such investments should be strategic and part of a comprehensive community
 25 development strategy.

26 **Lack of public investment in specific neighborhoods, including services or amenities**

27 The term “public investment” refers here to the money government spends on housing and
 28 community development, including public facilities, infrastructure, and services. Services and
 29 amenities refer to services and amenities provided by local or state governments. These services
 30 often include sanitation, water, streets, schools, emergency services, social services, parks and
 31 transportation. Lack of or disparities in the provision of municipal and state services and amenities
 32 have an impact on housing choice and the quality of communities. Inequalities can include, but are
 33 not limited to disparity in physical infrastructure (such as whether or not roads are paved or
 34 sidewalks are provided and kept up); differences in access to water or sewer lines, trash pickup, or
 35 snow plowing. Amenities can include, but are not limited to recreational facilities, libraries, and
 36 parks. Variance in the comparative quality and array of municipal and state services across
 37 neighborhoods impacts fair housing choice.

38 **Lack of regional cooperation**

39 The term “regional cooperation” refers here to formal networks or coalitions of organizations,
 40 people, and entities working together to plan for regional development. Cooperation in regional
 41 planning can be a useful approach to coordinate responses to identified fair housing issues and
 42 contributing factors because fair housing issues and contributing factors not only cross multiple
 43 sectors—including housing, education, transportation, and commercial and economic development
 44—but these issues are often not constrained by political-geographic boundaries. When there are
 45 regional patterns in segregation or R/ECAP, access to opportunity, disproportionate housing needs,
 46 or the concentration of affordable housing there may be a lack of regional cooperation and fair
 47 housing choice may be restricted.

1 **Lack of resources for fair housing agencies and organizations**

2 A lack of resources refers to insufficient resources for public or private organizations to conduct
 3 fair housing activities including testing, enforcement, coordination, advocacy, and awareness-
 4 raising. Fair housing testing has been particularly effective in advancing fair housing, but is rarely
 5 used today because of costs. Testing refers to the use of individuals who, without any bona fide
 6 intent to rent or purchase a home, apartment, or other dwelling, pose as prospective buyers or
 7 renters of real estate for the purpose of gathering information, which may indicate whether a
 8 housing provider is complying with fair housing laws. “Resources” as used in this factor can be
 9 either public or private funding or other resources. Consider also coordination mechanisms
 10 between different enforcement actors.

11 **Lack of Source of income protection**

12 This contributing factor refers to the lack of protection for renters from refusal by housing
 13 providers to accept tenants based on type of income. This type of discrimination often occurs
 14 against individuals receiving assistance payments such as Supplemental Security Income (SSI) or
 15 other disability income, social security or other retirement income, or tenant-based rental
 16 assistance, including Housing Choice Vouchers. Refusal to accept some sources of income
 17 discrimination may significantly limit fair housing choice for individuals with certain protected
 18 characteristics. Legislation to eliminate of source of income discrimination and the acceptance of
 19 payment for housing, regardless of source or type of income, may increase fair housing choice and
 20 access to opportunity.

21 **Lack of state or local fair housing laws**

22 State and local fair housing laws are important to fair housing outcomes. Consider laws that are
 23 comparable or “substantially equivalent” to the Fair Housing Act or other relevant federal laws
 24 affecting fair housing laws, as well as those that include additional protections. Examples of state
 25 and local laws affecting fair housing include legislation banning source of income discrimination,
 26 protections for individuals based on sexual orientation, age, survivors of domestic violence, or
 27 other characteristics, mandates to construct affordable housing, and site selection policies. Also
 28 consider changes to existing State or local fair housing laws, including the proposed repeal or
 29 dilution of such legislation.

30 **Land use and zoning laws**

31 The term “land use and zoning laws” generally refers to regulation by State or local government of
 32 the use of land and buildings, including regulation of the types of activities that may be conducted,
 33 the density at which those activities may be performed, and the size, shape and location of
 34 buildings and other structures or amenities. Zoning and land use laws affect housing choice by
 35 determining where housing is built, what type of housing is built, who can live in that housing, and
 36 the cost and accessibility of the housing. Examples of such laws and policies include, but are not
 37 limited to:

- 38 • Limits on multi-unit developments, which may include outright bans on multi-unit
- 39 developments or indirect limits such as height limits and minimum parking requirements.
- 40 • Minimum lot sizes, which require residences to be located on a certain minimum sized
- 41 area of land.
- 42 • Occupancy restrictions, which regulate how many persons may occupy a property and,
- 43 sometimes, the relationship between those persons (refer also to occupancy codes and
- 44 restrictions for further information).
- 45 • Lack of inclusionary zoning practices that mandate or incentivize the creation of
- 46 affordable units.

- 1 • Requirements for special use permits for all multifamily properties or multifamily
- 2 properties serving individuals with disabilities.
- 3 • Growth management ordinances.
- 4 • Restriction or allowance of provision of services to persons experiencing homelessness,
- 5 such as limiting transitional shelters, day shelters, soup kitchens, the provision of other
- 6 services, or limitations on homeless persons' access areas that are open to the public (e.g.,
- 7 anti-loitering or nuisance ordinances).

8 **Lending Discrimination**

9 The term "lending discrimination" refers here to unequal treatment based on protected class in the
 10 receipt of financial services and in residential real estate related transactions. These services and
 11 transactions encompass a broad range of transactions, including but not limited to: the making or
 12 purchasing of loans or other financial assistance for purchasing, constructing, improving, repairing,
 13 or maintaining a dwelling, as well as the selling, brokering, or appraising or residential real estate
 14 property. Discrimination in these transaction includes, but is not limited to: refusal to make a
 15 mortgage loan or refinance a mortgage loan; refusal to provide information regarding loans or
 16 providing unequal information; imposing different terms or conditions on a loan, such as different
 17 interest rates, points, or fees; discriminating in appraising property; refusal to purchase a loan or set
 18 different terms or conditions for purchasing a loan; discrimination in providing other financial
 19 assistance for purchasing, constructing, improving, repairing, or maintaining a dwelling or other
 20 financial assistance secured by residential real estate; and discrimination in foreclosures and the
 21 maintenance of real estate owned properties.

22 **Location of accessible housing**

23 The location of accessible housing can limit fair housing choice for individuals with disabilities.
 24 For purposes of this assessment, accessible housing refers to housing opportunities in which
 25 individuals with disabilities have equal opportunity to use and enjoy a dwelling. Characteristics
 26 that affect accessibility may include physical accessibility of units and public and common use
 27 areas of housing, as well as application procedures, such as first come first serve waitlists,
 28 inaccessible websites or other technology, denial of access to individuals with assistance animals,
 29 or lack of information about affordable accessible housing. Federal, state, and local laws apply
 30 different accessibility requirements to housing. Generally speaking, multifamily housing built in
 31 1991 or later must have accessibility features in units and in public and common use areas for
 32 persons with disabilities in accordance with the requirements of the Fair Housing Act. Housing
 33 built by recipients of Federal financial assistance or by, on behalf of, or through programs of public
 34 entities must have accessibility features in units and in public and common use areas, but the level
 35 of accessibility required may differ depending on when the housing was constructed or altered.
 36 Single-family housing is generally not required to be accessible by Federal law, except
 37 accessibility requirements typically apply to housing constructed or operated by a recipient of
 38 Federal financial assistance or a public entity. State and local laws differ regarding accessibility
 39 requirements. An approximation that may be useful in this assessment is that buildings built before
 40 1992 tend not to be accessible.

41 **Location of employers**

42 The geographic relationship of job centers and large employers to housing, and the linkages
 43 between the two (including, in particular, public transportation) are important components of fair
 44 housing choice. Include consideration of the type of jobs available, variety of jobs available, job
 45 training opportunities, benefits and other key aspects that affect job access.

46 **Location of environmental health hazards**

47 The geographic relationship of environmental health hazards to housing is an important component

1 of fair housing choice. When environmental health hazards are concentrated in particular areas,
 2 neighborhood health and safety may be compromised and patterns of segregation entrenched.
 3 Environmental issues affecting health can include access to safe and clean drinking water, soil
 4 contamination, excessive air pollution, and indoor health hazards (lead based paint, radon, mold,
 5 asbestos). Relevant factors to consider include the type and number of hazards, the degree of
 6 concentration or dispersion (including in older housing stock), and health effects such as asthma,
 7 cancer clusters, obesity, etc. Additionally, industrial siting policies and incentives for the location
 8 of housing may be relevant to this factor.

9 **Location of proficient schools and school assignment policies**

10 The geographic relationship of proficient schools to housing, and the policies that govern
 11 attendance, are important components of fair housing choice. The quality of schools is often a
 12 major factor in deciding where to live and school quality is also a key component of economic
 13 mobility. Relevant factors to consider include whether proficient schools are clustered in a portion
 14 of the jurisdiction or region, the range of housing opportunities close to proficient schools, and
 15 whether the jurisdiction has policies that enable students to attend a school of choice regardless of
 16 place of residence. Policies to consider include, but are not limited to: inter-district transfer
 17 programs, limits on how many students from other areas a particular school will accept, and
 18 enrollment lotteries that do not provide access for the majority of children.

19 **Location and type of affordable housing**

20 Affordable housing includes, but is not limited to publicly supported housing; however, each
 21 category of publicly supported housing often serves different income-eligible populations at
 22 different levels of affordability. What is “affordable” varies by circumstance, but an often used
 23 rule of thumb is that a low- or moderate-income family can afford to rent or buy a decent-quality
 24 dwelling without spending more than 30 percent of its income. The location of housing
 25 encompasses the current location as well as past siting decisions. The location of affordable
 26 housing can limit fair housing choice, especially if the housing is located in segregated areas,
 27 R/ECAPs, or areas that lack access to opportunity. The type of housing (whether the housing
 28 primarily serves families with children, elderly persons, or persons with disabilities) can also limit
 29 housing choice, especially if certain types of affordable housing are located in segregated areas,
 30 R/ECAPs, or areas that lack access to opportunity, while other types of affordable housing are not.
 31 The provision of affordable housing is often important to individuals with protected characteristics
 32 because they are disproportionately represented among those that would benefit from low-cost
 33 housing.

34 **Occupancy codes and restrictions**

35 The term “occupancy codes and restrictions” refers here to State and local laws, ordinances, and
 36 regulations that regulate who may occupy a property and, sometimes, the relationship between
 37 those persons. Standards for occupancy of dwellings and the implication of those standards for
 38 persons with certain protected characteristics may affect fair housing choice. Occupancy codes and
 39 restrictions include, but are not limited to:

- 40 • Occupancy codes with “persons per square foot” standards.
- 41 • Occupancy codes with “bedrooms per persons” standards.
- 42 • Restrictions on number of unrelated individuals in a definition of “family.”
- 43 • Restrictions on occupancy to one family in single family housing along with a restricted
 44 definition of “family.”
- 45 • Restrictions that directly or indirectly affect occupancy based on national origin, religion,
 46 or any other protected characteristic.
- 47 • Restrictions on where voucher holders can live.

- 1 • Restriction or allowance of provision of housing or services to persons experiencing
2 homelessness, such as limiting transitional shelters, day shelters, soup kitchens, or other
3 provision of services

4 **Private Discrimination**

5 The term “private discrimination” refers here to discrimination in the private housing market that is
6 illegal under the Fair Housing Act or related civil rights statutes. This may include, but is not
7 limited to, discrimination by landlords, property managers, home sellers, real estate agents, lenders,
8 homeowners’ associations, and condominium boards. Some examples of private discrimination
9 include:

- 10 • Refusal of housing providers to rent to individuals because of a protected characteristic.
- 11 • The provision of disparate terms, conditions, or information related to the sale or rental of a
12 dwelling to individuals with protected characteristics.
- 13 • Steering of individuals with protected characteristics by a real estate agent to a particular
14 neighborhood or area at the exclusion of other areas.
- 15 • Failure to grant a reasonable accommodation or modification to persons with disabilities.
- 16 • Prohibitions, restrictions, or limitations on the presence or activities of children within or
17 around a dwelling.

18 Useful references for the extent of private discrimination may be number and nature of complaints
19 filed against housing providers in the jurisdiction, testing evidence, and unresolved violations of
20 fair housing and civil rights laws.

21 **Quality of affordable housing information programs**

22 The term “affordable housing information programs” refers here to the provision of information
23 related to affordable housing to potential tenants and organizations that serve potential tenants,
24 including the maintenance, updating, and distribution of the information. This information
25 includes: but is not limited to, listings of affordable housing opportunities or local landlords who
26 accept Housing Choice Vouchers; mobility counseling programs; and community outreach to
27 potential beneficiaries. The quality of such information relates to, but is not limited to:

- 28 • How comprehensive the information is (e.g. that the information provided includes a
29 variety of neighborhoods, including those with access to opportunity indicators)
- 30 • How up-to-date the information is (e.g. that the publicly supported housing entity is taking
31 active steps to maintain, update and improve the information).
- 32 • Pro-active outreach to widen the pool of participating rental housing providers, including
33 both owners of individual residences and larger rental management companies.

34 **Regulatory barriers to providing housing and supportive services for persons with disabilities**

35 Some local governments require special use permits for or place other restrictions on housing and
36 supportive services for persons with disabilities, as opposed to allowing these uses as of right.
37 These requirements sometimes apply to all groups of unrelated individuals living together or to
38 some subset of unrelated individuals. Such restrictions may include, but are not limited to,
39 dispersion requirements or limits on the number of individuals residing together. Because special
40 use permits require specific approval by local bodies, they can enable community opposition to
41 housing for persons with disabilities and lead to difficulty constructing this type of units in areas of
42 opportunity or anywhere at all. Other restrictions that limit fair housing choice include
43 requirements that life-safety features appropriate for large institutional settings be installed in
44 housing where supportive services are provided to one or more individuals with disabilities. Note
45 that the Fair Housing Act makes it unlawful to utilize land use policies or actions that treat groups

1 of persons with disabilities less favorably than groups of persons without disabilities, to take
 2 action against, or deny a permit, for a home because of the disability of individuals who live or
 3 would live there, or to refuse to make reasonable accommodations in land use and zoning policies
 4 and procedures where such accommodations may be necessary to afford persons or groups of
 5 persons with disabilities an equal opportunity to use and enjoy housing.

6 **Siting selection policies, practices and decisions for publicly supported housing, including**
 7 **discretionary aspects of Qualified Allocation Plans and other programs**

8 The term “siting selection” refers here to the placement of new publicly supported housing
 9 developments. Placement of new housing refers to new construction or acquisition with
 10 rehabilitation of previously unsubsidized housing. State and local policies, practices, and decisions
 11 can significantly affect the location of new publicly supported housing. Local policies, practices,
 12 and decisions that may influence where developments are sited include, but are not limited to, local
 13 funding approval processes, zoning and land use laws, local approval of LIHTC applications, and
 14 donations of land and other municipal contributions. For example, for LIHTC developments, the
 15 priorities and requirements set out in the governing Qualified Allocation Plan (QAP) influence
 16 where developments are located through significant provisions in QAPs such as local veto or
 17 support requirements and criteria and points awarded for project location.

18 **Source of income discrimination**

19 The term “source of income discrimination” refers here to the refusal by a housing provider to
 20 accept tenants based on type of income. This type of discrimination often occurs against
 21 individuals receiving assistance payments such as Supplemental Security Income (SSI) or other
 22 disability income, social security or other retirement income, or tenant-based rental assistance,
 23 including Housing Choice Vouchers. Source of income discrimination may significantly limit fair
 24 housing choice for individuals with certain protected characteristics. The elimination of source of
 25 income discrimination and the acceptance of payment for housing, regardless of source or type of
 26 income, increases fair housing choice and access to opportunity.

27 **State or local laws, policies, or practices that discourage individuals with disabilities from**
 28 **being placed in or living in apartments, family homes, and other integrated settings**

29 State and local laws, policies, or practices may discourage individuals with disabilities from
 30 moving to or being placed in integrated settings. Such laws, policies, or practices may include
 31 medical assistance or social service programs that require individuals to reside in institutional or
 32 other segregated settings in order to receive services, a lack of supportive services or affordable,
 33 accessible housing, or a lack of access to transportation, education, or jobs that would enable
 34 persons with disabilities to live in integrated, community-based settings.

35 **Unresolved violations of fair housing or civil rights law**

36 Unresolved violations of fair housing and civil rights laws include determinations or adjudications
 37 of a violation or relevant laws that have not been settled or remedied. This includes determinations
 38 of housing discrimination by an agency, court, or Administrative Law Judge; findings of
 39 noncompliance by HUD or state or local agencies; and noncompliance with fair housing settlement
 40 agreements.