



Fair Housing: Fundamental to Family Health, and Elusive

by Samantha Morton – CEO, MLPB
and Salin Geevarghese – Senior Fellow, Center
for the Study of Social Policy

September 14, 2020

This is a challenging time for progress on *equitable, inclusive, fair housing* in our country.

If you're unfamiliar with this term of art, "fair housing" – sometimes known as "equal opportunity housing" – refers to the ability to access housing without experiencing unlawful discrimination. This principle underlies the 1968 Fair Housing Act, which codified many important policy reforms necessary to reverse long-standing residential segregation.

Sounds intuitive, right? But fair housing remains aspirational. Just this summer, [a study was released](#) demonstrating that Boston renters face "[high levels of discrimination based on race and voucher status](#)." This is alarming given growing recognition of the links between residential segregation and susceptibility to infectious diseases like COVID-19. And the well-documented [links between residential segregation and worse child health outcomes](#).

One of us – [Salin](#) – served in the Obama Administration in 2015 when HUD issued a new regulation to implement the Fair Housing Act's *affirmatively furthering fair housing (AFFH)* requirements. The regulatory "re-fresh" offered stronger guidance for municipalities (cities, counties, states, and public housing agencies) on how they could "[take] meaningful actions to overcome historic patterns of segregation, promote fair housing choice, and foster inclusive communities that are free from discrimination."

The AFFH promised to be a powerful lever for system change at the state and local level. However, as [Salin described](#) during [MLPB's annual event](#) on May 13, 2020, the public comments submitted in connection with the proposed regulatory revision were dominated by “racist screed.” This was a precursor to the racism that revealed itself in the 2016 Presidential campaign and stoked xenophobic fears. Now, in lead-up to the 2020 election, these harmful messages are being amplified, through for example the [Administration's recent statements about how fair housing regulations will be used to destroy the “suburbs.”](#) Suburbs once were havens of white flight and past creations of discriminatory federal housing policy. Ironically, the suburbs have increasingly become more diverse.

The other of us – [Samantha](#) – has led MLPB's participation in pioneering research that tests the power of integrating civil rights problem-solving education within communities of care. This research is demonstrating that this fundamental kind of problem-solving – including proactive identification of families' legal rights to non-discrimination in housing, and related legal remedies – is critical to [accelerate family access to concrete support](#) and to [improve child health and reduce caregiver stress](#). The national [DULCE](#) Learning Network is further demonstrating that this kind of health-promoting, household-level legal rights enforcement can [translate into important reform at the system and policy level](#).

The housing policy landscape in 2020 is dismal from an equity and inclusion perspective. So far this year, the federal government has:

- Terminated [the AFFH rule altogether](#), meaning that local housing policymakers have no framework for designing more equitable and inclusive communities
- Through HUD, proposed to [authorize homeless shelters to turn away transgender people from single-sex shelters](#), privileging biology over gender identity
- Through the Department of Homeland Security, [implemented a new Public Charge rule](#) that discourages immigrant households from applying for federal subsidized housing for which they may be eligible

Collectively, these policy shifts disadvantage Black and Latinx families, families of color, and marginalized youth in profound ways. And all of this is happening against the backdrop of staggering [pandemic-worsened material hardship](#) (losses of employment, income, housing, and more) that is creating an “[avalanche](#)” of evictions nation-wide. These hardships – including but not limited to evictions – are also playing out in ways that exacerbate racial injustice as well as the [prevalence of adverse childhood experiences](#).

We together ask: Will Americans always live separately, [continuing a harmful status quo with long and deep roots in American housing policy](#)? Or will we tackle health-

harming NIMBYism through zoning reform and [strategies that promote strong mixed-income communities](#)?

Will we fulfill the promise of the American civil rights movement in relation to surging demands for system disruption that will deliver greater equity, justice and opportunity? Segregation is not destiny. It has been our past, and there are powerful forces arrayed to preserve it into the future. However, we must work to create equitable, inclusive, healthier communities where everyone can prosper and belong. It will take courage to prioritize fair, equitable, and inclusive housing for all.

Do we have the courage to create what [Michele Norris has described as a *New Better*](#) instead of a *New Normal*?