



June 10, 2021

HCV PROGRAM NEWS

HUD Updates Emergency Housing Vouchers FAQs

The Department of Housing and Urban Development ([HUD](#)) has updated the frequently asked questions ([FAQs](#)) on Emergency Housing Vouchers ([EHVs](#)). Updated and new questions are flagged as such in this new version, dated June 9, 2021.

Funding for EHV was appropriated under the American Rescue Plan Act of 2021. Through EHV, HUD is providing 70,000 housing choice vouchers to local PHAs to assist individuals and families who are experiencing or at risk of experiencing homelessness, fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, or human trafficking, or who were recently homeless or have a high risk of housing instability.

You can find the FAQs and other EHV resources on [this page](#) at HUD's website.

GENERAL NEWS

HUD Publishes AFFH Interim Final Rule

Today in the *Federal Register*, HUD's Office of Fair Housing and Equal Opportunity ([FHEO](#)) published an [interim final rule](#) to restore certain definitions and certifications from the 2015 Affirmatively Further Fair Housing ([AFFH](#)) rule. It also rescinds the "[Preserving Neighborhood and Community Choice](#)" rule issued in 2020, which repealed the original 2015 AFFH rule.

As stated in the interim final rule, program participants must certify that they will comply with their obligation of affirmatively furthering fair housing when required by statutes or regulations governing HUD programs. *Affirmatively furthering fair housing* is defined as "taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with racially balanced living patterns, transforming racially or ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws."

While the interim final rule does not require program participants to undertake any specific type of fair housing planning to support their certifications, it provides notice that HUD will once again offer technical support and other assistance for jurisdictions that wish to undertake an Assessment of Fair Housing (AFH), an Analysis of Impediments (AI), or other forms of fair housing planning.

Since some of the 2015 rule's definitions may not be applicable absent the obligation to conduct an AFH or AI, HUD is not reinstating all definitions from the 2015 AFFH rule. Instead, the Department is promulgating only those that are applicable and in force under the interim final rule. The definitions include: "Affirmatively Furthering Fair Housing," "Disability," "Fair Housing Choice," "Housing Programs Serving Specified Populations," "Integration," "Meaningful Actions," "Racially or Ethnically Concentrated Areas of Poverty," "Segregation," and "Significant Disparities in Opportunity."

The interim final rule goes into effect on July 31, 2021; however, HUD is soliciting comments so that it may consider public views before the effective date. The due date for comments is **July 12, 2021**. HUD anticipates issuing a separate rulemaking process to build on and improve the processes set forth in the 2015 AFFH rule.



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