

Assessment of Fair Housing Advocate Participation Checklist*

Getting Started

- ✓ Find out if your particular locality is required to submit an AFH.
 - If not, you can still participate in the State AFH process, or in your public housing authority (PHA) AFH process.
- ✓ Figure out the submission due date(s) for your local government (if applicable), state, or PHA.
- ✓ Determine whether your local government or PHA is submitting its own AFH, or whether it is participating in a combined AFH (known as a joint or regional AFH).
 - Depending on what type of submission your jurisdiction or PHA is making, the required questions may change. The required questions are included in the AFH Assessment Tool. Ultimately, there will be four different Assessment Tools, and so it is important for advocates to identify the Tool that the jurisdiction or PHA will be using to complete its assessment.
 - A local government or PHA entering into a combined AFH could affect the submission due date.
- ✓ Review prior planning documents to identify ongoing problems.
 - For local governments and states, such plans may include (but are not limited to): Analyses of Impediments; Consolidated Plans, Annual Action Plans; Citizen Participation Plans; planning documents related to transportation, education, the environment, etc.
 - For PHAs, such plans may include (but are not limited to): PHA Plans (Annual and Five-Year Plans); Admissions and Continued Occupancy Plans; Administrative Plans; Language Assistance Plans.
- ✓ Connect early! Tell your jurisdiction and/or PHA that you would like to be involved in the AFH process.
- ✓ Find out if your local government has an updated Citizen Participation Plan.
 - If not, evaluate the old plan and suggest improvements.
 - Advocate for the local government to go above and beyond what is required in terms of participation (i.e., number of hearings, length of comment periods, etc.).
- ✓ Engage in coalition building with advocates who work in a variety of issue areas (education, labor, environmental justice), to both inform them of this process and share information resources such as relevant data.
 - In addition to other advocates who work in various issue areas, organizations that conduct research, such as local universities, may be helpful resources for relevant local data.

Participating in the Process

- ✓ Engage your local government/state/PHA both before and while the AFH is drafted.
- ✓ Review the draft AFH with an eye towards problematic practices, circumstances, and policies that create or perpetuate fair housing barriers and systemic inequities.

* This checklist was created by the National Housing Law Project. If you have questions or comments, please contact Renee Williams, rwilliams@nhlp.org.

- ✓ Determine whether the information used to inform the draft AFH accurately reflects your community, region, or state; provide local data or local knowledge to provide necessary context for the AFH process.
- ✓ Attend meetings or hearings about the AFH, and help promote these meetings/hearings within your networks.
- ✓ Submit comments and provide feedback on the AFH, particularly the identification of “contributing factors” (e.g., problematic practices, circumstances, or policies that create or perpetuate fair housing problems), and the proposed goals to overcome these practices, circumstances, and policies.
- ✓ Ensure that the goals proposed in the AFH are meaningful, specific, and have metrics/milestones to measure progress.

Policies and Practices to Consider Raising During the AFH Process

To the extent that the following policies and practices serve as a barrier to fair housing choice and access to opportunity for those groups protected by the Fair Housing Act, the items on the following lists may be relevant to a particular AFH. For example, advocates could submit comments or feedback asking the jurisdiction or the PHA to identify a particular policy or practice as a “contributing factor” for one or more fair housing issues in the AFH. This list is not exhaustive, and whether a particular policy or practice is relevant to an AFH is fact-specific.

Jurisdictions

- ✓ Exclusionary zoning
- ✓ Criminal history screening policies by private housing providers
- ✓ Failure by private housing providers to provide reasonable accommodations
- ✓ Policies that discriminate against families with children (e.g., no playing rules)
- ✓ Environmental hazards (lead paint, air toxins, etc.) that impact communities of color, persons with disabilities, families with children
- ✓ Occupancy standards that discriminate against families with children
- ✓ School admissions or assignment policies that exclude members of protected classes
- ✓ Discrimination in lending
- ✓ Lack of investment in underserved neighborhoods
- ✓ Public opposition to the construction of affordable housing
- ✓ Lack of local fair housing protections
- ✓ Unequal municipal services and infrastructure
- ✓ Affordable housing not being located near reliable public transportation

- ✓ Sex-based housing discrimination, such as discrimination against domestic violence survivors or members of the LGBT community
- ✓ Nuisance ordinances

Public Housing Authorities

- ✓ Source of income discrimination – particularly against Voucher holders
- ✓ PHA failure to provide meaningful language access to LEP clients and applicants
- ✓ Inadequate PHA payment standards in the Housing Choice Voucher program
- ✓ Failure to afford VAWA protections to survivors of domestic violence, dating violence, sexual assault, and stalking
- ✓ Restrictive admissions and occupancy policies
- ✓ Eviction policies
- ✓ Barriers to portability for Voucher families
- ✓ Failure to provide timely reasonable accommodations
- ✓ Fair housing issues arising out of the Rental Assistance Demonstration