

HOUSING MATTERS

Fair Housing, Housing Choice Must Replace Status Quo

Exclusive Suburban Zoning Locks Many Out of Opportunity

BY SUSAN GITTELMAN

SPECIAL TO BANKER & TRADESMAN



It's a divisive time in our country. But now, in addition to immigration, climate change, energy policy, policing and trade, stark differences exist across the political spectrum on housing policy and ultimately who should live in cities and their more affluent suburbs.

None of this is new, but it comes in the context of the COVID-19 pandemic and the Black Lives Matter movement – including the public reckoning of addressing the racial equities in our country.

In 1968, Congress passed the Fair Housing Act. It required federal agencies overseeing housing and finance to eliminate discrimination in housing and communities that were racially segregated.

It outlawed refusing to sell or rent to anyone because of race, color, disability, religion, sex, familial status or national origin. But the law, a central part of the larger Civil Rights Act, didn't have enforcement teeth in it. Even with changes in the '70s through the '90s, it has not created what one sponsor called “truly integrated and balanced living patterns.”

So, 47 years later, President Barack Obama took action. Under a provision known as Affirmatively Furthering Fair Housing, or AFFH, the U.S. Department of Housing and Urban De-

velopment in 2015 required any community receiving federal funds to hunt for bias and create a plan for eliminating barriers to fair housing. Patterns of segregation were to be documented every three to five years and plans to reduce existing segregation created. At stake was considerable federal money, which could be lost to those

is clear, as described by Housing Secretary Ben Carson: “Washington has no business dictating what is best to meet your local community's unique needs”

“The rule they are proposing to repeal was designed to give tools and guidance to cities, counties, states, and Public Housing Authorities to

The withdrawal of AFFH policies at the national level and the stumbling approach to Housing Choices – a good vehicle, if an imperfect one – both limit housing opportunity in favor of the status quo. And both must be made right.

communities that did not comply.

The goal was to unlock housing markets that had long been off limits to low- and moderate-income people – in particular Black and brown families. In the view of organizations like the Alliance for Housing Justice, it served to address the discriminatory policies and practices that relegated many families to neglected neighborhoods of concentrated poverty with poor housing stock, toxic environmental conditions, underfunded schools, dilapidated infrastructure and other problems.

Trump's Intent Clear

Recently President Donald Trump has proceeded with eliminating the AFFH, instead allowing local communities much broader freedom to determine if their policies resulted in discrimination. But the motivation for this act

fulfill their legal mandate under the Fair Housing Act ...” according to an article from the Alliance for Housing Justice. “This disastrous proposal from Ben Carson's HUD would set us back decades in our fight for fair and affordable housing.”

Unfortunately, the apparent motivation is to limit social and racial mobility and maintain our highly segregated status quo.

On July 23, Trump tweeted: “At the request of many great Americans who live in the Suburbs, and others, I am studying the AFFH housing regulation that is having a devastating impact on these once thriving suburban areas...” More recently he went further, tweeting, “I am happy to inform all of the people living their Suburban Lifestyle Dream that you will no longer be bothered or financially hurt by having low income

Continued on Page 2

housing built in your neighborhood.... Your housing prices will go up based on the market, and crime will go down.”

Demand More from Beacon Hill

Coincidentally, housing advocates have been watching a drama play out in Massachusetts over a bill known as “An Act to Promote Housing Choices.”

Local zoning rules now make it difficult to create apartments, townhouses and mixed-use buildings, even though there is strong demand. The act would make it easier to allow homes on

smaller lots, introduce mixed use-zoning and multifamily projects, allow clustered developments and increase density in general.

The subject of considerable debate, Housing Choice would make it easier to win local approvals for much-needed multifamily housing, which is difficult to build because supermajority votes are often required locally. Unfortunately, approving Housing Choice has been elusive since the legislation was first drafted and introduced in 2017.

The withdrawal of AFFH policies at the national level and the stumbling approach to Housing Choice – a good vehicle, if an imperfect one

– both limit housing opportunity in favor of the status quo. And both must be made right.

We are at an inflection point in our public discourse around social and racial equity. Solutions that address our critical housing shortage as well as make progress in achieving our equal opportunity goals must be advanced. We must demand more from our leaders, and do it now. ◀

Susan Gittelman is the executive director of B'nai B'rith Housing, a nonprofit affordable housing developer currently working in Boston, Sudbury, and Swampscott.