

# FAIR HOUSING ASSISTANCE PROGRAM

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A Discussion with HUD: Advancing Fair Housing Enforcement Together



# FHAP 2023 Updates

## FY23 Funding (\$26M)

- **6.5% increase** in Complaint Processing funds and Administrative Costs funds
- \$1.5M in Partnership funds for **education/outreach** and **testing**
- \$1.1M in Special Enforcement Effort funds to **support hybrid work environments** and complex cases

## Updates

**Adding Participants:** Georgia is converting to fully certified; State of Oregon is rejoining

**Implementing *Bostock*:** resolved outstanding issues (withholding cases in 3 jurisdictions)

**Revising Performance Assessment:** improving the PAR template and adding tools to improve quality and consistency of reviews.

# FHAP-Related OIG Audits and Reviews

- **Evaluation on PARS:** OIG is finished its review of five years of PARS (2016 – 2020) and has interviewed HUD and agency staff to evaluate the effectiveness of our review process.
  - ✓ Provide more detailed guidance, update PAR template, more training, more TA on PIPs
  - ✓ Incorporating findings (more guidance and training) into new PAR and Handbook
- **Audit of complaint intake data and jurisdictional determinations** to assist HUD with identifying opportunities to improve its data collection and jurisdiction determination process for inquiries that were not converted into complaints.
  - ✓ OIG began audit/review of an agency (Kentucky) to learn barriers to processing inquiries (will use findings to review SOP for inquiry referrals)
- **Review of Bostock Implementation:** Especially focused on lookback requirement to identify potential closures that should have been flagged for review/opening
  - ✓ Update: discussions with OIG on proposed findings; finalized action plan

# FHAP AND HUD'S MISSION

## FY 2022 – 2026 HUD Strategic Framework

### **Strategic Goal 1: Support Underserved Communities**

Fortify support for underserved communities and support equitable community development for all people.

#### **1A: Advance Housing Justice**

Fortify support for vulnerable populations, underserved communities, and Fair Housing enforcement.

## HUD'S EQUITY ACTION PLAN

Fair Housing and Civil Rights Resources: HUD's action plan responds to the request in EO 13985 as implemented by the Office of Management and Budget to specifically address (1) procurement and (2) resources to the agency's civil rights unit in FHEO.

# Department Updates



- **EO 14058** on *Transforming Federal Customer Experience & Service Delivery To Rebuild Trust in Government*
  - FHAP implementing through creation of survey, enhanced PAR, and available SEE funding
- **AFFH Interim Final Rule** (published in June 2021) providing robust definition of the duty to affirmatively further fair housing, to which many HUD grantees must certify compliance.
  - HUD holding virtual briefing about the notice, and provide information (please share)
- In June, 2021, HUD also published in the Federal Register a notice of proposed rulemaking entitled **Restoring HUD's Discriminatory Effects Standard**.
- Notice of proposed rulemaking considering **revisions to Section 504** requiring accessibility and prohibiting discrimination based on disability in HUD assisted Programs
- **Violence Against Women Reauthorization (VAWA) Act:** provides, among other things, housing protections for survivors of domestic violence, dating violence, sexual assault, and/or stalking. VAWA recently reauthorized and amended to require that HUD implement and enforce VAWA's housing rights consistent with the Act. FHEO is finalizing implementation guidance detailing interim enforcement procedures and requirements.
  - HUD issued new resources for advancing housing protections for survivors ([www.hud.gov/vawa](http://www.hud.gov/vawa) )



# FHAP Areas of Emphasis in FY2024

## **Post-Cause Enforcement Efforts**

**Increase Emphasis** on monitoring results of final disposition.

HEMS: must report back to HUD on the final disposition of enforcement actions

HUD reviewing efficacy of the post-cause supplemental payment

**Reduced Conciliation Closure:** Conciliation rates continue to decrease despite being preferable and subject to additional funds

## **Data Entry – Recording Complaint information in HEMS**

Agencies must input all relevant data and information in a timely manner into HEMS.

Necessary to measure achievements, identify challenges, and manage inventory.

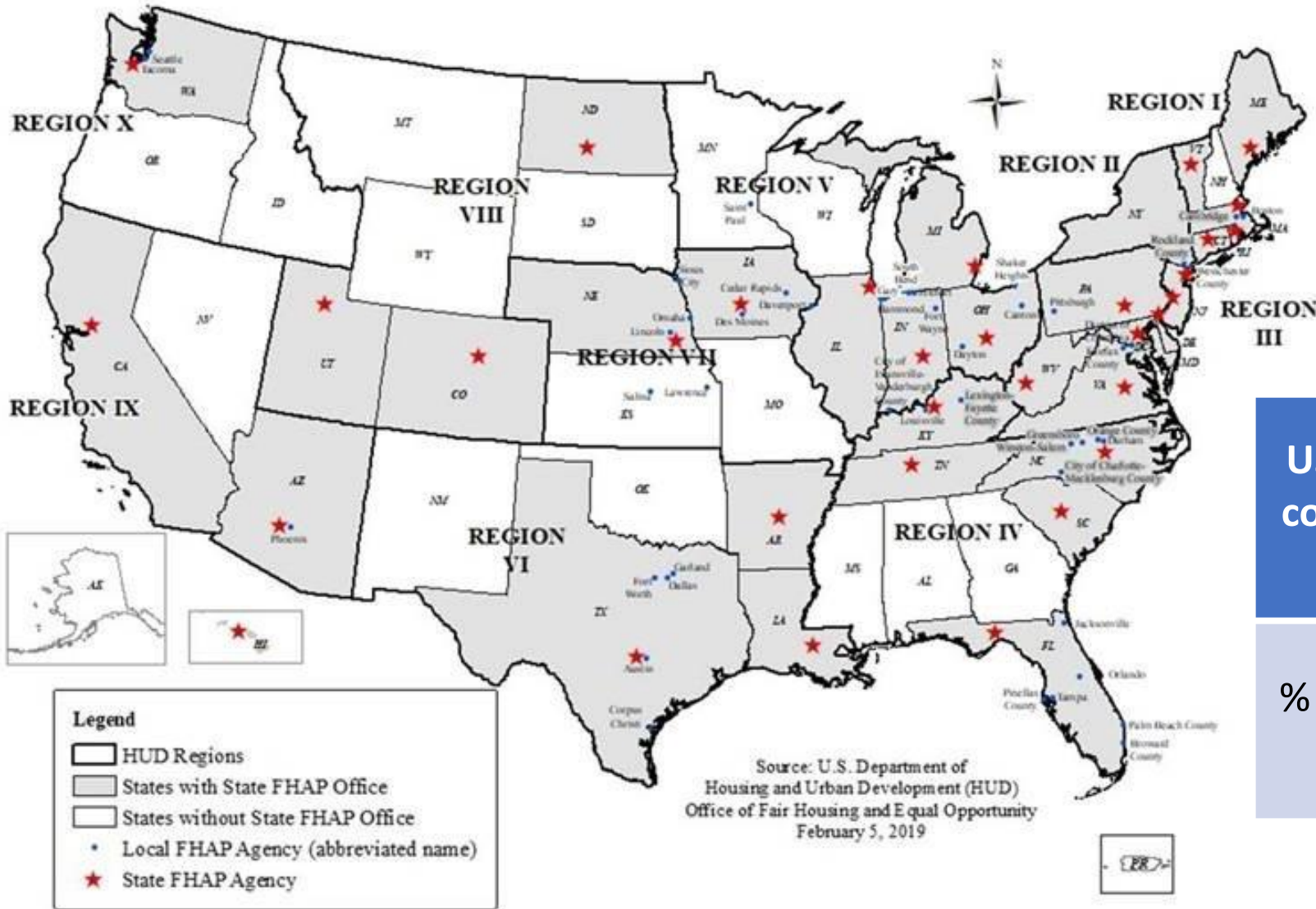
**Emphasis on Customer Service:** esp. triaging of cases, funding for technology and workflows

**Create SOP for Intake Referrals of Inquiries**

# LOOKING AHEAD

- **Strengthening Partnership Together** (creating space for a continuous conversation)
  - **FHIP/FHAP Fair Housing Leadership Conference** | Aug 30-31
    - Listening Session and Office Hours Session
  - Regional Engagement Sessions contemplated
- **Redesigned PAR Template** based on feedback from OIG
  - Adding questions, measures, and developing MicroStrategy reports
  - Making PAR more useful and effective for everyone

# Fair Housing Assistance Program (FHAP) Agencies



US POPULATION covered by FHAP (2021)	283,557,486
% Coverage of US Population	85%



# Expanding our Conversation

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- Strengthening Communication: do you currently regularly meet in your HUD regions with other FHAP and FHIP funded agencies?
- What are key challenges and barriers facing fair housing enforcement agencies in a post-pandemic work environment?
- What additional resources are needed?
- How do we better capture our wins?

## QUESTIONS & TECHNICAL ASSISTANCE

- In addition to your GTR/GTMs, the FHAP Division is also always available for support:
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