

Institute for Policy Integrity

New York University School of Law

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REPORT MAKES RECOMMENDATION FOR FAIR HOUSING REGULATIONS

Improved implementation of Civil Rights-era requirements needed.

NEW YORK—A new [report](#) on implementation of the Fair Housing Act was released today by the Institute for Policy Integrity at New York University School of Law. The primary recommendations to the Department of Housing and Urban Development (HUD) are to more clearly define fair housing goals and to measure the progress of locally-based housing providers in meeting the requirements of the 1960’s civil rights statute.

“Decades after the civil rights movement inspired the Fair Housing Act, HUD still has a long way to go before that law’s vision of fair housing is realized,” said Policy Integrity executive director, Michael Livermore. “HUD should take steps to improve fairness and equality in housing markets.”

A section of the Fair Housing Act requires HUD to “affirmatively further” fair housing, but the agency now admits that the implementation of the requirement has not been as “effective as envisioned.” In part because the mandate has been left vague and difficult to measure by the agency, HUD does not have a system in place to ensure that cost-effective investments in housing fairness are made.

Righting the problem is at the top of HUD’s priority list: it now has a plan to release a new regulation on the implementation of the affirmatively furthering fair housing mandate. But if HUD’s new rule is to succeed, Policy Integrity’s [report](#) finds that the agency’s first task should be to set a proper definition of the problem by clarifying what “affirmatively furthering fair housing” entails.

The Fair Housing Act was put in place to ensure equal opportunity to access safe, affordable, and quality housing, while attempting to integrate racially and economically segregated neighborhoods. The text of the law leaves unclear the exact definition of “affirmatively furthering fair housing,” meaning that HUD must interpret the statute and set clearly identifiable goals for what the agency hopes to achieve.

Because these broad goals have not been broken down into specific metrics, the agency has had difficulty evaluating progress and directing resources to the most promising policies.

“The affirmatively furthering fair housing section of the Fair Housing Act doesn’t just lack teeth, it doesn’t even have a proper face,” said Denise Grab, the lead author of the report. “Whether a city or county affirmatively furthers fair housing or not is almost completely undefined. When HUD issues regulations, a clear explanation of this phrase should be at the top of the page.”

The Institute for Policy Integrity at New York University School of Law is a non-partisan think-tank using economics and law to protect the environment, public health, and consumers.

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To read the report, [click here](#).