



ENDING HUD'S TYRANNY

A strategy for exposing and protecting communities
from HUD's AFFH rule

© 2016 Sustainable Freedom Lab, LLC

ENDING HUD'S TYRANNY!

Strategy for exposing and protecting communities from HUD's Affirmatively Furthering Fair Housing rule.

Note. To use this Toolkit, log into SustainableFreedomLab.org and click on the "Ending HUD's Tyranny" – toolkit on the homepage. Look for documents and links that refer to the same headings as in the strategy below. – John A.

AFFH Background: (Look in the SustainableFreedomLab.org toolkit online for documents and links that apply to this heading.)

Since 1968, under the Fair Housing Act, HUD has dispensed grant money to applying communities for building affordable housing and other community benefits. The Fair Housing Act mandated that no person or group could discriminate in the sale or rental of housing and other practices against any protected class.

For decades, communities accepted HUD grants with little concern that the agency might impose excessive demands. However, following the 2009 settlement of a HUD related lawsuit against Westchester County, NY, a HUD grant recipient, the agency drastically altered its requirements in turn for accepting certain HUD grants.

In a 2015 ruling entitled, Affirmatively Furthering Fair Housing, the agency:

A. Expanded their role under the Civil Rights Act to include activities such as transferring low-income families to more affluent areas, insisting that affordable housing be located in more affluent areas, adding "upward mobility," "economic diversity," and "religion desegregation" for HUD residents as new grant recipient planning objectives.

B. Redefined what is required for communities receiving certain HUD grants to affirmatively further fair housing.

C. Created a legal mechanism to enforce actions against communities that fail to comply with the agency's new definitions of what is required to affirmatively furthering fair housing.

As of 2011, the agency had initiated more legal actions against grant recipients than in the entire prior decade.

Ending HUD's Tyranny Strategy

1. Preparation, 2. Presentation, 3. Professionalism, 4. Persistence

PREPARATION: (Look in the SustainableFreedomLab.org toolkit online for documents and links that apply to this heading.)

1. Learn – Research-

- Watch the video, “AFFH in 5 Minutes.”
- Property Values Defense updates
- Links to SFL/PVD/AFFH.net
- Stanley Kurtz articles
- Legal analysis
- PowerPoint presentations

2. Team – Build a team-

- similar minded people, same goals and interests
- complimentary talents-research, speaking, writing, networking
- time availability- will or can they make the time
- Select one person to respond to news articles and opinions
- Select one person to do radio call-ins and public speaking
- Select one person to post on social media

3. Develop political champions –

- People who understand AFFH and will help convince others
- Keep you informed of changes
- Build relationships – go to lunch, become friends, local (high school)sports events
- Advise you of the “political stall”- politicians who string you along, then betray you
- Need several dedicated relationships to keep you informed

4. Create an information distribution network-

- Build a social media presence-
 - Create online forum for local town hall and planning meetings
- Build your email contact list
- Speak to HOA's, local radio stations and town hall meetings
- Stay up to date and respond to local news articles and opinions
- Inform with door hangers, flyers, community bulletin boards, billboards

5. Know your goal – What is your specific objective? Is it to...

- Expose AFFH?
- Get a “no” vote on applying for HUD funds?
- Have an official policy change regarding grants?
- Create a resolution limiting or rejecting HUD funds?

- Other goal: _____
6. **Prepare your Elevator speech - the purpose of the elevator speech is to gain curiosity and open up communication. To be successful, it must be:**
- Short
 - Captivating
 - Easy to remember
 - Easy to repeat

Examples:

- “Did you know HUD can now force your public officials to overturn voters’ decisions?”
- “Did you know HUD can now force your public officials to change your zoning and land use regulations?”
- “Did you know HUD can economically integrate your child’s class room?”
- “Did you know HUD has created Equity Assistance Centers to rid public schools of “religion segregation?”
- Other: _____

PRESENTATION: (Look in the SustainableFreedomLab.org toolkit online for documents and links that apply to this heading.)

1. **State your case** – present your case in under 3 minutes, never make mistakes, be known for your accuracy, make the officials look good, learn to be pleasant even when it hurts! If it helps, present the video “AFFH in 5 Minutes” at an officials’ meeting.
2. **Win attorneys to your side.** See the chapter, “Stopping AFFH” in our publication “Agency Tyranny”
3. **Raise public awareness.** Talk to neighbors, hand out flyers, attend town hall meetings, write articles in local papers, and speak on local radio
4. **Make social media work for you** – online community forum, Face Book, Twitter
5. **Find the money** – look for alternate sources and ways to meet community needs without taking grant money
 - Fundraisers
 - Corporate Sponsors
 - Matching Donations
 - Local, non-profit, non-governmental grant foundations (ex. East TN Foundation)
6. **Counter objections** – From officials, community members and HUD:
 - Remember, low-level HUD employees do not know the full story, they only know what superiors tell them.
 - Public Officials are used to accepting HUD grants and probably may reject your alarm.

- The term AFFH has existed for decades. Most officials will not know that the definition was changed on July 15, 2015.
 - Public officials will seek HUD's response to your claims. It's important for officials to realize that the comments their HUD representatives make are not legally binding and therefore offer little assistance to local officials. That's why it's important that your officials work together with other communities informed members of their own communities and legal advisors who are familiar with HUD new AFFH ruling.
7. **Take the fight to HUD** – illustrate how HUD's programs hurt protected classes more help them.

Examples:

- HUD relocates low-income families against their will, by lowering their current voucher payments and raising the voucher payments in areas they want them to move.
- HUDs upward mobility programs are experiments based on limited feedback from a small number of communities with unique characteristics. (Montgomery Co., Maryland is often cited, but it began as community driven plan 40 years ago. It is not comparable to force fitting low-income families into high-income areas.)
- HUD ignores reports showing the damage these relocations do to family members over 13 years of age.
- HUD ignores numerous studies showing that children of 2 parent families tend to perform better in school and in life.
- HUD ignores the social reality that children learn upwardly mobile skills and acquire business connections through their parents more than through the neighborhood in which they live.
- By moving low-income families to more affluent areas, children may do better in schools because of better teachers. But success occurs because affluent families have the opportunity to fly, travel and be exposed to a wider world. The low-income family in an affluent area becomes frustrated because they cannot enjoy the luxuries of their neighbors.

PROFESSIONALISM: (Look in the SustainableFreedomLab.org toolkit online for documents and links that apply to this heading.)

1. Your objective is to present your case in a way that establishes your credibility, integrity and trustworthiness.

- Begin with your body language and appearance - Look people in the eye, act and dress appropriately for your community. Dress casual is generally the best.
- Ask questions and listen carefully to understand the other person's point of view.

- Find points on which you can agree. For instance, “we all want to provide more affordable housing for low-income families.” “We all want to provide better educational and income opportunities for low and middle-income families.” The question then becomes “how do we do that and still protect local property rights and local autonomy?”
- Establish from the beginning that your concern is only to see that your local officials retain all of their authority for now and in the future. This is not a political conversation; we are a community and we are all in this together. Whether you are a Democrat or a Republican, recent changes in federal regulations place all of your authority at risk and that is what we are here to discuss.
- Avoid accusations and extremist terms like “because of Obama, we’re going to lose our property rights” or, “HUD wants to enslave your community”.

PERSISTENCE: (Look in the SustainableFreedomLab.org toolkit online for documents and links that apply to this heading.)

1. **Winning the long game – develop a system to regularly attend public meetings, stay in communication with your champions, work to build coalitions with planners and development agencies.**
 - If you lose one vote, begin working on the next.
 - Continue to build political coalitions by winning advocates.
 - If necessary, work to replace members of the planning board or commissioners/freeholders