



**CONSORTIUM FOR CITIZENS
WITH DISABILITIES**

March 6, 2018

Submitted via Regulations.gov

Office of General Counsel, Regulations Division
Department of Housing and Urban Development
451 7th Street, SW
Room 10276
Washington, D.C. 20410-0001

Re: FR-5173-N-15 / Docket ID: HUD-2018-0001, “Affirmatively Furthering Fair Housing: Extension of Deadline for Submission of Assessment of Fair Housing for Consolidated Plan Participants

Dear Office of General Counsel:

Thank you for opportunity to submit the following comments on behalf of the Consortium for Citizens with Disabilities (CCD) Housing Task Force and Rights Task Force regarding the Department of Housing and Urban Development (HUD) January 5, 2018 Federal Register Notice (Notice), “Affirmatively Furthering Fair Housing: Extension of Deadline for Submission of Assessment of Fair Housing for Consolidated Plan Participants”.

CCD is a working coalition of national consumer, advocacy, provider, and professional organizations working together with and on behalf of the over 57 million children and adults with disabilities and their families living in the United States. CCD advocates for national public policy that ensures full equality, self-determination, independence, empowerment, integration and inclusion of children and adults with disabilities in all aspects of society.

The CCD Housing and Rights Task Forces strongly support HUD’s 2015 Affirmatively Furthering Fair Housing (AFFH) Rule and believe that the Rule, if implemented properly, will significantly improve housing opportunities for people most in need, including people with disabilities.

Particularly important to CCD is the Rule’s recognition that affirmatively furthering fair housing includes affording people with disabilities the opportunity to live in the most integrated setting appropriate to their needs. This core aspect of non-discrimination has too often been ignored in fair housing planning for people with disabilities. As a result, the most integrated setting appropriate has typically been the option least available to people with disabilities. For years, under the previous Analysis of Impediments to Fair Housing (AI) process, HUD’s grantees failed to take their fair housing certifications seriously or meaningfully act to eliminate barriers to housing opportunity, including for people with disabilities. HUD’s 2015 AFFH Rule represents

an important step forward in providing jurisdictions and communities with new processes and tools to advance the goals of the Fair Housing Act.

For these reasons, CCD's Housing and Rights Task Forces have supported robust implementation of the 2015 AFFH rule, and we strongly oppose the January 5 Notice's extension of the deadline for local government Assessment of Fair Housing (AFH) submissions. Every day a person with a disability lives in an institutional setting instead of the community is a lost opportunity. Most importantly, it is a lost opportunity for those persons with disabilities who will remain institutionalized rather than active members of their community of choice. It is a lost opportunity for the state and local governments that would benefit from the cost-savings achieved when people with disabilities move from expensive nursing facilities, psychiatric hospitals and other institutions into the community. It is also a lost opportunity for state and local governments, required by the Supreme Court's *Olmstead* decision to provide opportunities for people with disabilities to live in the community.

We oppose efforts to delay the AFFH rule and instead urge HUD to immediately rescind the January 5 Notice and to promptly resume full implementation of the 2015 AFFH rule. We strongly encourage HUD to provide enhanced technical assistance to local governments so that these entities may move forward as quickly as possible with their AFHs. CCD members have local affiliates across the country; we are all available and willing to assist communities to move forward with fair housing compliance and develop housing options for people with disabilities.

Thank you again for the opportunity to comment on Docket No. FR-5173-N-15 Affirmatively Furthering Fair Housing: Extension of Deadline for Submission of Assessment of Fair Housing for Consolidated Plan Participants.

Sincerely,

Andrew Sperling, National Alliance on Mental Illness
Co-Chair, CCD Housing Task Force

T.J. Sutcliffe, The Arc of the United States
Co-Chair, CCD Housing Task Force

Heather Ansley, Paralyzed Veterans of America
Co-Chair, CCD Rights Task Force

Samantha Crane, Autistic Self Advocacy Network
Co-Chair, CCD Rights Task Force

Dara Baldwin, National Disability Rights Network
Co-Chair, CCD Rights Task Force

Jennifer Mathis, Bazelon Center for Mental Health Law
Co-Chair, CCD Rights Task Force

Mark Richert, American Federation for the Blind
Co-Chair, CCD Rights Task Force