

**Congress of the United States**  
**House of Representatives**

COMMITTEE ON OVERSIGHT AND REFORM

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February 14, 2020

Mr. Jorge Andres Soto  
Director of Public Policy  
National Fair Housing Alliance  
1331 Pennsylvania Avenue N.W., #650  
Washington, D.C. 20004

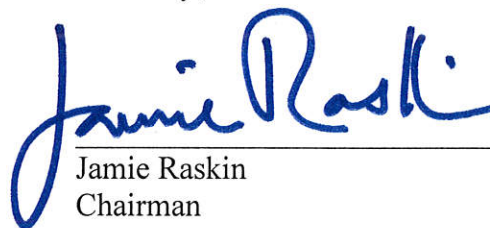
Dear Mr. Soto:

Enclosed are questions that have been directed to you and submitted for the official record for the hearing held by the Subcommittee on Civil Rights and Civil Liberties on Wednesday, February 5, 2020, "A Threat to America's Children: The Trump Administration's Proposal to Gut Fair Housing Accountability."

Please return your written responses to these questions by Friday, February 28, 2020. Your responses should be addressed to the Committee office at 2157 Rayburn House Office Building, Washington, D.C. 20515. Please also send an electronic version of your response by email to Amy Stratton, Deputy Clerk, at [Amy.Stratton@mail.house.gov](mailto:Amy.Stratton@mail.house.gov).

If you need additional information or have other questions, please contact Elisa LaNier, Chief Clerk, at (202) 225-5051.

Sincerely,

  
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Jamie Raskin  
Chairman

Enclosure

cc: The Honorable Chip Roy, Ranking Member

**Mr. Jorge Andres Soto  
Director of Public Policy  
National Fair Housing Alliance**

**Questions from Ranking Member Chip Roy**

February 5, 2020, Subcommittee on Civil Rights and Civil Hearing on “A Threat to America’s Children: The Trump Administration’s Proposal to Gut Fair Housing Accountability.”

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1. What are the most valuable activities performed by HUD’s Office of Fair Housing and Equal Enforcement (“FHEO”)?
  - a. According to HUD’s proposed rule, a consultant estimated that HUD would have needed 538 full-time employees to fully implement the 2015 AFFH rule. HUD’s FHEO currently has 430 employees nation-wide. Which of those fair housing activities should HUD stop to implement the 2015 rule?
  - b. Do you support doubling the size of HUD’s FHEO to implement the AFFH rule as proposed by the Obama Administration?
  
2. Under the old AFFH rule, cities had to write an Assessment of Fair Housing (AFH). Do you know how long the AFHs could extend to?
  - a. Some of the Assessment of Fair Housings (AFHs) under the old AFFH rule extended to as long as 832 pages in the case of Philadelphia and that the average AFH was 204 pages. How could a small city of roughly 50,000 people have the expertise to write an AFH without hiring a consultant?
  - b. Of the 49 cities that had to complete an ADH under HUD’s old rule, 63% of them had their AFH rejected or sent back for revisions. Wouldn’t that suggest that cities had to hire consultants to succeed? How could cities have the in-house expertise to do this if 63% of cities failed their AFH?
  - c. Would you support a cities use of the money spent on consultants to comply with the Obama Administration AFFH rule to instead be used for improving living conditions in existing public housing units with children?

3. If a city wanted to submit a document which complied with the Obama Administration guidelines, under the Trump Administration rule, would these cities still be allowed to do so?
4. Will the new rule impact enforcement under the anti-discrimination provisions of the Fair Housing Act?
  - a. Should HUD focus on reviewing the worst offenders instead of the old rule's approach of reviewing the AFHs for more than 3000 jurisdictions?
5. HUD said in its proposed AFFH rule that the Fair Housing Act "is not an instrument to force housing authorities to reorder their priorities." It is also said that HUD should not use the Fair Housing Act to "second-guess which of two reasonable approaches" a jurisdiction should take. Further, the rule stated that the Fair Housing Act is not meant to unnecessarily "force housing authorities to reorder their priorities." Finally, it said that the Fair Housing Act "does not decree a particular vision of urban development." Do you agree with that statement? If not, why?
6. Should HUD tell cities that they should address fair housing by moving residents to high opportunity areas and only build affordable housing in these areas?
  - a. If you agree with moving residents to high opportunity areas:
    - i. How can a HUD bureaucrat in Washington know how to best advance fair housing rather than their democratically elected leaders deciding?
    - ii. How does a focus on moving resources to high opportunity areas help residents that must stay behind in their old neighborhood?
    - iii. Would it be better to help cities improve access to affordable, quality housing for all of their residents instead of a select few?
7. Should a city in California approach fair housing issues in the same way as a city in North Dakota?
  - a. If not, why did HUD's 2015 AFFH rule require cities across the country to fill out the same 92-question survey, regardless of how different they were?
8. Can a lack of housing supply be a factor in fair housing issues?