

October 21, 2016

Dear Members of the LUPZ Committee,

We have worked closely with the ABC to Z team to ensure that the Comprehensive Plan reflects the commitment to provide affordable housing for all residents in Albuquerque and Bernalillo County. We support the Comprehensive goals, policies and actions that promote affordable housing.

We also support including language that emphasizes our commitment to fair housing and ending discrimination in all forms. Equity is a guiding principle in the draft Comprehensive Plan. In Chapter 3, Equity is described as “All residents have access to good public services, a range of housing options, and healthy places to live, work, learn, and play.” The Comprehensive Plan does not however speak directly to 1) the processes of discrimination that impact some people in all areas of their lives, including housing, or 2) how legacies of discrimination have resulted in communities of color experiencing more barriers to high quality housing.

The history of housing access shows that all people do not have equal and fair access housing. The 1968 Fair Housing Act and amendments specifically prohibit discrimination based on "race, color, religion, sex or national origin and "disability or on familial status (presence of child under age of 18, and pregnant women)." The New Mexico Human Rights Act prohibits discrimination based on “race, color, national origin, religion, ancestry, sex, age, physical and mental handicap, serious medical condition, spousal affiliation, sexual orientation and gender identity.” This is also consistent with City of Albuquerque’s Human Rights Ordinance, which specifically prohibits housing discrimination.

In 2013, The Albuquerque Family and Community Services Department defined fair housing “as a condition in which individuals of similar income levels in the same housing market having a like range of housing choice available to them regardless of race, color, ancestry, national origin, religion, sex, disability, marital status, familial status, source of income, sexual orientation, or any other arbitrary factor.” This definition is in a report entitled “Analysis of Impediments to Fair Housing Choice.” AAHC supports definitions of fair housing that oppose housing discrimination in all forms, including against LGBTQ households, people who were formerly incarcerated, older adults, people who are homeless and people with behavioral, physical cognitive and developmental disabilities.

Nonetheless, the definition in the previous paragraph does not address the ways that racism works and how income and race/ethnicity intersect. Communities of color are disproportionately low income, and all communities of color and all low income communities are more likely to have more environmental harms and fewer amenities in their neighborhoods or, in other words, face environmental injustice. Low income communities of color are often the most burdened. HUD’s Final Rule on Affirmatively Furthering Fair Housing specifically addresses access to opportunity

and housing needs that are, disproportionately, not supported by available housing (among others) as elements of fair housing.

We request that the commitment to eliminating discrimination in all forms be added in the Comprehensive Plan Chapter 3, The Vision. We request this includes the broader range of protected categories that the NM Human Rights Act includes as well as others who regularly face discrimination such as people who were homeless or incarcerated. We also request that a commitment to fair housing be stated clearly in Chapter 9. We ask that the following Fair Housing language be added to the Comprehensive Plan. This can be added to Chapter 9 in the “Applying the Guiding Principles” section under “Equity”: “Ensuring all people have fair and equal access to housing consistent with the federal Fair Housing Act and the HUD Rule on Affirmatively Furthering Fair Housing.”

The purpose of the Albuquerque Affordable Housing Coalition is to support and promote housing that meets broad community goals and adds value to the community, supporting housing that is affordable for all income levels, with particular attention to those most vulnerable to housing insecurity.

The Albuquerque Affordable Housing Coalition urges you to include a goal and policies that speak directly to eliminating barriers to fair housing.

Sincerely,
Albuquerque Affordable Housing Coalition Executive Committee