

Appendix A: HUD AFHM Regulations

Program	Regulation(s)	Requires Plan?	Comments
Department of Agriculture Rural Housing Service: various programs comprising single- and multi-family grants and loans, REO disposition.	7 C.F.R. §§ 1901.203; 1944.410; 1944.412; 1955.65; 1955.133; 3550.251; 3560.104; 3565.353; 3575.40	Yes: refers to HUD plan	"Plan must show which efforts will be made to reach very low-income or low-income groups who would least likely be expected to apply." Requires that prepare and maintain an Affirmative Fair Housing Marketing Plan (AFHMP) - refers to HUD reg, 24 C.F.R. part 200, subpart M.
HUD programs generally: implementing Exec. Order 11063 on housing nondiscrimination	24 C.F.R. §§ 107.15; 107.50	N/A	Defines "discriminatory practice" to include, inter alia, AFHM noncompliance; and authorizes compliance review.
HUD programs generally: AFHM compliance	24 C.F.R. § 108	N/A	Applies to all applicants for participation in subsidized and unsubsidized housing programs administered by the Department of Housing and Urban Development and to all other Apply to persons subject to Affirmative Fair Housing Marketing requirements in Department programs.
Federal Housing Administration general: subsidized and unsubsidized housing programs	24 C.F.R. § 200.600 subpart M	Yes (in 24 C.F.R. § 200.625)	
FHA: Mortgage and Loan Insurance: Single Family Mortgage Insurance; Housing Finance Agency Risk-Sharing Program For Insured Affordable Multifamily Project Loans	24 C.F.R. §§ 203.12; 266.215; 266.300; 266.305; 266.420	Yes	Delegates AFHM review to HFAs
Nehemiah Housing Opportunity Grants Program	24 C.F.R. § 280.25	Yes	Incorporates by reference 24 C.F.R. part 200, subpart M, and 24 C.F.R. part 108
Hope For Homeownership Of Single Family Homes Program (Hope 3)	24 C.F.R. §§ 572.110; 572.405; 572.110	No	
Home Investment Partnerships Program	24 C.F.R. §§ 92.351; 92.504; 92.61; 92.504 (state responsibilities);	No (but outlines procedures to be adopted)	

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	91.520 (consolidated submissions for community development)		
Congregate Housing Services Program	24 C.F.R. § 700.175	Yes	Incorporates by reference 24 C.F.R. part 200, subpart M, and 24 C.F.R. part 108
Section 8 Housing Assistance Program For The Disposition Of HUD-Owned Projects	24 C.F.R. §§ 886.321; 886.313	Yes	
Section 8 HAPP - Substantial Rehabilitation, Housing Finance Agency Proposals Financed with HUD Mortgage Insurance, and Proposals Processed Under 24 C.F.R. 886, Subpart B.	24 C.F.R. § 881.601	Yes	Incorporates by reference Section 8 new construction management regulations including marketing
Section 8 Housing Assistance Payments Program For New Construction	24 C.F.R. §§ 880.305; 880.308; 880.601; 880.603 (tenant selection)	Yes	
Section 8 Project-Based assistance programs	24 C.F.R. § 5.655, 108.25	Yes -in § 108.25	Refers to approval of tenant selection/residency preferences
Housing Development Grants	24 C.F.R. § 850.151	Yes	Re tenant selection, incorporates 24 C.F.R. parts 812 and 813. States that "Local residency preferences may be applied in selecting tenants only to the extent that they are not inconsistent with affirmative fair housing marketing objectives and the owner's HUD-approved AFHM Plan. With respect to any residency preference, persons expected to reside in the community as a result of current or planned employment will be treated as residents."
Supportive Housing For The Elderly And Persons With Disabilities	24 C.F.R. §§ 891.155; 891.400; 891.740	Yes	Incorporates by reference 24 C.F.R. part 200, subpart M, and 24 C.F.R. part 108
Low Rent Housing Homeownership Opportunities: Turnkey Iii Program Description	24 C.F.R. § 904.104	Yes	Incorporates by reference 24 C.F.R. part 200, subpart M
Public Housing	24 C.F.R. § 906.39	No	

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Authority Homeownership programs			
Tenant Participation And Tenant Opportunities In Public Housing	24 C.F.R. § 964.30	Yes	Incorporates by reference 24 C.F.R. part 200, subpart M, and 24 C.F.R. part 108
Rental Rehabilitaton Grant Program	24 C.F.R. § 511.13; 511.11	Not specified.	Recipient must “establish procedures, requirements and assessment criteria” for affirmative marketing.
Public Housing Agency Plans	24 C.F.R. § 903.2	No	Recommended but not required means of AFFH
Urban Homesteading	24 C.F.R. § 590.7	Not specified	Residency preferences may not be used if conflict with affirmative marketing.
Section 8 Housing Assistance Payments Program - Special Allocations, Subpart A - Additional Assistance Program For Projects With Hud-Insured And Hud-Held Mortgages	24 C.F.R. §§ 886.105; 886.107	Yes	
Section 8 Housing Assistance Payments Program, New Construction Set-Aside For Section 515 Rural Rental Housing Projects, Subpart B -- Project Development And Operation	24 C.F.R. § 884.214	Sometimes	Must comply with "FmHA-approved Affirmative Fair Housing Marketing Plan, if required"