



EXECUTIVE ORDER OF MAYOR MICHELLE WU

An Executive Order Relative to Affirmatively Furthering Fair Housing and the Implementation of the City of Boston's Assessment of Fair Housing

SUMMARY

On behalf of the City of Boston, this Executive Order asserts Mayor Michelle Wu's commitment to affirmatively further fair housing throughout the City of Boston. It affirms the role of the Mayor's Office of Fair Housing and Equity to provide guidelines, monitor, and evaluate city departments' compliance with fair housing and equity goals and directs the Office of Fair Housing and Equity to instill the practice of fair housing and racial equity throughout city government.

WHEREAS: A majority of Boston residents are members of groups which have been historically subject to unlawful discrimination; *and*

WHEREAS: Many Boston residents belonging to such groups are economically disadvantaged and highly concentrated in communities of color and lower income neighborhoods; *and*

WHEREAS: Racial, economic and social inequities persist across many issue areas including, but not limited to, housing, education, employment, health, the criminal legal system, the environment, arts and culture, access to City services, and immigrant rights; *and*

WHEREAS: The only way to affirmatively further fair housing is to embed the principles of freedom of choice, equal access, diversity, and inclusion in the areas of urban planning, housing development, and zoning so that location does not determine anyone's quality of life or ability to prosper; *and*

WHEREAS: The City of Boston acknowledges the role institutional and structural racism has played in the segregation of Boston neighborhoods; *and*

WHEREAS: The City of Boston takes responsibility for identifying discriminatory barriers in Boston's housing market and reinventing existing policies, programs and practices to overcome such barriers and provide the necessary resources to implement all the goals stated in the Assessment of Fair Housing; *and*

WHEREAS: In 2015, the Department of Housing and Urban Development created a process and standards through which state and local governments would conduct an assessment of fair housing, a report that would identify fair housing challenges and priorities, as well as goals and actions to affirmatively further fair housing; *and*



WHEREAS: Despite HUD eliminating the requirement in 2020 that cities and states conduct an assessment of fair housing, the City of Boston, with the assistance of a community advisory committee, chose to continue that important work and released the City of Boston Assessment of Fair Housing on January 20, 2022 (“the Assessment of Fair Housing”); *and*

WHEREAS: The Biden administration is reinstating Fair Housing requirements for which this Assessment will meet; *and*

WHEREAS: The City of Boston is committed to supporting its cabinets, departments, agencies, and offices in building the capacity to affirmatively further fair housing by augmenting their budgets and departmental staff; *and*

WHEREAS: Equity and justice are cornerstones of a thriving democracy and key pillars of government administration; *and*

WHEREAS: It is necessary for local government to work in partnership with community members, leaders, organizations, and institutions to affirmatively further fair housing and end housing discrimination and segregation in the City of Boston; *now*

THEREFORE: Pursuant to St. 1948, c. 452, s. 11, as amended, and every other power hereto enabling, *I hereby order and direct as follows:*

I, Michelle Wu, Mayor of Boston, hereby affirm the City’s commitment to improving life for all Boston residents by affirmatively furthering fair housing and upholding the principles of social justice and equity in the finest tradition of our civil rights laws.

To this end, I hereby order every City cabinet, department, agency, and office to take all necessary steps to carry out the directives of this Executive Order, by implementing the City of Boston’s Assessment of Fair Housing and achieving the goals set forth therein.

ARTICLE I. Definitions

A. *Affirmatively Furthering Fair Housing* “means taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws.”

B. *Racial Equity* is the active state in which race does not determine one’s livelihood or success. It is achieved through proactive work to address root causes of inequities to improve outcomes



for all individuals; that is, through the elimination or shifting of policies, practices, attitudes and cultural messages that reinforce differential outcomes by race or fail to eliminate them.

- C. *Social Justice* exists when all people recognize that they share a common humanity and therefore have a right to opportunities, resources, equitable treatment, and support regardless of one's race, ethnic origin, sex, gender identity, sexual orientation, religion, political affiliations, age, disability, location, social class, socioeconomic circumstances, or other characteristics of group membership.
- D. *Protected Classes* are individuals or groups who are entitled to protection from discrimination or other adverse action, or to affirmative accommodations, opportunities, or protections, pursuant to federal, state, and local civil rights and fair housing laws, including but not limited to protected classes under Chapter 151B of the Massachusetts General Laws.

ARTICLE II. Administration

There are several City of Boston agencies that traditionally have had an official role and specific authority to address equity, resulting in both a disparate understanding and lack of a unified definition of equity among these agencies and across City government more broadly. To begin to address this problem, and in order to embed equity and racial justice into all City planning, operations, and work moving forward, the Office of Fair Housing and Equity will be moved from where it currently resides to the Equity and Inclusion Cabinet.

The Chief of Equity and Inclusion, with the close coordination of the OFHE, will lead the implementation of the Assessment of Fair Housing, and will have the authority to ensure compliance and hold all City departments accountable, with the close coordination of the Office of Fair Housing and Equity.

ARTICLE III. Operation and Accountability

Each Relevant City Department, Office, Cabinet or Agency shall:

1. Identify a point of contact to partner with the Chief of Equity and Inclusion and the OFHE on the development and implementation of this Executive Order and the Assessment of Fair Housing. Such Department Equity Representatives should hold a level of agency, access, and credibility conducive to devising strategies and implementing actions in collaboration with department employees.
2. Participate in or host information sessions on this Executive Order and the Assessment of Fair Housing with their employees.
3. Participate in fair housing capacity building, including but not limited to, training, education and certification to develop the knowledge and skills needed to advance the goals of the



Assessment of Fair Housing.

4. Pursue such training and learning with the goal of ensuring departments are prepared to uphold the principles of fair housing as part of each employee's day-to-day work and ongoing evaluation.
5. Apply a fair housing analysis to policies, practices, attitudes, and culture, and implement the changes necessary to be consistent with our fair housing laws, regulations, and case law.
6. Use a fair housing analysis to review current and proposed policies, programs, initiatives, practices and budget allocations to prevent decision making that adversely impacts protected class members.
7. Use this fair housing approach to help surface unintended consequences of proposed actions, identify opportunities for improvement, and identify how actions may advance fair housing principles and improve outcomes for all protected class members.
8. Collect data disaggregated by protected class (where applicable) or other proxies, such as neighborhood, to track the impact of City activities on protected classes.
9. Support progress toward attaining fair housing goals as a fundamental part of the evaluation of departmental performance and mission.
10. Report annually to the Chief of Equity and Inclusion, the OFHE, and the Mayor on the attainment of fair housing goals and other directives set forth in this Executive Order and the Assessment of Fair Housing.

ARTICLE IV. Civil Rights Coordination

The Chief of Equity and Inclusion, with the close coordination of the OFHE, shall, as necessary, collaborate with other civil rights entities within the City of Boston in order to implement this Executive Order and the Assessment of Fair Housing, such as the Age Strong Commission, the Disabilities Commission, the Office for Immigrant Advancement, the Office for Women's Advancement, the Office of Language Access and Communications, the Office of Diversity, and the Office of Resilience and Racial Equity.

ARTICLE V. Monitoring and Community Engagement

The OFHE shall establish an AFFH Monitoring Committee that will assist in reviewing the progress being made with the implementation of this Executive Order and the Assessment of Fair Housing. The initial composition of this AFFH Monitoring Committee shall include, but not be limited to, the current members of the AFFH Community Advisory Committee. Such Committee will meet with the OFHE Executive Director on a quarterly basis to review the progress that has been made in the implementation



of this Executive order and the Assessment of Fair Housing.

The OFHE will undertake a series of activities to insure the engagement of, education for, and outreach to, protected class members and the organizations that represent them so they are empowered and assist in the implementation of this Executive Order and the Assessment of Fair Housing.

ARTICLE VI. Severability

The provisions of this Order are severable and if any provision, or portion thereof, should be held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect the remaining provisions that shall remain in full force and effect.

ARTICLE VII. Effective Date

This Executive Order shall take effect immediately. This Executive Order and the provisions herein shall remain in effect, unless previously superseded or otherwise changed by Executive Order, Ordinance, or Statute.

SIGNED THIS 20th DAY OF January, 2022

A handwritten signature in black ink that reads "Michelle Wu". The signature is written in a cursive style and is positioned above a horizontal line.

Michelle Wu
Mayor of Boston