



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
WASHINGTON, DC 20410-7000

OFFICE OF THE ASSISTANT SECRETARY FOR  
COMMUNITY PLANNING AND DEVELOPMENT

June 25, 2015

Ms. Juliana King  
Town Planner  
181 Howard Hill Road  
Foster, RI 02825

Dear Ms. King:

On behalf of Secretary Castro, thank you for your participation in the Community Development Block Grant (CDBG) program. HUD also congratulates you on taking part in the visioning process for the State of Rhode Island's Fiscal Year 2011 Sustainable Communities Regional Planning Grant. This grant, worth \$1,934,961, was issued to help Rhode Island communities improve their economic competitiveness by connecting housing with good jobs, quality schools and transportation. Since receiving its award, the state of Rhode Island has used its grant to compile data, perform outreach to local communities, and create RhodeMap RI, an overarching plan for sustainable development and growth in Rhode Island.

HUD understands that questions have been raised about the requirements local communities commit to when they accept HUD's grants and in particular, about the requirement that grant recipients conduct analyses of impediments to fair housing. Some have claimed that acceptance of the Regional Planning Grant will force local governments to give up local control over zoning decisions or obligate them to use eminent domain to acquire properties. HUD wants to make it absolutely clear that there is no truth to either of these claims.

Local zoning is- and should remain- a local power. HUD respects the right of local communities to determine their own zoning ordinances and has neither the authority nor the intention to infringe on these local powers. Additionally, the acceptance of the Regional Planning Grant does not provide recipients with additional authority to use eminent domain. State and local governments can make the decision to use eminent domain in Rhode Island regardless of whether the RhodeMapRI plan goes into effect, and HUD, by providing the grant, is not endorsing or encouraging its use.

With regard to the fair housing analysis that grantees commit to when they receive HUD funds, HUD firmly believes that this requirement promotes an important goal that is central to the Department's mission and it is also aligned with the long-standing legal obligation rooted in the Fair Housing Act of 1968. This analysis, which has been required of grantees for decades, allows recipients to assess how future development will affect the state's compliance with federal fair housing laws. The requirement is a necessary safeguard that ensures that taxpayer dollars are not used to further patterns of segregation in the communities HUD serves.

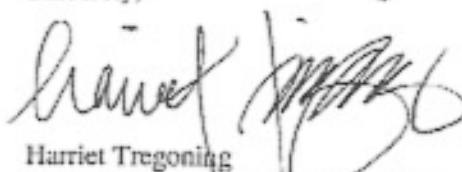
Fair housing analyses are required not just of Regional Planning grantees, but of all HUD grant recipients, including participants in the Community Development Block Grant program, which has funded projects throughout Rhode Island for decades. It should be noted that, HUD requirements aside, Rhode Island statute already mandates that at least ten percent of the housing stock in the state's municipalities be affordable.

HUD's forthcoming Affirmatively Furthering Fair Housing (AFFH) rule, which has been the subject of some unwarranted controversy, will help grant recipients carry out this longstanding requirement by providing a tool that allows them to use data to conduct more accurate and informed analyses. To be clear, there is nothing in the AFFH rule or in HUD's grant recipient requirements that gives HUD the authority to make changes to local zoning codes or acquire property using eminent domain; these local powers have always been and will remain in local hands.

While it is unfortunate that misunderstandings about the Regional Planning Grant have caused some of your constituents to question its value, HUD believes this grant will enable communities to chart a course of development that furthers local priorities such as job creation, transit access for workers and the expansion of affordable housing opportunities. HUD's mission is to create strong, sustainable, inclusive communities and quality affordable homes for all Americans, and this grant can serve as a vital resource to help ensure that every citizen has the opportunity to determine how these important goals can be achieved.

Thank you for your interest in the Department's programs.

Sincerely,



Harriet Tregoning  
Principal Deputy Assistant Secretary  
for Community Planning and Development