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HUD Secretary Naming List Short

While the selection of most new Cabinet members and the 4,000 other administration appointees remains in flux, there is a semblance of certainty surrounding the HUD secretary nomination.

Unless he was to turn it down -- an unlikely move at best -- Rob Astorino is the most likely prospect for HUD secretary in a Trump administration.

The Westchester County, NY chief executive and former GOP gubernatorial candidate is in President-elect Donald Trump's sights primarily because of his stubborn six-year battle with HUD over a 2009 fair housing settlement endorsed by Astorino's predecessor and Astorino's understanding of HUD's inner workings.

Trump's interest in the issue is his concern over HUD's new Fair Housing Act regulation rewrite called Affirmatively Furthering Fair Housing (AFFH). The new rule -- HUD's fair housing enforcement strategy -- results from what was intended to be the enforcement model.

HUD intended the Westchester settlement -- triggered by application of the 1863 False Claims Act (a.k.a, Lincoln Law) -- to act as the model for nationwide enforcement of a new suburban neighborhood desegregation plan. The False Claims Act focused on whether Westchester County properly used its Community Development Block Grants for affordable housing or if officials finessed the county's claims of award usage in its financial reporting to HUD.

When a federal judge determined that Westchester County failed to properly apply its grant awards, the county was offered an ultimatum: reject future CDBG funding and possibly repay millions of past awards or agree to build 750 houses for extremely poor black and Hispanic families in 31 largely white communities on a racial and ethnic quota basis.

Astorino pounced on the settlement immediately upon taking office and he has quarreled with HUD since 2010. The dispute forced HUD to abandon the county as an enforcement model. The setback forced HUD to delay issuing the new AFFH rule for five years.

Trump was made aware of the dispute quickly. He is a major real estate player in the county -- an estate in Bedford, two major golf courses, Trump Park Residences in Yorktown, Trump Tower in White Plains, Trump Plaza in New Rochelle, and Donald J. Trump State Park on the Westchester/Putnam County border.

While there was hardly a mention of housing during the 18-month campaign, Trump purportedly told Astorino one of his first moves if elected would be to rescind the AFFH rule.

Astorino says he has known Trump for 15 years, has been his golfing partner, and has received Trump's political support. The only likely hitch would be getting his name past Gov. Chris Christie (R-NJ), the key figure on Trump's transition team. Their relationship has been icy since Christie refused to endorse Astorino in his 2014 bid to oust New York Gov. Andrew Cuomo, calling the attempt a lost cause.

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