

**UNITED STATES DISTRICT COURT  
DISTRICT OF THE DISTRICT OF COLUMBIA**

OPEN COMMUNITIES ALLIANCE, *et al.*,

Plaintiffs,

v.

BEN CARSON, *et al.*,

Defendants.

Civ. Action No. 1:17-cv-02192 (BAH)

Chief Judge Beryl A. Howell

**PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

Pursuant to Rule 65(a) of the Federal Rules of Civil Procedure and Local Rule 65.1(c), Plaintiffs Open Communities Alliance, Crystal Carter, and Tiara Moore hereby move for a preliminary injunction requiring HUD to (1) rescind its notices suspending the requirements of the Small Area Fair Market Rent Rule, 24 C.F.R. § 888.113(c), for public housing agencies (PHAs) in 23 of the 24 metropolitan areas covered by the rule, and (2) take all other necessary steps to ensure that those PHAs use payment standards based on small area FMRs beginning on January 1, 2018, as HUD's regulation requires. Defendants' counsel has been consulted and advises that Defendants do not consent to this relief.

In support of this motion, Plaintiffs submit the accompanying (1) Memorandum of Law, (2) Declarations of Erin Boggs, Crystal Carter, Tiara Moore, Alison Bell, Will Fischer, MaryAnn Russ, Sheryl Seiling, and Sasha Samberg-Champion, and (3) a Proposed Order.

Dated: November 8, 2017

Respectfully submitted,

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\* Application for admission to this Court  
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**CERTIFICATE OF SERVICE**

I hereby certify that on November 8, 2017 I filed the foregoing Plaintiffs' Motion for a Preliminary Injunction on CM/ECF, which shall serve as notice of filing on all counsel of record.

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