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**Open Communities Alliance, ACLU, Civil Rights Orgs File Suit Against Department of Housing and Urban Development Rule Gutting Fair Housing Protections.**

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**HARTFORD, Conn. (October 22, 2020)** — Hartford-based civil rights organization Open Communities Alliance, in partnership with SouthCoast Fair Housing of Massachusetts and Rhode Island, filed a federal lawsuit today against the U.S. Department of Housing and Urban Development to challenge its rollback of critical protections under the Fair Housing Act. The lawsuit seeks to invalidate a new [HUD regulation](#) that guts the long-established legal framework for “disparate impact” claims, which have helped dismantle systemic barriers to fair housing for decades.

The plaintiffs are represented by the American Civil Liberties Union, ACLU Foundation of Connecticut, Lawyers’ Committee for Civil Rights Under Law, Poverty & Race Research Action Council, and Cohen Milstein Sellers & Toll.

“For generations, Connecticut’s restrictive laws on where housing authorities can operate have resulted in a concentration of poverty in communities of color and prevented many Black and Latino families from moving to the communities of their choice,” **said Erin Boggs, Executive Director of Open Communities Alliance.** “Now the Trump administration has cut off the legal avenue to remedy this wrong. We’re committed to stopping this assault on equal rights, at its core, is working to prevent historically disenfranchised communities from asserting their Fair Housing rights.”

The existing disparate impact framework, grounded in decades of court precedent and codified in 2013 by HUD, is crucial for guaranteeing equal access to housing in the United States. It requires housing providers, financial institutions, municipalities, and other corporations to eliminate

policies that appear neutral but disproportionately limit housing opportunities for marginalized and vulnerable communities, including people of color, people with disabilities, families with children, and survivors of domestic violence. The Trump Administration's new HUD rule, which goes into effect on Monday, October 26, substantially rolls back these protections by creating unnecessary barriers for victims of housing discrimination attempting to prove claims against discriminatory housing practices.

"Housing is a human right, and people should be able to fight for that right if they face housing discrimination," **said Elana Bildner, ACLU of Connecticut staff attorney.** "The Trump Administration's changes would take away a critical tool for people to dismantle systemic barriers to fair housing and to fight for their abilities to access and keep their homes. We are committed to fighting this attack on fair housing in court."

"All Americans should be clear on the stakes here: What Trump wants to do to the Fair Housing Act would be like taking the First Amendment out of the Constitution," **said Peter Haberlandt, OCA's Senior Legal Counsel.** "This is an attempt by Trump and his enablers to remove fundamental protections against discrimination and segregation that were passed by Congress and which have been enforced by Courts for decades."

If HUD succeeds in eliminating the current protections of the Fair Housing Act, a number of discriminatory practices could go unchecked, including: exclusionary zoning, landlords could evict survivors of domestic violence under policies punishing tenants for criminal activity in their homes or for calling the police; landlords could deny housing to anyone with any type of prior criminal record; public housing authorities could be prevented from giving housing vouchers to low-income people seeking to live in other neighborhoods, perpetuating racial segregation; and landlords could choose to rent out apartments by the room or impose overly restrictive occupancy limits, effectively shutting out families with children.

This suit was filed in the U.S. District Court for the District of Connecticut.

"The Trump administration has launched yet another attack on civil rights by gutting one of the key tools used to defend our right to fair housing and combat housing discrimination," **said Sandra Park, senior staff attorney with the ACLU Women's Rights Project.** "We will fight to restore these critical protections that ensure equal housing opportunities for all."

"This rule makes it virtually impossible for communities of color to prevail when challenging housing discrimination, and combined with President Trump's race-baiting rhetoric about efforts to build affordable housing in predominantly white suburbs, it is clear that the administration is engaged in a concerted attack on the housing choices of people of color and Black households," **said Thomas Silverstein, an attorney with the Lawyers' Committee for Civil Rights Under**

**Law.** “The civil rights community is fighting this rule with every tool at its disposal, and we expect that the courts will see right through this brazen attempt to roll back 50 years of civil rights.”

“It is appropriate that this lawsuit is being brought by a Connecticut plaintiff. Segregation in Connecticut housing and schools is maintained by a self-perpetuating web of supposedly neutral laws, policies and practices which have the effect of isolating low income families of color and denying them access to opportunity,” **said Philip Tegeler, Executive Director of the Poverty & Race Research Action Council (PRRAC).** “This is what the Fair Housing Act’s disparate impact standard was designed to address, and this is why the Trump Administration is trying to dismantle it.

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*Open Communities Alliance is a Connecticut-based civil rights organization that promotes access to opportunity for all people through education, organizing, advocacy, research, and partnerships. The Alliance works to address Connecticut’s deep level of segregation and support policies that lead to housing choice.*