



#FightforHousingJustice: How You Can Stop HUD from Harming Immigrants' Fair Housing Rights

On August 19, 2019, the U.S. Department of Housing and Urban Development (HUD) published a proposal that will make it easier for landlords and lenders to discriminate, and harder for tenants and advocates to prove discrimination. The proposed HUD rule **will take away critical housing protections from immigrants**, and other populations protected by federal fair housing law.

What should I know?

Despite progress made to expand housing opportunities since the passage of the federal Fair Housing Act in 1968, housing discrimination is still very real. The Fair Housing Act prohibits housing discrimination against immigrants on the basis of their national origin.

For decades, a legal theory called “disparate impact” has been used to challenge policies where the discrimination is more hidden. HUD is trying to make it almost impossible for victims of housing discrimination to challenge housing policies and practices that appear to apply to everyone in the same way, but in reality harm some people more than others.

The disparate impact theory has been used to fight discrimination against immigrants for reasons related to their race, country of origin, ability to speak English, as well as ability to provide Social Security cards, green cards, passports, and other citizenship/immigration documentation.

Disparate impact theory has been used to challenge these discriminatory housing policies and practices:



- Several localities throughout the country required renters to provide citizenship/immigration documentation and pay fees in to obtain licenses from the local governments to rent housing.



- A mobile home park with predominantly Latino residents required all residents to provide a valid Social Security card, U.S. passport, U.S. visa, or 1-94 arrival/departure card for residency.



- A locality in California passed ordinances to prevent Mexican permanent residents from living in the area by using land use and zoning policies that removed mobile homes as a source of affordable housing.

HUD's proposed disparate impact rule would make it basically impossible for immigrants to challenge housing policies that discriminate against them for reasons related to the fact that they are immigrants, if the intent to discriminate is not clear.

What can I do?

Fight back! Tell HUD that you oppose this proposed rule by submitting a comment at www.fightforhousingjustice.org by **October 18, 2019**.

