

# HUD's Disparate Impact Rule: General Talking Points for Commenters



**HUD should be enforcing the Fair Housing Act, not undermining it.**

HUD is making challenging certain discriminatory housing policies much harder for people of color, persons with disabilities, women, and families with children. This contradicts HUD's own mission of building "inclusive and sustainable communities free from discrimination."



**HUD's proposal puts industry profits over people.**

HUD's proposed rule allows housing providers, insurance companies, and lenders to more easily evade responsibility for discriminatory practices.

Under HUD's proposal, it would be very difficult to hold these entities accountable for their use of complicated models (algorithms) in making housing decisions that affect people's lives -- such as the ability to get a mortgage, or to successfully apply for an apartment -- even if these models have the effect of discriminating against certain groups, such as communities of color.



**HUD's proposal will make it easier for housing discrimination to go on unchecked.**

Housing discrimination is not always obvious. This is why disparate impact theory, which roots out hidden discriminatory practices, is so important to promoting equal housing opportunities for all.

HUD's current proposal would make bringing disparate impact claims essentially impossible by imposing a very high standard on victims of housing discrimination who seek justice in the courts or through HUD. In turn, housing providers with discriminatory policies will be better able to escape accountability.

**Comments due October 18, 2019! Learn more at [fightforhousingjustice.org](http://fightforhousingjustice.org)**