



**For Immediate Release**  
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**Federal Judge Issues Preliminary Injunction Against U.S. Department of Housing and Urban Development in Lawsuit Brought by Coalition of Civil Rights Organizations**

*Trump Administration Acted Illegally in Suspending Existing HUD Rule to Support Low-Income Families, Judge Finds*

In an important decision for low-income renters nationwide, U.S. District Court Judge Beryl Howell on Saturday [rejected](#) the U.S. Department of Housing and Urban Development's (HUD) move to suspend a rule designed to provide greater housing opportunities for low-income families. According to the judge's ruling, HUD must immediately restore the carefully crafted rule to improve the Housing Choice Voucher program and empower low-income families to secure affordable housing in higher-opportunity areas.

"Federal housing policies are a major cause of the racial segregation that stubbornly persists to this day. It's long overdue that our federal government remedy the massive disparities in wealth and education its policies continue to produce, and modest rules like this one play an integral role in leveling the playing field for Blacks, Latinos, and low-income Americans," said [Sherrilyn Ifill](#), President and Director-Counsel of the NAACP Legal Defense and Educational Fund, Inc. (LDF). "Suspending this rule was yet another attack by this Administration on communities of color. By restoring the prior rule, this injunction is a key step towards expanding equal opportunity in all aspects of American life."

LDF, the Lawyers' Committee for Civil Rights Under Law, the Relman, Dane & Colfax PLLC law firm, the Poverty & Race Research Action Council (PRRAC) and Public Citizen Litigation Group brought the suit against HUD for suspending the Small Area Fair Market Rent (Small Area FMR) rule, which allows low-income families using housing vouchers to access a broader market of rental units. The suit, filed on behalf of two individuals who want to move to improved residential areas and the Open Communities Alliance, a Connecticut-based organization devoted to creating such opportunities for mobility, sought an injunction ordering HUD to implement the program without delay.

In her opinion issued Saturday, Judge Howell ruled that HUD and Secretary Ben Carson unlawfully suspended implementation of the Small Area FMR rule without providing a reasonable justification for the delay. She also found that HUD failed to follow federal law

requiring the Department to provide notice and an opportunity for public comment on its planned action.

“Once again, the Trump administration’s politically-charged efforts to tear away basic protections for underrepresented minorities has been rejected in federal court,” said Kristen Clarke, President and Executive Director of the Lawyers’ Committee for Civil Rights Under Law. “Many years of study and work went into the adoption of the Small Area Fair Market Rent rule, which promotes greater opportunity in housing choice for low income and minority families and greater residential integration. Our lawsuit challenging HUD’s action is crucial to the historical fight for a more racially integrated society. We will continue to turn to the courts to hold this administration accountable for actions that turn the clock back on important civil rights.”

HUD issued the Small Area FMR rule in 2016 after years of study and notice and comment. The rule changes the housing voucher formula in 24 carefully selected metropolitan areas, which collectively cover more than 200,000 voucher families. In those areas, voucher values that were previously calculated based on the median private rent for an entire area (despite enormous differences in the prevailing rents from neighborhood to neighborhood) now are to be based on the median rent values by zip code. The new formula, in effect, raises the allowable rent amount for thousands of participating families should they choose to move to higher-rent, higher-opportunity areas.

“We are ready to work with HUD and the affected housing authorities to make sure that this important civil rights rule is successfully implemented,” said Philip Tegeler, PRRAC’s Executive Director.

“We are pleased that Judge Howell recognized that the suspension of the Small Area FMR Rule was one more example of lawless and callous action by the Trump Administration,” said John P. Relman, managing partner of Relman, Dane & Colfax. “We hope that HUD now will respect the civil rights of low-income renters and will provide the benefits of that Rule for our clients and other households throughout the country who have waited too long already for housing choice.”

Read Judge Howell’s opinion [here](#). Read the complaint, filed in October, [here](#).

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*Founded in 1940, the NAACP Legal Defense and Educational Fund, Inc. (LDF) is the nation’s first civil and human rights law organization and has been completely separate from the National Association for the Advancement of Colored People (NAACP) since 1957—although LDF was originally founded by the NAACP and shares its commitment to equal rights. LDF’s Thurgood Marshall Institute is a multi-disciplinary and collaborative hub within LDF that launches targeted campaigns and undertakes innovative research to shape the civil rights narrative. In media attributions, please refer to us as the NAACP Legal Defense Fund or LDF.*