

Leading Civil Rights & Housing Groups Condemn President's Effort to Gut Fair Housing, Use of Incendiary Racial Rhetoric for Political Gain

Fair housing advocates denounce Trump's newest effort to eliminate a critical tool to desegregate communities and call on the president to instead concentrate on ensuring housing equity during a pandemic.

Washington, D.C.- Today, a coalition of civil rights, affordable housing and consumer advocacy organizations condemned the move by the Trump administration to eliminate a critical tool for addressing systemic racism and segregation in our communities. In its haste to undermine this central component of the Fair Housing Act, the administration has done an end run around the normal rulemaking process and adopted a new Affirmatively Furthering Fair Housing (AFFH) rule by executive fiat. This new rule is at complete odds with Congress' intent in including this provision in the Fair Housing Act of 1968, as well as decades of case law interpreting this provision. That act requires federal agencies, especially HUD, to "affirmatively further fair housing." Under the AFFH mandate, localities receiving federal assistance must take meaningful actions to undo decades of federal, state, and local discriminatory policies and practices that resulted in creating racially segregated, under-resourced communities that persist to this day. They must also address local policies that illegally discriminate against residents. Further, they must ensure that all neighborhoods have equitable access to high quality schools, healthy food, clean air and water, reliable transportation, quality healthcare facilities, and other community resources and amenities. Under the Trump administration, HUD [suspended](#) the AFFH regulations finalized in 2015 – effectively gutting the only meaningful guidance since the Fair Housing Act for how states and localities should correct discriminatory housing practices and undo the harms caused by racial segregation, housing discrimination and disinvestment. Today's action by the president is the administration's latest effort to thwart access to fair housing and to perpetuate segregation. The coalition call on him to rescind this mandate and reinstate the 2015 AFFH regulation.

There is considerable evidence that all residents benefit from diverse, inclusive communities. [Research](#) by Harvard University Economist Raj Chetty showed that moves by lower-income residents to higher-income neighborhoods not only reduce the intergenerational persistence of poverty but also ultimately generate positive returns for taxpayers. Despite this evidence, the president has falsely claimed that AFFH would lead to decreased property values and increased crime in suburban communities. Given that one statutory purpose of AFFH is to create more housing opportunities for people who have been historically excluded from predominantly white neighborhoods due to federal, state, and local policies and practices, the president's assertions have clear racial implications. This mandate, issued just a few months before the presidential election, is designed to engender fear among suburban white voters.

At a moment when much of the nation is calling for sweeping reforms to overcome structural racism and achieve greater racial justice and equity, the administration is seeking to eviscerate the legal requirement to achieve greater desegregation and housing equity. The president's action today is especially egregious during the coronavirus pandemic when millions of families of color are experiencing disproportionate income and job loss and are at greater risk of being evicted from their homes and becoming homeless.

“Housing justice and racial justice are inextricably linked. The AFFH regulation was an important step to rectify decades of racist housing policies that created today’s segregated neighborhoods and all its associated harm to children, families and the country.” said **Diane Yentel, president and CEO of the [National Low Income Housing Coalition](#)**. “Secretary Carson has worked to undermine fair housing since the day he stepped into the HUD building, so this action is not surprising. But it is abhorrent for Trump to use a critical fair housing tool for election year race-baiting, particularly during a time of reckoning for racial injustices.”

“People should not be shut out of the American Dream based on the color of their skin. However, decades of redlining have cemented this injustice, perpetuated a massive racial wealth gap between Black and white families, and sustained the continued distribution of resources and opportunity based on race,” said **Nikitra Bailey, executive vice president at the [Center for Responsible Lending](#)**. “The government helped create entrenched, pernicious residential segregation and has an obligation to undo it. By rejecting the Fair Housing Act’s mission to dismantle segregation and the inequity it created, this Administration is eschewing its responsibility and will be on the wrong side of history.”

“We call on every American to oppose the unjustifiable and shortsighted rollback of civil rights laws like the AFFH mandate,” said **Heather Abraham, supervising attorney of the [Georgetown University Law Center Civil Rights Clinic](#)**. “Today, more Americans are waking up to the reality that our government has repeatedly used its power and resources to segregate communities by race, and that history must be confronted and reversed. The last thing we should do is create another barrier to reform. No more rollbacks, no more games.”

“President Trump’s elimination of the 2015 AFFH rule is an unacceptable affront to civil rights and constitutes a reprehensible regression for fair housing in this country,” said **Lisa Cylar Barrett, director of Policy at the [NAACP Legal Defense and Educational Fund, Inc.](#)** Today’s announcement is particularly egregious amid an ongoing pandemic that disproportionately impacts Black people’s socioeconomic security and during a period with staggeringly low Black homeownership rates. The president’s action is the exact opposite of the type of housing policy needed at this moment.”

“It is absolutely essential that fair housing opportunities are available to historically marginalized populations, including survivors of domestic and sexual violence,” said **Peg HacsKaylo, Founder/CEO of the [National Alliance for Safe Housing](#)**. “This pandemic has shown that there are massive racial disparities in who can access and maintain safe and healthy housing. The federal government must be responsible for addressing our country’s housing inequalities that were created through decades of federally backed discriminatory housing policies. HUD’s decision to end the affirmatively furthering fair housing rule only creates a barrier towards achieving true housing equality and will worsen our current housing crisis.”

“The COVID-19 pandemic continues to amplify the grave disparities and structural racism that exists in our country’s housing system,” said **Seema Agnani, executive director of the [National Coalition for Asian Pacific American Community Development](#)**. “The administration’s lack of respect and care for the American people continues to reveal itself and is truly putting our communities and neighborhoods at further risk. Such actions are simply unacceptable and make very clear the administration’s priorities during this time crisis.”

“This is terrible. The administration just gutted the rule that enforces fairness in housing, which was and still is the whole point of the Fair Housing Act,” said **Jesse Van Tol, CEO of the [National Community Reinvestment Coalition](#)**. “All of us have an interest in living in fair and desegregated communities. This would be a return to separate but equal and would be among the most overtly racist housing policies in decades. It's hard to even call it a policy. It doesn't enforce anything, it hands off any action to local governments, and they can get away with no action. This approach won't affirmatively further anything other than discrimination.”

“The Affirmatively Furthering Fair Housing provision of the long-standing Fair Housing Act is needed to dismantle decades of government-sponsored discrimination that led to segregation and disinvestment in healthcare, housing, education, and other essential services in Black communities and other communities of color,” said **Odette Williamson, staff attorney and director of the Racial Justice and Equal Economic Opportunity Project at the [National Consumer Law Center](#)**. “The disparate impact on highly segregated Black communities that were historically redlined still plays out today as Black families bore the brunt of early infections and death due to the COVID-19 pandemic. This unacceptable action is yet another attempt by the Trump Administration to roll back hard-won civil rights protections that provide housing opportunities for people who have been excluded from highly resourced communities.”

“The president seems to think that what you don't know about or don't measure can't hurt you. We know that's not true — whether it's a highly contagious new disease or segregation and discrimination in housing. He wants to take away tools to measure housing discrimination because he doesn't want it to be counted. This move is a deflection,” said **Lisa Rice, president and CEO of the [National Fair Housing Alliance](#)**. “The worst thing we can do in a major health pandemic is increase housing instability, homelessness, and overcrowding — which is what will happen if the Affirmatively Furthering Fair Housing provision is significantly weakened. Taking away strong fair housing tools makes all of our communities less safe and increases housing instability. We have learned that lesson and we should not repeat that mistake. We will not allow Trump to take away tools to fight discrimination or make our neighborhoods less safe.”

“By attempting to skirt the regulatory process and issuing this order, the White House is dog whistling its way into ending civil rights as we know it,” said **Shamus Roller, executive director of the [National Housing Law Project](#)**. “Our nation is simultaneously facing a global pandemic and nationwide reckoning on deeply entrenched institutional racism. Both of these events have laid bare our country's enduring legacy of the disenfranchisement of and disregard for Black and Brown lives. Instead of working to ensure that our nation's families can avoid eviction and remain stably housed during a public health crisis, this Administration wants to dismantle decades of civil rights law by eliminating a fair housing tool that addresses residential segregation and its negative impacts.”

“The 2015 AFFH regulation provided communities with a roadmap for identifying and addressing the housing and other needs of people with disabilities,” said **Dara Baldwin, director of the [National Policy Center for Disability Rights, Inc.](#)** “Now, without any opportunity for their voices to be heard, the President is taking away that tool. That experience tells us the result will be that people with disabilities will have less access to suitable, affordable

housing in the neighborhoods of their choice that enables them to fully participate in their communities. This is a bad outcome for people with disabilities, and a bad outcome for the nation.”

“Discriminatory housing practices have been at the core of systemic racism in this country from the Jim Crow era right up to the present day,” said **Melissa Boteach, VP of Income Security and Child Care at [National Women’s Law Center](#)**. “Our cities are now more racially segregated than they were when the Fair Housing Act was first passed, and surging rent prices have made historically Black neighborhoods unaffordable for most Black families. HUD must play a critical role in turning this tide towards true economic justice instead of actively seeking to hurt the well-being of the women of color this move will impact the most. Abandoning this rule now will only serve to further the harm endured by generations of communities of color, leaving them even more exposed to the impacts of a mismanaged pandemic and a historic downturn.”

“The President’s attempted rewriting of the Fair Housing Act shows a flagrant disregard for racial discrimination and its human cost, as well as a fundamental misunderstanding of the federal government’s statutory responsibility to address the ongoing legacies of segregation,” said **Philip Tegeler, executive director of the [Poverty & Race Research Action Council](#)**. While this new anti-AFFH rule will not pass legal muster, the signal it sends to local jurisdictions will be chilling.”

“Once again, Trump is seeking to strip historically marginalized communities of their basic civil and human rights,” said **Vanita Gupta, president and CEO of [The Leadership Conference on Civil and Human Rights](#)**. “At a time when evictions, joblessness, and housing insecurity are exacerbated by the pandemic, gutting the Fair Housing Act will only serve to continue systemic racism and segregation against families of color seeking secure, safe, and fair housing. This cruel action continues housing inequity today as well as for future generations. All people in America deserve fair housing, especially in the midst of a global pandemic.”

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