



**For Immediate Release  
August 16, 2019**

**LDF Media**  
212-965-2200 / [media@naacpldf.org](mailto:media@naacpldf.org)

## **LDF to Fight Against Proposed HUD Rule Weakening Disparate Impact**

The NAACP Legal Defense and Educational Fund (LDF) is committed to fighting a proposed rule that is part of the Trump Administration's broad attack on fair housing and civil rights. On Monday, the U.S. Department of Housing and Urban Development (HUD) [will formally release a proposed rule](#) that will roll back the agency's use of the disparate impact standard. The Fair Housing Act established the standard, which is a critical tool in challenging housing discrimination.

Disparate impact is a longstanding tool used to prevent policies that have a discriminatory impact on underserved communities – policies that operate covertly and do not state an intention to discriminate but do so in operation. As recently as 2015, the U.S. Supreme Court upheld the use of disparate impact in housing discrimination in [Texas Department of Housing and Community Affairs v. Inclusive Communities](#). In spite of this ruling, the Trump Administration seeks to ignore the courts and create administrative rules that act contrary to legal decisions.

[Lisa Cylar Barrett](#), LDF's Director of Policy at the NAACP Legal Defense and Educational Fund, Inc. (LDF), issued the following statement:

“Every person should be able to rent or own a home without facing discrimination based on their race, religion, gender, or any other protected status. Policies that prevent [equal opportunity](#) must be challenged, regardless of the aims of those who created them. The impact matters – not just the intent – and that's exactly what the disparate impact standard is all about. Keeping the standard intact is integral to realizing the promise of the Fair Housing Act and building the strong, inclusive communities all Americans deserve.

“The federal government played a central role in segregating our country, and rolling back the disparate impact standard will ensure it plays a key role in cementing that legacy. The U.S. Department of Housing and Urban Development should be working to strengthen tools to eradicate discrimination in housing and to promote fair access. Instead, the Trump Administration is disabling a crucial means of ensuring equal treatment under the law. LDF has already sued HUD for undermining programs designed to correct structural inequality and racial

segregation, and we've won. We will continue to use every tool at our disposal to protect fair housing.”

###

*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.*

Follow LDF on [Twitter](#), [Instagram](#) and [Facebook](#).