May 28, 2026

SENATOR BLUNT ROCHESTER LEADS 13 DEMOCRATIC SENATORS IN OPPOSING HUD'S FAILURE TO ENFORCE THE FAIR HOUSING ACT

Senator Lisa Blunt Rochester (D-Del.), a member of the Senate Committee on Banking, Housing, and Urban Affairs, today sent a letter to U.S. Department of Housing and Urban Development (HUD) Secretary Scott Turner opposing the Department's failure to enforce the *Fair Housing Act*. Under the Trump administration, HUD has refused (https://www.hud.gov/news/hud-no-25-026) to investigate cases alleging housing discrimination, rolled back (https://www.politico.com/news/2026/03/16/democratic-attorneys-general-sue-hud-anti-discrimination-00829849) policies that seek to eliminate bias in the home appraisal process, and failed (https://www.propublica.org/article/trump-hud-weakening-enforcement-fair-housing-laws) to fully administer critical fair housing programs. The release of this letter coincides with the conclusion of Affordable Housing Month.

"We write to express our deep concern regarding the actions undertaken by the U.S. Department of Housing and Urban Development (HUD) in this Administration regarding the enforcement of the *Fair Housing Act*," **the Senators wrote.** "Veterans, seniors, people with disabilities, survivors of domestic and sexual violence, families with children, people of color, and others are experiencing escalating fair housing challenges in their search for housing every day. According to data from the National Fair Housing Alliance, we have seen some of the largest numbers of fair housing discrimination complaints in the past two decades, with complaints received by private, nonprofit fair housing organizations, HUD, Fair Housing Assistance Program (FHAP) agencies, and the U.S. Department of Justice (DOJ) reaching new record highs."

"The landmark *Fair Housing Act*, passed in part as a national memorial of Dr. Martin Luther King Jr.'s significant contributions, is a broad civil rights law that protects against housing discrimination, helping to provide assurances that every individual and family can achieve housing stability and economic mobility, regardless of their personal, immutable characteristics." **the Senators continued.** "However, the *Fair Housing Act* is not self-executing. It requires active enforcement and education efforts by local, on-the-ground advocates, state and local government agencies, and a fully functional and well-resourced HUD FHEO."

The Senators concluded, "In light of these ongoing efforts, it is our assessment that HUD is purposefully eroding its ability to enforce the *Fair Housing Act* and inhibiting others' ability to do so, thereby undermining the landmark legislation's critical role in creating safe, decent, and affordable housing opportunities free of discrimination for millions of Americans."

In addition to Senator Blunt Rochester, this letter was signed by Ranking Member Elizabeth Warren (D-Mass) and Senators Catherine Cortez Masto (D-Nev.), Tim Kaine (D-Va.), Alex Padilla (D-Calif.), Jacky Rosen (D-Nev.), Adam Schiff (D-Calif.) Tina Smith (D-Minn.), Chris Van Hollen (D-Md.), and Raphael Warnock (D-Ga.).

This letter is endorsed by the National Fair Housing Alliance, National Urban League, and the Arc of the United States.

"The Trump Administration is abdicating its responsibility to fully enforce the *Fair Housing Act* in the middle of the nation's fair and affordable housing crisis, after promising the people of America improvements in housing opportunity. HUD is withholding fair housing funds Congress already appropriated, hollowing out the critical Office of Fair Housing and Equal Opportunity (FHEO), its own enforcement arm, and retreating from disparate impact—one of the most effective tools for combating illegal discrimination at scale," said **Nikitra Bailey, Executive Vice President, National Fair Housing Alliance.** "You cannot dismantle the machinery of enforcement and claim to uphold the law. These actions harm everyday people, including disabled veterans, seniors, survivors of domestic and sexual violence, Black, Latino, Asian, and Native communities, women, rural residents, and more trying to secure housing free of discrimination with the ability to live and thrive in vibrant and inclusive communities. Congressional oversight of HUD's assault on fair housing under Secretary Turner is essential to protecting every person's fair housing rights."

"The National Urban League strongly supports this call for accountability and oversight of HUD at a time when the federal government should be strengthening—not dismantling—fair housing enforcement. The *Fair Housing Act* of 1968 is not a relic of history; it is a foundational promise that every American deserves safe, affordable housing and equal protection under the law," **said Marc H. Morial, President and CEO, National Urban League.** "When HUD dismantles the offices that enforce these protections and defunds organizations that defend them, it is communities already facing the greatest barriers that suffer most. This administration is not cutting bureaucracy or improving efficiency; it is recklessly cutting millions of people off from the promise of the American Dream. We stand firmly in support of protecting and enforcing the *Fair Housing Act* within the federal government, and we applaud Senator Blunt Rochester for her leadership in advancing critical congressional oversight of HUD during this pivotal moment."

“Disability accounts for more complaints than all other protected statuses combined. By scaling back enforcement of the *Fair Housing Act*, HUD has abandoned its responsibility to ensure people with disabilities have their right to community living protected.” **said Julie Ward, Senior Executive Officer, Public Policy, The Arc of the United States**

The full text of the letter can be found here (https://www.bluntrochester.senate.gov/wp-content/uploads/2026/05/Letter-to-Secretary-Turner-on-Fair-Housing-Enforcement.pdf) and below.

Dear Secretary Turner:

We write to express our deep concern regarding the actions undertaken by the U.S. Department of Housing and Urban Development (HUD) in this Administration regarding the enforcement of the *Fair Housing Act*. This includes rolling back hard-won, established housing rights for people of all backgrounds, including attacking basic civil rights protections; refusing to investigate cases alleging discrimination on the basis of sexual orientation and gender identity, notwithstanding Supreme Court precedent making clear such discrimination is barred by our civil rights laws; delaying the administration of funding for community-based fair housing organizations; and eviscerating the Office of Fair Housing and Equal Opportunity (FHEO). These actions, which Members of Congress have inquired about previously, will lead to devastating outcomes for our nation’s most vulnerable populations.

Veterans, seniors, people with disabilities, survivors of domestic and sexual violence, families with children, people of color, and others are experiencing escalating fair housing challenges in their search for housing every day. According to data from the National Fair Housing Alliance, we have seen some of the largest numbers of fair housing discrimination complaints in the past two decades, with complaints received by private, nonprofit fair housing organizations, HUD, Fair Housing Assistance Program (FHAP) agencies, and the U.S. Department of Justice (DOJ) reaching new record highs. Discrimination based on disability continues to account for the majority of complaints, followed by complaints based on race. Meanwhile, 1,836 national-origin complaints were reported, representing an increase of 8.45 percent and the highest level since 2018. Despite record high volumes of complaints, HUD leadership under the Trump Administration has made the decision to significantly reduce and limit enforcement and the capacity of staff who understand how to process and resolve these complaints.

The landmark *Fair Housing Act,* passed in part as a national memorial of Dr. Martin Luther King Jr.’s significant contributions, is a broad civil rights law that protects against housing discrimination, helping to provide assurances that every individual and family can achieve housing stability and economic mobility, regardless of their personal, immutable characteristics. However, the *Fair Housing Act* is not self-

executing. It requires active enforcement and education efforts by local, on-the-ground advocates, state and local government agencies, and a fully functional and well-resourced HUD FHEO.

However, HUD continues to undermine the effective enforcement of the *Fair Housing Act* in numerous ways:

1. **Systemic attacks on FHEO are effectively dismantling the office and rendering it powerless in executing its duties under the *Fair Housing Act***. FHEO is responsible for implementing the *Fair Housing Act* in HUD's programs, as well as for other important functions that promote fair housing. Among its responsibilities are administering the Fair Housing Initiatives Program (FHIP) and reimbursing state and local government agencies for complaints they investigate through the Fair Housing Assistance Program (FHAP). But perhaps the most important function of FHEO is to operate and maintain an administrative complaint process that victims of housing discrimination can use to obtain relief without having to seek expensive legal counsel. FHEO has historically experienced significant staff shortages, resulting in major consequences for victims of discrimination and for the organizations and local governments it funds to help enforce the *Fair Housing Act*.These consequences have been exacerbated by ongoing changes in staffing levels at FHEO resulting from the Administration's use of deferred resignations. As a result of last year's actions spearheaded by the so-called Department of Government Efficiency (DOGE), staffing levels at FHEO have been drastically reduced by over 41 percent. The adverse impacts of FHEO's staffing reductions are already being felt, as investigations and conciliations slow or halt altogether, and the administration of FHIP has been wrought with delays. Meanwhile, the small unit of attorneys in HUD's Office of General Counsel tasked with supporting and advising FHEO has been largely disbanded, further impeding HUD's obligation and capacity to carry out fair housing work.
2. **Changes to FHEO's housing discrimination complaint intake and conciliation processes raise serious concerns, as they may impede the ability of all complainants to submit complaints and have them resolved, and likely compromise the accessibility and availability of the complaint intake services for individuals with disabilities.** In 2025, HUD made sweeping changes to its housing discrimination complaint intake procedures. As you know, HUD is required to provide an avenue for members of the public to submit complaints of housing discrimination for administrative investigation and adjudication, a process overseen by FHEO. These recent changes to the complaint intake process now drive all complaints through a single online portal on HUD's website, rather than allowing consumers to file complaints directly with HUD regional offices in their local communities. While the HUD online portal includes assistance for people who are deaf or hard of hearing as well as individuals with speech or communication disabilities, it does not have a way for people who are visually impaired, nor for people with physical disabilities that make it difficult for them to use a computer to receive assistance when

filing a complaint. These changes create undue hardship for consumers, including by compromising accessibility for persons with disabilities, at a time when 53 percent of all fair housing complaints allege discrimination on the basis of disability. Meanwhile, HUD has made it cumbersome for its staff to resolve cases through conciliation even when the parties agree on the outcome, including by requiring complainants to submit detailed documentation of their injuries that have never been required before and are often unattainable.

3. **The Administration has refused to administer the Fair Housing Initiatives Program (FHIP) lawfully and in good faith.** Created in 1987 under the Reagan Administration and a bipartisan Congress, FHIP is a competitive grant program that provides localized assistance to people who face housing and lending discrimination. However, the Administration's actions have threatened the existence of the network of highly experienced, private, community-based fair housing enforcement organizations nationwide that work to foster compliance with the *Fair Housing Act* and state and local fair housing laws, as well as to provide enforcement and education. In February 2025, HUD sent notices terminating 78 grant contracts effective immediately, severely impacting communities and their long-time work to enforce the *Fair Housing Act*. This action followed the earlier funding freeze that was implemented in January 2025, stopping federal grant, loan, and assistance payments, including funding for local fair housing agencies, despite the agencies providing essential assistance to vulnerable populations and requiring assistance with addressing claims of housing discrimination or support in securing safe, decent, and affordable housing. Then, HUD refused to allow FHIP grantees to begin the second or third year of multiyear grants or to make new FY 2024 grant awards to replace expiring grants. As a result, FHIP recipients had to sue HUD twice: first to have the awards reinstated and then to have HUD issue the awards with the funds Congress had appropriated for fair housing. Even after belatedly making FY 2024 awards, HUD took more than half a year to actually start all the awards, and it still has not even issued a Notice of Funding Opportunity (NOFO) to begin the awards process for FY 2025. Between these multiple refusals to lawfully administer FHIP, HUD has created long funding gaps that have forced fair housing agencies to greatly curtail services or close entirely. This has left vulnerable populations in local communities unprotected. On top of this, the Administration continues to send to Congress a proposed budget that would eliminate funding for the FHIP program after decades of unbroken funding, as well as calling for eliminating funding for the National Fair Housing Training Academy (NFHTA) and the Limited English Proficiency Initiative (LEPI), at a time when there is a record number of complaints of housing discrimination based on national origin.
4. **The Administration is refusing to administer the Fair Housing Assistance Program (FHAP) program lawfully and in good faith.** The FHAP is a partnership between the federal government and state and local agencies to provide greater

enforcement of the *Fair Housing Act*. FHAP agencies investigate and resolve fair housing cases locally under contract with HUD. FHAP agencies collectively resolve more fair housing complaints than HUD does, making them vital partners. But HUD is refusing to pay FHAP agencies for work performed in FY 2025 unless they agree to novel and illegal conditions HUD is imposing on them, including that enforcement of their own state and local laws will make them ineligible for federal money. As a result, sixteen states have sued HUD to nullify these conditions.

5. **HUD has refused to process valid complaints under the *Fair Housing Act* regarding claims of disparate impact, while also planning to roll back regulations that prohibit disparate impact discrimination.** The*Fair Housing Act's* long-established disparate impact standard is a common-sense legal tool designed to help more people achieve the American Dream of safe, stable, and affordable housing free of discrimination. For over half a century, courts have recognized the use of the disparate impact standard to root out unjustified and discriminatory policies. However, as reported in a ProPublica article, last year HUD closed seven major housing discrimination cases because they alleged disparate impact discrimination, including three in which HUD had already determined that state and local governments concentrated environmental hazards and increased residential segregation in neighborhoods of color. On top of that, HUD is planning to roll back *Fair Housing Act* regulations that prohibit disparate impact discrimination. Additionally, HUD is trying to block others from employing disparate impact by imposing conditions on FHIP grants disbursed and threatening to revoke federal funding for state and local agencies participating in the FHAP program if they adjudicate disparate impact claims. If successful, these actions will unfairly shut out many individuals from achieving the American Dream of safe, stable, affordable housing, as disparate impact requires only that housing providers and lenders select the fairest option.

6. **HUD has refused to process valid complaints regarding claims of LGBTQ based discrimination at a time of escalating complaints on the basis of sexual orientation, gender identity, and gender expression.** The Administration has halted enforcement of key HUD rules, including the 2016 Equal Access Rule, which ensured equal access to HUD-assisted or HUD-insured housing without regard to actual or perceived sexual orientation, gender identity, or marital status. As a result, complaints alleging discrimination on the basis of sexual orientation and gender identity have been stifled by HUD as the Administration wrongly believes that such allegations are no longer subject to federal law. Most recently, HUD has proposed a revised Equal Access Rule that would roll back longstanding protections and indeed require HUD grantees to discriminate against transgender people or face possible loss of funding. Discrimination on the basis of sex is the fourth most frequent basis of discrimination, with 2,304 complaints, representing 7.13 percent of all complaints, according to the National Fair Housing Alliance. There have also been upticks in complaints based on sexual orientation, gender identity, or

gender expression. Without full enforcement of civil rights laws at HUD, these trends will likely worsen.

7. **HUD has rolled back policies that seek to address and eliminate bias in home appraisals, leveraging another attack on fair access to homeownership and families' ability to create wealth.** In July 2025, HUD announced the termination of policies introduced under the Property Appraisal and Valuation Equity (PAVE) task force. As part of the PAVE task force, members were directed to issue guidance on anti-discrimination obligations, review policies and practices, and develop new policies to eliminate bias and advance equity in home appraisals. Research and news stories consistently highlight how appraisal bias impacts consumers and communities of color, exacerbating existing racial wealth gaps. For example, when factors such as differences in housing characteristics and neighborhood conditions are controlled, homes in White neighborhoods were appraised as worth $408,000 more, on average, than similar homes in comparable communities of color.

In light of these ongoing efforts, it is our assessment that HUD is purposefully eroding its ability to enforce the *Fair Housing Act* and inhibiting others' ability to do so, thereby undermining the landmark legislation's critical role in creating safe, decent, and affordable housing opportunities free of discrimination for millions of Americans.

Despite previous Congressional outreach on these issues, HUD has failed to meaningfully engage. As such, we ask that you respond in writing to the following information request by June 4, 2026. Please provide:

1. The impact of the changes to staffing levels experienced at FHEO and OGC-Fair Housing on HUD's ability to effectively and efficiently process ALL housing discrimination complaints.
2. A description of the assessment process HUD undertook in implementing the changes to the HUD complaint intake process and to the conciliation process, and the rationale for the changes.
3. HUD's plans to monitor and evaluate the impact of any procedural changes made to HUD's complaint intake, investigation, and conciliation processes, which should include actively soliciting feedback from local nonprofit fair housing organizations, stakeholders, and the public, and making the necessary adjustments to ensure everyone can fairly access HUD's complaint process.
4. The current number and status of pending fair housing complaints.
5. The number of complaints that have been closed since January 20, 2025, along with their disposition.
6. The status of pending fair housing complaints that allege disparate impact discrimination.
7. An assessment as to how HUD's refusal to enforce the existing Equal Access Rule, refusal to adjudicate complaints alleging discrimination based on sexual orientation or gender identity, and

proposed rule that would eliminate protections against discrimination based on sexual orientation and gender identity across HUD programs are consistent with the Supreme Court's decision in Bostock, holding that discrimination on the basis of "sex" includes discrimination on the basis of sexual orientation and gender identity.

8. A detailed plan on how HUD plans to ensure that its policies further the effort to modernize appraisals and that every consumer receives a fair valuation for their home and home equity.
9. HUD's planned schedule for releasing NOFOs and making awards for FY 2025 and FY 2026 FHIP funding.
10. HUD's explanation for why it has the authority to withhold money from FHAP agencies for enforcing their own state and local laws.

Thank you for your attention to this matter. We look forward to your response to our inquiries.