

2025 Fair Housing Trends Report



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FAIR HOUSING
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About the National Fair Housing Alliance

Founded in 1988 and headquartered in Washington, D.C., NFHA is the only national organization dedicated solely to ending all forms of housing discrimination and serves as the trade association for fair housing organizations throughout the nation.

NFHA works to ensure every neighborhood has the resources people need to thrive and expand equitable housing opportunities for all people and communities through its education and outreach, member services, public policy, advocacy, housing and community development, responsible AI, enforcement, and consulting and compliance programs.

NFHA is a consortium of more than 290 private, nonprofit fair housing organizations; state and local civil rights agencies; and individuals throughout the United States. NFHA recognizes the importance of home as a component of the American Dream and aids in the creation of diverse, resilient, barrier-free communities throughout the nation.

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EXECUTIVE SUMMARY

The Fair Housing Act of 1968 established fair housing as the policy of the U.S. with a clear national mandate: to eliminate housing discrimination and foster inclusive, well-resourced communities. More than five decades later, that mandate remains unfilled. Housing discrimination continues to shape people's access to opportunity, perpetuate segregation, and undermine economic security for millions of individuals and families throughout the United States. This year's report, like those before it, demonstrates that discrimination in housing remains both pervasive and persistent, demanding continued vigilance and enforcement.

In 2024, private, nonprofit fair housing organizations and government agencies received and investigated 32,321 complaints of housing discrimination. As in prior years, disability-related complaints comprised the largest share, followed by complaints alleging discrimination based on race, national origin, sex, familial status, color, and religion. Most complaints arose in the rental market, though significant numbers were reported in home sales and mortgage lending.

The 2024 data not only underscore the persistence of discrimination in every segment of the housing market but also signals the challenges that lie ahead. Beginning in 2025, reductions to key federal fair housing funding constrained the capacity of fair housing organizations, legal services, and government agencies. In fact, the disruption and reduction in support and funding for fair housing activities has led to the closing of several fair housing organizations. It has also caused some agencies to reduce services in the communities they serve. As a result, this report reflects a decline in complaint processing. Future reports may also reflect a decline in the number of reported complaints—not because discrimination has abated, but rather because non-profit and government organizations are no longer able to process complaints.

To produce this report, NFHA collected data from HUD, state and local FHAP agencies, and the DOJ. Together with private, nonprofit fair housing organizations (FHOs), these agencies make up the national infrastructure to address housing discrimination in the United States.

The report also raises the alarm about foreshadowed efforts to dismantle fair housing protections in the Heritage Foundation's "Mandate for Leadership: The Conservative Promise"—the so-called Project 2025 (The Plan). The Plan is intended to gut progress toward equity, including in housing and lending. It recommends establishing a comprehensive strategy for shaping America's future and the very fabric of our society. And the second Trump Administration has adopted many of its recommendations. Key goals include deconstructing the administrative infrastructure put in place by federal agencies, greatly expanding Presidential powers, and significantly reducing the federal workforce. The Plan calls for drastic restrictions in protections under civil and human rights laws, cutting environmental justice and climate regulations, rolling back Diversity, Equity, Inclusion, and Accessibility initiatives, and limiting immigration and reproductive rights. President Trump's reelection in November 2024 was a harbinger of profound challenges to the promotion and enforcement of fair housing—challenges that have since materialized. This report also examines those obstacles and outlines NFHA's strategies for confronting them while advancing the rule of law.

Key highlights in the 2025 Fair Housing Trends Report:

- Private, nonprofit fair housing organizations processed 74.12 percent of complaints, compared to 20.90 percent by FHAP agencies, 4.85 percent by HUD, and 0.14 percent by DOJ.
- Discrimination based on disability accounted for the majority (54.59 percent) of complaints filed with FHOs, HUD, FHAP agencies, and the DOJ.
- In 2024, there were 1,836 complaints based on national origin reported, an increase of 8.45 percent from the 1,693 complaints reported in 2023. This is the highest number of complaints based on national origin discrimination reported since 2018, when a total of 2,351 complaints were reported.
- Retaliation complaints more than doubled from 2023 to 2024, increasing from 234 complaints to 472 complaints in 2024.

The sections that follow provide detailed data on alleged acts of housing discrimination in 2024, highlight significant enforcement cases, examine emerging issues such as algorithmic bias, describe NFHA's preparation for protecting and preserving fair housing rights, and outline key policy recommendations.

The data and analysis presented in this report make it clear that the work of ensuring equitable access to housing remains urgent and unfinished. Sustained resources, vigilant enforcement, and innovative strategies will be essential to realizing the Fair Housing Act's promise: that every person has the right to housing free from discrimination and your ability to thrive should never be determined by where you live.



¹ Note on the language in this report: As a civil rights organization, we are aware that there is not universal agreement on the appropriate race or ethnicity label for the diverse populations in the United States or even whether particular labels should be capitalized. We intend in all cases to be inclusive, rather than exclusive, and in no case to diminish the significance of the viewpoint of any person or to injure a person or group through our terminology. For purposes of this report, we have utilized the following language (except in cases where a resource, reference, case, or quotation may use alternate terminology): Black, Latino, Asian, and White. In prior publications, we have utilized the term "African American," but there are some who argue that this term is exclusive, and we intend to be as inclusive as possible. We are also aware that many persons prefer the term "Hispanic" or "Latinx." We intend in this report to include those who prefer "Hispanic" or "Latinx" in the term "Latino" and intend no disrespect. We refer to "neighborhoods of color" or specify the predominant race(s) of a neighborhood, rather than utilizing the term "minority." We also use the term "disability," rather than "handicap (the term used in the Fair Housing Act").

SECTION I: Fair Housing Complaint Data for 2024

Overview of Housing Discrimination Complaints Reported in 2024

Each year, NFHA collects data from private nonprofit fair housing organizations (FHOs) and government agencies throughout the country that receive and investigate fair housing complaints from the public. The data provides a snapshot of the number and types of housing discrimination complaints reported for the year. This complaint data comes from nonprofit fair housing organizations (FHOs), the U.S. Department of Housing and Urban Development (HUD), state and local Fair Housing Assistance Program agencies (FHAP), and the U.S. Department of Justice (DOJ). Together these agencies make up the national infrastructure to address housing discrimination in the United States.²

There were **32,321 fair housing complaints** received by FHOs, HUD, FHAP agencies, and the DOJ in 2024, a decrease of 1,829 (5.36 percent) complaints compared to the 34,150 complaints received in 2023. Eighty-two (82) private, non-profit fair housing organizations (FHOs) processed 74.12 percent of complaints, compared to 20.90 percent by FHAP agencies, 4.85 percent by HUD, and 0.14 percent by the DOJ. From 2023 to 2024, private, non-profit fair housing organizations and HUD saw a decrease in complaints received, while FHAPs and the DOJ saw an increase. FHOs reported a decrease of 7.10 percent (1,832 complaints) from the previous year. HUD reported a 10.1 percent decrease in complaints from FY2023 to FY2024 (the department reported 1,742 complaints in FY 2023 and 1,566 complaints in FY 2024). FHAP agencies reported a 2.69 percent increase in complaints, reporting 6,754 complaints in FY 2024 compared to 6,577 complaints in FY2023. The DOJ reported two more complaints in FY 2024 than in FY2023, increasing from 42 complaints to 44 in FY2024.

Housing discrimination takes numerous forms and occurs in many different types of housing transactions or areas, including rental, real estate sales, mortgage lending, housing-related insurance, zoning, design and construction, and appraisals. Housing discrimination also occurs when developers build units that are inaccessible to people with disabilities and when housing providers deny requests for reasonable accessibility accommodations or modifications which impedes the ability of a person with a disability to use and enjoy their home. For the purposes of this report, data is collected and reported primarily on the seven federally protected classes: race, color, religion, national origin, sex, disability, and familial status. However, this report also includes additional data on classes protected under state and local laws, including sexual orientation, source of income, marital status, and several other categories.

The data collected for this report represents only a small portion of the millions of incidents of illegal housing discrimination that occur each year. Housing discrimination goes undetected and unreported because it is often difficult to identify or document. It is also common for victims of discrimination to feel that nothing can or will be done about their civil rights being violated. In some cases, discrimination victims fear their housing provider, landlord, or even neighbors may retaliate—ultimately discouraging them from reporting.

² Private fair housing agencies report their data based on the calendar year, while HUD, FHAP, and DOJ data are reported based on the federal fiscal year (October-September).

Housing Discrimination Complaints by Reporting Agency

This year's report includes submissions from 82 of NFHA's Operating and Supporting Members, which are private, non-profit fair housing organizations or legal aid agencies. This year's total of 82 FHOs is four fewer than last year's total of 86. Private, non-profit fair housing organizations have historically processed most fair housing complaints as past reports have detailed. This year was no different, as **FHOs continued to process the majority of all discrimination complaints in 2024 (74.12 percent of all complaints); however, federal disruptions to the funding for community-based fair housing agencies impacted their ability to report their fair housing activities.** In February 2025 a number of FHOs had their funding disrupted and either had to go out of business or reduce staff. NFHA began collecting data from FHOs for this report in April 2025. Since then, several agencies were not able to submit their information.

In addition to FHO data, this report includes data from the 10 regional HUD offices and an estimated 77 state and local government agencies³ that participate in the FHAP program at HUD, from which they receive funding to support fair housing administrative and enforcement activities. FHAP agencies conduct complaint investigations, conciliation, administrative and/or judicial enforcement, training, implementation of data and information systems, as well as education and outreach activities. The report also contains information gathered from DOJ, which addresses cases involving patterns or practices of discrimination or cases that are of importance to the public.



³ HUD. (2023). Fair Housing Programs. https://www.hud.gov/sites/dfiles/CFO/documents/2023_CJ_Program_Fair_Housing_Programs.pdf

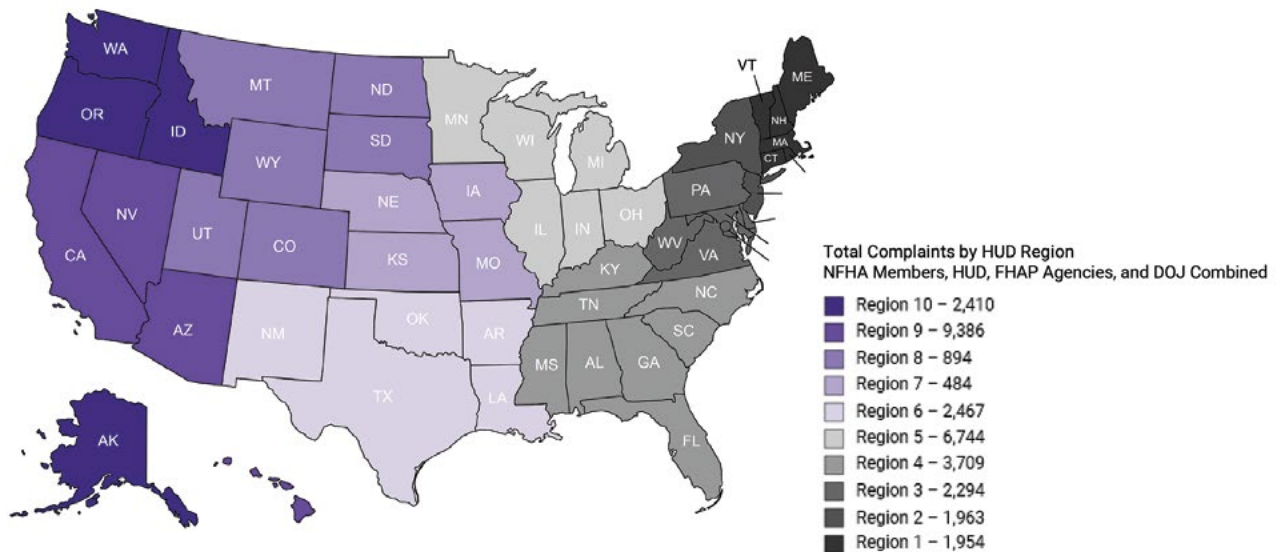
Fair housing complaint data by agency is included in the table below, along with data from the last 11 years. Local fair housing organizations continue to address almost three times as many complaints as the government agencies combined.

Complaint Data by Agency, 2014-2024

Year	NFHA Member	HUD	FHAPs	DOJ	Total
2014	19,026	1,710	6,758	34	27,528
2015	19,645	1,274	6,972	46	27,937
2016	19,740	1,371	7,030	40	28,181
2017	20,595	1,311	6,896	41	28,825
2018	23,407	1,784	5,987	24	31,202
2019	21,117	1,771	5,953	39	28,880
2020	21,089	1,697	5,883	43	28,712
2021	22,674	2,093	6,413	36	31,216
2022	24,404	1,915	6,652	36	33,007
2023	25,789	1,742	6,577	42	34,150
2024	23,957	1,566	6,754	44	32,321

Note: Totals reflect the number of complaints filed, not the sum of all discrimination bases. Because a single complaint may allege more than one basis of discrimination (e.g.; race and national origin), category counts exceed the total number of complaints.

Total Fair Housing Complaints by HUD Region
Fair Housing Trends Data, 2024

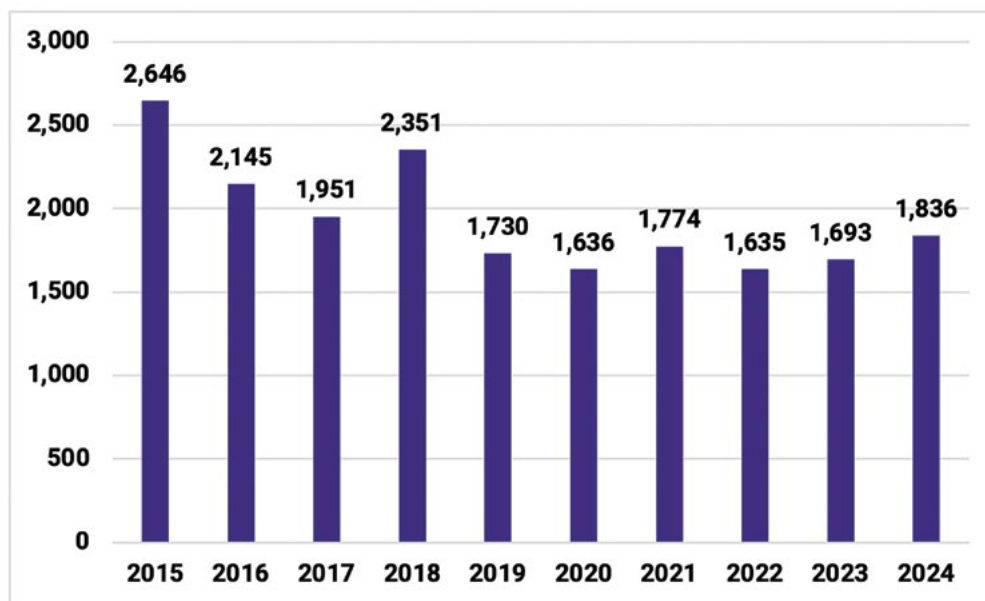


Housing Discrimination Complaints by Basis of Discrimination

This section details the national complaint data by protected class, or basis of discrimination. As in prior reports, complaints alleging discrimination based on disability account for the majority of complaints filed with FHOs, HUD, FHAP agencies, and the DOJ. There were 17,645 complaints of discrimination against people with disabilities—more than half (54.59 percent)—of all complaints. The second most reported type of housing discrimination was based on race, with 5,034 complaints (15.58 percent). Sex was the third most frequent basis of discrimination, with 2,304 complaints (7.13 percent). The fourth most frequent basis of discrimination was national origin, with 1,836 complaints (5.68 percent). The fifth most frequent basis was familial status, with 1,786 reported complaints (5.53 percent). Color was the basis of discrimination for 777 complaints (2.40 percent), and religion was the basis of 363 complaints (1.12 percent).

Notably, from 2023 to 2024, there was an increase in complaints based on national origin. In 2024, a total of 1,836 complaints based on national origin were reported, which accounted for 5.68 percent of all complaints. In 2023, there were 1,693 complaints based on national origin reported. This jump represents an increase of 8.45 percent. Specific states that saw the largest increases in complaints based on national origin in 2024 included California, Michigan, Oregon, and Pennsylvania.

National Origin Complaints of Discrimination, 2015-2024



There was also an increase in complaints based on religion from 2023 to 2024. In 2024, a total of 363 complaints based on religion were reported, compared to 337 complaints reported in 2023. This is an increase of 7.72 percent.

The table below shows the frequency of discrimination complaints by basis and type of reporting agency.

Complaint Data by Basis and Agency in 2024

Year	Race	Disability	Familial Status	Sex	National Origin	Color	Religion	Other	Total
NFHA Members	3,014	12,275	1,164	1,246	1,167	381	171	4,539	23,957
HUD	295	1,033	125	223	104	39	28	208	1,566
FHAPS	1,716	4,327	496	824	564	357	159	1,140	6,754
DOJ	9	10	1	11	1	0	5	7	44
Total	5,034	17,645	1,786	2,304	1,836	777	363	5,894	32,321
Percent of Total	15.58%	54.59%	5.53%	7.13%	5.68%	2.40%	1.12%	18.24%	

Note: Some reported complaints included more than one basis of discrimination.

While fair housing organizations primarily receive complaints of discrimination based on federally protected classes, they also receive complaints of discrimination based on protections provided only by state and/or local fair housing laws. In 2024, 5,894 complaints (18.24 percent of all complaints) involved a basis of discrimination in the “other” protected class category.

Private fair housing organizations provided a breakdown of “other” protected class categories for 4,539 complaints, including the following primary categories:

- Source of Income (2,189 complaints)
- Age/Student Status (434 complaints)
- Sexual Orientation (257 complaints)
- Gender Identity/Expression (188 complaints)
- Marital Status (74 complaints)
- Criminal Background (310 complaints)
- Victims of Domestic Violence (297 complaints)
- Military Status (38 complaints)
- Retaliation (472 complaints)
- Immigration Status/Citizenship (36 complaints)

In 2024, complaints based on retaliation more than doubled, increasing from 234 complaints in 2023 to 472 complaints in 2024. There was also an uptick in complaints based on immigration status/citizenship, rising from 27 in 2023 to 36 in 2024. While these numbers may appear small, this represents an increase of 33.33 percent.

Housing Discrimination Complaints by Transaction Type

The data in this section is based on complaints received that occurred in rental, real estate sales, mortgage lending, and homeowners' insurance transactions, as well as harassment and other complaints based on protected class. This section also details complaints received that occurred in appraisal transactions. Complaint numbers below are for private fair housing organizations, HUD, FHAP agencies, and the DOJ.

Complaints by Transaction Type in 2024

	Rental	Sales	Lending	Insurance	Harassment	Appraisal	Advertising	HOA/Condo	Other	Total
NFHA Members	21,861	254	142	26	815	39	108	200	512	23,957
HUD	974	68	31	1	0	0	0	0	492	1,566
FHAPS	4,156	336	41	0	0	0	0	0	2,221	6,754
DOJ	16	1	6	0	0	0	0	3	18	44
Total	27,007	659	220	27	815	39	108	203	3,255	32,321
Percent of Total	83.56%	2.04%	0.68%	0.08%	2.52%	0.12%	0.33%	0.63%	10.07%	

Note: HUD and FHAP data contained minor inconsistencies. For reporting clarity, minor adjustments (less than 1%) were made to ensure subtotals aligned with complaint total.

Rental Market – 27,007 Complaints

As in prior years, rental-related housing discrimination complaints were the most prevalent of any complaint transaction type. In 2024, there were 27,007 complaints of discrimination in the rental market reported across all agencies, and 21,861 of these were processed by private fair housing organizations. With fewer organizations reporting, the number of rental-related complaints reported decreased by 1,476 complaints compared to the 28,483 complaints received in 2023. Rental-related complaints in 2024 accounted for 83.56 percent of all transaction types reported, compared to 83.41 percent in 2023, 82.82 percent in 2022, 81.69 percent in 2021, and 72.65 percent in 2020.

Real Estate Sales – 659 Complaints

Real estate sales complaints accounted for 2.04 percent of all housing discrimination cases reported in 2024, with 659 total complaints. This number represents a decrease of 107 complaints from 2023 when 766 sales complaints were reported. This marks the third consecutive year that sales complaints have seen a decline and may be a function of the continuation of a slowing real estate sales market resulting from limited housing supply and continued elevated mortgage interest rates. The lower number of real estate sales complaints in 2024 could also be a result of fewer organizations submitting data.

Mortgage Lending – 220 Complaints

In 2024, there were 220 complaints of lending discrimination, a decrease from 2023's total of 294 complaints. Private fair housing organizations reported 64.55 percent of all mortgage lending complaints.

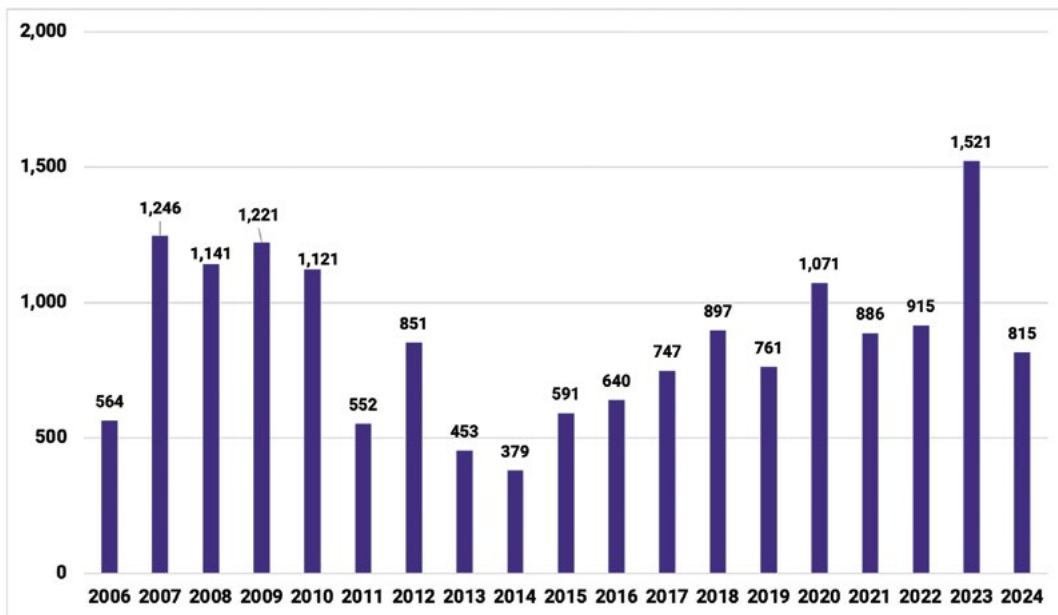
Homeowners Insurance Transactions – 27 Complaints

Discrimination in the provision of homeowners insurance is difficult to identify because it is rarely overt. In 2024, 27 complaints of homeowners insurance-related discrimination were reported, representing less than one percent of all cases. This is an increase from the 15 homeowners insurance complaints reported in 2023.

Harassment – 815 Complaints

Women, single-parent heads of households, people of color, persons with disabilities, immigrants, persons with housing assistance, and others are often vulnerable to harassment in housing because they may fear retaliation or loss of housing. Harassment against protected classes may take the form of coercion, intimidation, threats, or interference; this is illegal under the Fair Housing Act, both in the provision of housing and in a housing setting.

Housing Discrimination Complaints Based on Harassment, 2006 - 2024



In 2024, 815 complaints of harassment were reported, a decrease of 706 complaints from the 1,521 complaints reported in 2023 (a decrease of 46.42 percent). It is notable that, while the number of harassment complaints decreased from year to year, the number of retaliation complaints increased considerably. Complainants might have cast harassment they experienced as a form of retaliation. Some of the complaints that otherwise would have been lodged as a harassment issue may have been classified as a retaliation incidence.

There were 218 harassment complaints on the basis of disability, 162 harassment complaints on the basis of sex, 160 harassment complaints on the basis of race, 52 harassment complaints based on national origin, 41 harassment complaints on the basis of familial status, and 31 harassment complaints on the basis of color. There were also 136 harassment complaints based on other protected class categories; of these 136 complaints, 30 were harassment on the basis of source of income, 31 were harassment on the basis of sexual orientation, 23 were harassment based on age, and 21 were harassment based on the basis of domestic abuse/violence.

Appraisal – 39 Complaints

This year's report marks the second year that appraisal complaints were collected as a standalone transaction type. Recent research,⁴ news stories,⁵ and rising appraisal discrimination allegations all indicate that biases in appraisals negatively impact consumers and communities of color and exacerbate the racial wealth gap. In 2024, there were 39 complaints total of appraisal discrimination, a decrease from 2023 when a total of 87 complaints were reported. However, in 2024, neither FHAP agencies nor HUD provided information about appraisal discrimination complaints, so all 39 complaints regarding appraisal discrimination originated from private, non-profit fair housing organizations. These FHOs saw an increase in complaints based on appraisal discrimination from 2023 to 2024; in 2023, they reported a total of 24 complaints based on appraisal discrimination, compared to 39 in 2024 (an increase of 62.50 percent).

Other Housing-Related Transactions – 3,566 Complaints

In 2024, a total of 3,566 complaints fell into "other transaction" categories. Other housing-related transactions included 108 complaints of discriminatory advertising by housing providers and 203 complaints of discrimination by homeowners or condominium associations. Complaints of discrimination by homeowners or condominium associations saw an increase from 2023 to 2024, with 130 complaints reported in 2023 and 203 complaints reported in 2024.



⁴ Howell, J., & Korver-Glenn, E. (2022). Appraised: The Persistent Evaluation of White Neighborhoods as More Valuable Than Communities of Color. Eruka. <https://www.eruka.org/appraised>.

⁵ Glover, J. (Executive Producer). (2021). Our America: Lowballed [Documentary]. ABC. <https://abc7.com/feature/our-america-lowball-home-appraisal-racial-bias-discrimination/12325606/>.

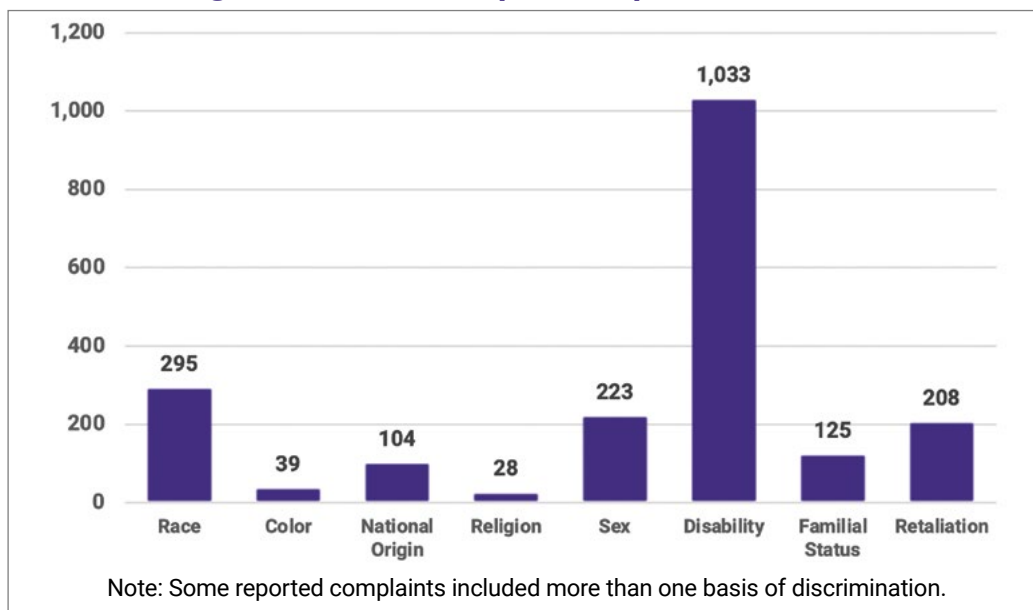
Complaint Data Reported by HUD and FHAP Agencies

HUD's Office of Fair Housing and Equal Opportunity (FHEO) is responsible for enforcing the Fair Housing Act's requirements. FHEO enforces the Fair Housing Act and other civil rights laws, including Title VI of the Civil Rights Act of 1964, Section 109 of the Housing and Community Development Act of 1974, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, Title IX of the Education Amendments Act of 1972, and the Architectural Barriers Act of 1968. HUD has the authority to investigate and conciliate housing discrimination complaints filed under the Fair Housing Act. It can also initiate investigations and file complaints on behalf of the Secretary of HUD, as authorized under Section 810 of the Fair Housing Act. In addition to enforcement activities, HUD publishes and distributes educational materials that provide information on how to report unlawful discrimination; administers and manages the Fair Housing Assistance Program (FHAP) and the Fair Housing Initiatives Program (FHIP); establishes fair housing and civil rights regulations and policies for HUD programs; publishes guidance on complying with the requirements of fair housing and various civil rights laws; and monitors and reviews HUD programs and activities for compliance with federal nondiscrimination requirements and the requirement to affirmatively further fair housing.

HUD Administrative Complaints

HUD received 1,566 discrimination complaints in 2024; a decrease of 176 complaints or 10.1 percent compared to 2023. The chart below details the HUD complaint information by protected class.

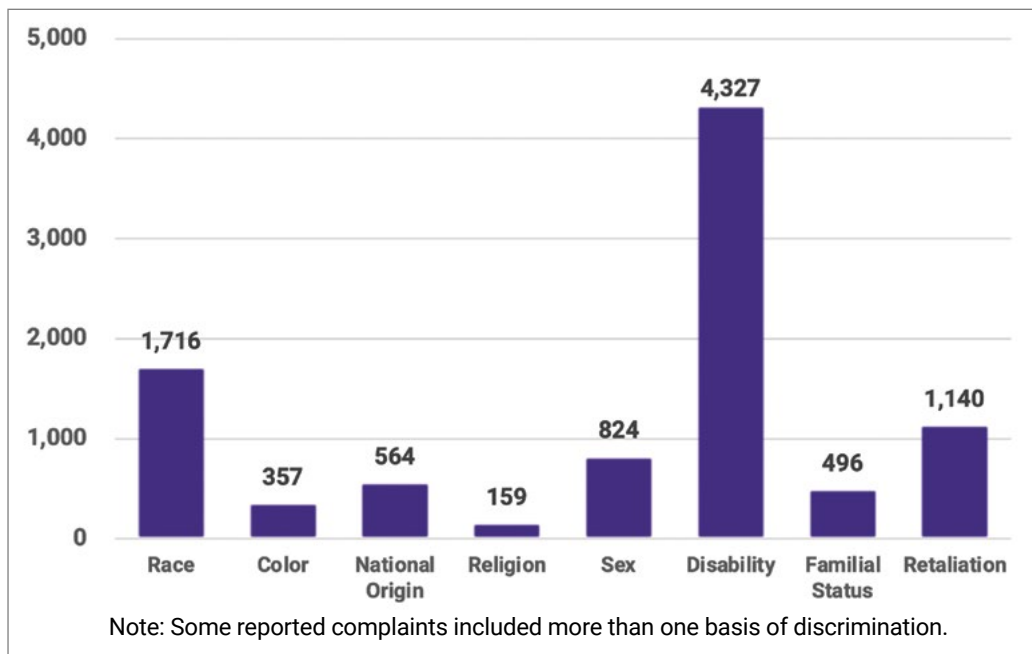
Housing Discrimination Complaints Reported by HUD in 2024



FHAP Complaints

FHAP agencies received 6,754 discrimination complaints in 2024, an increase of 177 complaints from 2023. From 2023 to 2024, there was a 26.2 percent increase in housing discrimination complaints based on color, with an increase from 283 complaints in 2023 to 357 complaints in 2024. There was also a 16.2 percent increase in housing discrimination complaints based on retaliation, with an increase from 981 complaints in 2023 to 1,140 complaints in 2024. Additional protected bases that saw increases in complaints from 2023 to 2024 included sex and disability complaints.

Housing Discrimination Complaints Reported by FHAP Agencies in 2024



Secretary-Initiated Complaints

The Fair Housing Act allows HUD to initiate complaints when (1) the Department obtains sufficient evidence to believe that a Fair Housing Act violation has occurred or is about to occur or (2) when it has received an individual complaint but believes there may be additional victims of discrimination or wants to obtain relief in the public interest. In 2024, one new HUD Secretary-initiated complaint was opened, which included allegations based on race, color, and national origin claims in the lending context.

Charged Cases

In 2024, HUD saw a decrease in charged cases, from 47 in 2023 to 31 in 2024. A “charge” is issued when HUD determines there is reasonable cause to believe discrimination has occurred. HUD cases are resolved more often through conciliation or are closed for administrative reasons. Administrative reasons include untimely filing, jurisdiction issues, withdrawal by the complainant without resolution, or inability to locate the respondent. The chart below details the number of HUD-charged cases from 2014 to 2024.

HUD Charged Cases by Year

Year	HUD Charged Cases
2014	27
2015	28
2016	37
2017	19
2018	28
2019	37
2020	36
2021	36
2022	21
2023	47
2024	31

FHAP agencies also play an important role in the charging and closure of cases. HUD refers complaints that originate in cities or states with a FHAP agency to that agency. A FHAP agency may issue a “cause” determination if it determines probable discrimination has occurred. In 2024, there were 440 cause determinations at FHAP agencies, a slight increase of 3.5 percent from the 428 charged cases in 2023.

The table below shows the types of HUD and FHAP case completions in 2024. There were 8,188 completions: 1,579 by HUD and 6,609 by FHAP agencies. There were 16 fewer cases charged or caused by HUD in 2024 than in 2023, while FHAP agencies reported 12 more cases charged or caused in 2024 compared to 2023. HUD conciliated or settled 10 fewer cases in 2024 than in 2023, while FHAP agencies conciliated or settled 80 more cases in 2024 than in 2023. For cases receiving a “no cause” determination, HUD “no caused” 22 more cases than in 2023, and FHAP agencies “no caused” 307 more cases than in 2023.

2024 HUD and FHAP Case Completion Types

Case Completion Type	HUD	FHAPs	Total
Administrative Closure	272	829	1,101
Charged or FHAP Caused	31	440	471
Conciliation / Settlement	567	1,188	1,755
DOJ Closure	4	0	4
No Cause	584	3,724	4,308
Withdrawn after Resolution	121	428	549
Total	1,579	6,609	8,188

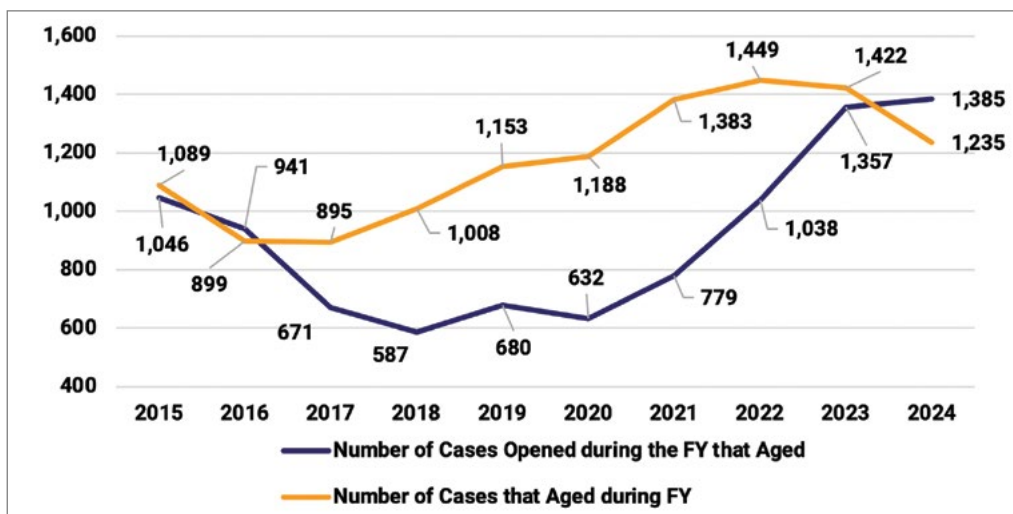
Aged Cases

HUD regulations under the Fair Housing Act require that HUD and FHAP agencies complete their investigations of fair housing complaints within 100 days of the initial receipt of a complaint, with the exception of complex investigations (for example, appraisal bias, mortgage lending, or insurance discrimination cases) or systemic cases. If a case exceeds the 100-day statutory mark, it is considered an “aged” case. Aged cases at HUD and FHAP agencies often remain stalled for several years. Many aged cases at HUD are not themselves complex or systemic in nature. The failure to complete a timely and thorough investigation leaves complainants and respondents in limbo and is an injustice to all parties involved in resolving the complaints.

HUD had 1,385 new aged cases during FY2024, a 2.1 percent increase from the 1,357 new aged cases during FY2023. The chart below shows cases that were opened and passed the 100-day mark during the fiscal year. HUD also had 1,235 ongoing cases that continued to age during FY2024. This number is a 13.2 percent decrease over FY2023 when HUD had 1,422 ongoing cases that continued to age. Over the years, HUD’s ability to complete timely investigations has been worsened due to a decline in full-time staff. In 2024, Congress provided \$86 million to fund FHEO. This is far below the \$153 million needed to fully staff the division so that it can properly carry out its fair housing enforcement responsibilities. By fully funding FHEO, Congress would provide resources for 1,125 full-time equivalent (FTEs) FHEO staff, and at least 300 FTEs would be necessary to ensure HUD programs and grantees Affirmatively Further Fair Housing in their use of federal funds. Unfortunately, the Trump Administration’s FY26 budget proposal would exacerbate the staffing deficit because it only allocates \$68 million for FHEO, which is a 21 percent reduction in funding while the nation is amid a fair and affordable housing crisis. The failure to adequately fund FHEO is leaving disabled veterans, families with children, seniors, survivors of domestic violence, people of color, and more without the ability to remedy potential acts of housing discrimination, which impacts their ability to be made whole.

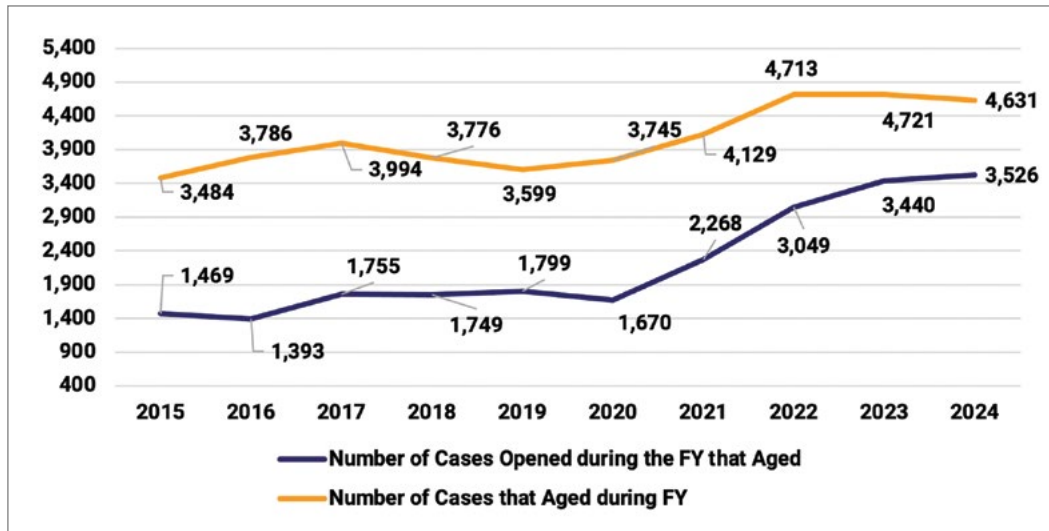
In 2024, Congress provided \$86 million to fund FHEO, far below the \$153 million needed to fully staff the division.

Number of Aged Cases FY2015-2024 (HUD)



FHAP agencies had 3,526 cases that were opened and aged during FY2024, representing a 2.5 percent increase from the 3,440 cases reported during FY2023. FHAP agencies also had 4,631 ongoing cases that continued to age during FY2024, a decrease of 90 cases compared to the 4,721 ongoing cases that continued to age during FY2023. An increased caseload at FHAP agencies, and more complex investigations at both HUD and FHAPs (appraisal, insurance, and redlining) may be fueling the high number of cases that exceed the 100-day benchmark for processing.

Number of Aged Cases FY2015-2024 (FHAPs)



Complaint Data Reported by DOJ and DOJ Cases

The Housing and Civil Enforcement Section of the Department of Justice (DOJ) is responsible for enforcing the Fair Housing Act, the Equal Credit Opportunity Act (ECOA), the Servicemembers Civil Relief Act, and Title II of the Civil Rights Act of 1964, which prohibits discrimination in public accommodations. The 1968 Fair Housing Act gave DOJ the authority to prosecute cases involving a “pattern or practice” of housing discrimination, as well as cases involving acts of discrimination that raise “an issue of general public importance.” The 1988 Fair Housing Amendments Act (FHAA) increased the DOJ’s authority, allowing it to bring cases in which a housing discrimination complaint is charged by HUD and in which one of the parties “elects” to go to federal court. The FHAA also empowered DOJ to initiate civil lawsuits in response to matters that involve fair housing violations by any state or local zoning or land-use laws referred by HUD. In 1992, the DOJ exercised its authority to establish fair housing testing programs. The DOJ also subsequently established a fair lending program designed to challenge discriminatory mortgage and other lending practices and to educate lenders about their obligations under the Fair Housing Act and the ECOA.

With respect to lending discrimination, the DOJ has authority to enforce both the ECOA and the FHA on its own initiative or upon referral from another agency. The ECOA prohibits creditors from discriminating against credit applicants on the basis of race, color, national origin, religion, sex, marital status, age, source of income, or because an applicant has exercised in good faith any right under the Consumer Credit Protection Act. The Fair Housing Act prohibits discrimination in residential real estate-related transactions because of race, color, religion, sex, national origin, familial status, or disability. In cases involving discrimination in mortgage or home improvement loans, the DOJ may file suit under both the ECOA and Fair Housing Act.

Overview of FY2024 DOJ Cases

DOJ's Housing and Civil Enforcement Section filed 44 cases during FY2024, two more cases than the 42 cases filed in the previous year. Twenty-one of these cases were "pattern or practice" cases. The 44 cases reported in 2024 included 10 cases alleging discrimination based on race and/or national origin discrimination, 11 cases involving sexual harassment in housing, 10 cases alleging discrimination based on disability, and five cases alleging violations of the Religious Land Use and Institutionalized Persons Act. DOJ reported 11 HUD election cases and nine amicus or intervention cases in FY2024. While DOJ reported two fewer amicus or intervention cases in FY2024 than in FY2023 when they reported 11, it still marks the second largest number of such cases filed by the DOJ in a fiscal year since at least 2005.

Combatting Redlining Initiative

DOJ established its Combatting Redlining Initiative in October 2021, building upon its longstanding efforts to make mortgage credit and homeownership accessible to all Americans on the same terms and conditions. The Initiative sought to eradicate redlining and hold lenders accountable when they deny people of color equal access to lending opportunities. In FY2024, the Department filed and settled five cases under the Equal Credit Opportunity Act, alleging redlining of Black and Latino neighborhoods. One of these redlining cases is detailed below.

Sexual Harassment Initiative

DOJ established a Sexual Harassment in Housing Initiative in 2017. Since the launch of the Initiative, DOJ has filed a total of 48 lawsuits challenging alleged sexual harassment in housing and has settled or tried 37 sexual harassment cases. The Department continued to open sexual harassment investigations challenging alleged sexual harassment in housing, with nine sexual harassment lawsuits filed in FY2024. In FY2024, DOJ also settled nine sexual harassment cases, obtaining monetary relief for over 100 victims of sexual harassment in housing.

DOJ Case Highlights

DOJ obtained 39 settlements and judgments in FY2024, resulting in \$50 million in monetary relief. Those settlements include the following:

The Department settled nine sexual harassment cases in FY2024. For example, DOJ settled *United States v. Donahue* (W.D. Wis.), a case that alleged that a property owner and manager harassed numerous female tenants of his residential rental properties in Janesville, Wisconsin by offering to reduce monthly rental payments in exchange for sex, making unwelcome sexual comments and advances, and evicting or threatening to evict female tenants who objected to or refused his sexual advances. The consent order requires the owner and property manager to pay \$623,965 in monetary compensation, including \$500,000 to 13 aggrieved persons, and a \$123,965 civil penalty to the United States. It also permanently bars the owner and manager from managing rental properties in the future.

The Department settled several cases alleging discrimination related to familial status. In *United States v. Isle of Paradise "B", Inc., Isle of Paradise "C", Inc., and Isle of Paradise "E", Inc.* (S.D. Fla.), for example, the case alleged that the nonprofit cooperative corporations that each own a residential building on the Isle of Paradise in Hallandale Beach, Florida maintained and/or enforced a no-children-under-12 policy. The consent decree requires defendants to remove their no-children-under-12 policy (except that one defendant, Isle of Paradise "C", Inc., can instead show that it is exempt as housing for older persons); undergo other standard injunctive relief; and pay a total of \$52,000 in monetary relief.

The monetary relief is composed of \$20,000 in damages to a mother and son who were turned away from living in one of the properties and \$6,000 to their real estate agent, \$13,000 in settlement funds, and \$13,000 in civil penalties.

The Department settled numerous cases alleging disability discrimination in a variety of contexts. One such case, *United States v. Vazquez* (D.P.R.), filed and settled in FY2024, alleged that an apartment owner and manager, as well as the real estate agent the property owner hired to lease, rent, and manage the apartment on the owner's behalf, made discriminatory housing statements based on disability, refused to renew a tenant's lease based on disability, and interfered with the tenant's ability to request a reasonable accommodation. The consent decree requires defendants to pay the tenants \$5,000 in damages and waive any claims against him for outstanding unpaid rent or any other outstanding amounts. The consent decree also mandates that defendants adopt a non-discrimination policy and obtain fair housing training. This was an important inclusion in the decree, as defendants erroneously did not believe that the Fair Housing Act applied to their conduct because they were located in Puerto Rico.

The Department also filed, litigated, and settled several cases alleging race and national origin discrimination in FY2024. For example, the Department filed and settled *United States v. Town of Franklinton* (E.D. La.), which alleged that the Town of Franklinton discriminated on the basis of race in violation of the FHA when it obstructed, delayed, and denied zoning for a LIHTC (Low-Income Housing Tax Credit) housing development that would have disproportionately served Black residents and would have been built in a predominantly white neighborhood. The consent decree requires the Town of Franklinton to pay \$205,000 in damages to developers and a \$25,000 civil penalty to the United States. The Town must also facilitate the development of new affordable housing to replace the units that the town previously blocked, amend its zoning ordinance and policies, and support the development of affordable housing by rezoning land to multi-family use and establishing a land donation program.

More detailed information about cases filed/settled by DOJ is available at <http://www.justice.gov/crt/about/hce/caselist.php>.



SECTION II: Case Highlights 2024

The cases featured in this section highlight the issues and challenges that millions of consumers face each day as they attempt to gain access to housing opportunities. The cases sampled below reveal the types of systemic and individual impediments consumers face in the housing market, and they illustrate the variety and extent of housing discrimination and how it affects many different segments of our society. Please also see the DOJ case highlights located at the end of Section I.

Disability

Gilead Community Services v. Town of Cromwell⁶

In a precedent setting ruling, the Second Circuit Court of Appeals affirmed a jury verdict in favor of the Connecticut Fair Housing Center and the operators of a group home for people with disabilities in their discrimination lawsuit against the Town of Cromwell, Connecticut. The court held that punitive damages are available against municipalities under the Fair Housing Act—marking the first time a federal appellate court has recognized the availability of punitive damages against a local government.

Connecticut Fair Housing and Gilead Community Services sued the Town of Cromwell, Connecticut, and several Cromwell officials under the Fair Housing Act, the Rehabilitation Act, and the Americans with Disabilities Act after the town and town officials took steps to prevent the group home from operating. A jury returned a verdict for the plaintiffs and awarded them \$181,000 in actual damages and \$5 million in punitive damages. The town appealed the finding of liability and the award of punitive damages.

The Second Circuit affirmed the finding of liability under the Fair Housing Act. The court rejected the town's argument that the trial court applied the wrong standard in assessing causation when it ruled that the plaintiff was only required to show that the issue of the residents' disability was a significant factor in the town's action.

The Second Circuit also ruled that punitive damages against a municipality are available under the Fair Housing Act. However, it concluded that the amount awarded in this case was unconstitutionally excessive. It remanded the case for a new trial on the issue of punitive damages unless Gilead agreed to a reduction of the amount to \$2 million. Gilead later agreed to the remittitur and the district court entered final judgment for the plaintiffs.

Fair Housing Justice Center v. Harbor View Senior Living Residence, LLC⁷

The Fair Housing Justice Center (FHJC) reached a settlement with the operators of several adult care facilities that provide housing and services to people with disabilities. FHJC sued Harbor View Senior Living Residence and the other defendants, alleging that they violated the Fair Housing Act, the Rehabilitation Act, and the Affordable Care Act by applying a blanket policy of denying admission to applicants for housing who use wheelchairs.

⁶ No. 22-1209, 2024 U.S. App. LEXIS 20193 (2d Cir. Aug. 12, 2024)

⁷ No. 1:24-cv-4535 (S.D.N.Y. Feb. 14, 2025)

Under the terms of the settlement, the defendants agreed not to communicate a no-wheelchair policy in any form or to reject any applicant or terminate any resident because they use a wheelchair. The defendants will pay FHJC a total of \$399,000 for costs and for monitoring the agreement.

Access Living of Metropolitan Chicago, Inc. v. City of Chicago⁸

A district court denied summary judgment to defendants in an important disability discrimination lawsuit brought by Access Living of Metropolitan Chicago. The City of Chicago receives an average of \$100 million each year from HUD, which it uses to provide grants and loans to non-profit organizations and private developers to build and rehabilitate rental housing, including affordable housing. Access Living is the Independent Living Center for Chicago that provides a range of services for people with disabilities. Access Living sued the City under the Americans with Disabilities Act, Section 504 of the Rehabilitation Act and the Fair Housing Act alleging that it violated the law by failing to ensure that the City's affordable housing program is accessible to people with disabilities and by failing to enforce federal accessibility requirements against recipients of federal funds through the City. The City filed a motion for summary judgment, which was denied by the district court.

The district court ruled that Access Living had standing to bring the case because the City's practices hindered Access Living's day-to-day operations by making it more difficult for the organization to help place clients in accessible, affordable housing, reducing the services that it can provide to its clients and the effectiveness of those services. In denying summary judgment to the City, the district court found that there were disputed issues of fact and a jury could find that the City's affordable housing scheme is a "program" within the meaning of the ADA and Section 504, even though it does not build or operate housing. The court held that a jury could find the City's role in funding, approving, and overseeing housing developments violated the design and construction requirements of the Fair Housing Act and the City's failure to comply with contractual and statutory requirements is a continuing violation such that Access Living's claims are not barred by the statute of limitations.

United States ex rel. Mei Ling and Fair Housing Council of San Fernando Valley v. City of Los Angeles⁹

The Fair Housing Council of the San Fernando Valley and the Department of Justice settled a lawsuit brought under the False Claims Act against the City of Los Angeles for \$38.2 million. The Fair Housing Council and DOJ alleged that the City falsely certified that they would comply with federal accessibility laws in building and rehabilitating federally-funded affordable housing. The government and the Fair Housing Council alleged that instead of creating accessible affordable housing, the City used the money to create inaccessible affordable housing that deprived people with disabilities of an equal opportunity to find housing of their choice. The Fair Housing Council shared in the proceeds of the settlement and recovered attorneys' fees and costs.

Fair Housing Funding

As the fight for fair housing wages on, the movement has found a new obstacle—one created by the current Trump Administration. The Administration is working to defund fair housing enforcement mechanisms at HUD and to strip resources from local fair housing groups. These actions directly undermine the protections guaranteed to the people of America under the Fair Housing Act. In 2025, the National Fair Housing Alliance and its member agencies filed suit to stop these cuts and preserve previously awarded funding for these critical agencies and services that protect families from discrimination.

⁸ No. 1:18-CV-03399, 2024 U.S. Dist. LEXIS 177191 (N.D. Ill. Sept. 30, 2024)

⁹ No. 11-cv-974 (C.D. Cal. Aug. 26, 2024)

Massachusetts Fair Housing Center v. Department of Housing and Urban Development¹⁰

In a pivotal development advancing fair housing, four members of the National Fair Housing Alliance led a class action lawsuit representing 60 organizations whose HUD Fair Housing Initiative Program (FHIP) grants had been terminated. Their efforts culminated in HUD reversing course and reinstating the grants. Established in 1992, Congress created FHIP to support the frontline organizations that investigate discrimination, educate communities and housing providers on fair housing laws, and enforce civil rights laws. In February 2025, fair housing groups that received federal grants to fight housing discrimination and enforce fair housing laws under the FHIP program were informed by letter that these grants were terminated effective immediately. Seventy-eight grants in total were terminated, resulting in the rescission of \$30 million in funding. FHIP grants are awarded pursuant to federal law.

The Massachusetts Fair Housing Center, the Intermountain Fair Housing Council, the Fair Housing Council of South Texas, and the Housing Research & Advocacy Center filed the lawsuit against HUD on behalf of a class of organizations whose grants were terminated. The plaintiffs alleged that HUD's termination of the grants violates the Administrative Procedure Act.

The district court initially granted a temporary restraining order (TRO) that required the reinstatement of 78 grants, holding that HUD's actions likely violated the Administrative Procedures Act. Shortly thereafter, the U.S. Supreme Court issued a summary order in *Department of Education v. California*¹¹ raising a question whether the district court had jurisdiction to consider the grant terminations or whether the grant terminations had to be addressed in the Court of Federal Claims. In response to the Supreme Court ruling, the trial court dissolved the TRO, finding that it lacked jurisdiction to hear the grant termination claims. Plaintiffs appealed and the case is pending on review in the U.S. Court of Appeals for the First Circuit.

Despite the district court's ruling dissolving the TRO, HUD did not renew the grant terminations and continued providing the current year FHIP funding to fair housing organizations.

National Fair Housing Alliance v. HUD¹²

In another victory for the fair housing movement, a District of Columbia district court granted a temporary restraining order and a preliminary injunction requiring the U.S. Department of Housing and Urban Development (HUD) to award new federal fair housing grants under the Fair Housing Initiatives Program (FHIP). The FHIP funding includes funds for new awards to non-profit private agencies and funding for the second and third year of multiyear grants previously awarded. The ruling came in response to a class action lawsuit filed by the National Fair Housing Alliance (NFHA) and the Tennessee Fair Housing Council.

In 2024, HUD issued NOFOs (notices of funding opportunity) that earmarked \$21.7 million of the FY 2024 appropriation for new Private Enforcement Initiative (PEI), Fair Housing Organization Initiative (FHOI), and Education and Outreach (EOI) awards and the balance of FY 2024 FHIP appropriations for the second and third years of three-year grants that HUD had awarded in 2023 and 2024. However, as of the filing of the complaint in July of 2025, HUD had not facilitated the awards from the 2024 appropriations for the second and third years of the grants and had not awarded new grants for fiscal year 2024.

¹⁰ No. 25-30041-RGS, 2025 U.S. Dist. LEXIS 56111 (D. Mass. Mar. 26, 2025)

¹¹ 604 U.S. ___, 145 S. Ct. 966 (2025).

¹² No. 25 - 1965 (SLS), 2025 U.S. Dist. LEXIS 143973 (D.D.C. July 28, 2025)

The lawsuit alleged HUD unlawfully withheld FHIP grants in violation of the Constitution and the Administrative Procedures Act—despite congressional appropriations—disrupting the essential work of dozens of community-based organizations that provide housing assistance to seniors, veterans, survivors of abuse, families with children, people with disabilities, and other vulnerable populations.

The court rulings compelled HUD to establish a firm timeline for issuing new FHIP awards before the funding authorization expires and to update the court weekly on its progress.

Lending

Saint-Jean v. Emigrant Mortgage Company¹³

The Second Circuit handed a significant victory to the plaintiffs when it affirmed a district court's judgment in a reverse redlining case against a mortgage company. Eight Black and Hispanic homeowners in New York City sued Emigrant Mortgage Company and Emigrant Savings Bank, alleging race discrimination. The plaintiffs were homeowners with significant equity in their homes who applied for refinancing from Emigrant under its STAR NINA program, which allowed borrowers with high equity in their homes to receive a loan without disclosing income or assets and with lower credit scores. Under the program, if a borrower defaulted, the interest rate would increase to 18 percent. Emigrant targeted borrowers in Black and Hispanic neighborhoods. The plaintiffs only learned of the targeting of minority groups when Emigrant initiated foreclosure proceedings against them in 2009 and they observed other Black borrowers in foreclosure court.

Plaintiffs alleged that Emigrant had discriminated against them based on their race and national origin. Following two jury trials, the district court entered judgment for the plaintiffs. The court awarded the plaintiffs who had lost their homes a total of \$720,000. The plaintiffs who were still in their homes under threat of foreclosure were awarded nominal damages.

Emigrant appealed. It argued that the plaintiffs' claims were untimely because they had not filed the case until more than two years after the mortgage company had foreclosed on their properties; that the jury instructions on disparate impact and disparate treatment were wrong; and that the court had erred in ruling that a release of claims provision in a loan modification agreement signed by two plaintiffs was unenforceable.

In a 2-1 decision written by Judge Denny Chin, a Second Circuit panel rejected the defendants' arguments and affirmed the district court's judgment. The panel ruled that the district court had not erred in finding that the statute of limitations had been equitably tolled because plaintiffs were unaware of the facts of discrimination within the statutory period. The appeals court also ruled that the trial court's jury instructions on disparate impact and disparate treatment were not erroneous and agreed with the district court that the releases of claims provision in two of the plaintiffs' loan modification agreements was unenforceable because it contravenes public policy against broad waivers of claims in mortgage transactions.

¹³ No. 22-3094, 2025 U.S. App. LEXIS 3742 (2d Cir. Feb. 19, 2025)

Organizational Standing

Fair Housing Center of Metropolitan Detroit v. Singh Senior Living LLC¹⁴

The Fair Housing Center of Metropolitan Detroit achieved a significant victory when the Sixth Circuit sent its disability discrimination case back to the district court to allow it to develop facts supporting its standing. The court vacated the district court's order granting summary judgment to defendants on the merits and remanded the case for further discovery and argument on the issue of standing.

The Fair Housing Center sued Singh Senior Living LLC and two other operators of senior housing, alleging that the defendants discriminated based on disability. According to the Fair Housing Center, it sent testers to the facilities who represented that they had deaf relatives who needed ASL interpreters. It alleged that its testers requested and were denied the reasonable accommodation of having a qualified ASL interpreter for their fictitious family members.

The district court entered summary judgment for the defendants on the merits, ruling that the Fair Housing Center had not shown that an ASL interpreter was necessary under the testing scenarios. However, the district court rejected the defendants' argument that the Fair Housing Center lacked standing.

In June 2024, the Supreme Court issued a ruling on organizational standing in *FDA v. Alliance for Hippocratic Medicine* in which it found that an organization cannot establish standing based on diversion of resources alone. The court held that "an organization that has not suffered a concrete injury caused by a defendant's action cannot spend its way into standing simply by expending money to gather information and advocate against the defendant's action." In light of this decision, the Sixth Circuit concluded that an organization, such as the Fair Housing Center, alleging standing must show that the conduct challenged interfered with the organization's "core business activities." The panel noted that the Supreme Court decision was not issued until after the district court's decision and the evidentiary record on the injury suffered by the Center was sparse. Therefore, the court vacated the lower court's decision and remanded the case to ensure that the Center has a fair opportunity to develop the record on the defendants' interference with the Center's core business activities including the informational injury. The Sixth Circuit expressed no view on the district court's ruling on the merits.

United States v. AION Management, LLC¹⁵

In a groundbreaking decision for fair housing advocates, a Delaware district court held that three fair housing organizations that intervened in this action brought by the United States had standing because they alleged that the defendants interfered with their core activity of providing fair housing services. The district court also held that the plaintiffs stated disability discrimination claims against a property management company that denied the requests of applicants with disabilities for assigned parking places and that the United States had standing.

AION Management, LLC manages and leases seven apartment complexes in Pennsylvania and Delaware. After receiving reports that AION had denied the request of a tenant with disabilities for an accessible reserved parking place, the Fair Housing Partnership of Greater Pittsburgh, the Housing Equality Center of Pennsylvania, and the National Fair Housing Alliance conducted an investigation that included using

¹⁴ 124 F.4th 990 (6th Cir. 2025)

¹⁵ No. 23-742, 2025 U.S. Dist. LEXIS 49611 (D. Del. March 18, 2025)

testers. The organizations found that AION managers had denied the requests of testers who said that their family members needed an assigned parking place because of their disability.

The fair housing organizations filed a HUD complaint against AION and the apartment complex owners, alleging disability discrimination. HUD determined that there was reasonable cause and issued a charge. The Justice Department sued AION and the complex managers (AION), and the fair housing organizations intervened as plaintiffs. The defendants moved to dismiss the United States' and the intervenors' complaints. They argued that the government and the private plaintiffs did not have standing and that they had not stated claims under the Fair Housing Act.

The district court denied the defendants' motions. It held that the United States and the intervenors had standing under Article III. Specifically, the court held that the organizations had standing because the defendants interfered with their core activity of providing fair housing services. It ruled that the United States and the intervenors had stated claims under 42 U.S.C. § 3604(c)'s prohibition on making a statement that indicates an intent to discriminate by alleging that the leasing agents at every complex told the testers they would not accommodate their disabilities by assigning them a reserved parking place and that assigning such a space would be impossible. It also ruled that the United States and the intervenors stated plausible claims that the defendants refused to make reasonable accommodations.

Fair Housing Center of Central Indiana, Inc. v. M & J Management Company, LLC¹⁶

A federal district judge found that the Fair Housing Center of Central Indiana had organizational standing in one of the first cases addressing standing for fair housing organizations after the Supreme Court issued a ruling on organizational standing. In *FDA v. Alliance for Hippocratic Medicine*, the Supreme Court held that an organization cannot establish standing based on diversion of resources alone.

M & J Management Company and other owners and operators of several multi-family apartment complexes in Indiana enforce a limit of two occupants per bedroom for all floor plans. The Fair Housing Center of Central Indiana sued M & J and the other companies alleging that the occupancy policy had a disparate impact on families with children in violation of the Fair Housing Act. M & J argued in its summary judgment that FHCCI did not have standing, among other arguments.

Relying in part on prior district court precedent, the district court held that FHCCI had standing because it diverted resources to investigate the defendant's discriminatory housing practices and its mission was frustrated by defendants.

¹⁶ No. 1:22-cv-006-12, 2024 U.S. Dist., LEXIS 147399 (S.D. Ind. Aug. 19, 2024)

REO Cases

National Fair Housing Alliance v. Deutsche Bank National Trust¹⁷

In an important victory for 20 fair housing organizations, a federal district court affirmed their standing to pursue monetary damages against Deutsche Bank and allowed them to prove their claims under both disparate treatment and disparate impact theories.

The National Fair Housing Alliance and 19 local fair housing organizations sued Deutsche Bank as well as Ocwen Loan Servicing and Altisource Solutions, alleging that defendants violated the Fair Housing Act by failing to maintain and market foreclosed homes (known as real estate owned properties or REOs) in communities of color in 30 metropolitan areas.

Following extensive litigation, the defendants filed a motion for summary judgment. The district court held that the organizational plaintiffs established standing. The court found that each of the organizations had counseling and referral programs and the defendants' failure to maintain properties in non-white neighborhoods effectively made those properties unavailable, which impaired plaintiffs' ability to assist clients to find suitable homes.

The district court denied Deutsche Bank's motion for summary judgment based on its argument that it was not vicariously liable for the actions of the other defendants. The court found that the plaintiffs had introduced evidence of Deutsche Bank communicating with the servicers related to REO maintenance violations and concluded that there was sufficient evidence in the record for a jury to infer the existence of an agency relationship.

The court held that the plaintiffs had stated claims of both disparate treatment and disparate impact under Section 3604(b), and that a reasonable jury could find that Ocwen's and Altisource's REO maintenance conduct was motivated in part by race. It also ruled that the plaintiffs had presented sufficient evidence under 3604(b) to establish a prima facie case of disparate impact based on the defendants' maintenance conduct.

The court entered judgment as a matter of law for the defendants on the plaintiffs' claims brought under Sections 3604(a) and 3605. It noted that these sections make it unlawful to make property unavailable because of race and that the plaintiffs' claims were based on allegations that defendants' policies created unnecessary restrictions and barriers to REO home ownership in non-white communities. It rejected these claims and ruled that the plaintiffs had not raised a genuine issue of material fact that the defendants' conduct dissuaded potential buyers.

National Fair Housing Alliance v. Bank of America, N.A.¹⁸

In a loss for fair housing organizations, a Maryland federal district court ruled that the plaintiff fair housing organizations lacked standing to pursue their damages claims against defendants and granted defendants summary judgment on plaintiffs' disparate impact and disparate treatment claims.

¹⁷ No. 18 CV 839, 2025 U.S. Dist. LEXIS 60481 (N.D. Ill. Mar. 31, 2025)

¹⁸ No. 1:18-cv-01919 2025 U.S. Dist. LEXIS 138245 (July 21, 2025)

In 2018, the National Fair Housing Alliance and 19 local fair housing organizations sued Bank of America and its servicer, Safeguard Properties Management, in this large-scale action to address allegations of discriminatory maintenance and marketing of foreclosed homes in communities of color in 37 metropolitan areas.

The district court granted defendants' motion to dismiss the Fair Housing Act claims for damages finding that the organizational plaintiffs lacked Article III standing. The district court had previously ruled that the organizational plaintiffs had standing,¹⁹ but after the June 2024 Supreme Court ruling in *FDA v. Alliance for Hippocratic Medicine* that an organization cannot establish standing based on diversion of resources alone, defendants again moved to dismiss based on the pleadings. The court granted the motion finding that plaintiffs "have not shown direct injuries to their preexisting core business activities that are separate and apart from their response to Defendants' actions." The court also rejected frustration of mission as a basis for standing, opining that this category of harm lacked clear distinction from the diversion of resources category and that non-economic injuries like racial segregation, economic inequality, and neighborhood destabilization involve too many uncertainties to establish proximate cause.

The district court also denied plaintiffs' motion for summary judgment on step two of the disparate impact framework, finding disputed issues of fact. The court, however, granted summary judgment to defendants on step three of the disparate impact framework, concluding that plaintiffs failed to produce sufficient evidence of an alternative practice with less discriminatory intent. The court also granted summary judgment to defendants on plaintiffs' discriminatory treatment claims finding that plaintiffs had not produced sufficient evidence to create a genuine issue of fact as to discriminatory motive or intent.

Source of Income

Fair Housing Justice Center, Inc. v. Pelican Management²⁰

A Second Circuit panel affirmed the judgment for a fair housing organization in a case alleging disability and source of income discrimination. The Fair Housing Justice Center (FHJC) sued Pelican Management and other owners and managers of rental buildings in New York City. FHJC alleged that minimum income policies enacted in 2015 and 2019 excluded renters who receive rental subsidies. FHJC contended that this policy discriminated based on source of income in violation of a local fair housing law and had a disparate impact on applicants with disabilities in violation of the Fair Housing Act and local law. After a bench trial, the district court ruled for FHJC. The court issued an injunction enjoining the defendants from denying applicants based on disability or source of income and ordered defendants to adopt non-discriminatory rental criteria. It also awarded FHJC compensatory damages of \$240,540 and punitive damages of \$750,000. In affirming the district court's judgment, the Second Circuit rejected Pelican's argument that the lower court erred by relying on the statistical approach of the plaintiff's expert witness to prove disparate impact.

¹⁹ No. 1:18-cv-01919 2019 WL 3241126 (July 18, 2019)

²⁰ No. 23-7258, 2025 U.S. App. LEXIS 1242 (2d Cir. Jan. 21, 2025)

In the Matter of Fair Housing Justice Center, Inc. v. Parkchester Preservation Management LLC²¹

The Fair Housing Justice Center (FHJC) and the New York City Commission on Human Rights reached a landmark \$1,050,000 settlement of their source of income discrimination case against Parkchester Preservation Company LP and Parkchester Preservation Management LP. This settlement is believed to be the largest monetary settlement to date in a source of income case. FHJC and the Commission alleged that the Respondents imposed income requirements on rental applicants that effectively excluded individuals relying on housing subsidies such as vouchers and that this conduct was in violation of New York City fair housing laws barring source of income discrimination.

Under the terms of a conciliation agreement, Parkchester also agreed to accept all types of rental assistance. It will not apply credit history, employment, or housing history requirements to applicants using rental assistance, and it will modify its application forms and application processes to comply with fair housing laws. Parkchester employees will participate in fair housing training.



²¹ No. 19-2246 (City of New York Office of Administrative Trials and Hearings (Aug. 21, 2024)) (settlement approved)

SECTION III: AI & Fair Housing: Access, Equity and Affordability

Over the past year, the housing ecosystem has entered a new phase marked by the growing integration of artificial intelligence (AI) tools, algorithmic systems, and proptech innovations. While these technologies hold significant potential to democratize access and improve efficiency and consumer information, they also pose serious fair housing and fair lending risks. These include bias embedded in decision-making models, opaque systems, racial steering, algorithmic exclusion, sky-rocketing costs through dynamic price-setting, and intrusive surveillance practices.

AI in Home Buying and Real Estate Markets

According to a recent survey by Realtor.com, 82 percent of Americans now report using AI tools for housing-market insights.²² When the same group was asked which sources make them “smarter” about the market, 62 percent cited real estate agents and 61 percent cited AI. In short, AI is now nearly as influential as experienced real estate professionals in shaping how consumers research, evaluate and navigate home purchases. From NFHA’s perspective, this signals a paradigm shift: AI-mediated and algorithmic tools are rapidly entering the core of housing decision-making. Consequently, the NFHA Responsible AI Lab²³ is actively working with stakeholders to identify technical guardrails, fairness audits and coordinating with NFHA’s policy and legal divisions on policy recommendations to ensure these tools do not perpetuate racial bias, lead to racial steering, or create unequal access to listings.

82 percent of Americans now report using AI tools for housing-market insights.

AI is now nearly as influential as experienced real estate professionals in shaping how consumers research, evaluate and navigate home purchases.

²² Jones, H. (2025, October 9). Survey: 82% of Americans Use AI for Housing Market Information. Realtor.com. <https://www.realtor.com/research/ai-and-housing-survey-2025/>

²³ National Fair Housing Alliance. (n.d.). RAIL: Redlining and AI Learning Platform. <https://rail.nationalfairhousing.org/>

▶ The Growth of Data Centers and Zoning Implications

Another emerging layer in the algorithmic housing ecosystem is the rapid growth of data centers, which are being constructed or proposed in states across the U.S. such as Virginia, Texas, Iowa, Ohio and Arizona.²⁴ While data centers are often discussed in terms of environmental or infrastructural impact, the location of these facilities also raises zoning and land-use issues that implicate fair housing. The clustering of high-intensity computing facilities can increase local infrastructure burdens, shift land values, alter neighborhood character, and effectively change which housing markets are livable or accessible for low-income and historically marginalized populations.²⁵ It becomes a fair housing issue when the decision making around location designation, zoning exemptions, tax incentives or community input lacks transparency or fails to consider displacement, environmental justice, or segregation consequences. In this rapidly changing landscape, NFHA emphasizes that algorithmic housing change is not just about software—it is about place, power, and access.

▶ Tenant Screening, Proptech and Algorithmic Exclusion

The proliferation of tenant-screening tools—many of them AI-enabled—represents another domain of fair housing risk. Research by TechEquity Collaborative found that in California, almost two-thirds of landlords surveyed received tenant-screening reports containing AI-generated scores or recommendations.²⁶ In a follow-up expansion covering Georgia and North Carolina, roughly 60 percent of landlords had received such AI-enabled reports.²⁷ The reports also showed that Black and Latino applicants were almost half as likely to have their applications accepted as white applicants. What is striking is the opacity of these tools: only three percent of applicants could identify the screening or consumer-reporting agency involved. Clearly, algorithmic tenant screening is already embedding exclusionary risk into rental markets. Hence, our AI policy agenda emphasizes transparency, auditability, and legal redress to prevent black-box systems from becoming gatekeepers to housing access.

▶ Residential Proptech, Dynamic Pricing, and Market Manipulation

Residential proptech innovations—including dynamic and algorithmic rental-pricing systems—are reshaping the affordability and competitiveness of rental housing.²⁸ The United States Department of Justice (DOJ) filed an antitrust suit in August 2024 against RealPage, Inc., alleging that its software enabled landlords to coordinate rent prices via pooling of competitors' non-public data, raising rent levels for millions of Americans amid the nation's fair and affordable housing crisis.²⁹ Several states are either considering

²⁴ Wolfe, S. (2024, May 28). Which Cities Are Seeing the Highest Data Center Growth? Renewable Energy World. <https://www.renewableenergyworld.com/energy-business/policy-and-regulation/which-cities-are-seeing-the-highest-data-center-growth/>

²⁵ Batson, A. (2025). North America Data Center Report: Year-End 2024. JLL. <https://www.jll.com/en-us/insights/market-dynamics/north-america-data-centers>

²⁶ TechEquity Collaborative. (2024, July 24). Screened Out of Housing: How AI-Powered Tenant Screening Hurts Renters. <https://techequity.us/2024/07/24/screened-out-of-housing-research-paper/>

²⁷ TechEquity Collaborative. (2025, April 2). Screened Out of Housing – April 2025 Research Expansion. <https://techequity.us/2025/04/02/screened-out-of-housing-april-2025-research-expansion/>

²⁸ TechEquity Collaborative. (2023, April). Technology, Bias, Housing, and Inequality (TBHI): Year 1 Research Summary Report. <https://techequity.us/wp-content/uploads/2023/04/TBHI-Y1-Research-Summary-Report.pdf>

²⁹ U.S. Department of Justice. (2024, August 30). Justice Department Sues RealPage for Algorithmic Pricing Scheme That Harms Millions of American Renters. <https://www.justice.gov/archives/opa/pr/justice-department-sues-realpage-algorithmic-pricing-scheme-harms-millions-american-renters>

or have passed bans on algorithmic rent-setting. These pricing systems raise serious concerns about anticompetitive behavior, algorithm-enabled steering of rents, and erosion of affordability. Hence, our AI position is that algorithmic pricing systems in residential housing demand the same scrutiny and policy intervention as those in financial services, transportation, or other sectors.

► Surveillance, AI Agents, and the New Frontiers of Housing Risk

The rise of smart-home surveillance—via devices such as Nest and Flock cameras integrated with law enforcement or monitoring systems—adds yet another dimension to how technology is influencing housing.³⁰ Meanwhile, the deployment of AI agents in lending and marketing is accelerating.³¹ While these innovations might yield benefits, they may also exacerbate existing disparities by embedding algorithmic biases, reducing human oversight, limiting consumer choice, or enabling intensified surveillance in economically vulnerable neighborhoods. NFHA remains vigilant regarding these emerging tools—especially when used in high-stakes housing contexts—and advocates for the civil-rights infrastructure to govern them.

► State AI Legislative Efforts and the Need for Standards

States are increasingly moving to regulate AI in housing. As of early 2025, over 80 AI-related bills have been introduced across state legislatures, with ten specifically addressing housing-related uses of AI—up from only two in 2023.³² Much of this legislation has focused on consumer protection, algorithmic oversight, and limitations on rental-price automation. NFHA sees this momentum as an opportunity to partner in crafting model legislation, regulatory standards and audit protocols that embed fair-housing protections at the heart of algorithmic housing technologies. Together, these developments signal that the challenge of fair housing in 2025 includes the need to shape the algorithmic infrastructure of housing markets to ensure transparency, accountability, and equity in the future.



³⁰ Stanley, J. (2023, Oct 12). The Flock Roundup: AI-Powered Mass Surveillance Expands Across America, ACLU News. <https://www.aclu.org/news/privacy-technology/flock-roundup>.

³¹ Science, Technology, and Public Policy Program (STPP), University of Michigan Ford School of Public Policy, Legislative Landscape: Artificial Intelligence and Fair Housing (Apr. 2025), <https://stpp.fordschool.umich.edu/sites/stpp/files/2025-04/stpp-legislative-landscape-AI-NFHA.pdf>.

³² Davidson, P. (2025, January 15). Inflation rose to 5-month high in December. What that means for Fed rate cuts. USA Today. <https://www.usatoday.com/story/money/2025/01/15/cpi-report-december-data/77705910007/>

SECTION IV: Policy Recommendations

The people of America are facing a dire fair and affordable housing crisis that impacts every aspect of their lives. In the U.S., place is inextricably linked to opportunity: where we live determines our access to fresh air, clean water, well-resourced schools, healthcare facilities, reliable transportation, good jobs, quality internet service, and much more. Meanwhile, too many people are stuck in places that impede—rather than promote—their ability to thrive. Millions of Americans struggle under the weight of excessive housing costs, a dearth of affordable housing supply, and a lack of resources and amenities in the communities where they live. Housing inflation continues to drive overall inflation. And as of December 2024, the index for shelter was the largest contributor to the monthly increase in inflation for all items measured, accounting for nearly 37 percent of the total increase.³³ Voters were promised solutions. Instead, the Trump Administration's actions have focused on attempts to ban Diversity, Equity, Inclusion, and Accessibility; punitively and haphazardly throwing together a federal funding freeze; and canceling almost half of the funding grants for non-profit community-based fair housing agencies throughout the U.S. These actions have caused chaos, fear, insecurity, and dysfunction throughout the country. Rather than providing everyday people with practical solutions, the administration is dismantling the federal government's capacity to address housing discrimination. These arbitrary executive actions are causing serious economic and personal injuries that are undermining our fragile housing market and economic opportunity for everyone.

The National Fair Housing Alliance advocates for a different approach—one that upholds the rule of a law, protects our most vulnerable populations, guarantees that housing is affordable and free of discrimination, and ensures the American Dream is accessible for all of us. The following are key recommendations to achieve that goal.

³³ Davidson, P. (2025, January 15). Inflation rose to 5-month high in December. What that means for Fed rate cuts. USA Today. <https://www.usatoday.com/story/money/2025/01/15/cpi-report-december-data/77705910007/>

1. Congress and the Trump Administration Must Restore and Protect Established Fair Housing Rights for People of All Backgrounds

The Trump Administration has engaged in a series of actions that are only worsening the fair and affordable housing crisis. The actions turn the basic definition of fairness and civil rights upside down to protect the powerful and undermine those merely seeking a safe, stable place to call home. These actions are harming people of all backgrounds, including:

- **People with Disabilities.** HUD will now only accept housing discrimination complaints submitted through its online portal. These changes are likely to severely impede the ability of people with disabilities and people with limited internet access to secure their right to fair housing. In addition, the U.S. Department of Veterans Affairs (VA) discontinued the Veterans Affairs Servicing Purchase program, the only VA mortgage assistance option that currently helps the vast majority of borrowers obtain an affordable payment when they are delinquent on their mortgage.³⁴ This action will impact thousands of veterans, including veterans with disabilities.
- **Survivors of Domestic Violence.** In recent years, HUD has protected survivors of domestic violence from being denied housing assistance when attempting to escape a stalker or abuser. But staff reassignments and cuts have been particularly hard felt in the handling of housing complaints under the Violence Against Women Act. About 500 women a year reach out to HUD to request help under the law, but only two of the six lawyers remaining in the fair housing office have experience with the law.³⁵ In addition, hours after the 2025 government shut down, the Trump Administration shuttered the Department of Justice's grant-making offices, furloughing employees who help provide federal support to organizations that aid victims of domestic violence and other crimes against women. The action seems part of an effort to permanently weaken a unit established by statute three decades ago and will imperil victims, advocates, and law enforcement.³⁶
- **Black, Latino, Asian American and Pacific Islander and Native Communities.** The Trump Administration has taken several actions that will disproportionately impact communities of color. For example, HUD issued an Interim Final Rule that significantly weakened the Affirmatively Furthering Fair Housing provision of the Fair Housing Act, which is meant to ensure inclusive, thriving communities.³⁷ Also, HUD terminated the \$1 billion Green and Resilient Retrofit Program, which would have made HUD-assisted multifamily properties safer from natural disasters.³⁸ In addition, HUD removed requirements that grantees perform fair housing assessments and

³⁴ National Fair Housing Alliance. (2025, May 20). Advocates, members of House Committee on Veterans' Affairs respond to housing cuts for veterans. <https://www.nationalfairhousing.org/advocates-members-of-house-committee-on-veterans-affairs-respond-to-housing-cuts-for-veterans/>

³⁵ Kamin, D. (2025, September 22). Trump appointees roll back enforcement of fair housing laws. The New York Times. <https://www.nytimes.com/2025/09/22/realestate/trump-fair-housing-laws.html>

³⁶ Politico. (2025, October 4). DOJ furloughs could impact domestic-violence grants – some fear that's the point. <https://www.politico.com/news/2025/10/04/doj-furloughs-could-impact-domestic-violence-grants-some-fear-thats-thepoint-00594256>

³⁷ National Fair Housing Alliance. (2025, May 13). Leading civil-rights, consumer, and housing advocates strongly urge HUD to withdraw its watered-down Affirmatively Furthering Fair Housing rule. <https://www.nationalfairhousing.org/leading-civil-rights-consumer-and-housing-advocates-strongly-urge-hud-to-withdraw-its-watered-down-affirmatively-furthering-fair-housing-rule/>

³⁸ Fields, A. (2025, March 12). Trump administration halting \$1 billion affordable-housing preservation program. The Hill. <https://thehill.com/homenews/administration/5190958-hud-billion-green-resilient/>

certify compliance with the Fair Housing Act and other federal civil rights law when administering \$12 billion for the Community Development Block Grant – Disaster Recovery funding.³⁹ Finally, the Federal Housing Finance Agency (FHFA) has proposed to severely weaken the single-family Affordable Housing Goals that apply to Fannie Mae and Freddie Mac (collectively, the Government-Sponsored Enterprises or GSEs).⁴⁰

- **Black, Latino, Asian American and Pacific Islander, Native, and Rural Homebuyers.** The Trump Administration's actions will disproportionately harm Black, Latino, Asian American and Pacific Islander and Native prospective homebuyers who still lag far behind White households in homeownership. They will also impede the ability of people residing in rural communities to attain homeownership. Rural residents typically have lower credit profiles; are more likely to be credit invisible; and require access to small dollar mortgage loans.⁴¹ For example, FHFA issued an order instructing the GSEs to terminate their Special Purpose Credit Programs, which typically assist Americans in overcoming historic barriers to homeownership by providing down payment assistance and flexible underwriting for certain underserved geographic areas.⁴² Also, HUD's FHA rescinded its policies that clarified the application of the Fair Housing Act to appraisal discrimination and established standards for FHA lenders to follow in connection with a consumer's request for a Reconsideration of Value.⁴³ Finally, FHFA issued a proposed rule to repeal the requirement that the GSEs issue public Equitable Housing Finance Plans that would help close the racial homeownership gap.⁴⁴
- **Immigrant Residents.** As noted in this report, from 2023 to 2024 there was an increase in complaints based on national origin. The Trump Administration's actions are designed to target immigrants and erode their feeling of safety and security in their homes. For example, HUD and the Department of Homeland Security (DHS) entered into a Memorandum of Understanding to collaborate to identify undocumented immigrants who are ineligible for Federal housing assistance and take remedial actions, including referral for immigration enforcement action.⁴⁵ HUD eliminated the non-permanent resident category from FHA's Single Family Title I and Title II programs (which applied to DACA, pending asylum, pending refugee status, and H1-B immigrants). Also, HUD has restricted language access to mortgage and other housing

³⁹ U.S. Department of Housing and Urban Development. (2025, March 19). Waivers and alternative requirements for Community Development Block Grant Disaster Recovery grantees. <https://www.hud.gov/sites/default/files/CPD/documents/CPDUniversalnotice.pdf>

⁴⁰ Federal Register. (2025). [Notice] 2025-19428. <https://public-inspection.federalregister.gov/2025-19428.pdf>

⁴¹ Staveski. A, "3 Major Obstacles Limit Rural Homeownership," The Pew Charitable Trusts (December 19, 2024). <https://www.pew.org/en/research-and-analysis/articles/2024/12/19/3-major-obstacles-limit-rural-homeownership>

⁴² Federal Housing Finance Agency. (2025, March 25). Order issuing directive to terminate Special Purpose Credit Programs, Decision No. 2025-145. <https://www.fhfa.gov/regulation/federal-register/proposed-rulemaking/repeal-of-fair-lending-fair-housing-and-equitable-housing-finance-plans-regulation-proposed-rule>

⁴³ U.S. Department of Housing and Urban Development. (2025, March 19). Rescinding multiple appraisal policy-related Mortgagee Letters, Mortgagee Letter 2025-08. <https://www.hud.gov/sites/default/files/OCHCO/documents/2025-08hsgml.pdf>

⁴⁴ Federal Housing Finance Agency. (2025). Proposed rule: Repeal of fair-lending, fair-housing, and equitable housing finance plans regulation. <https://www.fhfa.gov/regulation/federal-register/proposed-rulemaking/repeal-of-fair-lending-fair-housing-and-equitable-housing-finance-plans-regulation-proposed-rule>

⁴⁵ U.S. Department of Housing and Urban Development. (2025, March 26). HUD cracks down on government-backed mortgages for illegal immigrants. <https://www.hud.gov/news/hud-no-25-048>

information, instead embarking on an English-Only policy.⁴⁶ Finally, HUD has issued a proposed rule that would limit benefits for “mixed-status” households where one or more members cannot prove legal immigration status.⁴⁷ Under long-standing HUD regulations, such families are currently permitted to live in public housing or receive vouchers, but their benefits are prorated so that the ineligible members receive no assistance and the remaining family members pay a greater share of the rent. This rule is expected to jeopardize housing for thousands of families.

- **LGBTQ+ Americans.** One of the Trump Administration’s first actions was to define “sex” as “male” and “female,”⁴⁸ and attempt to override the Supreme Court’s decision in *Bostock v. Clayton County*,⁴⁹ which defined discrimination on the basis of “sex” to include sexual orientation and gender identity.⁵⁰ As a result, HUD has refused to process fair housing complaints that allege discrimination on the basis of sexual orientation or gender identity. In addition, HUD issued an order to halt any pending or future enforcement actions related to HUD’s 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. In the announcement, HUD Secretary Scott Turner stated that this approach “means getting the government out of the way of what the Lord established from the beginning when he created man in His own image.”⁵¹
- **People of All Backgrounds.** The Trump Administration’s plans to roll back the disparate impact theory of discrimination would harm people of all backgrounds. “Disparate impact” is a longstanding, common sense legal theory which has been upheld by numerous federal courts and the Supreme Court. The disparate impact standard ensures that landlords, lenders, and others use the fairest policy available to provide housing and lending opportunities for all. HUD has provided notice that it intends to revise the disparate impact standard under the Fair Housing Act⁵², while the Consumer Financial Protection Bureau (CFPB) has announced plans to revise the implementing regulation under the Equal Credit Opportunity Act.⁵³ It is expected that the revised rules will significantly weaken the disparate impact standard and jeopardize the housing and lending rights of people across America.

Instead of these harmful actions, Congress and the Trump Administration should restore and protect established housing rights for people of all backgrounds.

⁴⁶ LeadingAge. (2025). HUD removes translated documents in new English-only policy. <https://www.leadingage.org/hud-removes-translated-documents-in-new-english-only-policy/>

⁴⁷ Coburn, J. (2025). Trump housing reforms, aid, HUD, immigration, homelessness. ProPublica. <https://www.propublica.org/article/trump-housing-reforms-aid-hud-immigration-homelessness>

⁴⁸ The White House. (2025, January 20). Defending women from gender ideology extremism and restoring biological truth to the federal government. <https://www.whitehouse.gov/presidential-actions/2025/01/defending-women-from-gender-ideology-extremism-and-restoring-biological-truth-to-the-federal-government/>

⁴⁹ Supreme Court of the United States. (2020). *Bostock v. Clayton County*, 17-1618. https://www.supremecourt.gov/opinions/19pdf/17-1618_hfci.pdf

⁵⁰ Coburn, J. (2025, May 15). How the Trump Administration is weakening the enforcement of fair housing laws. ProPublica. <https://www.propublica.org/article/trump-hud-weakening-enforcement-fair-housing-laws>

⁵¹ U.S. Department of Housing and Urban Development. (2025, February 7). Secretary Scott Turner halts enforcement actions of HUD’s Gender Identity Rule. https://www.hud.gov/press/press_releases_media_advisories/hud_no_25_026

⁵² HUD: <https://nationalfairhousing.org/advocates-strongly-urge-trump-administration-to-uphold-rule-that-advances-justice-and-fairness-for-all/>

⁵³ CFPB: <http://bit.ly/4ol8dYr>

2. Congress Must Fully-Fund Local Fair Housing Enforcement Agencies and Conduct Oversight of Key Fair Housing Agencies

Private, non-profit Fair Housing Organizations (FHOs) processed the vast majority of all housing discrimination complaints at 74.12 percent. While some high profile cases of housing discrimination garner media attention, private fair housing agencies continue to serve on the frontlines guiding families impacted by unlawful discrimination to seek the appropriate remedy to their harms.⁵⁴ Despite their value, community-based FHOs are subject to the whims of the appropriations process and have yet to receive sustainable funding for their critical work. In order for these critical organizations to build necessary infrastructure and ensure victims of housing discrimination can find appropriate recourse, Congress must appropriate \$125 million to support the Fair Housing Initiative Program in the FY '26 appropriations bills.

FHAP agencies processed 20.9 percent of all fair housing complaints in 2024, demonstrating the critical role these local and state government civil or human rights agencies play in managing fair housing cases. FHAPs must maintain resources and staff to keep up with automated systems and AI models saturating the housing system, often injecting bias. These agencies also require adequate funding to mitigate a growing backlog of complaints and provide much-needed training for their employees. FHAPs play an important role in the charging and closure of cases, as HUD refers complaints that originate in cities or states with a FHAP to the respective agency. Congress must appropriate \$36.6 million to support the Fair Housing Assistance Program.

Due to drastic cuts by the Trump administration, HUD's FHEO staffing is grossly under-resourced, leaving the division without the required personnel to conduct its important oversight function. Increased support is needed to enable FHEO to effectively provide oversight of HUD's fair housing programs, provide technical assistance to HUD grantees, investigate claims of housing discrimination in a timely manner, and draft policies to fulfill the Fair Housing Act. Congress must appropriate \$153 million to FHEO.

In addition to funding, Congress must do more to conduct appropriate oversight of key fair housing agencies to ensure housing opportunities for all. The mainstream media is filled with reports detailing the Trump Administration's evisceration of key federal agencies, including HUD,⁵⁵ the DOJ,⁵⁶ the Consumer Financial Protection Bureau,⁵⁷ and the Federal Housing Finance Agency.⁵⁸ Congress can hold oversight or field hearings, request investigations by the General Accounting Office, meet with agency heads, and write letters to the agencies requesting explanations for actions that harm the people of America. Congress cannot just stand by idly while the Trump Administration guts protections during this escalating fair and affordable housing crisis.

⁵⁴ Kamin, D. (2024, May 31). She made an offer on a condo. Then the seller learned she was Black. The New York Times. <https://www.nytimes.com/2024/05/31/realestate/race-home-buying-raven-baxter.html>

⁵⁵ Kamin, D. (2025, September 22). Trump appointees roll back enforcement of fair housing laws. The New York Times. <https://www.nytimes.com/2025/09/22/realestate/trump-fair-housing-laws.html>

⁵⁶ Walker, J. (2025, October 6). DOJ furloughs could impact domestic-violence grants — some fear that's the point. Axios. <https://www.axios.com/2025/10/06/doj-trump-pam-bondi-criticized-political-bias-loyalty>

⁵⁷ National Mortgage Professional. (2025). CFPB warns staff of possible layoffs as funding cap looms. <https://www.nationalmortgageprofessional.com/news/cfpb-warns-staff-possible-layoffs-funding-cap-looms>

⁵⁸ National Mortgage Professional. (2025). Housing shake: HUD and FHFA slash staff, close offices. <https://www.nationalmortgageprofessional.com/news/housing-shake-hud-and-fhfa-slash-staff-close-offices>

3. Congress Must Pass Legislation to Address the Nation's Fair and Affordable Housing Crisis

Addressing unequal opportunities in the housing sector is not a zero-sum game. Rather, solutions that drive inclusive opportunities and advance both sensible supply-side and demand-side strategies can result in growth for the economy over a 5-year period by \$5 trillion, producing thousands of jobs and generating billions in local revenues. Congress must pass comprehensive legislation to promote fair and affordable housing opportunities for all, including:

- Downpayment Toward Equity Act (H.R. 4069/S. 967)⁵⁹ – Based on a policy proposal from NFHA and the Center for Responsible Lending, this bill would provide \$100 billion in downpayment assistance grants to people first in their family to own a home. The legislation would begin to chip away at the nation's racial homeownership and wealth gaps, while also benefiting White and other people historically excluded from homeownership in rural communities.
- Neighborhood Homes Investment Act (H.R. 2854/S. 1686)⁶⁰ – The bipartisan Neighborhood Homes Investment Act would stimulate the renovation and development of single-family homes in disrepair for owner-occupancy in communities still reeling from the 2008 financial crisis. It would result in 500,000 new or refurbished homes over the next 10 years. The bill creates a tax credit to cover the gap between the cost of building or renovating homes and the price at which they can be sold. NFHA supports the legislation, but we are calling for the addition of language that averts the displacement of residents of color and better complies with the Fair Housing Act.
- Appraisal Modernization Act (as part of the ROAD to Housing Act, S. 2651)⁶¹ – This bill would require lenders to standardize the consumer's right to appeal an appraisal (also known as a "reconsideration of value") to ensure all homeowners receive the benefits of homeownership. The bill would also require a study of the feasibility of developing a public appraisal database to ensure greater transparency in the appraisal process.

4. Congress and the Trump Administration Must Support Robust Civil Rights Protections in Housing-Related Automated Systems, Including Artificial Intelligence

Algorithmic and automated systems embedded in tenant screening applications, risk-based underwriting and pricing, automated valuation models, and advertising and marketing digital platforms are increasingly playing a key role in housing decision making and must be free of bias. Existing civil rights laws already apply to these decisions and lenders and housing providers are responsible for ensuring compliance.

⁵⁹ National Fair Housing Alliance. (2025). NFHA applauds introduction of Downpayment Toward Equity Act citing new report on racial homeownership gaps. <https://www.nationalfairhousing.org/nfha-applauds-introduction-of-downpayment-toward-equity-act-citing-new-report-on-racial-homeownership-gaps/>

⁶⁰ National Fair Housing Alliance. (2025). National Fair Housing Alliance applauds Sen. Tim Scott's support for the bipartisan Neighborhood Homes Investment Act. <https://www.nationalfairhousing.org/national-fair-housing-alliance-applauds-sen-tim-scotts-support-for-the-bipartisan-neighborhood-homes-investment-act/>

⁶¹ National Fair Housing Alliance. (2025). NFHA applauds introduction of Senator Warnock's Appraisal Modernization Act. <https://www.nationalfairhousing.org/nfha-applauds-introduction-of-senator-warnocks-appraisal-modernization-act/>

However, there are some noteworthy gaps in existing protections. Congress and the Administration must support responsible AI legislation and policies to ensure fair housing and fair lending opportunities for all.⁶²

While AI presents significant risks of bias and discrimination, particularly in housing and financial services, these challenges are surmountable with sound laws, policies, and oversight. Congress should pass legislation that embeds civil and human rights principles into the nation's AI framework, ensuring technologies are fair, transparent, and beneficial to all people. This includes federal and state governments strengthening enforcement of fair housing and lending laws, establishing partnerships with research institutions and civil rights organizations, and directing funding toward studying and mitigating algorithmic bias. The U.S. must ensure its technologies uphold equality, privacy, and safety.

To ensure technologies benefit humanity, legislation must integrate fairness analyses throughout the AI lifecycle—from data collection to deployment—and require ongoing auditing. Federal agencies must clarify compliance standards and invest in training their workforce to identify and address algorithmic bias effectively. Congress should also expand equitable access to broadband and public data, mandate transparency and explainability in automated decisions, and ensure that foreign-developed technologies adhere to U.S. civil rights and consumer protection standards. Finally, legislation must give consumers real control over their data by establishing data ownership rights, requiring meaningful consent, and enforcing strong privacy protections. Through these reforms, the U.S. can build AI systems that advance equity, protect civil rights, and foster public trust in technological innovation.

► 5. Safeguarding Fair Housing in the Age of AI: A Federal Call to Action

Congress and the Trump Administration should take decisive action to ensure that artificial intelligence advances in housing markets do not compromise civil rights or fair housing protections. Specifically, Congress must enact legislation mandating algorithmic fairness audits for all housing-related AI systems—including tenant-screening, pricing, appraisal, and marketing tools—to ensure transparency, accountability, and the prevention of disparate impacts. The Department of Housing and Urban Development must establish a federal oversight program that requires disclosure of model features, input data, and performance metrics, as well as mechanisms for human review and consumer appeal. Additionally, Congress must strengthen zoning and environmental review standards for data centers and proptech infrastructure by requiring equity-impact and environmental-justice assessments prior to approval, ensuring that community input and housing affordability are integral to infrastructure development. Finally, Congress and the Administration must adopt a national framework for AI transparency and accountability in housing, modeled on emerging state laws governing automated decision-making systems. Such a framework would codify tenants' and applicants' rights to know when AI is used, to receive clear explanations for algorithm-augmented decisions, and to seek human review or redress when harmed—affirming that innovation in the housing sector must proceed hand in hand with fairness, oversight, and the rule of law.

⁶² Rice, L. (2024). Artificial intelligence and housing: Exploring promise and peril. Testimony of Lisa Rice before the Subcommittee on Housing, Transportation, and Community Development, U.S. Senate Committee on Banking, Housing, and Urban Affairs, 118th Cong. https://www.banking.senate.gov/imo/media/doc/rice_testimony_1-31-24.pdf



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