

HUD > Press Room > Press Releases > 2010 > HUDNo.10-119

HUD No. 10-119
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FOR RELEASE
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HUD ADDS IMPORTANT CIVIL RIGHTS PROTECTIONS TO ITS GRANT PROGRAMS *Applicants will be required to comply with state & local LGBT anti-discrimination laws*

WASHINGTON – For the first time in its history, the U.S. Department of Housing and Urban Development (HUD) will require grant applicants seeking HUD funding to comply with state and local anti-discrimination laws that protect lesbian, gay, bi-sexual, and transgender (LGBT) individuals. Today, HUD published a [notice](#) detailing the general requirements that will apply to all of the Department's competitively awarded grant programs for Fiscal Year 2010.

"We're using every avenue to shut the door against discrimination," said HUD Secretary Shaun Donovan. "Today, we take an important step to insist that those who seek federal funding must demonstrate that they are meeting local and state civil rights laws that prohibit discrimination based on sexual orientation or gender identity."

Traditionally, HUD requires all applicants for competitive grant funding to comply with all applicable federal fair housing and civil rights requirements including those expressed in Fair Housing Act; Title VI of the Civil Rights Act of 1964; Section 504 of the Rehabilitation Act of 1973; and Title II of the Americans with Disabilities Act. Now HUD will further stipulate that applicants and their sub-recipients must comply with state or local laws proscribing housing discrimination based on sexual orientation or gender identity. It is estimated there are approximately 20 states and the District of Columbia that have laws prohibiting discrimination based on sexual orientation discrimination. In addition, 12 states and the District of Columbia prohibit discrimination based on gender identity.

HUD's General Section will not consider an applicant's submission if they fail to meet minimum thresholds which will now include being able to demonstrate that they have not been charged with a systemic violation of state or local law proscribing discrimination in housing based on sexual orientation or gender identity.

Last October, HUD Secretary Shaun Donovan announced a [series of measures](#) to ensure that the agency's core housing programs are open to all, regardless of sexual orientation or gender identity. In addition to the notice published today, HUD intends to propose new regulations that will clarify that the term "family" as used to describe eligible beneficiaries of HUD's programs include otherwise eligible LGBT individuals and couples. The Department's intent to propose new regulations will clarify family status to ensure its core housing programs are available to all families, regardless of their sexual orientation or gender identity.

The Federal Housing Administration (FHA) will also instruct its lending community that FHA-insured mortgage loans must be based on the credit-worthiness of borrowers and not on unrelated factors or characteristics such as sexual orientation or gender identity. Finally, HUD will commission the first-ever national study of discrimination against members of the LGBT community in the rental and sale of housing. The Department is currently seeking [online public comment](#) from interested parties in how it might design this new study.

In addition, HUD will provide enhanced customer services for members of the public who bring fair housing complaints to the Department's attention on the basis of LGBT status. Specifically, in places where state or local laws already prohibit LGBT-related housing discrimination, intake staff in HUD's Office of Fair Housing & Equal Opportunity will ensure these complaints are directed to the appropriate state and local anti-discrimination offices. HUD intake staff also will be trained to identify any allegations over which HUD has existing authority under the Fair Housing Act, such as HIV/AIDS-related discrimination, that may be considered grounds for enforcement action based on the law's current protections (i.e., against disability discrimination).

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HUD's mission is to create strong, sustainable, inclusive communities and quality affordable homes for all. HUD is working to strengthen the housing market to bolster the economy and protect consumers; meet the need for quality affordable rental homes; utilize housing as a platform for improving quality of life; build inclusive and sustainable communities free from discrimination; and transform the way HUD does business. More information about HUD and its programs is available on the Internet at www.hud.gov and espanol.hud.gov.

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