

Housing Talking Points

HUD's Proposal Will Remove Anti-Discrimination Protections for the LGBTQ+ Community

- In addition to the attack on shelter access for the transgender community, HUD appears to also be moving to eliminate housing protections for the LGBTQ+ community across the board.
- By removing “actual or perceived sexual orientation” and/or “gender”/“gender identity” from HUD’s regulations, the proposed rule could restrict access to HUD programs – from federal rental assistance to mortgage lending – for same-sex couples and transgender individuals.
- HUD made only weak justifications for removing protections to shelter access for the trans community but did not even try to justify its decision to strike sexual orientation protections broadly from HUD regulations.
- The proposed rule states it is aligning HUD’s existing equal access regulations with the [White House Executive Order](#) 14168, titled “Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government.”
- However, the executive order makes no mention of sexual orientation protections under HUD’s authority.

HUD's Proposal Could Make Affording Rent Harder for the LGBTQ+ Community

- The proposed rule could mean that LGBTQ+ people would not only face additional barriers accessing emergency shelter but also the rental assistance that provides a long-term solution to homelessness.
- Removing this language could mean a housing agency or owner of a HUD-subsidized house could refuse to allow an LGBTQ+ couple to live together in a one-bedroom home or take away a family’s rental assistance because of someone’s sexual orientation or gender identity.
- Housing agencies or owners could also require people applying for rental assistance to provide proof of identity that conflicts with their gender identity and refuse people assistance if they don’t have those documents.

HUD's Proposal Will Limit Home Ownership for the LGBTQ+ Community

- While HUD has framed its proposed rule around gender identity, the proposed rule could also restrict home ownership by limiting mortgage access for same-sex couples.
- The proposed rule removes “actual or perceived sexual orientation” and/or “gender”/“gender identity” from various antidiscrimination provisions related to mortgage lending.
- The proposal attempts to undermine protections under the Fair Housing Act that hold discriminatory lenders accountable.
- This could make it harder for same-sex couples and transgender individuals to access a mortgage
- This proposal comes at a time when same-sex couples are already more likely to be denied a mortgage or pay a higher interest rate than their straight peers.