

Trump appointees roll back enforcement of housing laws

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In one email, a Trump appointee at the Department of Housing and Urban Development described decades of housing discrimination cases as "artificial, arbitrary and unnecessary."

In another, a career supervisor in the department's Office of Fair Housing and Equal Opportunity objected to lawyers being reassigned to other offices; the supervisor was fired six days later for insubordination.

In a third, the office's director of enforcement warned that Trump appointees were using gag orders and intimidation to block discrimination cases from moving forward. The urgent message was sent to a U.S. senator, who is referring it to the department's acting inspector general for investigation.

The emails are among dozens of pages of internal communications, memos and other documents reviewed by The New York Times that show efforts by the Trump administration to limit enforcement of the Fair Housing Act, the landmark civil rights law that has prohibited discrimination in housing for nearly six decades.

In interviews, half a dozen current and former employees of HUD's fair housing office said the Trump political appointees had made it nearly impossible for them to do their jobs, which involve investigating and prosecuting landlords, real estate agents, lenders and others who discriminate based on race, religion, gender, family status or disability.

Several lawyers said they had been blocked from communicating with clients without approval from a Trump appointee and had been barred from citing some past housing civil rights cases when researching legal precedent for possible new prosecutions.

One internal memo from a top Trump appointee in the office said that archival documents that were "contrary to administration policy" would be removed or replaced, and that "tenuous theories of discrimination" would no longer be pursued.

"If you're not enforcing the Fair Housing Act, then it's just another dead law," said one of the career lawyers in the office, Palmer Heenan, who has been told without explanation that he will be reassigned next month.

Some of the internal documents framed the changes as efficiency measures, and the resulting cuts to the office have been drastic. When the so-called Department of Government Efficiency initiated its cost-cutting spree, federal offices lost, on average, about 10% of their employees. Within the Office of Fair Housing, the reduction was 65%. There were 31 employees in January; once mandatory transfers go through next month, there will be 11.

Kasey Lovett, a spokesperson for HUD, said in a statement that it was "patently false" to suggest the department was looking to blunt enforcement of the Fair Housing Act. The Office of Fair Housing and Equal Opportunity, she said, "is using its authority to uphold the law, protect the vulnerable and ensure meaningful access to housing." *Note*

Lovett also said the new administration had inherited a "deeply inefficient case system" and accused the Biden administration of allowing cases to "languish."

Since President Donald Trump took office, the department has handled over 4,100 cases, according to the statement, which is on par with previous years, accounting for cases that carry over from one year to another. Lovett did not address, however, how many of the cases had been investigated or had resulted in legal action.

Lawyers in the office contend that cases often take longer than expected because of complexity and insufficient resources. Before the cuts, the office had 22 lawyers working on fair housing cases, fielding around 2,000 new complaints a year. Local fair housing nonprofits receive around 32,000 additional inquiries each year.

By Oct. 5, when the latest rounds of reductions will take place, there will be six of those lawyers remaining, according to several staff members who have received notices of reassignment.

"I never thought I would be in this position," said Paul Osadebe, another fair housing lawyer. "We have people who are trying to destroy a baseline that people relied on."

More concerning than the vacant desks, the current and former employees said, were the hundreds of cases that had been halted or dropped.

The shift began during Trump's first week in office, they said, when he issued a series of executive orders targeting diversity, equity and inclusion programs in both the public and private sectors. That same week, fair housing employees received a stop-work order via email from HUD leadership, ordering them to "cease and desist all work activities associated with environmental justice, diversity, equity, and inclusion."

Data from the first seven months of the Trump administration show the nearly instant results of the changes.

In each of the last five years, the fair housing office typically collected between \$4 million and \$8 million in legal settlements for Americans who accused housing providers of discrimination. From January to July, however, the office approved less than \$200,000, said Jacy Gaige, until recently its director of enforcement.

Charges of discrimination are also sharply down. When investigators find evidence of a crime, they issue a formal document that requires the accused to appear before a judge. On an average year, HUD issues 35 charges; since the beginning of the Trump administration, there have been four, according to lawyers in the office.

'Tenuous theories of discrimination'

The slowdown can be traced, at least in part, to new procedures that stripped career officials of the authority to approve settlements or issue charges, said Gaige, an employee for the past 13 years.

Instead, only a small number of Trump appointees now have that authority. While every new administration brings political appointees to top roles, not one has monopolized the work flow so thoroughly as the current Trump government, including the first Trump administration, Gaige said.

"With one email, the entire process was shut down," she said. "It essentially stopped the settlement process, which is time sensitive because complainants and respondents come to an agreement about what they want to do to resolve a case. And often that is driven by specific deadlines that are occurring in people's lives."

In addition, hundreds of pending fair housing cases were frozen, and some settlements revoked, even when accusations of discrimination had been substantiated, according to the interviews and the internal communications.

Last week, John Gibbs, the Trump-appointed principal deputy assistant secretary for fair housing, sent two memos detailing how "future enforcement efforts will proceed."

In previous administrations, he wrote, fair housing offices "leveraged the Fair Housing Act" against mortgage providers, appraisers and others "in an ideological matter," but that would now change.

Cases involving "tenuous theories of discrimination" would "no longer be prioritized," he wrote.

The memos also described previous approaches to redlining and reverse redlining as "legally unsound." The two racist practices involve denying mortgages to minorities and those in minority neighborhoods, and other predatory and discriminatory lending practices. A full review of the organization's guidance on those subjects, he added, was ongoing.

'In mortal danger'

The staff reassignments and cuts have been particularly hard felt in the handling of housing complaints under the Violence Against Women Act, a 1994 law designed to protect women from stalking, assault and domestic violence that was updated in 2022 to include new housing protections for the growing number of survivors of domestic violence.

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, according to interviews with the lawyers.

"These are life and death requests," said Osadebe, one of the lawyers being transferred next month. "These women are legitimately in mortal danger, and often without the government stepping in, nothing will be done."

Osadebe said he and his fellow lawyers were told in January that they could not communicate directly with the people who filed complaints, making it virtually impossible to do their jobs. "They cut us out of the process," he said.

'Dire consequences'

Gaige took a different route. She quit in July, but only after firing off an email to Massachusetts Sen. Elizabeth Warren, the ranking Democrat on the Senate committee responsible for overseeing HUD.

The nation's fair housing laws were no longer being enforced, she wrote. Someone needed to intervene.

In emails about the cuts and reassignments, HUD managers told lawyers who raised concerns that they "appreciate your feedback," but were committed to having a "full-time staff reassigned who are fully committed to the workload, goals and objectives of that office."

Those not wanting to be "voluntarily reassigned" were told that they would be "subject to removal," according to memos reviewed by the Times.

On Monday, five lawyers, including Osadebe and Heenan, filed a federal lawsuit alleging that they had been "unlawfully targeted by HUD leadership and forced to leave" their roles in the fair housing office "against their will." They asked for an injunction ordering HUD to cancel their reassignments.

Early this month, four current staff members of the fair housing office also reached out to Warren and provided her with documents they had compiled backing up their allegations.

On Monday, according to a spokesperson for Warren, the senator sent a request to Brian Harrison, HUD's acting inspector general, to open an investigation into the office. The allegations, she wrote, "suggest that HUD is no longer enforcing Fair Housing and Civil Rights Laws — with dire consequences."

