

Transformation: Then and Now

Fair Housing's Inherent Power for Change

IAOHRA ~ NOLA Conference 2026

Christopher Brancart

cbrancart@brancart.com



Come! See! Hear!



**SENATOR
EUGENE McATEER**

**ASSEMBLYMAN
W. BYRON RUMFORD**

AND

Tarea Hall Pittman

Regional Secretary NAACP



**SPEAK ON THE CAMPAIGN FOR
A FAIR HOUSING
LAW IN CALIFORNIA
and Other Human Rights Legislation
— IN 1963 —**

FRIDAY, MARCH 22, 1963 - 7:30 p.m.

Ben Franklin Junior High School

GEARY AND SCOTT STREETS, SAN FRANCISCO

Ample Parking

**California Committee
for Fair Practices**

C. L. DeHuns, Chairman
William Becker, Secretary
Terry A. Francois, Meeting Chairman

Sponsoring Organizations:

S. F. Branch NAACP
S. F. Committee for Fair Housing
Catholic Interracial Council
Community Service Organization

Benefit: California Committee for Fair Practices — 2940 16th St., San Francisco — MA 1-7742

PROPERTY OWNERS!

DEMAND YOUR BILL OF RIGHTS!



THIS BILL OF RIGHTS PROTECTS ALL PROPERTY OWNERS

"It is time to launch a new crusade — a crusade for freedom to secure the rights of the new 'Negro' man! The old new new discrimination has passed him by."

This was the exuberant voice of a recent meeting by L. B. Wilson of Fresno, President of the California Real Estate Association, an association which has been officially endorsed by the Fresno Realty Board.

"Without question have inspired and energized for equal rights," he said, "and 'equal rights' have become 'special privileges,' and this situation must be reversed!"

"We in the great, perfect, justice-loving, the working majority that pays the superior government, this is the AMERICAN SMALL PROPERTY OWNERS' BILL OF RIGHTS."

"It is surely for freedom in life itself to freedom, the protection has among the best. His defenders have been about too long! Freedom of property owners' rights through present legislation and government action is coming."

The declaration, which has been endorsed by the Fresno Realty Board and property owners' organizations in several states, reads:



THIS IS YOUR BILL OF RIGHTS:

1. The right of privacy.
2. The right to choose his own friends.
3. The right to own and acquire property according to his own discretion.
4. The right to acquire, retain and dispose of property without regard to race or color in accordance with the constitution.
5. The right to equal rights in the enjoyment of property without limitations that may have giving special privileges to any group or groups.
6. The right to maintain complete control over his home.
7. The right to contract with or sell assets to whom he wishes without restriction of his choice and to enforce the contract by law.
8. The right to determine the accessibility and desirability of one's property.
9. The right of the owner to determine and other determine to choose the quality and quantity of his income. These property owners should not be obligated to give their income to anyone but themselves.
10. The right to enjoy the freedom to purchase, sell, and lease.

One of these rights is the freedom of personal liberty and control in the enjoyment of the freedom of choice of life.

In 1789, the people of America were helped that Government right control their freedom. The first Congress of the United States, in that year, passed a Bill of Rights.

The Bill of Rights, especially, with the government what it cannot do. The document's purpose the first 10 amendments to the Constitution.

The Bill of Rights has been passed many times the history of the world.

Every citizen enjoys give us everything to come to this new land — making something possible here — and why here. They wanted here abundant natural resources, and want here and there as good as America.

They came here for the promise of security — the promise of freedom — for the greatest right in law as law men with equal opportunity to all.

In July of 1789, a new generation of America was called. Freedom for the slave was its program. But its greatest was now for the equal protection of all.

This new generation of America is the 19th Amendment. It reads, in part, as follows:

"No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state make any law which shall deny to any person within its jurisdiction the equal protection of the laws."

The 19th Amendment of the United States was established in a recent decision by the United States Supreme Court, in which the United States is "guaranteed of the right to a government of men."

Today, the rights and freedoms of the individual American property owner are being eroded. A recent FBI report states the 140,000,000-170,000,000 is needed.

It is well known that the nation of these equal freedom any during the law-enforcing selected freedom.

It is now known that the individual American property owner must be allowed, under law, to secure the absolute rights guaranteed by the constitution.

We believe this Property Owners' Bill of Rights would be added as a part of the United States Constitution. If you agree, please write or wire your State Representative.

FREEDOM
To Rent or Sell
to whom
you choose
YES ON # **14**
PROP.

COMMITTEE FOR YES ON PROPOSITION #14 TO ABOLISH RUMFORD FORCED HOUSING ACT

609 So. Grand Avenue, Los Angeles
HOWARD L. BYRAM, STATE CHAIRMAN

(Paid Political Advertisement)

WHY 'YES' ON PROPOSITION #14?

*That Long, Long
Arm of the Law—*

YES Vote Will **restore** to California property owners the right to choose the person or persons to whom they wish to sell or rent their residential property.

YES Vote Will **abolish** those provisions of the Rumford Forced Housing Act of 1963 which took from Californians their freedom of choice in selling or renting their residential property.

YES Vote Will **amend** our California Constitution so that the only way future legislation could take away the freedom of choice in selling or renting of residential property would be by vote of the people.

YES Vote Will **halt** the State Fair Employment Practices Commission's harassing and intimidating the public and property owners in the exercising of their freedom of choice.

YES Vote Will **end** State police power over the selling or renting of privately owned residential property.

YES Vote Will **restore** rights basic to our freedom—rights that permit all persons to decide for themselves what to do with their own property.

The Rumford Forced Housing Act's police arm is long and strong.

It can reach almost any Californian—almost anyone who owns or rents a place to live. Owner. Tenant. Yes, and neighbor, too!

First, it reaches the owner. It takes away his right to choose his tenants or buyers.

Then it takes away a tenant's or buyer's right—the right to choose his neighbors.

If the owner insists on his freedom to choose, the long arm can reach out and make him pay a complainant up to \$500; and further insistence by the owner can make him subject to contempt of court penalties.

If a tenant advises the owner to use freedom of choice, the long arm can reach the tenant with the same penalties.

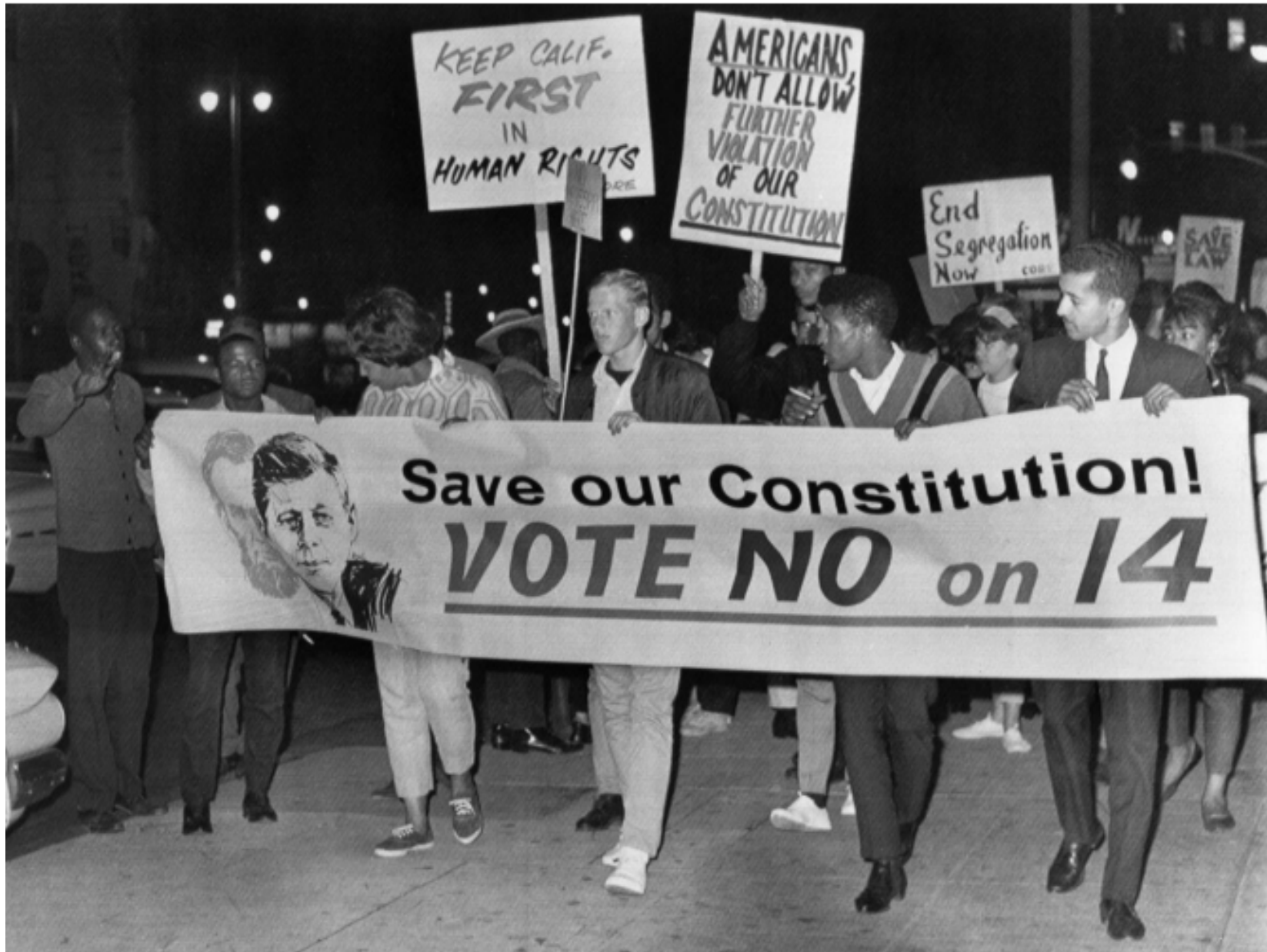
In the matter of giving advice, even the neighbor must beware. That same long arm can put the neighbor in the same penalty box as the tenant!



OWNERS! TENANTS! NEIGHBORS!

GET BACK YOUR RIGHTS!

VOTE "YES" ON PROPOSITION #14



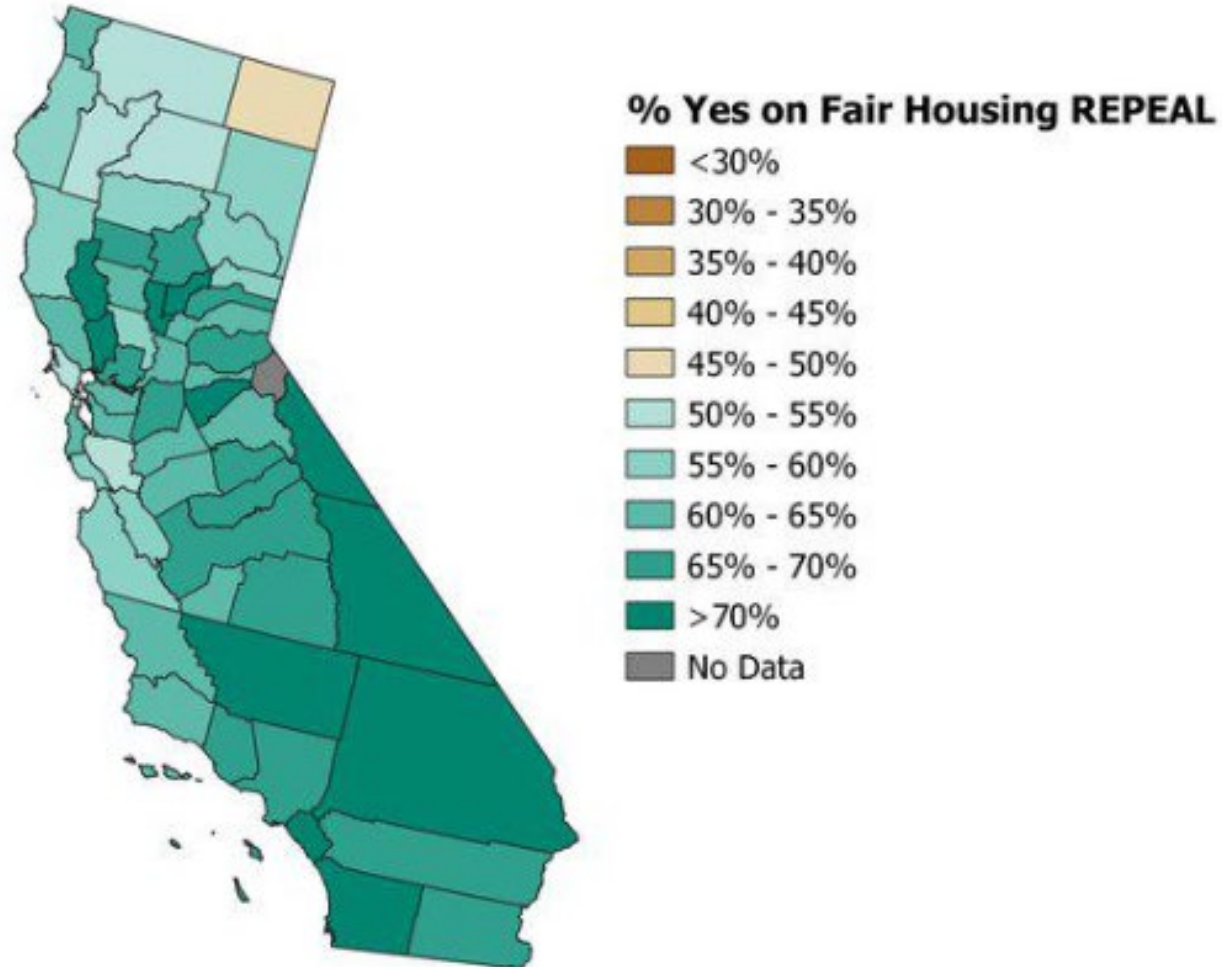


Governor Pat Brown, 1964

- *Prop 14's another hate binge which began more than 30 years ago in a Munich beer hall.*
- *I submit that it is not the opponents of Prop 14 who encourage the racists and bigots in this state, but those who support Proposition 14.*

CA Vote on REPEAL of the Rumford Fair Housing Act, Proposition 14 (1964), by County

Repeal PASSED Statewide: Yes 65.4%, No 34.6%



64 Cal.2d 529
Supreme Court of California,
In Bank.

**Lincoln W. MULKEY et al., Plaintiffs and Appellants,
v.
Neil REITMAN et al., Defendants and Respondents.**

L.A. 28360.
May 10, 1966.



FINAL

The Sun

COVERS
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INLAND EMPIRE

Vol. 73—68 Pages

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Wednesday Morning, November 9, 1966

REAGAN WHIPS BROWN

Reagan, Romney, Percy

Republicans Storm Up Comeback Trail

WASHINGTON (AP) — Republicans swung up the comeback trail to yesterday's impressive victory for 1966 presidential possibilities and a quick blow to the future of President Johnson's "Great Society" program.

The GOP won with such big names as George Romney for governor in Michigan, Ronald Reagan for governor in California and Charles H. Percy for the

Senate. That wasn't the whole story. In addition to the net gain of 26 seats, the Republicans were leading in enough more to indicate they might wind up with 56.

And in many an instance in the 89th Congress, none of the administration's "Great Society" ideas equaled by as few as 20 votes. In the Republican gains were enough to measure the odds



Governor Concedes Republican Victory

LOS ANGELES (AP) — Ronald Reagan seized the governorship of California yesterday in an impressive Republican victory that carried his party to the lieutenant governor's post as well.

"We can remember this Nov. 8 as the day we restored the two-party system," Reagan told screaming adherents at a hotel rally after Democratic Gov. Edmund G. Brown had conceded defeat to his bid for a third term.

Democratic Lt. Gov. Ghis M. Adairson conceded defeat by Republicans at

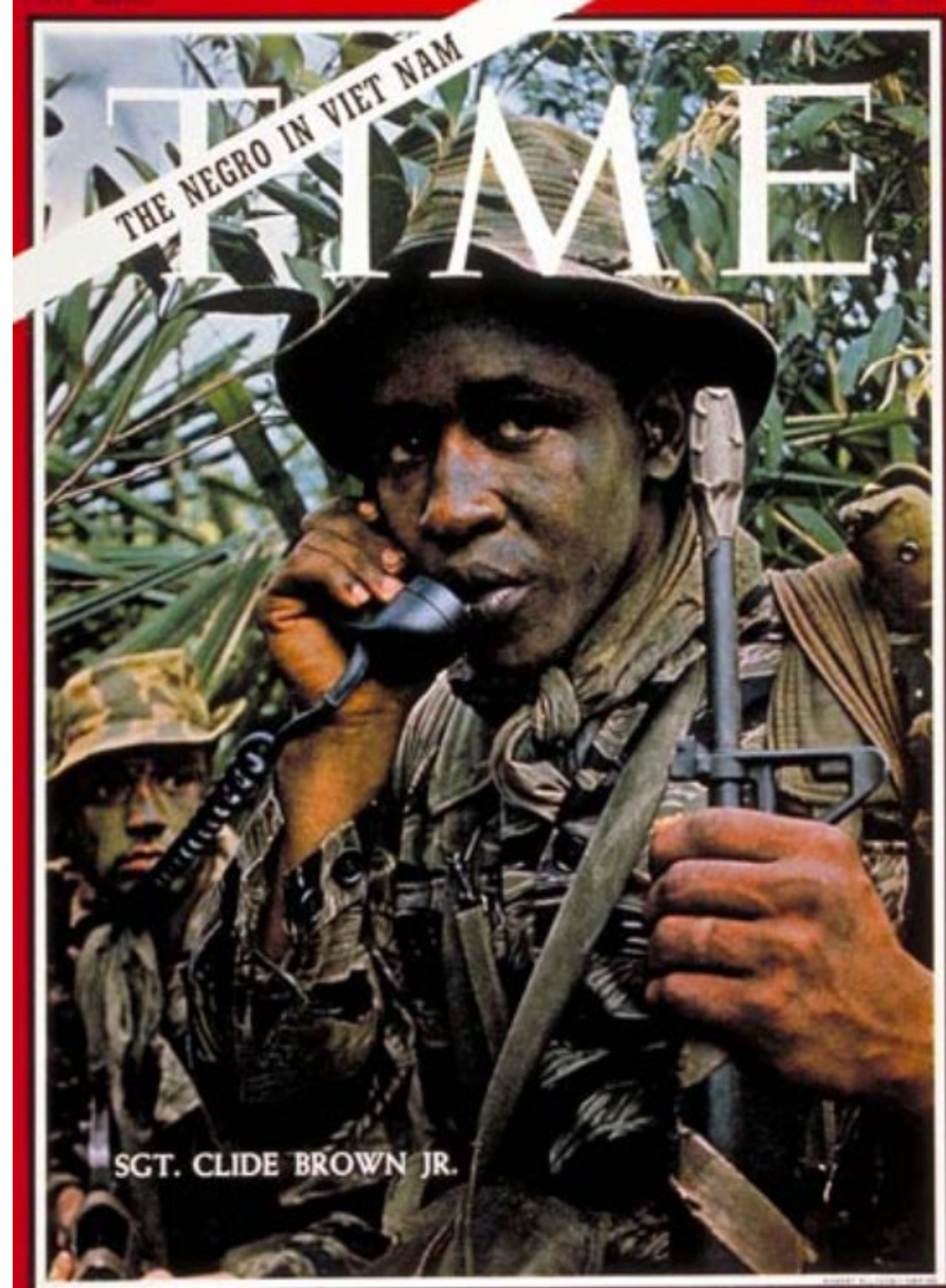
State, George Romney (of Michigan) and I think you deserve to hear what he said. He told me, 'Maybe now the important thing will be to put together all over the country what you people in California have done in the way of party unity.'

Later, at the hotel celebration, Reagan told his screaming adherents he wanted to repeat what his running mate, Finch had told him:

"We can remember this Nov. 8 as the day we restored the two-party system."













April 11, 1968



April 17, 1968

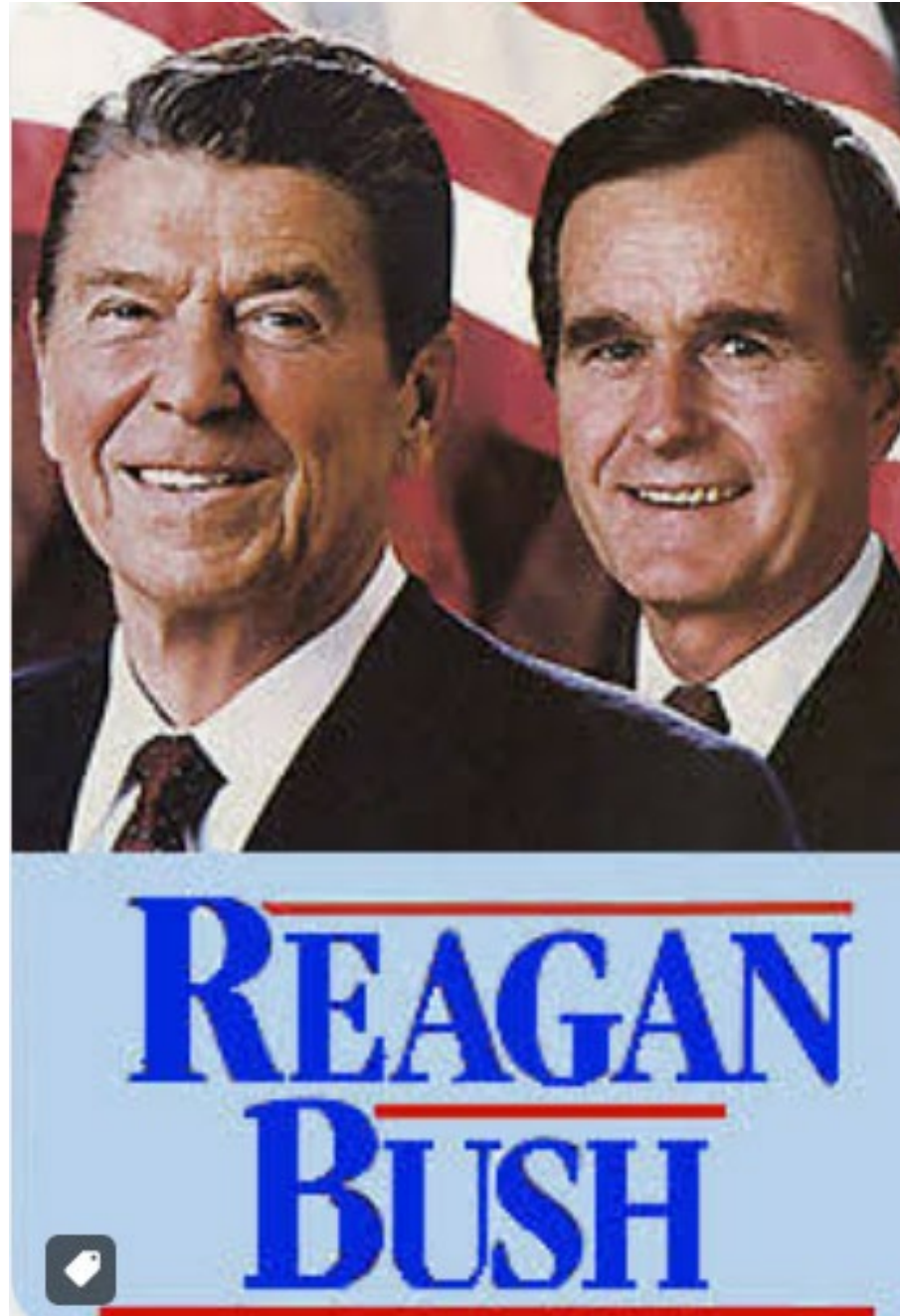


March 6, 1836



April 17, 1968











UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,
Plaintiff,

v.

FRED C. TRUMP, DONALD TRUMP
and TRUMP MANAGEMENT INC.,
Defendants.

73C 1529

CIVIL ACTION NO. _____

COMPLAINT FOR INJUNCTION
PURSUANT TO FAIR HOUSING
ACT OF 1968, 42 U.S.C.
3601, et seq.

5. The defendants, through the actions of their agents and employees, have discriminated against persons because of race in the operation of their apartment buildings, among other ways, by:

(a) Refusing to rent dwellings and negotiate for the rental of dwellings with persons because of race and color, in violation of Section 804(a) of the Fair Housing Act of 1968, 42 U.S.C. 3604(a).

2016







2024



January 27, 2025



THE DIRECTOR

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

January 27, 2025

M-25-13

MEMORANDUM FOR HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

FROM: Matthew J. Vaeth, Acting Director, Office of Management and Budget

SUBJECT: Temporary Pause of Agency Grant, Loan, and Other Financial Assistance Programs

The American people elected Donald J. Trump to be President of the United States and gave him a mandate to increase the impact of every federal taxpayer dollar. In Fiscal Year 2024, of the nearly \$10 trillion that the Federal Government spent, more than \$3 trillion was Federal financial assistance, such as grants and loans. Career and political appointees in the Executive Branch have a duty to align Federal spending and action with the will of the American people as expressed through Presidential priorities. Financial assistance should be dedicated to advancing Administration priorities, focusing taxpayer dollars to advance a stronger and safer America, eliminating the financial burden of inflation for citizens, unleashing American energy and manufacturing, ending “wokeness” and the weaponization of government, promoting efficiency in government, and Making America Healthy Again. The use of Federal resources to advance Marxist equity, transgenderism, and green new deal social engineering policies is a waste of taxpayer dollars that does not improve the day-to-day lives of those we serve.

This memorandum requires Federal agencies to identify and review all Federal financial assistance¹ programs and supporting activities consistent with the President’s policies and requirements.² For example, during the initial days of his Administration, President Donald J. Trump issued a series of executive orders to protect the American people and safeguard valuable taxpayer resources, including *Protecting the American People Against Invasion* (Jan. 20, 2025), *Reevaluating and Realigning United States Foreign Aid* (Jan. 20, 2025), *Putting America First in International Environmental Agreements* (Jan. 20, 2025), *Unleashing American Energy* (Jan. 20, 2025), *Ending Radical and Wasteful Government DEI Programs and Preferencing* (Jan. 20,

¹ 2 CFR 200.1 defines Federal financial assistance to mean “[a]ssistance that recipients or subrecipients receive or administer” in various forms, but this term does not include assistance provided directly to individuals. For the purposes of this memorandum, Federal financial assistance includes: (i) all forms of assistance listed in paragraphs (1) and (2) of the definition of this term at 2 CFR 200.1; and (ii) assistance received or administered by recipients or subrecipients of any type except for assistance received directly by individuals.

² Nothing in this memo should be construed to impact Medicare or Social Security benefits.

February 27, 2025

Program Name	S Change from 2025 Enacted (in millions)	Brief Description of Program and Recommended Reduction or Increase
Pathways to Removing Obstacles (PRO) Housing	-100	Consistent with the Executive Order 14151, “Ending Radical and Wasteful Government DEI Programs and Preferencing,” the Budget proposes to eliminate PRO Housing, which was used by the previous administration to advance “equity” under the guise of an affordable housing development program. Instead, the Budget proposes allowing States and local governments to address affordable housing and development challenges within their communities.
Fair Housing Grants	-60	The Budget eliminates the Fair Housing Initiatives Program (FHIP), which provides competitive grants to public and private fair housing organizations to advocate against single family neighborhoods and promote radical equity policies inconsistent with the Administration’s efforts to eradicate DEI programs. The Budget also eliminates the National Fair Housing Training Academy, which provides training for Fair Housing Assistance Program (FHAP) and FHIP professionals as well as funding to translate HUD materials to languages other than English. The Budget, however, maintains support for FHAP, which funds State and local enforcement agencies that collectively process about 80 percent of the Nation’s fair housing complaints under the Fair Housing Act.

September 16, 2025



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-2000

**ASSISTANT SECRETARY FOR
FAIR HOUSING AND EQUAL OPPORTUNITY**

MEMORANDUM FOR: Office of Fair Housing and Equal Opportunity
Headquarters Staff, Office of Enforcement Staff,
Regional Directors, Field Supervisors

FROM: John Gibbs, Principal Deputy Assistant Secretary
for Fair Housing and Equal Opportunity

DATE: September 16, 2025

SUBJECT: Fair Housing Act Enforcement and Prioritization of Resources

Digitally signed
by JOHN GIBBS
Date:
2025.09.16
14:56:41 -04'00'

This memorandum supersedes any conflicting guidance previously issued to staff in the Office of Fair Housing and Equal Opportunity (FHEO). It will outline (1) FHEO's role under the United States Constitution and Fair Housing Act, (2) why FHEO must prioritize resources for cases with strong evidence of intentional discrimination, and (3) how future enforcement efforts will proceed.

Withdrawn

- “Memorandum Opinion – NAMIC v. HUD,” Date issued: September 19, 2023.
- “2023.07.13_Memphis_LOF_04-18-1479-6.9.Signed,” Date issued: July 23, 2023.
- “Statement of Interest_Connolly v. Lanham,” Date issued: March 13, 2023.
- “DOJ Press Release on AI Discrimination in Tenant Screening,” Date issued: January 9, 2023.
- “Louis et al. v. SafeRent et al._U.S. Statement of Interest (tenant screening algorithm)” Date issued: January 9, 2023.
- “Appraisal Elements of Proof,” OGC, Date Issued: May 6, 2022.
- “Immigration Status and Discrimination FAQ,” Date issued: March 1, 2022.
- “Joint Statement HUD – DOJ, State, and Local Land Use Laws and Practices and the Fair Housing Act,” Date Issued: Nov. 10, 2016.
- “OGC Guidance Fair Housing Act Protections for LEP Persons,” Date Issued: Sept. 15, 2016.
- “Proving Disparate Impact in Fair Housing Cases After Inclusive Communities,” Date Issued: Aug. 1, 2016.
- “OGC Guidance Application of Fair Housing Act Standards to Use of Criminal Records,” Date Issued: April 4, 2016.
- “Guidance for PHAs and Owners of Federally-Assisted Housing on Excluding the Use of Arrest Records in Housing Decisions,” Date Issued: Nov. 2, 2015.
- “Memo - Use of Arrest Records of Tenants of Public and HUD-Assisted Housing 4-18-15 ,” Date Issued: April 8, 2015.
- “Guidance on Title VI Complaint Investigations involving LEP,” Date issued: Sept. 30, 2014.
- “FAQs Accompanying Affirmative Fair Housing Marketing Plan Guidance and Instructions for Section 818 PRA Demo,” Date issued: June 1, 2014.
- “Affirmative Fair Housing Marketing Plan Review Guidance,” Date issued: April 14,
- “Guidance Regarding Zoning and Land-Use Referrals to DOJ,” Date issued: March 24, 2014.
- “R8 Legal Opinion - SSN Non-Citizen Legal Memo August 2013,” Date Issued: August 15, 2013.
- “Compliance Based Evaluation of a Recipients Certification that it has AFFH,” Date Issued: March 5, 2013.
- “Referrals of Pattern or Practice Fair Housing Cases to the Department of Justice,” Date Issued: Dec. 12, 2011.
- “Guidance on Rights provided by Title VI of CRA, Fair Housing Act, and LEP,” April 13, 2009.2024.

September 17, 2025



ASSISTANT SECRETARY FOR
FAIR HOUSING AND EQUAL OPPORTUNITY

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-2000

MEMORANDUM FOR: Office of Fair Housing and Equal Opportunity
Fair Housing Assistance Program Agencies
Fair Housing Initiatives Program Grantees

FROM: John Gibbs, Principal Deputy Assistant Secretary
for Fair Housing and Equal Opportunity

DATE: September 17, 2025

SUBJECT: Notice of the Withdrawal of FHEO Guidance Documents

EFFECTIVE DATE: Upon receipt

EXPIRATION DATE: This Notice will remain in effect until amended, superseded, or rescinded

PURPOSE: The Office of Fair Housing and Equal Opportunity (FHEO) is announcing the withdrawal of several guidance documents

Digitally signed by JOHN
GIBBS
Date: 2025.09.16 14:39:02
+04'00'

Withdrawn

Title	Date Issued
Final Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons	January 22, 2007
FHEO Notice 2013-01: Service Animals and Assistance Animals for People with Disabilities in Housing and HUD-funded Programs	April 25, 2013
FHEO 2020-01: Assessing a Person's Request to Have an Animal as a Reasonable Accommodation Under the Fair Housing Act	January 28, 2020
Implementation of Executive Order 13988 on the Enforcement of the Fair Housing Act	February 11, 2021

FHEO Statement on the Fair Housing Act and Special Purpose Credit Programs	December 7, 2021
Application of Fair Housing Act Standards to the Use of Criminal Records by Providers of Housing and Real-Estate Related Transactions	June 10, 2022
Implementation of OGC Guidance on Application of Fair Housing Act Standards to the Use of Criminal Records	June 20, 2022
FHEO Memorandum on Source of Income Testing Activities under the Fair Housing Assistance Program	February 12, 2024
Guidance on Application of the Fair Housing Act to the Advertising of Housing, Credit, and Other Real Estate-Related Transactions through Digital Platforms	April 29, 2024

FedReg, April 6, 2026

HUD Notice of the Withdrawal of OGC Guidance Documents

Title	Date Issued
Guidance on Application of the Fair Housing Act to the Advertising of Housing, Credit, and Other Real Estate-Related Transactions through Digital Platforms.	April 29, 2024.
FHEO 2020–01: Assessing a Person’s Request to Have an Animal as a Reasonable Accommodation Under the Fair Housing Act.	January 28, 2020.
FHEO Memorandum on Source of Income Testing Activities under the Fair Housing Assistance Program	February 12, 2024.
FHEO Notice 2013–01: Service Animals and Assistance Animals for People with Disabilities in Housing and HUD-funded Programs.	April 25, 2013.
FHEO Statement on the Fair Housing Act and Special Purpose Credit Programs	December 7, 2021.
Final Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons.	January 22, 2007.
Implementation of Executive Order 13988 on the Enforcement of the Fair Housing Act	February 11, 2021.
Implementation of OGC Guidance on Application of Fair Housing Act Standards to the Use of Criminal Records	June 10, 2022.

FedReg, July 17, 2026

HUD Notice of the Withdrawal of OGC Guidance Documents

Title	Date issued
Memorandum of Understanding Between DOJ and HUD Concerning Enforcement of the Fair Housing Act	December 7, 1990.
Referrals of Pattern or Practice Fair Housing Cases to the DOJ	December 12, 2011.
OGC Guidance Application of Fair Housing Act Standards to Use of Criminal Records	April 4, 2016.
OGC Guidance FH Act Protections for LEP Persons	September 15, 2016.
Joint Statement, HUD DOJ, State, and Local Land Use Law and Practices and the FH Act	November 10, 2016.
Elements of Proof	August 11, 2014.
Application to the Fair Housing Act of the Supreme Court's Decision in <i>Bostock v. Clayton County</i>	February 9, 2021.
Office of General Counsel Guidance on the Fair Housing Act's Treatment of Certain Special Purpose Credit Programs That are Designed to be Implemented in Compliance with the Equal Credit Opportunity Act and Regulation B.	December 6, 2021.
Appraisal Elements of Proof	May 6, 2022.
Limiting PHA and Owner Discretion in Admitting and Evicting Tenants in Federally Assisted Housing	March 27, 2023.
Final Legal Determination for Implementation of the Violence Against Women Act (Asked and Answered)	October 11, 2023.
Whether the Mrs. Murphy Exemption applies to dwellings solely owned by LLCs or other business entities	July 10, 2024.
Application of Fair Housing and Civil Rights Laws to Source of Income Restrictions	November 4, 2024.

Our Funding Future



OFFICE OF FAIR HOUSING
AND EQUAL OPPORTUNITY

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-2000

MEMORANDUM FOR: Fair Housing Assistance Program Agency Directors

FROM:  Nathan S. Roth, Acting Director, Office of Programs, FHEO

SUBJECT: Transmittal Memo: FY2025 Guidance Package for the
Fair Housing Assistance Program

This memorandum transmits the FY2025 Fair Housing Assistance Program (FHAP) Funding Guidance Package (Guidance). The Guidance consists of the following documents:

1. FY2025 FHAP Funding Guidance
 - Attachment A – *Criteria for Processing*
 - Attachment B – *Standards for Timeliness*
 - Attachment C – *FY2025 Payment Amounts for FHAP Case Processing*
 - Attachment D – *Using HUD Systems*
 - Attachment E – *FY2025 Partnership and Special Enforcement Effort Funds*
 - Attachment F – *Mandatory HUD Grant Agreement Provisions*