



NATIONAL CAMPAIGN TO **RESTORE CIVIL RIGHTS**

HOUSING RIGHTS

The Fair Housing Act, a landmark federal law passed in 1968 and amended several times since, aims to eliminate discrimination in the sale and rental of homes on the basis of race, gender, ethnicity, and disability. Although the Fair Housing Act and its predecessor, the Housing Act of 1937, have enjoyed broad support through much of their history, the protections that they guarantee are threatened by recent court decisions that severely limit courtroom access to those experiencing housing discrimination.

Shelter is a basic and essential right that has implications for health, safety, employment, access to education, and financial security. Yet there is a shortage of affordable housing, and what little public housing is available can be unsafe and unhealthy. Some Public Housing Authorities are tangled and ineffective, and many people are victims of housing discrimination. People need access to the courts to remedy any unfair treatment and protect their rights and freedoms. Two recent rulings show how important it is to preserve the enforceability of federal fair housing protections.

In an important case, *Langlois v. Abington Housing Authority* (2002), a group of women in Massachusetts brought an action against their Public Housing Authority because its system for selecting who got housing assistance discriminated against people of color. These women argued that this violated the federal Fair Housing Act, and they took their case to court under a [federal law that enables people to sue the state or local government if their federal rights are being violated](#). The housing authority tried to argue that these women couldn't sue because although the Fair Housing Act prohibits unfair housing practices it doesn't guarantee the right to fair housing.

In *Thompson v. HUD* (1994), the Maryland ACLU filed a case on behalf of African American residents of public housing in Baltimore. At that time, the federal Department of Housing and Urban Development (HUD) was demolishing high-rise public housing developments in low-income African American neighborhoods and trying to confine replacement housing to similarly segregated neighborhoods, essentially perpetuating a system of racially segregated public housing. This, it was argued, also violated the federal protections of the Fair Housing Act.

In both these cases, the housing authorities tried to use an argument from an earlier, unrelated case-[Gonzaga v. Doe](#)-that has made it harder to go to court to enforce your rights under federal law. They argued that these people couldn't sue because although the Fair Housing Act prohibits unfair housing practices it doesn't guarantee the right to fair housing. Fortunately, the courts in these cases rejected these arguments. These two cases show how important it is to protect our civil rights laws from disappearing and to make sure that people can still get into a courtroom if their rights are violated.

For more information on housing rights and the courts, please contact the National Campaign to Restore Civil Rights at: rollback@nylpi.org.

For detailed case information, please see the below:

- [*Langlois v. Abington Housing Authority*](#) (234 F. Supp. 2d 33 (1st Cir.), 2002)
- [*Gonzaga v. Doe*](#) (536 U.S. 273, 2002)
- [*Thompson v. HUD*](#)