RITCHIE TORRES
15TH DISTRICT OF NEW YORK

1414 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-4361

540 E FORDHAM RD., UNIT 2A
BRONX, NY 10458
(718) 503-9610

Congress of the United States
House of Representatives
Washington, DC 20515-3215

October 22, 2026

The Honorable Scott Turner
Secretary
U.S. Department of Housing and Urban Development
451 7th Street SW
Washington, DC 20410

Dear Secretary Turner:

I write to request answers regarding the Department of Housing and Urban Development's (HUD) current approach to fair housing enforcement, particularly the enforcement of protections for LGBTQ+ Americans by the Office of Fair Housing and Equal Opportunity (FHEO).

Housing is not a privilege reserved for those whom the presidential administration considers politically acceptable. It is the foundation upon which Americans build their lives, raise their families, maintain employment, and pursue prosperity. The federal government has a responsibility to ensure that Americans are not denied that foundation because of who they are or whom they love. These issues not only have direct consequences for my constituents in the Bronx, but the integrity of federal fair housing enforcement is a national concern that should matter to communities in every state and all Members of Congress.

In 2021, HUD announced that the Fair Housing Act's prohibition on sex discrimination would encompass discrimination based on sexual orientation and gender identity.[1] That position reflected the Supreme Court's reasoning in the *Bostock v. Clayton County* decision that discrimination based on sexual orientation or gender identity is a form of sex discrimination in the employment context.[2] In the decision authored by Justice Neil Gorsuch, the Supreme Court recognized that "it is impossible to discriminate against a person for being homosexual or transgender without discriminating against that individual based on sex."[3] The decision provided critical clarity on how sexual orientation and gender identity discrimination are forms of sex discrimination.

The consequences of not applying the clear reasoning in *Bostock* to the Fair Housing Act and reversing HUD's 2021 decision are not theoretical. Research from the Williams Institute demonstrates that LGBTQ+ people experience disproportionately high rates of poverty, housing instability, and homelessness. 50% of LGBTQ+ adults own homes, while 70% of non-LGBTQ+ adults own homes. Further, LGBTQ+ people are more likely to experience discrimination in rental housing, mortgage lending, homeless shelters, and other housing-related services. Transgender Americans and LGBTQ+ youth are particularly vulnerable to housing instability and homelessness.[4] At the same time almost half of older same-sex couples face some form of housing discrimination when seeking elder housing.[5]

---

[1] Brasil, Lauren. "HUD Announces Sexual Orientation & Gender Identity Are Protected by Federal Fair Housing Act." *Fair Housing Project*, 15 Feb. 2021.
[2] Bostock v. Clayton County, 590 U.S. 644, 651-52, 660 (2020).
[3] Bostock v. Clayton County, 590 U.S. 644, 660 (2020)
[4] "LGBT People and Housing Affordability, Discrimination, and Homelessness." *Williams Institute*, 3 Aug. 2021.
[5] Equal Rights Center, Opening Doors: An Investigation of Barriers to Senior Housing for Same-Sex Couples (2014).

Against this backdrop, the Trump Administration's actions are more than a change in bureaucratic priorities. They risk weakening the federal government's willingness to protect one of the country's most vulnerable populations from discrimination.

At the outset of President Trump's second term, the Administration revoked Executive Order 13988 and changed federal policy concerning recognition and protection for transgender Americans.[6] HUD subsequently retreated from the enforcement posture that had recognized discrimination based on sexual orientation and gender identity as actionable under the Fair Housing Act.[7] HUD's retreat from enforcing sexual orientation and gender identity nondiscrimination protections is inconsistent with your public proclamations to support equal housing for every American. During your commemoration of Fair Housing Month last year you declared, "We at HUD will uphold the Fair Housing Act so every American has the opportunity to achieve the American dream." You went on to declare that, "Americans in rural, tribal, and urban communities should have the power to choose where to build their lives free of discrimination."[8] Unfortunately, despite your words, HUD has continued to politicize enforcement of fair housing across the country.

The consequences of this politicization have already been documented. According to reporting by ProPublica, an individual in Arkansas filed a housing discrimination complaint after allegedly being denied housing because he was gay. HUD initially began processing the complaint but following the change from the Biden Administration to the current Administration, the complainant was informed that allegations of discrimination based on sexual orientation or gender identity were no longer being investigated. Reporting has further documented that numerous fair housing cases have been halted or closed, including cases involving sexual orientation and gender identity discrimination.[9]

HUD's response to this Arkansas man who alleged that he was denied housing because of his sexuality was to tell him, in effect, that the federal government has washed its hands of his discrimination claim. This sends a troubling message: that HUD views some victims of housing discrimination as no longer worthy of protection.

That is unacceptable. Reports that the claims process has become an obstacle course for victims of discrimination warrant a clear response from HUD.

The reports concerning political interference are especially disturbing. Career civil servants and attorneys have reportedly faced efforts by political appointees to obstruct investigations and enforcement activity. Meanwhile, categories of cases, including those involving LGBTQ+ discrimination, appraisal bias, zoning restrictions, language access, and environmental justice, have reportedly been subjected to diminished priority or heightened political scrutiny.[10]

Discrimination does not cease to exist because a political appointee finds the underlying civil rights theory inconvenient. Appraisal bias is not a "theory" when discriminatory valuation deprives families of wealth; exclusionary zoning is not a "theory" when government policies

---

[6] "Initial Rescissions of Harmful Executive Orders and Actions." *The White House*, The United States Government, 21 Jan. 2025.
[7] "Notice of the Withdrawal of OGC Guidance Documents." *Federal Register*, Department of Housing and Urban Development, 17 July 2026.
[8] https://www.youtube.com/watch?v=ymBjDdnHQCc
[9] Coburn, Jesse. "Trump's HUD Is Weakening Enforcement of Fair Housing Laws." *ProPublica*, 15 May 2025.
[10] Kamin, Debra. "Trump Appointees Roll Back Enforcement of Fair Housing Laws - The New York Times." *New York Times*, 22 Sept. 2025.

perpetuate segregation; discrimination against a transgender person is not a "theory" when that person is denied a home because of their gender identity; and discrimination against an LGBTQ+ person is not a "theory" when a landlord denies them housing because of whom they love.

The Department's obligation is to enforce the law, not to redefine discrimination out of existence. The Fair Housing Act directs HUD to investigate filed complaints and generally complete investigations within 100 days unless doing so is impracticable; when that deadline cannot be met, HUD must notify the parties in writing of the reasons.[11] For these reasons, I request that HUD provide complete and specific responses to the following questions:

1. HUD has publicly cited reductions in the case backlog from the start of the Trump Administration to June 12, 2026.[12] Of every fair housing complaint removed from that backlog, what was the basis of each complaint and how many cases were: (a) fully investigated and resolved on the merits; (b) settled; (c) administratively closed; (d) dismissed without a full investigation; or (e) halted or placed in inactive status?

2. How many fair housing complaints involving allegations of discrimination based on sexual orientation or gender identity has FHEO received, investigated, administratively closed, dismissed, charged, or otherwise resolved since January 20, 2025? Please provide the data by month, disposition, and FHEO region.

3. What categories of housing discrimination does HUD currently consider a priority for enforcement, and what categories have been formally or informally deprioritized since January 20, 2025?

4. Are political appointees required to preapprove routine investigative or litigation activities conducted by career attorneys and enforcement personnel? If so, what statutory, regulatory, or Departmental authority governs that review, and when did the requirement begin?

5. How many employees currently work for FHEO, and how does that figure compare with FHEO staffing levels on January 20, 2025? Please provide current staffing levels by headquarters and each regional office.

6. FHEO is required by statute to investigate fair housing discrimination complaints.[13] What is the justification for declining to investigate sexual orientation and gender identity discrimination complaints, especially since FHEO previously investigated such complaints?

I request that HUD provide complete responses, including the underlying data necessary to substantiate each answer, no later than November 1, 2026.

---

[11] 42 U.S.C. § 3610(a)(1)(B)(iv), (C) (2018).
[12] "Hud Announces Fair Housing Enforcement, Cuts Biden Backlog by 27%: Hud.Gov / U.S. Department of Housing and Urban Development (HUD)." *HUD Announces Fair Housing Enforcement, Cuts Biden Backlog by 27% | HUD.Gov / U.S. Department of Housing and Urban Development (HUD)*, 12 June 2026.
[13] 42 U.S.C. § 3610(a)(1)(B)(iv), (C) (2018).

Let me be unequivocal: the Administration does not get to unilaterally decide who is worthy of federal protections simply because the victims do or do not belong to a politically disfavored community. HUD cannot erase LGBTQ+ people from federal civil rights protections by changing a guidance document, starving an enforcement office of personnel, or placing political roadblocks in front of career investigators. HUD's obligations to investigate and resolve cases of housing discrimination for every American have been made clear by Congress and the courts.

The destruction of civil rights enforcement is itself a policy choice. The abandonment of LGBTQ+ Americans is itself a policy choice. Every complaint ignored, every investigation halted, and every victim denied a meaningful remedy is a consequence of that choice. HUD's Office of Fair Housing and Equal Opportunity was created to protect Americans from discrimination, not to protect discriminators from accountability. No administration has the right to turn federal civil rights protections into a political suggestion. HUD must enforce the law, and Congress must hold the Department accountable if it does not.

Sincerely,



Ritchie Torres
Member of Congress