

## **Supreme Court Case: Domestic Violence and Housing**

***Texas Department of Housing and Community Affairs v. The Inclusive Communities Project, Inc.***

**Docket Number: (13-1371)**

**Argument: January 21, 2015**

**Opinion: TBD**

This court case will decide whether plaintiffs can bring claims under the Fair Housing Act challenging policies and practices that have a disproportionate and negative effect on a protected class of people. This case will consider whether the Fair Housing Act prohibits policies that have a discriminatory effect, regardless of whether the policy was adopted with intent to discriminate.

Domestic violence survivors suffer under discriminatory housing policies such as zero tolerance policies which subject all members of the home to eviction if any member of the household has committed a crime. Municipal nuisance ordinances subject tenants to eviction if they call the police too frequently, placing a risk on those suffering from domestic violence as they could be kicked out of their homes for protecting themselves. Congress even recognized that "[v]ictims of domestic violence often return to abusive partners because they cannot find long-term housing." Women should not be forced to choose between their safety and shelter.

The case argues that subprime lenders targeted and exploited minority communities where conventional lending institutions did not exist. The U.S. Department of Housing and Urban Development and the U.S. Department of the Treasury issued a joint report that found since 2000, even when controlling for income, "borrowers in black neighborhoods [were] five times as likely to refinance in the subprime market than borrowers in white neighborhoods."

NOW Foundation joined an amicus brief for this case.