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Attorney General Brown Opposes Trump Administration Effort to Roll Back Fair Housing Protections *Regulations Developed to Prevent Discriminatory Housing Practices, Racially Segregated Neighborhoods*

BALTIMORE, MD (July 3, 2025) – Attorney General Anthony G. Brown today co-led a coalition of 21 attorneys general in sending a [letter](#) to the U.S. Department of Housing and Urban Development (HUD) opposing a proposed rule that would rollback critical fair housing regulations that prohibit discrimination in the marketing of affordable housing. The Affirmative Fair Housing Marketing (AFHM) regulations require owners of federally assisted housing to target advertising and outreach regarding their properties to communities that otherwise might not have learned about the opportunity to live there. The proposed rule would repeal these regulations, which are designed to ensure that federally assisted housing providers do not market available housing to only certain groups as had been done in the past to maintain racially segregated neighborhoods.

Historically, government at all levels throughout the United States, along with private developers and mortgage lending institutions, played an active role in creating segregated living patterns, which perpetuated inequalities in access to opportunity. The Fair Housing Act, through AFHM regulations, requires HUD and recipients of federal funds from HUD to administer their programs in a manner to affirmatively further fair housing by ensuring that the agency and its program participants take meaningful actions to overcome patterns of segregation, promote fair housing choice, eliminate disparities in opportunities, and foster inclusive communities. The Fair Housing Act prohibits discrimination based on race, color, national origin, religion, sex (including gender and sexual orientation), familial status, and disability.

AFHM requires that owners and developers of HUD-subsidized housing have marketing programs in place to reach groups that are protected from discrimination by the Fair Housing Act and are not as likely to apply for such housing. Housing providers must then select methods of outreach and advertising that are designed to reach those communities. Too often, the populations that are the least likely to apply are those that are underrepresented in the area where the property is located, especially affordable properties in high opportunity areas – areas that offer residents enhanced access to economic mobility and improved living conditions. The AFHM regulations do not dictate which tenants an owner must select for a unit, and nothing

prohibits landlords from advertising through other media that reach different populations as well.

In the letter, the attorneys general argue that the proposed repeal of these longstanding regulations is in direct contradiction with the mandate of the Fair Housing Act – to affirmatively further fair housing through ensuring non-discriminatory marketing practices – especially so given the lack of:

- A replacement rule;
- An explanation of how HUD will affirmatively ensure that covered program participants are not engaging in discriminatory and unlawful housing marketing practices in violation of federal law; and
- Legally sufficient or evidence-based justifications for this total reversal of over 50 years of federal housing policy and law.

The attorneys general hold a vested interest in ensuring equal access to housing and eradicating discrimination in communities nationwide. The national housing crisis is driven by a shortage of housing supply and skyrocketing unaffordability that disproportionately affects communities of color. The highest disparities are experienced by Black households – a byproduct of systemic racism and policies that targeted Black people and neighborhoods home to primarily Black people. Data on fair housing complaints confirm that proactive fair housing measures, including in advertising, are as vital as ever. In 2023, [record high](#) levels of fair housing complaints were submitted to HUD, the U.S. Department of Justice, and other fair housing organizations; the annual number of complaints has consistently risen.

Attorney General Brown co-led today's letter, along with the attorneys general of California and New York, and was joined by the attorneys general of Arizona, Colorado, Connecticut, Hawai'i, Illinois, Maine, Massachusetts, Michigan, Minnesota, Nevada, New Jersey, New Mexico, North Carolina, Oregon, Rhode Island, Vermont, Washington, and the District of Columbia.

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