



Comments on “HUD’s Implementation of the Fair Housing Act’s Disparate Impact Standard”

The Colorado Health Foundation submitted a comment letter strongly opposing HUD’s proposed changes to the Fair Housing Act’s disparate impact standard, arguing that the rule would make it significantly harder for people experiencing discrimination to challenge housing policies and practices that disproportionately harm protected groups. The Foundation emphasizes that housing is a critical determinant of health and highlights Colorado’s ongoing affordable housing crisis, where rising costs have outpaced incomes and housing affordability remains a top concern for residents. The letter notes that many Coloradans are already struggling to afford housing and argues that weakening fair housing protections would further undermine access to safe, stable, and affordable homes.

The Foundation also points to ongoing housing discrimination in Colorado, particularly against people with disabilities, people of color, housing voucher holders, families with children, and residents of manufactured housing. It argues that many discriminatory policies appear neutral on the surface but still produce unequal outcomes, making the disparate impact standard essential for identifying and addressing systemic discrimination when explicit discriminatory intent cannot be proven. The letter warns that HUD’s proposal would shift the burden of proof onto those experiencing discrimination, effectively limiting their ability to seek recourse and allowing harmful practices to persist. The Foundation concludes that the current disparate impact rule is a critical tool for advancing housing equity, protecting vulnerable communities, and supporting healthier, more economically

stable neighborhoods, and urges HUD to withdraw the proposed rule.

[READ THE FULL LETTER HERE](#)

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BY

[The Colorado Health Foundation](#)