



Gender and Racial Justice in Housing

Fair access to safe, accessible, and affordable housing in integrated neighborhoods is vital to the well-being of women and girls. Where we live is at the very core of our daily lives.

And yet, women—and in particular women facing intersecting forms of discrimination—are significantly more likely than men to face housing instability due to both lower incomes and more challenges in securing an affordable place to live in a high-opportunity neighborhood.

The COVID-19 pandemic and resulting “she-cession”¹ have widened these longstanding gender and racial inequities. Between February and April 2020, women lost 12.1 million jobs and only a little more than half of those jobs have returned.² Throughout this recession, as pre-COVID, Black women, Latinas, and women with disabilities continue to face especially high unemployment.³ In September, women were four times more likely than men to be forced out of the labor force.⁴ Asian, Black, and Latina women also are more likely to be behind on their rent or mortgage payment,⁵ and Black mothers in particular are disproportionately likely to face eviction.⁶

This issue brief will underscore the centrality of racial and gender justice in achieving affordable and fair housing for all.

Discrimination and economic inequities make it harder for women to afford housing

Women, particularly women facing multiple forms of discrimination, disproportionately face economic insecurity, which in turn, undermines their ability to afford housing.

The U.S. employment system produces vast gender and racial disparities. The women’s wage gap continues—women in the United States working full-time are typically paid 82 cents for every dollar men are paid. That gap increases for Black women (63 cents), Latinas (55 cents), Native Hawaiian and Pacific Islander women (63 cents), Native American women (60 cents), and some subgroups of Asian women.⁷ In addition, women are disproportionately represented in the low-paid workforce, making up 64 percent of the workforce in the 40 lowest paying jobs (typically paying less than \$12 per hour) before the COVID-19 pandemic, with starker disproportionate representation from women of color.⁸ In 2018, 42 percent of women in the low-paid workforce were living near or below the federal poverty line, compared to 34 percent of men.⁹ These unjust outcomes are the product of systemic injustice. For example, women are systematically discouraged from entering higher-paid jobs and employers are less likely to hire women than men for high-wage jobs.¹⁰ Employers’ negative stereotypes about mothers and their ability and commitment to execute higher-level work also contribute to mothers’ overrepresentation in the low-paid workforce.¹¹ Gender and racial discrimination, combined with policymakers’ failure to increase the minimum wage, negatively impact women’s economic security.

These economic injustices make it hard for women to afford rent. In order to afford a modest, two-bedroom apartment at fair market rent without spending more than 30 percent of their income on rent, a full-time worker in the United States needs to earn \$23.96 per hour; women paid minimum wage would have to work 97 hours per week to afford a two-bedroom rental home. That amounts to over 13 hours a day, seven days a week.¹²

These employment inequities, along with discriminatory lending practices, also make it hard for women, especially women of color, to become homeowners and build wealth. Many creditors drive women of color to subprime mortgages, which in turn leaves them more susceptible to foreclosure and debt.¹³ In 2013, median wealth for working-age men (ages 18 to 64) was \$10,150, three times the median wealth for single working-age women (\$3,210).¹⁴ Women of color face an even greater wealth gap:

- In 2016, the median wealth of white households (\$171,000) was almost 10 times greater than that of Black households (\$17,600) and over eight times greater than that of Latinx households (\$20,700).¹⁵
- White households living near the poverty line typically have about \$18,000 in wealth, while Black households in similar economic conditions typically have a median wealth close to zero.¹⁶
- Single women of color face a staggering gap in wealth because of the compounded effects of race and gender—the median net wealth of single, working-age, white, non-Hispanic men was \$28,900 in 2013, compared to \$100 for single, working-age Latinas and \$200 for single, working-age Black women.¹⁷

Lack of Affordable Housing Undermines the Health, Education, Nutrition, and Employment of Women and the Children and Families who Depend on Them

Housing and Health

The pandemic has underscored the inextricable link between housing and health. Safe, decent, accessible, and affordable housing is key to health and well-being.¹⁸ No one should need to choose between housing and health care.

- **When women and families spend too much on housing, they have insufficient resources for other essential needs, including food, health insurance, and health care.** Women faced with unaffordable housing costs are more likely to skip health care treatments and not fill a prescription as a result of cost. When families with low incomes spend high portions of their income

on their rent, they struggle to pay for nutritious food.

- **Housing instability can harm women's health.** Women evicted or threatened with eviction are more likely to experience depression, anxiety, and high blood pressure than people with stable housing. Lack of stable housing can make proper storage of medications difficult or impossible for women who need prescription medication, which can have negative health consequences, and evictions can disrupt care for chronically ill women. Furthermore, the lack of affordable housing available to survivors of domestic violence, dating violence, sexual assault, and stalking deters survivors from leaving abusive partners out of fear of facing the challenges of homelessness.
- **When access to stable and affordable housing is limited, more women are forced to live in highly segregated and/or substandard housing.** Housing segregation widens health disparities by determining access to schools, jobs, health care, grocery stores with nutritious foods, and safe spaces to exercise. Substandard housing conditions such as water leaks, poor ventilation, dirty carpets, lead-based paint, and pest infestation are associated with poor health outcomes, most notably those related to asthma.

Housing and Education

Gender justice, access to fair housing opportunities, and educational equity are deeply intertwined.¹⁹

- **Housing instability has negative impacts on education.** Children who experience housing instability are more likely to have behavioral problems and struggle in school. Being homeless is a traumatic experience that manifests in many ways in the classroom—including ways that are coded as disruptive and can trigger a punitive response from educators. As such, housing instability contributes to high suspension rates, school turnover, truancy, and expulsions. In addition, housing instability directly correlates to decreased academic achievement and retention. Conversely, educational attainment is linked to positive health outcomes and longer lives.
- **The neighborhoods in which children live typically determine the schools they attend, and the more racially segregated our neighborhoods, the more racially segregated our schools.** Segregated neighborhoods isolate communities of color in environments that are often poorly resourced and economically disadvantaged. These disparities are mirrored in our schools, resulting in disparate

- educational opportunities and outcomes for students of color. Today, schools serving the highest concentrations of Black and Latinx children routinely have less experienced teachers, offer less challenging courses, and invest less in their physical space and facilities. By providing fewer resources and opportunities for growth, these schools perpetuate intergenerational poverty and disproportionately harm students of color. In contrast, integration improves educational outcomes for children of all races.
- **Allowing for the continued concentration of poverty in communities limits the resources available to schools.** Because of the decentralized nature of education funding and the reliance on local property taxes, low-wealth communities are less able to provide sufficient funding for their schools, even when tax rates are high.

Housing and Nutrition

When families with low incomes spend high portions of their income on rent, they struggle to pay for nutritious food. Indeed, food insecurity increases with housing costs.²⁰ One study shows that low-income households with children that pay over half of their monthly income on rent spend considerably less on other basic necessities, including about \$200 less per month on food.²¹ In addition, historical residential segregation has restricted neighborhood access to healthy foods and inhibits a family’s ability to engage in healthy eating behaviors, increasing the risk of obesity and negative health outcomes.²²

Housing and Women’s Employment

Access to fair housing impacts women’s employment outcomes.²³ For example, eviction and involuntary displacement due to unjust and discriminatory housing policies make it harder for workers to be present during scheduled work hours and may lead to job loss and prolonged unemployment. Poor credit caused by predatory lending, evictions, and other unjust housing policies and practices create barriers for women seeking employment. Integrated communities also provide more employment opportunities for women of color than segregated communities.

Affordable Housing is Critical for Women, Children, and Families

Because women face higher rates of economic insecurity, housing assistance is critical for women, children, and families to access affordable housing. Women and girls are 63 percent (5.92 million) of the 9.5 million people served by

U.S. Department of Housing and Urban Development (HUD) rental assistance programs.²⁴ Unfortunately, because of chronic underfunding of HUD rental assistance programs, only 1 out of 4 eligible households receive rental assistance from HUD,²⁵ leading to millions of women and families in this country—especially women of color, women with disabilities, LGBTQ individuals, and immigrant women—struggling to find and keep a roof over their heads. This, in turn, undermines the health and well-being of women and the families who depend on them.

Housing Assistance Helps Women of Color

Housing assistance helps prevent high rates of eviction for women of color. In 2018, 55 percent of Black renters and 53 percent of Latinx renters were rent burdened—spending more than 30 percent of their income on rent and utilities—compared to 43 percent of white renters. The pandemic and resulting financial crisis have exacerbated this problem, causing Asian, Black, and Latina women to face higher levels of housing insecurity and fall behind on rent and mortgage payments at a higher rate than white women.²⁶

Before the pandemic, Black women renters with low incomes were nine times as likely to be evicted as white women renters with low incomes.²⁷ In the context of a pandemic where our collective health depends on our ability to stay at home, preventing evictions is both a moral imperative and a public health necessity. Emergency rental assistance and an eviction moratorium can help all women stay in their homes, and longer-term housing assistance such as housing choice vouchers and public housing help women of color afford housing in other times of economic insecurity.

Housing Assistance Helps Survivors

Housing assistance reduces domestic violence and is a critical support for survivors.

- Parents who receive a housing voucher are one-third less likely to experience domestic violence.²⁸
- Survivors of domestic violence are more likely to leave their abusive partner when receiving a long-term housing subsidy.²⁹
- Domestic violence is one of the primary causes of homelessness for women and their children in this country. Between 22 and 57 percent of women and children are homeless due to domestic violence, and 38 percent of all survivors experience homelessness at some point in their lives.³⁰

- Access to safe and affordable housing is a primary barrier for survivors when choosing to leave an abusive partner. One nationwide study found that half of survivors who identified a need for housing services did not receive them.³¹

Access to Housing Assistance Helps LGBTQ People

Equitable access to housing assistance helps minimize the rate at which LGBTQ people—and particularly LGBTQ youth—experience homelessness.

- LGBTQ youth face 2.2 times the relative risk of experiencing homelessness.³² Forty percent of all homeless youth identify as LGBTQ, and nearly one-third of transgender and gender non-binary people have experienced homelessness in their lifetime.³³
- Housing discrimination against LGBTQ people is pervasive, and is worse for LGBTQ people of color and older LGBTQ people due to bias and animus based on their multiple identities.³⁴ One study found that 48 percent of older same sex couples applying for senior housing were subjected to discrimination.³⁵
- Discrimination based on gender identity is the most commonly reported reason that trans domestic violence survivors are denied access to shelter services.³⁶

Housing Assistance Decreases Homelessness

In 2018, 219,905 women, girls, transgender people, and gender non-conforming people experienced homelessness.³⁷

Housing assistance can decrease the likelihood that women and families with low incomes experience homelessness. One study showed that long-term permanent housing subsidies reduced the proportion of families experiencing homelessness or doubling-up with others by 50 percent.³⁸ Studies have also shown that families leaving homeless shelters for subsidized housing are less likely to return to a shelter than families who do not receive housing assistance.³⁹ Experiencing homelessness also makes it difficult to engage in the protective measures recommended by the Centers for Disease Control and Prevention (CDC) to curb coronavirus transmission and infection, like social distancing, sheltering in place, and regular handwashing.

Housing Assistance Helps Women With Disabilities

In 2018, disability was the basis for the majority of all complaints filed under the Fair Housing Act (FHA), and complaints have trended upwards over the past several years.⁴⁰ Housing assistance helps women with disabilities access affordable and accessible housing and ensures women with disabilities can live in non-congregate housing, which increases independence and community integration while also cutting down on transmission of communicable diseases, including COVID-19.

- Women with disabilities typically have lower incomes and face a higher risk of poverty and economic hardship than those without disabilities, and they are therefore more likely to require rental assistance. In 2018, just 31 percent of women with a disability were in the labor force—compared to 71 percent of women without a disability.⁴¹
- Women with disabilities unable to work and receiving Supplemental Security Income (SSI) as their sole source of income cannot afford a safe, decent unit in any U.S. housing market without rental assistance.⁴²
- One study found that public housing and privately-owned subsidized rental units were 2.5 times more likely to be livable for people with mobility issues than owner-occupied units.⁴³

Discrimination in Housing Further Limits Housing Options for Women and Their Families

Housing's impact on all aspects of the lives of women and girls makes fair access to safe, accessible, and affordable housing critical. Passed in 1968 shortly after Rev. Dr. Martin Luther King, Jr. was assassinated, the FHA prohibits discrimination in housing and housing-related services on the basis of race, color, national origin, religion, sex, familial status, and disability. The FHA also imposes a duty on all federal agencies and their funding recipients to affirmatively further fair housing, including working to undo segregated neighborhoods, which government policies created and have perpetuated, and to overcome barriers to fair housing for the protected classes under the FHA. While the FHA has played a critical role in helping more people access fair housing, much work remains.

For example, sexual harassment in housing—such as a landlord asking a tenant to engage in sexual conduct as a condition of obtaining or maintaining housing—though illegal, is a widespread and underreported problem. Women

often either have no other affordable options or would be required to list their current landlord as a reference for a new landlord.⁴⁴ Reports indicate that this harassment is increasing as a result of the COVID-19 pandemic, as more women face economic hardship and request rent deferrals.⁴⁵

Policies and practices that have discriminatory impacts (“disparate impacts”) also make it harder for women facing multiple forms of discrimination to obtain or maintain housing.

- **Women of color:** City zoning laws limiting the construction of affordable housing, such as multi-family dwellings, often have a disparate impact on people of color.⁴⁶ Some cities also refuse to build affordable housing units in predominantly white areas, which blocks access for people of color to quality jobs and/or good schools and perpetuates racial segregation.⁴⁷ Redevelopment plans can displace low-income renters, who, depending on the proposed area for redevelopment, may be disproportionately people of color.⁴⁸ In addition, some landlords engage in practices such as dramatically raising rents, creating new rental criteria, and discontinuing participation in the Section 8 program that can disproportionately displace renters of color.⁴⁹ Furthermore, several lending policies and algorithmic models can lead to costlier loans for people of color, making it harder for women of color to become homeowners and perpetuating the racial wealth gap.⁵⁰
- **Pregnant women and families with children:** Policies that impose overly restrictive occupancy requirements disproportionately harm families with children, and often have the harshest consequences for women of color with low incomes. Landlords who implement these policies can issue vacate notices to pregnant women or parents who do not have a separate bedroom for their infant.⁵¹ These policies have a disparate impact on pregnant Black and Latina women because they are disproportionately represented in poorly-paid jobs and may be unable to afford to rent an apartment with an additional bedroom for their infant.⁵²
- **Survivors:** Housing discrimination against domestic violence survivors is a significant fair housing issue. Cities across the United States enforce nuisance and crime-free ordinances that encourage or require landlords to punish tenants when alleged nuisance conduct (including assault, harassment, stalking, and disorderly conduct) or a certain number of calls for police occur at a property. Because these ordinances do not provide exceptions to emergency service calls made as a result of domestic abuse, women

experiencing domestic violence often must make a choice between seeking safety or remaining housed.⁵³ Domestic violence survivors can also face obstacles from property owners and housing providers when they request emergency transfers within housing units to escape their abusers and are denied.⁵⁴

- **Female-headed households:** Some lenders create and implement policies against originating loans under \$100,000. This restricts homeownership access and has a disparate impact on female-headed households, who are more likely to have lower incomes and thus lower loan amounts. Landlords may also refuse to accept housing vouchers, a practice that has a disproportionate impact on female-headed households, who make up 83 percent of all housing choice voucher participants.⁵⁵
- **Women with a criminal record:** Women who have been involved with the criminal or juvenile legal system face tremendous barriers to successfully reintegrating into their communities, including profound housing insecurity. As a result, these women—who, because of racism in the criminal justice system, are disproportionately Black or Latina—face an increased risk of homelessness and recidivism.⁵⁶ Overly broad tenant screening policies and “one strike” or “no fault” eviction policies can create de facto bans on people with a criminal history from accessing safe, stable housing.

Trump Administration Rulemakings Threaten Safe, Accessible, and Affordable Housing for Women, Children, and Families

The Trump administration has repeatedly attacked fair access to housing.

Public Charge

The Trump administration drastically changed the “public charge” test applied when an immigrant seeks to enter the U.S. or become a permanent resident. Under the original test, immigration officials considered whether the majority of the applicant’s financial support comes from federal cash assistance or long-term institutional care. The Department of Homeland Security (DHS) made this draconian test harsher with a rule that counts the receipt of housing assistance, as well as other non-cash-based assistance such as the Supplemental Nutrition Assistance Program. This rulemaking has chilled immigrant families’ participation in public benefits out of a fear of risking their eligibility for permanent residence.

“Mixed-Status” Families

In addition, HUD proposed a rule that would force about 25,000 immigrant families—in which some members of the family are eligible for HUD assistance and others are not—to make the impossible decision to either separate or lose all their housing assistance and face eviction. The proposed rule would also create unnecessary red tape that would threaten the housing security of 9.5 million people currently receiving HUD assistance, including 55,000 US citizen children. This proposed rule would disproportionately harm women and girls, as well as people of color.

Affirmatively Furthering Fair Housing

In July 2020, the Trump administration published a final rule gutting the 2015 Affirmatively Furthering Fair Housing (AFFH) rule, a critical tool to integrating neighborhoods and eliminating other barriers to fair housing access for people of color, women, LGBTQ people, people with disabilities, and other protected classes under the FHA. The Trump administration’s rule represents a complete retreat from efforts to undo historic, government-driven patterns of discrimination and segregation throughout the United States, and would allow communities to ignore the essential desegregation obligations of fair housing law.

Disparate Impact

In September 2020, the Trump administration published a final HUD rule weakening the ability to challenge policies and practices with discriminatory disparate impacts. Implementing this rule would have harmful impacts on women’s ability to access fair rental and homeownership opportunities.⁵⁷ Civil rights and fair housing groups are challenging this rule in court.⁵⁸

In the spring of 2020, the Taskforce on Federal Consumer Financial Law within the Consumer Financial Protection Bureau (CFPB) sought comments related to federal consumer financial laws, including disparate impact under the Equal Credit Opportunity Act (ECOA). Just as disparate impact is a critical tool to combat housing policies and practices that have a discriminatory impact under the FHA, disparate impact under the ECOA helps challenge lending practices, such as mortgage lending practices, that have a discriminatory impact on women, people of color, and other protected classes.⁵⁹

Equal Access to Shelter

The Obama administration’s Equal Access Rule requires HUD-funded shelters to provide access to shelter based on someone’s gender identity, providing a critical protection from discrimination for trans people experiencing

homelessness, including those seeking access to shelter to escape violence, family rejection, or natural disasters.

Unfortunately, under the Trump administration, HUD proposed a rule that would gut the Equal Access Rule and promote sex discrimination on multiple fronts.⁶⁰ First, the proposed rule would allow HUD-funded single-sex shelters to deny access to transgender women. This would encourage widespread discrimination when trans people need help the most, when they are without a roof over their heads. Second, the proposed rule would let shelters make a “good faith” assessment of an individual’s sex based on sex stereotyping—considering physical characteristics like the presence of facial hair, height, and the presence of an Adam’s apple. This would lead to discrimination against transgender people and anyone who does not conform to the shelter’s sex stereotypes of what a woman “should” look like.

Recommendations

Advocates and policymakers have an opportunity to improve our policies and systems so that every woman, child, and family can obtain safe, accessible, and affordable housing. Such improvements include:

- **Rolling back harmful administrative actions.** This includes undoing the final DHS public charge rule, reinstating the Obama administration’s disparate impact and Affirmatively Furthering Fair Housing rules, and withdrawing the “mixed-status” families proposed rule as well as the proposed rollback of the Equal Access Rule.
- **Providing emergency relief in response to the COVID-19 crisis.** Provide at least \$30 billion more in emergency rental and utility assistance, \$25 billion to start a Homeowner Assistance Fund, \$28 billion for 500,000 new housing vouchers, and a universal, nationwide eviction moratorium to keep families in their homes and prevent more people from losing their housing and experiencing homelessness. Homeless service providers also need at least \$6.1 billion in Emergency Solutions Grant (ESG) funds to minimize the number of people experiencing homelessness living in congregate shelters and encampments by providing non-congregate spaces such as hotels. Investing \$44 billion in the national Housing Trust Fund to help states and localities convert and maintain hotels, motels, and other non-traditional properties into long-term affordable and accessible housing would help people experiencing homelessness obtain safe, stable, permanent housing with supportive services when needed, rather than returning to homelessness.

- **Increasing funding for housing assistance so every woman, child, and family can access safe, accessible, and affordable housing.** This includes fully funding Section 8 housing choice vouchers so every eligible family can get the assistance needed to pay their rent, providing at least \$70 billion in funding for public housing to repair and maintain existing units, providing at least \$45 billion over the next 10 years for the national Housing Trust Fund to increase the stock of affordable and accessible housing, providing significant investments in resources to prevent homelessness and respond to the needs of people experiencing homelessness, providing at least \$20 million in funding for emergency transfer vouchers for VAWA survivors, and providing dedicated funding for a cross-agency collaboration on housing for survivors.
- **Creating a permanent National Housing Stabilization Fund (NHSF) to keep families stably housed after experiencing a financial shock.** The COVID-19 pandemic and resulting “she-cession” only exacerbated the eviction crisis that already existed. A permanent NHSF would provide short-term financial assistance and stability services to help women and families with low incomes overcome a sudden financial shock that jeopardizes their ability to remain stably housed.
- **Creating a refundable renter’s tax credit for individuals.** A refundable tax credit will help make housing more affordable for families who do not qualify for HUD assistance but who are not paid enough to reasonably afford fair market rent.
- **Mitigating evictions and their subsequent impact to protect tenants from unfair eviction screening policies that disproportionately impact women of color.** This could include funding eviction diversion programs, ensuring the right to counsel for tenants facing eviction, excluding eviction records of cases dismissed or decided in the tenant’s favor, and prohibiting the denial of housing on the basis of COVID-related evictions.
- **Strengthening the FHA.** As noted above, the FHA laid the foundation to confront housing discrimination in the United States, but it should be strengthened to combat more instances of discrimination. For example, Congress could amend the FHA to add survivor status and source of income as protected classes. HUD and the Department of Justice must start applying the *Bostock v. Clayton County*⁶¹ rationale to enforce the FHA’s prohibition on sex discrimination to sex discrimination that is tied to sexual orientation and gender identity,⁶² and Congress could make this more concrete by amending the FHA. In addition, protections against sexual harassment in housing could be strengthened, funding for testing to detect discrimination under the FHA can be increased, and policy makers can institute changes to improve fair housing access for people with disabilities and formerly incarcerated people.
- **Increasing homeownership opportunities, particularly for women of color.** This could include rent-to-own programs, a first-time homeowner refundable tax credit, and strengthening the ECOA through stronger enforcement against discriminatory lending practices.

1 Audrey Andrews, *The Coronavirus Recession is a “She-cession,”* Ms. (May 15, 2020), <https://msmagazine.com/2020/05/15/covid19-women-unemployment-economy-coronavirus-recession-is-a-she-cession/>.

2 Claire Ewing-Nelson, Nat’l Women’s Law Ctr., *Four Times More Women Than Men Dropped Out of the Labor Force in September* (Oct. 2020), <https://nwl.org/resources/four-times-more-women-than-men-dropped-out-of-the-labor-force-in-september/>.

3 *Id.* In February 2020, before the pandemic, the unemployment rate was 4.8 percent for Black women, 4.9 percent for Latinas, and 7.4 percent for women with disabilities. *Id.* This compares to an unemployment rate of 3.3 percent for men and 2.9 percent for white men. Bureau of Labor Stats., Labor Force Statistics from the Current Population Survey, (Seas) Unemployment Rate – 20 yrs. & over, Men, available at <https://beta.bls.gov/dataViewer/view/timeseries/LNS14000025>; Bureau of Labor Stats., Labor Force Statistics from the Current Population Survey, (Seas) Unemployment Rate – 20 yrs. & over, White Men, available at <https://beta.bls.gov/dataViewer/view/timeseries/LNS14000028>. See also Nat’l Women’s Law Ctr., 2020 Jobs Day Reports (Sept. 4, 2020), <https://nwl.org/resources/2020-jobs-day-reports/> (providing monthly fact sheets on Jobs Data during the pandemic).

4 Ewing-Nelson, *supra* note 2.

5 Jasmine Tucker & Claire Ewing-Nelson, Nat’l Women’s Law Ctr., *As Eviction Deadline Looms, Black, Non-Hispanic Women Are Over Two Times More Likely Than White, Non-Hispanic Men to Be Behind on Rent or Mortgage Payments* (Dec. 2020), <https://nwl.org/resources/as-eviction-deadline-looms-black-non-hispanic-women-are-over-two-times-more-likely-than-white-non-hispanic-men-to-be-behind-on-rent-or-mortgage-payments/> [hereinafter *Behind on Rent*].

6 Legal Services Corporation, *The Eviction Crisis Is Already Here and It’s Crushing Black Moms*, LSC.gov (July 27, 2020), <https://www.lsc.gov/media-center/blog/2020/07/27/eviction-crisis-already-here-and-its-crushing-black-moms>.

7 Nat’l Women’s Law Ctr., *The Wage Gap: The Who, How, Why, and What to Do* (Oct. 2020), <https://nwl.org/resources/the-wage-gap-the-who-how-why-and-what-to-do/> [hereinafter *The Wage Gap*].

8 Jasmine Tucker & Julie Vogtman, Nat’l Women’s Law Ctr., *When Hard Work Is Not Enough: Women in Low-Paid Jobs* (Apr. 2020), https://nwl-ciw49tixgw5lbbab.stackpathdns.com/wp-content/uploads/2020/04/Women-in-Low-Paid-Jobs-report_pp04-FINAL-4.2.pdf.

9 *Id.* at 8.

10 *The Wage Gap*, *supra* note 7, at 3.

11 *Id.*

- 12 Nat'l Low Income Housing Coalition, *Out of Reach: The High Cost of Housing 2* (2020), https://reports.nlihc.org/sites/default/files/oor/OOR_BOOK_2020.pdf.
- 13 Nat'l Women's Law Ctr., Comment Letter in Response to Request for Information from Taskforce on Federal Consumer Financial Law, Docket No. CFPB-2020-0013 (June 1, 2020), <https://nwl.org/resources/nwlc-comments-to-the-consumer-financial-protection-bureau-on-disparate-impact/>.
- 14 Mariko Chang, Asset Funders Network, *Women and Wealth: Insights for Grantmakers 5* (2015), https://assetfunders.org/wp-content/uploads/Women_Wealth_Insights_Grantmakers_brief_15.pdf.
- 15 Jesse Bricker et al., Fed. Reserve, *Changes in U.S. Finances from 2013 to 2016: Evidence from the Survey of Consumer Finances* (Sept. 2017), <https://www.federalreserve.gov/publications/files/scf17.pdf>.
- 16 William Darity, Jr. et al., Samuel DuBois Cook Ctr. on Social Equity, *What We Get Wrong About Closing the Racial Wealth Gap* (Apr. 2018), https://socialequity.duke.edu/sites/socialequity.duke.edu/files/site-images/FINAL%20COMPLETE%20REPORT_.pdf.
- 17 Chang, *supra* note 14, at 6.
- 18 Nat'l Women's Law Ctr., Comment Letter in Response to HUD's Implementation of the Fair Housing Act's Disparate Impact Standard, HUD Docket No. FR-6111-P-02 (Oct. 18, 2019), <https://nwl.org/resources/nwlc-comments-to-the-u-s-department-of-housing-and-urban-development-on-disparate-impact/> [hereinafter Disparate Impact].
- 19 *Id.*; Nat'l Women's Law Ctr., Comment Letter in Response to HUD's Proposed Rule on Affirmatively Furthering Fair Housing, Docket No. FR 6123-P-02 (March 16, 2020), <https://nwl.org/resources/nwlc-comments-to-the-u-s-department-of-housing-and-urban-development-on-affirmatively-furthering-fair-housing/> [hereinafter Affirmatively Furthering Fair Housing].
- 20 Jason M. Fletcher, Tatiana Andreyeva & Susan H. Busch, *Assessing the Effect of Increasing Housing Costs on Food Insecurity* (Sept. 9, 2009), https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1503043.
- 21 Joint Ctr. for Housing Studies, Harvard U., *The State of the Nation's Housing 2018* 30, 32 (2018), http://www.jchs.harvard.edu/sites/default/files/Harvard_JCHS_State_of_the_Nations_Housing_2018.pdf.
- 22 Affirmatively Furthering Fair Housing, *supra* note 19.
- 23 *Id.*; Disparate Impact, *supra* note 18.
- 24 Nat'l Women's Law Ctr. & Nat'l Low Income Housing Coalition, *Improving Housing Assistance in Response to COVID-19 2* (May 2020), <https://nwl.org/resources/improving-housing-assistance-in-response-to-covid-19/> [hereinafter *Improving Housing Assistance*].
- 25 Will Fischer & Barbara Sard, Ctr. on Budget and Pol'y Priorities, *Chart Book: Federal Housing Spending is Poorly Matched to Need* (Mar. 8, 2017), <https://www.cbpp.org/research/housing/chart-book-federal-housing-spending-is-poorly-matched-to-need#Five>.
- 26 *Behind on Rent*, *supra* note 5; Jasmine Tucker & Claire Ewing-Nelson, Nat'l Women's Law Ctr., *COVID-19 is Making Women's Economic Situation Even Worse* (Sept. 2020), <https://nwl.org/resources/covid-19-is-making-womens-economic-situation-even-worse/>.
- 27 Matthew Desmond, MacArthur Found., *Black Women are Evicted at Alarming Rates, Setting Off a Chain of Hardship 2* (Mar. 2014), https://www.macfound.org/media/files/HHM_-_Poor_Black_Women_Are_Evicted_at_Alarming_Rates.pdf.
- 28 Daniel Gubits et al., ABT Associates, Inc., *Family Options Study: 3-Year Impacts of Housing and Services Interventions for Homeless Families 40* (Oct. 2016), <https://www.huduser.gov/portal/sites/default/files/pdf/Family-Options-Study-Full-Report.pdf>.
- 29 *Id.*
- 30 Laura L. Rogers, Off. on Violence Against Women, U.S. Dep't of Just., *Transitional Housing Programs and Empowering Survivors of Domestic Violence* (Nov. 1, 2019), <https://www.justice.gov/ovw/blog/transitional-housing-programs-and-empowering-survivors-domestic-violence>.
- 31 *Id.*
- 32 Chapin Hall at the U. of Ch., *Missed Opportunities, LGBTQ Youth Homelessness in America 7* (Apr. 2018), <https://voicesofyouthcount.org/wp-content/uploads/2018/04/VoYC-LGBTQ-Brief-FINAL.pdf>.
- 33 True Colors United, *At the Intersections: A Collaborative Resource on LGBTQ Youth Homelessness 18* (2019), <https://truecolorsunited.org/wp-content/uploads/2019/04/2019-At-the-Intersections-True-Colors-United.pdf>.
- 34 Lourdes Ashley Hunter et al., Social Justice Sexuality, *Intersecting Injustice: Addressing LGBTQ Poverty and Economic Justice for All: A National Call to Action 45-46, 51* (2018), https://static1.squarespace.com/static/5a00c5f2a803bbe2eb0ff14e/t/5aca6f45758d46742a5b8f78/1523216213447/FINAL+PovertyReport_HighRes.pdf.
- 35 The Equal Rights Center, *Opening Doors: An Investigation of Barriers to Senior Housing for Same-Sex Couples 5* (2014), https://equalrightscenter.org/wp-content/uploads/senior_housing_report.pdf.
- 36 Emily Waters, Nat'l Coal. of Anti-Violence Programs, *Lesbian, Gay, Bisexual, Transgender, Queer, and HIV-Affected Intimate Partner Violence in 2015*, at 27 (2016), http://avp.org/wp-content/uploads/2017/04/2015_ncavp_lgbtqipvreport.pdf.
- 37 *Improving Housing Assistance*, *supra* note 24, at 1.
- 38 Daniel Gubits et al., ABT Associates, Inc., *Family Options Study: 3-Year Impacts of Housing and Services Interventions for Homeless Families 36* (Oct. 2016), <https://www.huduser.gov/portal/sites/default/files/pdf/Family-Options-Study-Full-Report.pdf>.
- 39 See, e.g., Benjamin W. Fisher et al., *Leaving Homelessness Behind: Housing Decisions Among Families Exiting Shelter*, 24 *Housing Pol'y Debate* 364, 364-386 (2014); Marybeth Shinn, Homelessness Res. Inst., *Ending Homelessness for Families: The Evidence for Affordable Housing 4* (2009), https://b3cdn.net/naeh/b39ff307355d6ade38_yfm6b9kot.pdf.
- 40 Lindsay Augustine et al., Nat'l Fair Housing Alliance, *2019 Fair Housing Trends Report 15* (2019), <https://nationalfairhousing.org/wp-content/uploads/2019/10/2019-Trends-Report.pdf>.
- 41 Tucker & Vogtman, *supra* note 8, at 4.
- 42 Technical Assistance Collaborative, *Priced Out: The 2020 Edition* (2020), <http://www.tacinc.org/knowledge-resources/priced-out-v2/>.
- 43 Sewin Chan & Ingrid Gould Ellen, *Housing for an Aging Population*, 27 *Housing Pol'y Debate* 167 (2016), <https://www.tandfonline.com/doi/full/10.1080/10511482.2016.1184696>.
- 44 Kate Scott & Aastha Uprety, Equal Rights Ctr., *Combating Sexual Harassment in Housing Requires Prioritizing the Safety of Survivors* (June 24, 2019), <https://equalrightscenter.org/sexual-harassment-housing/>.
- 45 See, e.g., Press Release, U.S. Dep't of Just., AG Barr Directs U.S. Attorneys to Investigate House-Related Sexual Harassment Amid COVID-19 Pandemic (May 1, 2020), <https://www.justice.gov/usao-ri/pr/ag-barr-directs-us-attorneys-investigate-housing-related-sexual-harassment-amid-covid-19>; Amber Milne, 'I Had No Choice': Sex for Rent Rises with Coronavirus Poverty, Reuters (May 21, 2020), <https://www.reuters.com/article/us-britain-housing-harassment-trfn/i-had-no-choice-sex-for-rent-rises-with-coronavirus-poverty-idUSKBN22X2N7>.
- 46 See, e.g., *United States v. City of Black Jack*, 508 F.2d 1179 (8th Cir. 1974) (finding that the ordinance "foreclose[d] 85% of African Americans living in the metropolitan area from obtaining housing in the city, and...at a time when 40 percent of them were living in substandard or overcrowded units").
- 47 See, e.g., Inclusive Comm. Project, Inc. v. City of McKinney, 2009 WL 2590121 (E.D. Texas. Aug. 20, 2009).
- 48 See, e.g., *Rivera v. Incorporated Village of Farmingdale*, 571 F.Supp.2d 359 (E.D.N.Y. 2008).
- 49 See, e.g., *Crossroads Residents Organized for Stable & Secure Residencies v. MSP Crossroads Apartments*, 2016 U.S. Dist. LEXIS 86965 (D. Minn. 2016).
- 50 See, e.g., *United States v. Wells Fargo*, No. 1:12-cv-01150 (D.D.C. 2012); *Ramirez v. Greenpoint Mortgage Funding*, 268 F.R.D. 627 (N.D. Cal. 2010); *Fight for Housing Justice, #Fight for Housing Justice: What You Need to Know About HUD's Proposed Disparate Impact Rule & Algorithmic Models* (2019), https://docs.wixstatic.com/ugd/e9d741_0ebf823b5c13492da600cbe2a94fabaa.pdf; Kimberly Amadeo, *Home Equity and the Racial Wealth Gap: How Government Housing Policy Deepened the Racial Wealth Gap*, The Balance (2019), <https://www.thebalance.com/how-home-equity-drives-the-racial-wealth-gap-4178236>; Gillian B. White, *Why Blacks and Hispanics Have Such Expensive Mortgages*, The Atlantic (2016), <https://www.theatlantic.com/business/archive/2016/02/blacks-hispanics-mortgages/471024/>.
- 51 Disparate Impact, *supra* note 18.

- 52** Morgan Harwood & Sarah David Heydemann, Nat'l Women's Law Ctr., *By the Numbers: Where Do Pregnant Women Work?* (Aug. 2019), <https://nwlc.org/wp-content/uploads/2019/08/Pregnant-Workers-by-the-Numbers-v3-1.pdf>.
- 53** Am. Civil Liberties Union, *I Am Not A Nuisance: Local Ordinances Punish Victims of Crime*, <https://www.aclu.org/other/i-am-not-a-nuisance-local-ordinances-punish-victims-crime> (last visited July 23, 2020).
- 54** Disparate Impact, *supra* note 18, at 25.
- 55** *Id.*
- 56** Richard Peterson, *Re-Arrests of Homeless Defendants in New York City* (New York City Crim. Just. Agency, Inc., Research Brief Ser. No. 39, 2016), <https://issuu.com/csdesignworks/docs/researchbrief39>.
- 57** Disparate Impact, *supra* note 18.
- 58** Nat'l Low Income Housing Coalition, *U.S. District Court Issues Preliminary Injunction on HUD Revisions to Disparate Impact Rule* (Nov. 2020), <https://nlihc.org/resource/us-district-court-issues-preliminary-injunction-hud-revisions-disparate-impact-rule>.
- 59** Nat'l Women's Law Ctr., Comment Letter in Response to Request for Information from Taskforce on Federal Consumer Financial Law, Docket No. CFPB 2020-0013 (June 1, 2020), <https://nwlc.org/resources/nwlc-comments-to-the-consumer-financial-protection-bureau-on-disparate-impact/>.
- 60** Nat'l Women's Law Ctr., Comment Letter in Response to HUD's Proposed Rule on Fair Access to Shelters, Docket No. FR 6152-P-01, (Sept. 22, 2020), <https://nwlc.org/resources/nwlc-comments-to-the-u-s-department-of-housing-and-urban-development-on-fair-access-to-shelters/>.
- 61** 140 S. Ct. 1731 (2020).
- 62** Letter from Am. Civil Liberties Union et al. to William Barr, Attorney General of the United States, available at <https://nwlc.org/press-releases/leading-lgbtq-rights-orgs-call-on-doj-to-enforce-scotus-bostock-decision/>.