



ASSISTANT SECRETARY FOR
FAIR HOUSING AND EQUAL OPPORTUNITY

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-2000
February 23, 2006



MEMORANDUM FOR: Orlando J. Cabrera, Assistant Secretary for Public and Indian Housing, P
Brian Montgomery, Assistant Secretary for Housing and Federal Housing Commissioner, H
Pamela H. Patenaude, Assistant Secretary for Community Planning and Development, D

FROM: *Kim Kendrick*
Kim Kendrick, Assistant Secretary for Fair Housing and Equal Opportunity, E

SUBJECT: Housing Developments with Names that Suggest Preferences

The Office of Fair Housing and Equal Opportunity (FHEO) has learned that HUD may be providing financial assistance or housing insurance to housing developments that have trade names that suggest occupancy may be limited to particular racial or ethnic groups. Section 804 (c) of the Fair Housing Act prohibits advertising that indicates, "any preference, limitation, or discrimination based on race, color, religion, sex, handicap, familial status, or national origin, or an intention to make any such preference, limitation, or discrimination." Names of properties may, in some circumstances, suggest such a preference.

I ask that when awarding funds through the Super Notice of Funding Availability (SuperNOFA) or insuring developments, your offices be sensitive to the names of the developments. For example, a housing development named, "De Casa de Puerto Riquienos," may be perceived as only serving Hispanic who are from Puerto Rico. The names of HUD-assisted or HUD-insured properties should not give the impression that they provide a housing preference for one particular group.

Further, HUD has an obligation to ensure that federal-financial assistance does not perpetuate discriminatory practices. For HUD-insured projects, I request that we provide additional guidance and technical assistance to sponsors/developers on affirmative marketing.

I offer the assistance of my office to work with your offices as they review applicants under the FY 2006 SuperNOFA. Also, I offer FHEO assistance to help draft language for the FY 2007 SuperNOFA to discourage the use of property names that could suggest a preference for one group over other.

Your assistance in this matter is greatly appreciated. Questions on this subject may be directed to Bryan Greene, Deputy Assistant Secretary for Enforcement and Programs, on extension 7078.