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GENERAL NEWS

HUD Proposes Removing Criminal Conviction Restrictions for Fair Housing Testers

Today in the *Federal Register*, the Department of Housing and Urban Development ([HUD](#)) issued a [proposed rule](#) that would eliminate the restrictions on the use of fair housing testers with prior felony convictions or convictions of crimes involving fraud or perjury by Fair Housing Initiatives Program ([FHIP](#)) grantees and Fair Housing Assistance Program ([FHAP](#)) agencies.

According to a [press release](#) issued yesterday, the proposed rule aligns with HUD Secretary Marcia Fudge’s April 12, 2022, [memorandum](#), “Eliminating Barriers That May Unnecessarily Prevent Individuals with Criminal Histories from Participating in HUD Programs.” In addition, the rule would make HUD’s programs as inclusive as possible for people with criminal records and ensure that FHIP and FHAP funded entities are able to fully investigate criminal background screening policies that are potentially discriminatory under federal civil rights laws by using testers with actual criminal backgrounds.

“We trust fair housing testers to identify bias and discrimination in housing so we can fulfill our mission to root it out. Through this new rule, we can ensure people with criminal records who want to participate in this important work aren’t facing unnecessary barriers,” said Fudge. “People reentering society, and those with criminal records, deserve a fair shot at a second chance. This rule helps us get there.”

HUD invites all interested parties and members of the public to submit their views, comments, and recommendations for improvement on this proposed rule. The due date for comments is **January 2, 2024**.



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