



June 2021

## LGBTQ Anti-Discrimination Guidance

As we celebrate Pride month, we would like to bring awareness to regulatory actions earlier this year banning unequal treatment of the LGBTQ community in the housing and credit space. First, in February, HUD issued a memorandum clarifying its interpretation that the Fair Housing Act's prohibition on sex discrimination includes sexual orientation and gender identity. Then, the following month, the CFPB issued an interpretive rule that Equal Credit Opportunity Act (ECOA) and Regulation B's protections likewise encompass sexual orientation and gender identity.

HUD and the CFPB's guidance comes after *Bostock v. Clayton County*, where the Supreme Court held that an employer who fires an employee because they are gay or transgender violates Title VII of the Civil Rights Act.

We encourage industry participants to review their policies and practices for alignment with this guidance if they have not done so.

[HUD guidance](#)

[CFPB guidance](#)