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**NATIONAL REAL ESTATE INVESTORS ASSOCIATION**

*A non-profit Trade Association serving the Real Estate Investing Industry for over 20 years.*

**FOR IMMEDIATE RELEASE**

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## **National Real Estate Group: HUD goes too far!**

*NREIA Says Guidelines Will Have Chilling Effect on Criminal Background Checks.*

(Cincinnati, OH) The National Real Estate Investors Association (NREIA) said today that new guidelines issued Monday by the U.S. Department of Housing and Urban Development go too far and will have a chilling effect on criminal background checks used to screen potential tenants. According to HUD, because a disproportionate number of African Americans & Hispanics have criminal records, they face potential discrimination in housing options based on race, in violation of the Fair Housing Act. National REIA believes this would severely restrict a landlord's ability to protect residents from predictable harm & violence.

From every Congressman who rents an apartment in DC, to the poorest of their constituents in every district, has just been made less safe with HUD's pronouncement that makes criminal background checks tantamount to discrimination.

Fair Housing Discrimination is a serious issue. **No person should be discriminated based upon race, color, religion, national origin, sex, disability, or familial status.** For HUD to claim that an individual's criminal behavior should somehow be protected is a gross violation of the Fair Housing Act, and undermines the First Amendment protection of Free Association.

HUD's flawed argument on "Discriminatory Effects Liability" makes the case that *Safety*, is neither a substantial nor a legitimate concern. In fact, according to HUD's theory, until a property has residents raped, rapist shouldn't be banned. Similarly, unless there have been murders at the property or community, murderers shouldn't be banned. Ironically, HUD recognizes that convicted drug manufacturers and distributors can be banned, because of specific federal language, only to make exceptions for those who use drugs, or are convicted of any other criminal act!

The approach recommended by HUD, to individually consider each applicant flies directly in the face of HUD's stated policy and directive from Congress, to treat each person equally. **Today's guidance does little more than try to make the criminal class a protected class – beyond the scope of congressional authority granted by the Fair Housing Act.**

Charles Tassell, Chief Operating Officer of NREIA said "While we agree that an arrest is not a justifiable reason to deny housing, after all a person is innocent until proven guilty, the banning of convicted criminals is an entirely separate issue."

Tassell further stated that **"the safety of the renting public should not be sacrificed."**

*The National Real Estate Investors Association is a 501 (c)6 trade association. They are a federation made up of local associations or investment groups throughout the United States. They represent local investor associations, property owner associations, apartment associations, and landlord associations on a national scale. Together they represent the interests of approximately 40,000 members across the U.S. As such, are the largest broad based organization dedicated to the individual investor.*

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