



THE EQUAL PROTECTION PROJECT
A Project of the Legal Insurrection Foundation
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July 9, 2026

BY EMAIL

Robert Doles, Enforcement Director
Office of Fair Housing and Equal Opportunity
U.S. Department of Housing and Urban
Development
451 7th Street, SW
Washington, DC 20410

BY EMAIL

Hon. Craig Trainor
Assistant Secretary for Fair Housing and
Equal Opportunity
United States Department of Housing and
Urban Development
451 7th St SW,
Washington, DC 20410

**Re: Civil Rights Complaint against University of Minnesota for Race- and Ethnicity-
Based Campus Housing Programs on Its Twin Cities Campus**

Dear Assistant Secretary Trainor and Enforcement Director Doles:

This is a federal civil rights complaint and request for investigation against the University of Minnesota (“UMN”) submitted pursuant to the U.S. Department of Housing and Urban Development’s Office of Fair Housing and Equal Opportunity (“FHEO”) discrimination complaint resolution procedures.¹ We write on behalf of the Equal Protection Project of the Legal Insurrection Foundation, a non-profit that, among other things, seeks to ensure equal protection under the law and opposes unlawful discrimination in all forms.

¹ See 42 U.S.C. 3601, *et seq.*; 24 C.F.R. § 100.1, *et seq.*

We bring this complaint and request for investigation against UMN for operating four discriminatory university housing programs on its Twin Cities campus that classify students on the basis of race, color, or national origin, in violation of the Fair Housing Act ("FHA"). These programs are:

- the "Huntley House," promoted as being for Black male students;
- "Charlotte's Home," promoted as being for Black female students;
- "CASA SOL," promoted as being for Hispanic/Latino students; and
- "Tsev Hmoob," promoted as being for Hmong American students.

These discriminatory housing programs violate the FHA, Title VI of the Civil Rights Act of 1964, and the Equal Protection Clause of the Fourteenth Amendment of the United States Constitution.

A. Introduction – Race- and Ethnicity-Based Steering Is Unlawful

Enacted as Title VIII of the Civil Rights Act of 1968, the FHA was intended "to provide, within constitutional limitations, for fair housing throughout the United States."² The FHA prohibits discrimination on the basis of race, color, religion, sex, disability, familial status, and national origin in the sale or rental of housing. The FHA applies to a broad assortment of housing, both public and private, including single-family homes, apartments, condominiums, and mobile homes.³ Courts have also concluded that the FHA applies to college dormitories.⁴

Under the FHA, it is unlawful to "make, print, or publish, or cause to be made, printed, or published any notice, statement, or advertisement, with respect to the sale or rental of a dwelling 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."⁵ Under applicable Department of Housing and Urban Development (HUD) regulations enforcing the FHA, this kind of "steering" toward or away from housing based on race is strictly prohibited.⁶

Specifically, where ads or other publicly available information to potential applicants would cause a reasonable non-member of a given group to conclude that a given program is not intended for them, likely causing them to forgo applying, such steering violates the FHA. Even subtle messaging can convey these kinds of discriminatory preferences and steer potential applicants away. *Ragin v. New York Times Co.*, 923 F.2d 995, 999–1000 (2d Cir. 1991); *Jancik v. Dep't of Hous. & Urb. Dev.*, 44 F.3d 553, 556 (7th Cir. 1995); *Housing Opportunities Made Equal, Inc. v. Cincinnati Enquirer, Inc.*, 943 F.2d 644, 646 (6th Cir.1991); *Spann v. Colonial*

² 42 U.S.C. § 3601.

³ See 42 U.S.C. § 3602(b); 24 C.F.R. § 100.201 (2023).

⁴ See, e.g., *United States v. Univ. of Neb. at Kearney*, 940 F. Supp. 2d 974, 983 (D. Neb. 2013).

⁵ 42 U.S.C. § 3604(c).

⁶ 24 C.F.R. § 100.70(c).

Village, Inc., 899 F.2d 24 (D.C.Cir.1990); *United States v. Hunter*, 459 F.2d 205, 215 (4th Cir. 1981).

As this complaint illustrates, these housing communities are clearly described and marketed for students of racial or ethnic groups.

Following UMN's racial description of the programs UMN added language that states "open to all." Such perfunctory non-discrimination language does not cure the racial steering violation, as discussed below. Also, based on internet archive history, that language appears to have been added to at least three of the programs only sometime after March 17, 2026. If anything, UMN's decision to add the disclaimer suggests a consciousness that the programs' race- and ethnicity-based descriptions are unlawful.

B. UMN Discriminatory Living Learning Community Programs

UMN's Living Learning Communities ("LLCs") at the UMN Twin Cities campus are university-sponsored residential programs that allow students to live together in designated areas of residence halls while participating in shared academic, mentoring, and co-curricular programming centered on a common theme or area of interest.⁷

UMN explains that its "LLCs bring students to live together in a dedicated area of a building" and encourages students to "[t]ake advantage of these unique—and of no additional cost—housing options to expand your college experience through exploration and collaboration." Some LLCs are organized around academic or other areas of interest. Others, however, are expressly designed around students' race or ethnicity.⁸

To search for an LLC, students may filter the available housing programs by "type." Among the available categories are "Identity/Culture" and "MCAE LLC," both of which direct students to several of the race- and ethnicity-based housing programs identified in this complaint.⁹

⁷ <https://housing.umn.edu/community/llcs> [<https://archive.is/wip/A1gGc>] (accessed July 7, 2026).

⁸ Id.

⁹ Id.

APPLY TODAY!

I am a... ▼

Pioneer ▼

Neighborhood ▼

MCAE LLC ▼
 Type
 MCAE LLC
 Academic
Identity/Culture
 Language
 Leadership
 Personal Interest
 Travel

SEARCH

RESET



CASA SOL
 MCAE LLC, Academic, Identity/Culture
 Pioneer

Quick Look ▼



CHARLOTTE'S HOUSE
 MCAE LLC, Identity/Culture
 Pioneer

Quick Look ▼



HUNTLEY HOUSE
 MCAE LLC, Identity/Culture
 Pioneer

Quick Look ▼



THE FIRSTS
 MCAE LLC, Academic, Identity/Culture
 Pioneer

Quick Look ▼

“MCAE” refers to UMN’s Multicultural Center for Academic Excellence, an office that “provides resources to all University students, while considering the needs of first-generation students, students of color, and Indigenous students.” MCAE sponsors all of the race- and ethnicity-based LLCs described below.

Living Learning Communities



Tsev Hmoob LLC



Huntley House LLC



Casa Sol LLC



The Firsts LLC



Charlotte's Home LLC

The Multicultural Center for Academic Excellence (MCAE) welcomes incoming first-year and transfer students to join a vibrant, close-knit community at the University of Minnesota. Live and learn alongside peers who are equally committed to academic success and personal growth. Our LLCs are open to all, regardless of identity.

1. “Huntley House”

Link: <https://housing.umn.edu/llcs/huntley-house>

Archived Link: <https://archive.is/wip/qFutp>

Discriminatory Description: “A community designed for Black men, but open to all.”¹⁰

 UNIVERSITY OF MINNESOTA

SEARCH

Housing & Residential Life

Live Here Community Residents Housing Po

Home > Community > Living Learning Communities > Huntley House

Huntley House

A community designed for Black men, but open to all

ABOUT



Huntley House strives to support the academic, social, and personal endeavors of incoming first-year and transfer students through community

DETAILS

The Multicultural Center for Academic Excellence (MCAE) LLCs are located in [Pioneer Hall](#), in double rooms, and are limited to the first 80 students who apply.

Huntley House was established by UMN in 2012 as a residential community for Black male students. In 2015, a UMN student described the program’s mission as providing “black males with a strong community and support system” and stated that the program was “open for any undergraduate African-American men at the U of M.”¹¹ The student explained that Huntley House offered its members community-building events, advisors, and tutors, with the “ultimate goal” of improving the college graduation rate of Black men. A 2018 *Minnesota Daily* article likewise described Huntley House as a “Living Learning Community for African-American men” and reported that the program occupied a designated floor of a UMN residence hall.¹²

UMN’s own Department of African American & African Studies is even more explicit. Its website titles the program “Huntley House for African American Men” and states that the living-learning community “is designed to build community by exploring the shared experience of African American males in and out of the classroom.”¹³ UMN further explains that Huntley House “strives to foster a sense of belonging and connectedness for first-year Black

¹⁰ As recently as March 17, 2026, UMN described Huntley House as “[a]n MCAE LLC for Black men on campus.” See

<https://web.archive.org/web/20260317150543/https://housing.umn.edu/llcs/huntley-house>

¹¹ <https://medium.com/@mcnai041/about-the-huntley-house-b92abf9c9056>.

[<https://archive.is/wip/I30Qk>] (accessed July 6, 2026).

¹² <https://mndaily.com/city/achuntley/02/22/2018/snoadmin/> [<https://archive.is/wip/WRTiX>] (accessed July 7, 2026).

¹³ <https://cla.umn.edu/aaas/undergraduate/organizations-clubs> [<https://archive.is/wip/dfKpH>] (accessed July 7, 2026).

undergraduate men” and to provide those students opportunities for personal and academic growth “in a supportive atmosphere to ensure their success in college.”¹⁴



Huntley House residents live together as a group and receive programming and benefits associated with the community.¹⁵ According to UMN, these include an early-arrival program, weekly study tables, academic coaching, guest speakers, a spring leadership retreat, community-service activities, social activities and field trips, and personal and professional development seminars. Residents also attend cultural events and activities together and are given opportunities to connect with the Black Student Union and other student organizations.

¹⁴ Id.

¹⁵ <https://mcae.umn.edu/huntley-house> [<https://archive.is/wip/JhwGQ>] (accessed July 7, 2026).



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A Unit of the Office of Equity and Diversity

Multicultural Center for Academic Excellence (MCAE)

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Huntley House

Huntley House

A community designed for Black men, but open to all

Huntley House strives to support the academic, social, and personal endeavors of incoming first-year and transfer students through community building, leadership, identity exploration, and personal growth to ensure their success during their time here at the University of Minnesota and thereafter.

UMN's housing website similarly promotes Huntley House as "[a] community designed for Black men, but open to all."¹⁶ Thus, although UMN states that the program is formally open to students outside its preferred racial group, the University expressly names, describes, and promotes Huntley House as a residential community designed around Black male students and "the shared experience of African American males."¹⁷

2. "Charlotte's Home"¹⁸

Link: <https://housing.umn.edu/llcs/charlottes-house>

Archived Link: <https://archive.is/wip/FATCI>

Discriminatory Description: "An MCAE LLC designed for Black women, but open to all"

¹⁶ <https://housing.umn.edu/llcs/huntley-house> [<https://archive.is/wip/qFutp>] (accessed July 7, 2026).

¹⁷ <https://cla.umn.edu/aaas/undergraduate/organizations-clubs> [<https://archive.is/wip/dfKpH>] (accessed July 7, 2026).

¹⁸ Also referred to as "Charlotte's House."



Housing & Residential Life

Live Here Community Residents Housing Portal

Home > Community > Living Learning Communities > Charlotte's House

Charlotte's House

An MCAE LLC designed for Black women, but open to all

ABOUT



Charlotte's House strives to support the academic, social, and personal endeavors of incoming first-year and transfer students through community

DETAILS

The Multicultural Center for Academic Excellence (MCAE) LLCs are located in [Pioneer Hall](#), in double rooms, and are limited to the first 80 students who apply.

Charlotte's House is a university-sponsored residential community created for Black female students. A 2022 *Minnesota Daily* article described the program as “Charlotte’s Home for Black Women” and explained that the LLC was established in honor of Charlotte Crump Poole, a Black UMN student activist who challenged the University’s historical discrimination against Black students in campus housing. The article described Charlotte’s House as an “LLC housing space” intended to help students “build community.”¹⁹

Today, UMN expressly promotes Charlotte’s House as “[a]n MCAE LLC designed for Black women, but open to all.”²⁰ The University further states that the residential community “aims to support Black women on campus,” including transgender, gender-queer, and gender-nonconforming students.²¹ Participants “live, study, and participate in curricular activities together” in a community intended to support their academic, social, and personal development through “community building, leadership, identity exploration, and personal growth.”²²

¹⁹ <https://mndaily.com/city/the-history-of-black-affinity-groups-on-the-umn-campus/02/28/2022/snoadmin/> [<https://archive.ph/wip/0Ghlb>] (accessed July 7, 2026).

²⁰ <https://housing.umn.edu/llcs/charlottes-house> [<https://archive.is/FATCI>] (accessed July 7, 2026).

²¹ Id.

²² Id.

ABOUT



Charlotte's House strives to support the academic, social, and personal endeavors of incoming first-year and transfer students through community building, leadership, identity exploration, and personal growth to ensure their success during their time here at the University of Minnesota and thereafter.

The goal is to provide a supportive community where the academic experiences of students are nurtured and enriched, and to help students make friends and find their niche on campus. Participants will have the opportunity to live, study, and participate in curricular activities together. This LLC provides opportunities for students to explore their own identity as well as opportunities for students who want to reach beyond their own cultural background and learn about the experiences of others.

Charlotte's House residents receive housing and programmatic benefits through the MCAE LLC program, including peer mentoring, individualized support from MCAE staff, academic progress checks, community gatherings, alumni engagement, and access to a specialized leadership course offered in an "intentionally small classroom." Students must select Charlotte's House through UMN's housing application and submit a supplemental MCAE LLC application to be considered for the program.²³

²³ Id.

BENEFITS

Students who become residents of an MCAE LLC should expect the following:

- Support from a MCAE LLC Peer Mentor
- Intentional connections with various on-campus resources
- Biweekly LLC Community connections led by their Peer Mentor
- Semesterly all-LLC Gatherings
- Engagement with Alumni from the LLCs
- Individualized holistic support from MCAE staff
- Access to enroll in LEAD 1961W: Personal Leadership in the University. This is a MCAE partnership with the leadership minor for students to explore leadership on a personal level, while building community and a sense of belonging in an intentionally small classroom.
- Academic grade checks at the midpoint and end of each semester

Thus, although UMN states that Charlotte’s House is formally “open to all,” the University expressly tells prospective students that the housing community is “designed for Black women” and “aims to support Black women on campus.”²⁴ The program is therefore not

²⁴ <https://housing.umn.edu/llcs/charlottes-house> [<https://archive.is/FATCI>] (accessed July 7, 2026).

merely associated with Black history or culture; UMN expressly defines and markets the residential community by the race and sex of the students for whom it is designed.

3. “CASA SOL”

Link: <https://housing.umn.edu/llcs/casa-sol>

Archived Link: <https://archive.ph/wip/8uGRM>

Discriminatory Description: “An MCAE LLC designed for Latinx students, but open to all”²⁵

The screenshot shows the top of the CASA SOL website. At the top is a yellow navigation bar with the University of Minnesota logo and name on the left, and a search bar on the right. Below this is a dark blue header with the text "Housing & Residential Life" on the left and "Live Here Community Residents Housing I" on the right. A breadcrumb trail reads "Home > Community > Living Learning Communities > CASA SOL". The main heading "CASA SOL" is in large white letters, followed by a subtitle "An MCAE LLC designed for Latinx students, but open to all" in smaller white letters. Below this are two columns: "ABOUT" and "DETAILS". The "ABOUT" column has a small orange icon and text stating that CASA SOL provides opportunities for students to explore their identity and reach beyond their own. The "DETAILS" column has text stating that MCAE LLCs are located in Pioneer Hall, in double rooms, and are limited to the first 80 students who apply.

UNIVERSITY OF MINNESOTA

Housing & Residential Life

Live Here Community Residents Housing I

Home > Community > Living Learning Communities > CASA SOL

CASA SOL

An MCAE LLC designed for Latinx students, but open to all

ABOUT

CASA SOL provides opportunities for students to explore their own identity as well as opportunities for students who want to reach beyond their own

DETAILS

The Multicultural Center for Academic Excellence (MCAE) LLCs are located in [Pioneer Hall](#), in double rooms, and are limited to the first 80 students who apply.

CASA SOL is a university-sponsored residential community for Latino students. UMN’s Department of Chicano & Latino Studies states that “CASA SOL is a Living Learning Community (LLC) where Chicano and Latino first-year students work with Chicano and Latino faculty and staff towards a great first year.”²⁶ The University explains that LLCs allow students to “live and connect with students who share similar backgrounds” in “a designated residence hall area” and that, on campus, “CASA SOL students live together in Pioneer Residence Hall.”²⁷

²⁵ As recently as March 17, 2026, UMN described CASA SOL as “[a]n MCAE LLC for Latinx students.” See <https://web.archive.org/web/20260317155309/https://housing.umn.edu/llcs/casa-sol>.

²⁶ <https://cla.umn.edu/chicano-latino/undergraduate/organizations-communities/casa-sol-living-learning-community> [archive.is/wip/bBmVU] (accessed July 7, 2026).

²⁷ Id.

CASA SOL Living Learning Community



CASA SOL is a Living Learning Community (LLC) where Chicano and Latino first-year students, work with Chicano and Latino faculty and staff towards a great first year. Living Learning Communities offer you the opportunity to live and connect with students who share similar backgrounds, interests and academic and personal goals in a designated, residence hall area. In the case of CASA SOL, you have the option to be part of our community as a commuter student (if you plan to live at home or in an apartment) or as an on-campus student On-campus, CASA SOL students live together in Pioneer Residence Hall.

UMN expressly promotes CASA SOL as “[a]n MCAE LLC designed for Latinx students, but open to all.” The University’s MCAE website similarly titles the program “Casa Sol for Latinx students” and describes it as “[a] community for Latinx students.”²⁸ UMN further tells prospective residents that CASA SOL “offers you the opportunity to live and connect with students from similar backgrounds.”²⁹ According to UMN, CASA SOL provides participants opportunities to “connect with the Latinx community on campus,” and “ensures access to academic resources in an environment that understands where you are coming from.”³⁰

²⁸ <https://housing.umn.edu/llcs/casa-sol> [<https://archive.ph/8uGRM>] (accessed July 7, 2026).

²⁹ <https://cla.umn.edu/chicano-latino/undergraduate/organizations-communities/casa-sol-living-learning-community> [archive.is/wip/bBmVU] (accessed July 7, 2026).

³⁰ <https://housing.umn.edu/llcs/casa-sol> [<https://archive.ph/8uGRM>] (accessed July 7, 2026).

CASA SOL residents receive substantial academic, social, and cultural programming through the residential community. UMN explains that students work with Chicano and Latino faculty and staff, participate in cultural and networking events, workshops, and a fall retreat, and are invited to become part of the “CASA SOL familia.”³¹ A separate UMN article explains that participants—called “Solerxs”—are paired with program alumni who serve as peer mentors, work closely with faculty and staff, attend weekly study nights, participate in retreats, and take classes together.³² A UMN program coordinator explained the identity-based purpose of the community: “CASA SOL facilitates family” and fosters “a desire and goal to maintain a relationship with identity and understand what it means to be Latinx.”³³

Living & Learning in CASA SOL

June 21, 2019



On-campus Living Learning Communities (LLC) provide participants with a unique opportunity: to connect with fellow students who have shared interests or backgrounds, work closely with University faculty and staff, and lay the foundation for the remainder of their collegiate career. For an institution like the University of

³¹ Id.

³² <https://cla.umn.edu/chicano-latino/story/living-learning-casa-sol>
[<https://archive.is/wip/qtAGS>] (accessed July 7, 2026).

³³ Id.

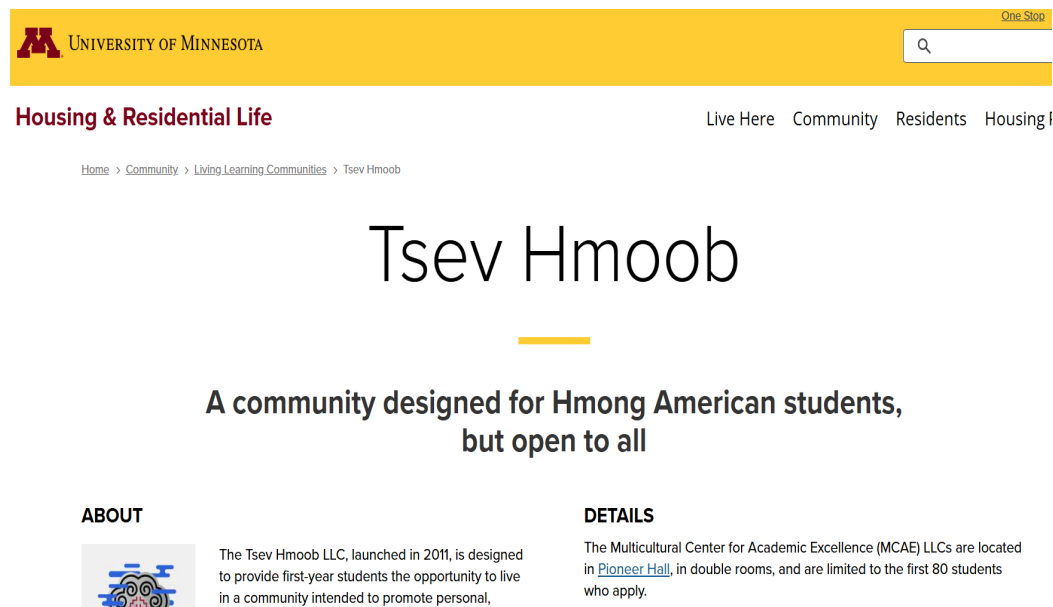
Thus, although UMN states that CASA SOL is formally “open to all,” the University expressly describes it as a residential community “designed for Latinx students,” calls it a “community for Latinx students,” and tells prospective students that Chicano and Latino students live together and work with Chicano and Latino faculty and staff.³⁴ The program is therefore expressly named, structured, and promoted around the race and ethnicity of the students for whom UMN designed the residential community.

4. **“Tsev Hmoob”**

Link: <https://housing.umn.edu/llcs/tsev-hmoob>

Archived Link: <https://archive.is/wip/9Vo5W>

Discriminatory Description: “A community designed for Hmong American students, but open to all.”³⁵



UNIVERSITY OF MINNESOTA

Housing & Residential Life

Live Here Community Residents Housing!

Home > Community > Living Learning Communities > Tsev Hmoob

Tsev Hmoob

A community designed for Hmong American students, but open to all

ABOUT

The Tsev Hmoob LLC, launched in 2011, is designed to provide first-year students the opportunity to live in a community intended to promote personal,

DETAILS

The Multicultural Center for Academic Excellence (MCAE) LLCs are located in [Pioneer Hall](#), in double rooms, and are limited to the first 80 students who apply.

Tsev Hmoob is a university-sponsored residential community for Hmong American students.³⁶ UMN’s MCAE website expressly describes the program as “[a] community designed for Hmong American students, but open to all.”³⁷

³⁴ <https://housing.umn.edu/llcs/casa-sol> [<https://archive.ph/8uGRM>] (accessed July 7, 2026).

³⁵ As recently as March 17, 2026, UMN described Tsev Hmoob as “[a]n MCAE LLC for Hmong American students on campus.” See <https://web.archive.org/web/20260317144827/https://housing.umn.edu/llcs/tsev-hmoob>.

³⁶ The Hmong are an ethnic group originating from the mountainous regions of East and Southeast Asia, primarily southern China. See <https://www.britannica.com/topic/Hmong> [<https://archive.is/wip/HCNFc>] (accessed July 7, 2026).

³⁷ <https://mcae.umn.edu/tsev-hmoob> [<https://archive.ph/wip/Fuift>] (accessed July 7, 2026).

Launched in 2011, Tsev Hmoob provides students the opportunity to live together in a community intended to promote their personal, social, and academic growth.³⁸ Participants “live, study, [and] participate in curricular activities together” and are provided opportunities to “explore their own identity.”³⁹ UMN further explains that Tsev Hmoob gives students the opportunity to “connect with the Hmong community on campus” and provides “access to academic resources in an environment that understands where you are coming from.”⁴⁰

A Unit of the Office of Equity and Diversity

Multicultural Center for Academic Excellence (MCAE)

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Tsev Hmoob

Tsev Hmoob

A community designed for Hmong American students, but open to all

Launched in 2011, Tsev Hmoob is designed to provide incoming first-year and transfer students the opportunity to live in a community intended to promote personal, social, and academic growth on campus. Tsev Hmoob provides opportunities for students to explore their own identity as well as opportunities for students who want to reach beyond their own cultural background and learn about the experiences of others.

The goal of the Tsev Hmoob Living Learning Community is to provide a supportive community where the academic experiences of students are nurtured and enriched, as well as help in making friends and finding their niche on campus. Participants will have the opportunity to live, study, participate in curricular activities together.

Tsev Hmoob residents live in UMN’s Pioneer Hall and receive benefits associated with participation in the MCAE residential program, including peer mentoring, individualized support from MCAE staff, academic progress checks, community gatherings, alumni engagement, and

³⁸ <https://housing.umn.edu/lcs/tsev-hmoob> [<https://archive.is/9Vo5W>] (accessed July 7, 2026).

³⁹ Id.

⁴⁰ Id.

access to a specialized leadership course offered in an “intentionally small classroom.”⁴¹ Students apply by selecting Tsev Hmoob in the Living Learning Community section of their housing application and submitting a supplemental MCAE LLC application.

Thus, although UMN states that Tsev Hmoob is formally “open to all,” the University expressly describes and promotes it as both a community “designed for Hmong American students” and a “community for Hmong American students on campus.”⁴² The program is therefore expressly structured and marketed around the race, ethnicity, and national origin of the students for whom UMN designed the residential community.

C. UMN’s Race- and Ethnicity-Based Living Learning Communities Programs Constitute Unlawful Steering in Violation of Federal Law

1. These Programs Violate the Fair Housing Act

UMN’s discriminatory Learning Community Programs encourage, and/or deter, students from dormitory housing based on race, color, national origin, and therefore violate multiple provisions of federal law. Most obviously, these programs violate the Fair Housing Act because they classify and promote university housing based on race and national origin. Even if HUD were to conclude that the programs are not formally exclusionary, they independently violate the Act’s prohibition on discriminatory housing statements and racial steering.

Steering is “not an outright refusal to rent to a person within a class of people protected by the statute; rather it consists of efforts to deprive a protected home seeker of housing opportunities in certain locations.” *Fair Housing Congress v. Weber*, 993 F. Supp. 1286, 1293 (C.D.Cal.1997). Instead, as applicable here, illegal steering consists of “communicating to any prospective [resident] that he or she would not be comfortable or compatible with existing residents of a community, neighborhood or development.”⁴³ Under this standard, no discriminatory intent is required by the seller or renter. *Jancik v. HUD*, 44 F.3d 553, 556 (7th Cir. 1995). Instead, whether a given statement constitutes illegal steering is whether the statement suggests a preference to “the ordinary reader or listener.” *United States v. Hunter*, 459 F.2d 205, 215 (4th Cir.); *Ragin*, 923 F.2d at 1002 (An “ordinary reader is neither the most suspicious nor the most insensitive of our citizenry.”); *Hous. Rts. Ctr. v. Donald Sterling Corp.*, 274 F. Supp. 2d 1129, 1138 (C.D. Cal.), *aff’d sub nom.*, *Hous. Rts. Ctr. v. Sterling*, 84 F. App’x 801 (9th Cir. 2003) (quoting *Ragin*, 923 F.2d at 999).

The information UMN publishes on its housing websites describing these discriminatory Living Learning Communities clearly communicates preferences based on race, color, and/or national origin. To an ordinary reader, UMN’s descriptions would convey that certain residential communities are intended for members of particular racial or ethnic groups, thereby steering

⁴¹ *Id.*

⁴² <https://housing.umn.edu/llcs/tsev-hmoob> [<https://archive.is/9Vo5W>] (accessed July 7, 2026).

⁴³ 24 C.F.R. § 100.70(c).

students toward or away from specific dormitory housing on those bases in violation of the FHA. This is true regardless of whether UMN acts with discriminatory intent and regardless of whether UMN physically bars students who don't meet the racial or ethnic description.

2. These Programs Violate Title VI

Title VI prohibits intentional discrimination on the basis of race, color, or national origin in any “program or activity” that receives federal financial assistance. *See* 42 U.S.C. § 2000d. The term “program or activity” encompasses “all of the operations ... of a college, university, or other postsecondary institution, or a public system of higher education.” *See* 42 U.S.C. § 2000d-4a(2)(A). As noted in *Rowles v. Curators of the University of Missouri*, 983 F.3d 345, 355 (8th Cir. 2020), Title VI prohibits discrimination in federally funded programs, and therefore applies to universities receiving federal financial assistance, such as UMN.⁴⁴

In *Students for Fair Admissions, Inc. v. President & Fellows of Harvard College*, 600 U.S. 181 (2023), the Supreme Court declared that “[e]liminating racial discrimination means eliminating all of it The guarantee of equal protection cannot mean one thing when applied to one individual and something else when applied to a person of another color. If both are not accorded the same protection, then it is not equal.” *Id.* at 206 (cleaned up). “Distinctions between citizens solely because of their ancestry [including race] are by their very nature odious to a free people whose institutions are founded upon the doctrine of equality.” *Id.* at 208.

Regardless of UMN's reasons for offering racially segregated housing, it is violating Title VI by doing so. It does not matter if the recipient of federal funding discriminates in order to advance a benign “intention” or “motivation.” *Bostock v. Clayton Cnty.*, 590 U.S. 644, 661 (2020) (“Intentionally burning down a neighbor's house is arson, even if the perpetrator's ultimate intention (or motivation) is only to improve the view.”); *accord Automobile Workers v. Johnson Controls, Inc.*, 499 U.S. 187, 199 (1991) (“the absence of a malevolent motive does not convert a facially discriminatory policy into a neutral policy with a discriminatory effect” or “alter [its] intentionally discriminatory character”). “Nor does it matter if the recipient discriminates against an individual member of a protected class with the idea that doing so might favor the interests of that class as a whole or otherwise promote equality at the group level.” *Students for Fair Admissions*, 600 U.S. at 289 (Gorsuch, J., concurring).

3. These Programs Violate the Equal Protection Clause

Under the strict constitutional scrutiny applicable to racial classifications under the Equal Protection Clause of the Fourteenth Amendment, such discriminatory programs “are constitutional only if they are narrowly tailored measures that further compelling governmental interests.” *Adarand Constructors, Inc. v. Peña*, 515 U.S. 200, 227 (1995). A “racial

⁴⁴ <https://www.usaspending.gov/recipient/75c0ae0f-6a5f-aead-72df-d28c71c0d348-C/latest> [https://archive.is/wip/OTFgX] (accessed July 6, 2026).

classification, regardless of purported motivation, is presumptively invalid and can be upheld only upon an extraordinary justification.” *Shaw v. Reno*, 509 U.S. 630, 643–44 (1993).

Classifications like those used in UMN’s discriminatory Learning Communities Programs, based on immutable characteristics like race, “are so seldom relevant to the achievement of any legitimate state interest” that government policies “grounded in such considerations are deemed to reflect prejudice and antipathy—a view that those in the burdened class are not as worthy or deserving as others.” *City of Cleburne v. Cleburne Living Ctr.*, 473 U.S. 432, 440 (1985). A “racial classification, regardless of purported motivation, is thus presumptively invalid and can be upheld only upon an extraordinary justification.” *Shaw v. Reno*, 509 U.S. 630, 643–44 (1993). Even if classifications based on immutable characteristics are intended to further a compelling interest, discriminatory programs must involve “individualized consideration” and must apply criteria in a “nonmechanical way.” *Grutter v. Bollinger*, 539 U.S. 306, 334 (2003). Here, UMN’s discriminatory Learning Communities Programs fail these requirements.

While *Students for Fair Admissions* addressed admissions decisions,⁴⁵ the holding applies more broadly. The twin commands of the Equal Protection Clause, in addition to the requirements of strict scrutiny, are that “race may never be used as a negative and that it may not operate as a stereotype.”⁴⁶ Therefore, at its core the test is straightforward: If an educational institution treats a person of one race differently than it treats another person because of that person’s race, the educational institution violates the law. *Edmonson v. Leesville Concrete Co.*, 500 U.S. 614, 619 (1991) (“Racial discrimination [is] invidious in all contexts.”). This prohibition extends to university housing. Accordingly, UMN’s race- and ethnicity-based Living Learning Communities—Huntley House, Charlotte’s House, CASA SOL, and Tsev Hmoob—violate federal law and are unconstitutional.

D. FHEO Has Jurisdiction.

FHEO has jurisdiction to investigate race-based discrimination in both private housing, pursuant to the FHA,⁴⁷ and in housing that receives federal financial assistance.⁴⁸ Courts have also concluded that the Fair Housing Act applies to college dormitories.⁴⁹ Therefore, FHEO has jurisdiction over this complaint.

⁴⁵ 600 U.S. 181, 230 (2023).

⁴⁶ *Id.* at 218.

⁴⁷ Fair Housing Act, 42 U.S.C. 3601, *et seq.*

⁴⁸ 42 U.S.C. 2000d, *et seq.*

⁴⁹ *Kearney*, 940 F. Supp. at 983.

E. The Complaint Is Timely.

This complaint is timely because it includes allegations of discrimination based on race that occurred within one year of this complaint's submission.⁵⁰ UMN's four discriminatory housing programs are active and ongoing.

F. Request For Investigation And Enforcement.

FHEO has the power and obligation to investigate UMN's role in creating, promoting, and administering the four identified discriminatory housing programs, to discern whether UMN is engaging in discrimination in other activities, and to impose whatever remedial relief is necessary to hold it accountable for that unlawful conduct.

This includes, if necessary, imposing fines, initiating administrative proceedings to suspend or terminate federal financial assistance and referring the case to the Department of Justice for judicial proceedings to enforce the rights of the United States under federal law.

Accordingly, we respectfully request that the U.S. Department of Housing and Urban Development's Office of Fair Housing and Equal Opportunity promptly open a formal investigation, impose all appropriate remedial measures authorized by law to address the four identified discriminatory housing programs at UMN, and ensure that all current and future initiatives and programs fully comply with the FHA, Title VI, the Fourteenth Amendment, and other applicable federal civil rights guarantees.

Respectfully submitted,

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⁵⁰ 24 CFR § 146.33.