



**Indiana Credit Union League**  
*The association of Indiana credit unions*

October 18, 2019

Secretary Ben Carson  
Department of Housing and Urban Development  
451 Seventh Street SW, Room 10276  
Washington, DC 20410-0001

RE: Notice of Proposed Rulemaking on the Implementation of the Fair Housing Act's Disparate Impact Standard  
FR-6111-P-02

Dear Secretary Carson:

The Indiana Credit Union League (ICUL) appreciates the opportunity to submit comments on the Department of Housing and Urban Development's (HUD) Notice of Proposed Rulemaking on the Implementation of the Fair Housing Act's Disparate Impact Standard. The ICUL member credit unions represent 99% of assets and members of Indiana's credit unions, with those memberships totaling more than 2.6 million consumers.

Credit unions have historically supported the Fair Housing Act and its intent to prevent illegal discrimination in the housing market. Because many members look to their credit union for support and services related to their housing finance needs, ensuring fair and equal access to housing is a key concern for both credit unions and the members they serve.

Individuals and institutions engaging in discriminatory behavior should be identified and punished accordingly. To this end, the proposed rule revises HUD's existing rules on the burden of proof for disparate-impact claims under the Act in order to conform to the standards outlined by the Supreme Court in *Texas Department of Housing and Community Affairs v. Inclusive Communities Project, Inc.* We believe that it is important the rules are written to provide a clear understanding of the standards imposed by the law and the requirements for demonstrating compliance with those standards. ICUL believes that HUD's newly proposed burden shifting framework accomplishes this goal. The ICUL supports HUD's proposed revisions to its existing rules intended to provide a clear understanding of the standards and bring the rules in line with the Supreme Court's decision.

On behalf of Indiana credit unions, we appreciate the opportunity to comment on this proposed rule. If you have any questions about our letter, I would welcome the opportunity to discuss it. I can be reached at (317) 594-5320.

Sincerely,



John McKenzie  
President, Indiana Credit Union League