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## LDF Files Amicus Brief in New York Case against the Third Party Transfer Program

Yesterday, the [NAACP Legal Defense and Educational Fund, Inc. \(LDF\)](#), in partnership with Justice in Aging and Mobilization for Justice, filed an amicus brief in *Dorce v. City of New York*, a case before the U.S. District Court for the Southern District of New York concerning a New York City program, known as the Third Party Transfer (TPT) Program. Plaintiffs allege the City has implemented the TPT Program in a discriminatory manner to unjustly seize homes from older homeowners, primarily in communities of color, without paying the homeowners the surplus equity of their homes.

The brief argues that plaintiffs have adequately alleged that the TPT Program violates the Takings Clause of the U.S. and New York State Constitutions by unlawfully stripping older homeowners of color of wealth and equity without just compensation. The brief also argues that plaintiffs have adequately alleged that the program deprives communities of color of their constitutional right to equal protection.

“The TPT Program is a particularly insidious example of how tax and housing policy can further entrench and even exacerbate wealth inequality and homeownership disparities,” said Mahogane Reed, LDF’s John Payton Appellate and Supreme Court Advocacy Fellow. “The United States and New York State Constitutions make clear that this kind of unequal treatment, which devastates not only to families but to entire communities, are unlawful.”

“The racial disparities resulting from the TPT Program are even more pronounced among older homeowners of color,” said Justice in Aging Senior Staff Attorney Patti Prunhuber. “In New York City, these older homeowners pay a larger share of their income on housing than their younger counterparts, and statewide, older homeowners of color are twice as likely as white homeowners to be severely cost-burdened. The TPT Program strips older homeowners of a lifetime of accumulated wealth, causing the loss of intergenerational wealth for many Black and Latinx families.”

“For decades, Mobilization for Justice has fought for economic justice on behalf of low-income and working poor New Yorkers,” said Mobilization for Justice Staff

Attorney Peter Barker-Huelster. “It is unconscionable that the city itself would target some of its most vulnerable citizens, stripping their wealth and harming the broader community in the process. This discriminatory process must end.”

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*Founded in 1940, the NAACP Legal Defense and Educational Fund, Inc. (LDF) is the nation’s first civil and human rights law organization. LDF has been completely separate from the National Association for the Advancement of Colored People (NAACP) since 1957—although LDF was originally founded by the NAACP and shares its commitment to equal rights. LDF’s Thurgood Marshall Institute is a multi-disciplinary and collaborative hub within LDF that launches targeted campaigns and undertakes innovative research to shape the civil rights narrative. In media attributions, please refer to us as the NAACP Legal Defense Fund or LDF. Follow LDF on [Twitter](#), [Instagram](#) and [Facebook](#).*