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JUSTICE NEWS

Department of Justice

Office of Public Affairs

FOR IMMEDIATE RELEASE

Tuesday, July 5, 2011

Justice Department Sues Nation's Largest Mortgage Insurance Provider for Discrimination Against Women on Paid Maternity Leave

WASHINGTON – The Justice Department announced today that it has sued the Mortgage Guaranty Insurance Corporation (MGIC), the nation's largest mortgage insurance company, and two of its underwriters, Elgina Cunningham and Kelly Kane, for violating the Fair Housing Act by discriminating against women on paid maternity leave.

The suit, filed on July 5, 2011, in the U.S. District Court for the Western District of Pennsylvania, alleges that MGIC required women on paid maternity leave to return to work before the company would insure their mortgages. Most mortgage lenders require applicants seeking to borrow more than 80 percent of their home's value to obtain mortgage insurance, meaning MGIC's denials to women on maternity leave could cost those women the opportunity to obtain a home loan.

"No woman should be denied the opportunity to receive a mortgage loan simply because she has just given birth," said Thomas E. Perez, Assistant Attorney General for the Justice Department's Civil Rights Division. "Our nation's fair housing laws prohibit this kind of discrimination, and the Justice Department is committed to aggressive enforcement of those laws."

"It defies belief that, in 2011, any institution would discriminate against a mother for legally and properly taking leave after the birth of a child," said U.S. Attorney for the Western District of Pennsylvania David Hickton. "My office will not stand idly by while parents suffer discrimination in lending simply for taking maternity or paternity leave."

This lawsuit arose as a result of a complaint filed with the U.S. Department of Housing and Urban Development (HUD) by a Wexford, Penn., loan applicant. After investigating the complaint, HUD issued a charge of discrimination and referred the case to the Department of Justice after the complainant elected to have the case heard in federal court. The suit alleges that the defendants'

conduct constitutes discrimination based on sex and familial status, and seeks a court order prohibiting future discrimination by the defendants, monetary damages for those harmed by the defendants' actions and a civil penalty.

The federal Fair Housing Act prohibits discrimination in housing and mortgage lending based on race, color, religion, national origin, sex, disability and familial status. More information about the Civil Rights Division and the laws it enforces is available at www.usdoj.gov/crt. Individuals who believe that they may have been victims of housing or lending discrimination can call the Housing Discrimination Tip Line at 1-800-896-7743, e-mail the Justice Department at fairhousing@usdoj.gov, or contact HUD at 1-800-669-9777.

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Civil Rights Division

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