

FAIR HOUSING
MAKES U.S.
STRONGER

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What Is Fair Housing?

Fair Housing is a right - not just a privilege.
Fair Housing is the law - not just an idea.
Fair Housing is no longer only an issue of color or race; it also includes issues such as the presence of children in a household, disability, gender, national origin, religion and sexual orientation.



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Definition

- The right of all people to live wherever they choose. To have housing (seek, purchase, sale, lease or rent) and enjoy the full use of their homes without unlawful discrimination, interference, coercion, threats, intimidations by owners, landlords, real estate agents or any other persons.

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Fair Housing History



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NAR and Fair Housing



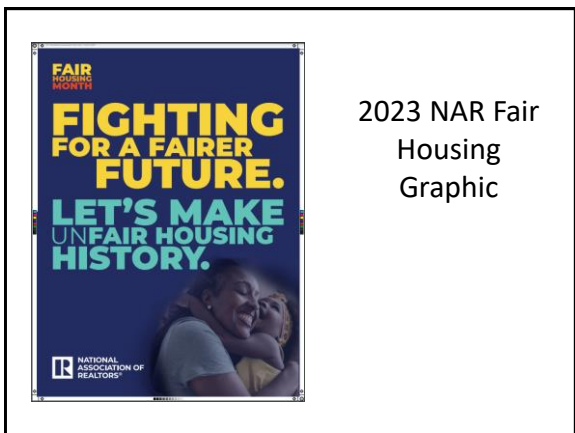
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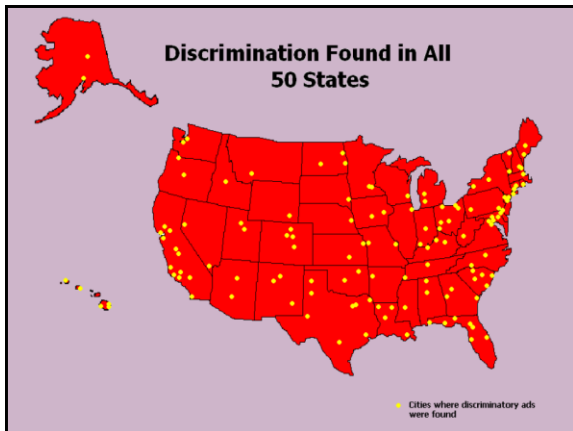


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The National Fair Housing Alliance



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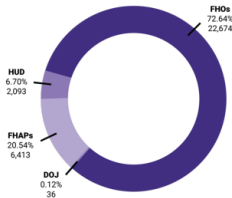


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Housing Discrimination Complaints in 2021 by Reporting Agency



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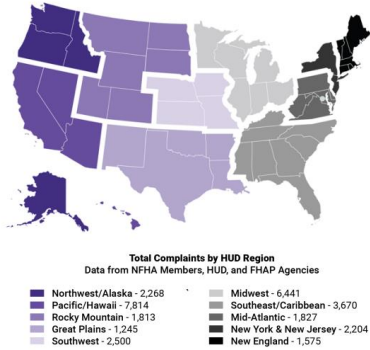
Complaint Data by Agency, 2011-2021

Year	NFHA Members	HUD	FHAs	DOJ	Total
2011	17,701	1,799	7,551	41	27,092
2012	19,680	1,817	6,986	36	28,519
2013	18,932	1,881	6,496	43	27,352
2014	19,026	1,710	6,758	34	27,528
2015	19,645	1,274	6,972	46	27,937
2016	19,740	1,371	7,030	40	28,181
2017	20,595	1,311	6,896	41	28,825
2018	23,407	1,784	5,987	24	31,202
2019	21,117	1,771	5,953	39	28,880
2020	21,089	1,697	5,883	43	28,712
2021	22,674	2,093	6,413	36	31,216

Taken from 2022 NFHA Trends Report

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Total Fair Housing Complaints by HUD Region
Fair Housing Trends Data, 2021



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Complaint Data by Basis and Agency in 2021

Basis	NFHA Members	HUD	FHAPs	DOJ
Race	14.98%	29.4%	29.7%	19.4%
Disability	52.39%	57.7%	56.9%	50.0%
Familial Status	6.48%	8.4%	9.6%	8.3%
Sex	5.39%	15.8%	11.8%	11.1%
National Origin	4.10%	9.1%	10.2%	11.1%
Color	1.64%	2.9%	4.7%	0.0%
Religion	0.85%	1.9%	2.3%	8.3%
Other	14.17%	8.9%	13.6%	11.1%

Note: Some reported complaints included more than one basis of discrimination.

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- The “other” category of complaints reported by fair housing organizations included the following:
 - Source of Income (1,713 complaints)
 - Age/Student Status (215 complaints)
 - Sexual Orientation (229 complaints)
 - Gender Identity/Expression (93 complaints)
 - Marital Status (104 complaints)
 - Criminal Background (314 complaints)
 - Victims of Domestic Violence (172 complaints)
 - Arbitrary (in California Rentals Only) (17 complaints)
 - Military Status (32 complaints)
 - Retaliation (127 complaints)
 - Immigration Status/ Citizenship (37 complaints)

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Complaints by Transaction Type in 2021

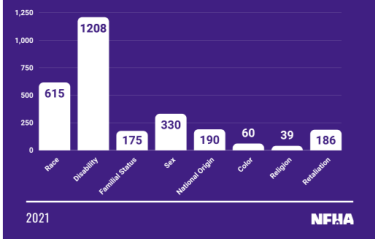
	Rental	Sales	Lending	Insurance	Harassment	Advertising	HDA/Condo	Other	Total
NFHA Members	20,085	653	188	31	882	271	150	414	22,674
HUD	1,304	199	114	3	0	0	0	476	2,093
FHAPs	4,090	556	92	2	0	0	0	1,675	6,413
DOJ	22	0	1	0	4	0	0	9	36
Total	25,501	1,408	395	36	886	271	150	2,574	31,216
Percent of Total	81.69%	4.51%	1.27%	0.12%	2.84%	0.87%	0.48%	8.25%	100.00%



Taken from 2022 NFHA Trends Report

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Housing Discrimination Complaints Reported by HUD

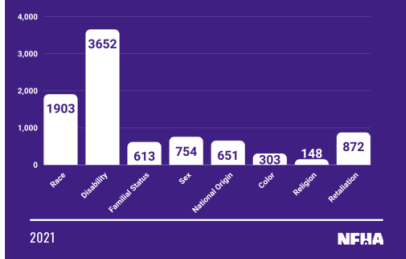


Note: Some reported complaints included more than one basis of discrimination.

Taken from 2022 NFHA Trends Report

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Housing Discrimination Complaints Reported by FHAP Agencies



Note: Some reported complaints included more than one basis of discrimination.

Taken from 2022 NFHA Trends Report

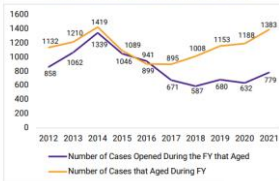
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Case Completion Type	HUD	FHAPs	Total
Administrative Closure	249	580	829
Charged or FHAP Caused	36	401	437
Conciliation / Settlement	656	1,040	1,696
DOJ Closure	1	0	1
No Cause	817	3,249	4,066
Withdrawn after Resolution	165	397	562
Total	1,924	5,667	7,591

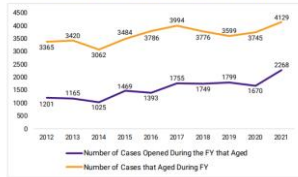
Taken from 2022 NFHA Trends Report

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Number of Aged Cases FY2012-FY2021 (HUD)



Number of Aged Cases FY2012-FY2021 (FHAPs)



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DOJ obtained 34 settlements in FY2021, resulting in a total of \$10,000,000 in monetary relief.



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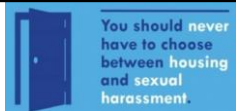
- In Fiscal Year 2021, DOJ filed and settled United States v. Cadence Bank, NA (N.D. Ga.), alleging violations of the Fair Housing Act and the Equal Credit Opportunity Act.
- The complaint alleged that Cadence Bank engaged in unlawful redlining in the Houston, TX, area by avoiding providing credit services to predominantly Black and Hispanic neighborhoods. The complaint also alleged that Cadence Bank's branches were concentrated in majority-White neighborhoods.
- The consent order requires Cadence Bank to invest \$4.17 million in a loan subsidy for residents of Black and Hispanic neighborhoods in the Houston area, \$750,000 for development of community partnerships to provide services that increase access to residential mortgage credit in Black and Hispanic neighborhoods, and at least \$625,000 for advertising, outreach, consumer financial education, and credit repair initiatives.
- Under the settlement, Cadence Bank will also dedicate at least four mortgage loan officers to majority-Black and Hispanic neighborhoods in Houston and open a new branch in one of those neighborhoods.

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- In early Fiscal Year 2022, DOJ filed and settled United States v. Trustmark National Bank (W.D. Tenn.) alleging violations of redlining in Memphis, TN.
- The complaint alleged that Trustmark National Bank violated the Fair Housing Act and Equal Credit Opportunity Act by engaging in a pattern or practice of unlawful redlining by structuring its business and outreach efforts so as to avoid the credit needs of majority Black and Hispanic neighborhoods in its residential mortgage lending.
- The complaint alleged that Trustmark National Bank avoided providing home loans and other mortgage services and discouraged applications for credit for properties located in majority Black and Hispanic neighborhoods in the Memphis metropolitan area, and that it located and maintained nearly all of its branch locations and mortgage loan officers in majority White neighborhoods.
- The consent order requires Trustmark National Bank to invest \$3.85 million in a loan subsidy fund to increase credit opportunities for current and future residents of predominantly Black and Hispanic neighborhoods in Memphis. Trustmark will also invest \$400,000 to develop community partnerships to provide services that increase access to residential mortgage credit in Black and Hispanic neighborhoods. It will also invest at least \$200,000 per year for five years in advertising, outreach, consumer financial education, and credit repair initiatives in and around Memphis.

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- The Department settled eight sexual harassment cases. For example, in United States v. Pelfrey (W.D. Okla.), the United States alleged that the owners of over 80 residential properties around Oklahoma City violated the Fair Housing Act because their agent, who owned and/or managed these properties, engaged in a pattern or practice of sexual harassment against female tenants and prospective tenants from at least 2001 until 2017. The harassment included exchanging sexual acts for rent or partial rent, exposing himself to tenants or prospective tenants, groping tenants or prospective tenants, making unwelcome sexual comments or advances to tenants or prospective tenants, and evicting or threatening to evict tenants who refused to engage in sexual acts. The consent order included \$1.2 million in monetary damages to aggrieved persons, a \$50,000 civil penalty, and injunctive relief.

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REDFIN

- In October 2020, the National Fair Housing Alliance and nine local fair housing organizations sued Redfin, a national real estate firm based in Seattle, Washington, alleging that Redfin engages in policies and practices that have a discriminatory impact and redlining effect in violation of the Fair Housing Act in at least ten metropolitan areas.
- The plaintiffs charged that Redfin discriminates against communities of color by setting minimum home listing prices in housing markets under which it will not offer any real estate brokerage services to buyers or sellers.
- According to the plaintiffs, buyers and sellers of homes in non-White areas are far less likely to be offered Redfin's services and discounts than buyers and sellers of homes in White areas. The plaintiffs have asked the court to order declaratory and injunctive relief, and award actual and punitive damages.

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Redlining Real Estate Sales Services

*National Fair Housing Alliance v. Redfin*¹⁸

In April 2022, the National Fair Housing Alliance and nine local fair housing organizations and Redfin Corporation, an online real estate company, agreed to a settlement of a race discrimination lawsuit. The plaintiffs alleged that Redfin "redlines communities of color in this digital age by setting minimum home listing prices in each housing market on its website under which it will not offer any real estate brokerage services to buyers or sellers." They charged that Redfin's practices perpetuated separate and unequal housing markets based on race in violation of the Fair Housing Act.

Under the terms of the settlement agreement, Redfin has agreed to change its minimum housing price policy and implement changes to other practices to increase its services and help counter redlining and residential segregation. It will pay the plaintiffs a total of \$4 million.

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Discrimination Against People with Hearing Disabilities

*Southwest Fair Housing Council v. WG Scottsdale*²⁰

In May 2022, a federal jury awarded \$1 in nominal damages and \$100,000 in punitive damages to Southwest Fair Housing Council against WG Scottsdale LLC, the operator of nursing homes in Arizona. Southwest Fair Housing Council alleged that its tester telephoned the nursing home and was told that the nursing home would not provide an American Sign Language interpreter but would instead provide a whiteboard for a prospective resident with a hearing disability to communicate with the nursing home.

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Fair Housing Law

There are a number of laws concerning discrimination in housing.

While the Fair Housing Act is the law most frequently cited, the federal government has a number of laws and executive orders addressing the issue.

The more prominent of these are summarized on a web page you can find by searching the following:

Federal Fair Housing Law Summary

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Basic Components of Fair Housing Violations

Generally speaking, there are four basic components to any complaint of illegal housing discrimination:

- ❖ A protected class that is covered by the law,
- ❖ A discriminatory act or practice that is covered by the law,
- ❖ The most recent discriminatory act occurred within one year that the formal complaint was initiated,
- ❖ The complaint involves a kind of housing covered by the law(s)

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The Protected Classes - Federal

- Race
- Color
- Religion
- National Origin
- Sex (gender)
- Disability
- Familial Status



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The Protected Classes - Tennessee

- Race
- Color
- Religion
- National Origin
- Sex (gender)
- Disability
- Familial Status
- **Creed**



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The Protected Classes - NAR

- Race
- Color
- Religion
- National Origin
- Sex (gender)
- Disability
- Familial Status
- **Sexual Orientation & Gender Identity**



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Protected Classes-TN REALTORS®

- Race
- Color
- Religion
- National Origin
- Sex (gender)
- Disability
- Familial Status
- Creed
- Sexual Orientation & Gender Identity



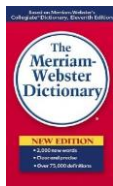
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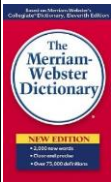
Definitions

- Race - Each of the major divisions of humankind, having distinct physical characteristics
- Color – A person's skin color
- Religion - A person's religious or spiritual beliefs and practices, or his or her denominational affiliations.



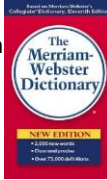
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- National Origin - The country where a person or his or her ancestors originated or came from.
- Sex (gender) - "**Sex**" refers to the biological and physiological characteristics that define men and women. "**Gender**" refers to the socially constructed roles, behaviors, activities, and attributes that a given society considers appropriate for men and women.



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- Disability - A physical or mental impairment that substantially limits one or more major life activities, a record of having such an impairment or being regarded as having such an impairment.
- Familial Status - Whether persons are members of families in which one or more children under 18 years old lives with a parent or legal custodian. Also a person whose household includes one or more minor or adult relatives.



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- Creed - A system of Christian or other religious belief; a faith
- Sexual Orientation - Having a preference for heterosexuality, homosexuality or bisexuality, having a history of such a preference or being identified with such a preference.



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What Housing Is Covered?

- The Fair Housing Act of 1968, as amended, covers "dwellings," which are structures designed or occupied as residences or land offered for sale for a residence. A "dwelling" is broadly defined and can include a homeless shelter or a summer home.



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Exemptions

1. Religious Organizations
2. Private Clubs
3. Occupancy Standards
4. Drug Conviction
5. Some single family housing
6. Mrs. Murphy's Exemption
7. Familial Status – Housing for older persons



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Exemption-Religious Organization

- May discriminate with respect to its non commercial property, provided that the religion itself does not discriminate on the basis of race, color or national origin.



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Exemption-Private Club

- Does not prohibit a private club, not in fact open to the public, from limiting the rental or occupancy of noncommercial lodgings to members.



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Exemption-Occupancy Standards

- The act does not limit the applicability of any reasonable local, state or federal restrictions regarding the maximum number of persons permitted to occupy a dwelling.



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Exemption-Drug Conviction

- The act does not prohibit conduct against a person because such person has been convicted in a court of law for the illegal manufacture or distribution of a controlled substance. Allows landlords to protect tenants.



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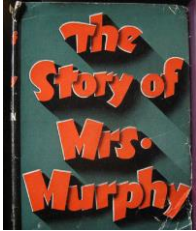
Exemption-Single Family Housing

- The owner does not own or have interest in more than 3, Single Family Dwellings at any one time
- The house is sold or rented without the services of a real estate agent or the services of any person in the business of selling or renting dwellings.
- The exemption WILL NOT APPLY if a person in the real estate business is involved or if discriminatory advertising is used.

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Exemption-Mrs. Murphy

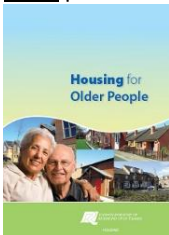
- The act does not cover owner-occupied dwellings designed for occupancy by no more than 4 families living independently of each other.



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Exemption-Familial Status

- Discrimination based on familial status will not apply to housing qualifying for exempt status as housing for older persons.



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Housing For Older Persons Exemption

- 100% of the occupants must be 62 years of age or older or
- 80% of the occupied units must be occupied by at least one person who is 55 or older
- the housing facility or community publish and adhere to policies and procedures that demonstrate its intent to qualify for the exemption

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SOME... Discriminatory Housing Practices



- To refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because of race, color, religion, sex, familial status, handicap or national origin.

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- To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith, because of race, color, religion, sex, handicap, familial status or national origin.



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- To represent to any person because of race, color, religion, sex, handicap, familial status or national origin that any dwelling is not available for inspection, sale, or rental when such dwelling is in fact so available.



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- For profit, to induce or attempt to induce any person to sell or rent any dwelling by representation regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, color, religion, sex, handicap, familial status or national origin.



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- To discriminate in the sale or rental, or to otherwise make unavailable or deny a dwelling to any buyer or renter because of a handicap of,
 1. That buyer or renter
 2. A person residing in or intending to reside in that dwelling after it is sold, rented or made available
 3. Any person associated with that buyer or renter.



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- Refusing to permit, at the expense of the handicapped person, reasonable modification of existing premises occupied or to be occupied by such person, if such modifications may be necessary to afford such person full enjoyment of the premises. EXCEPT in the case of a rental where the landlord may require, as a condition for modification, the renter agrees to restore the interior to the condition that existed before the modification.



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- To refuse to make reasonable accommodations in rules, policies, practices or services when such accommodations may be necessary to afford a handicapped person equal opportunity to use or enjoy the dwelling.



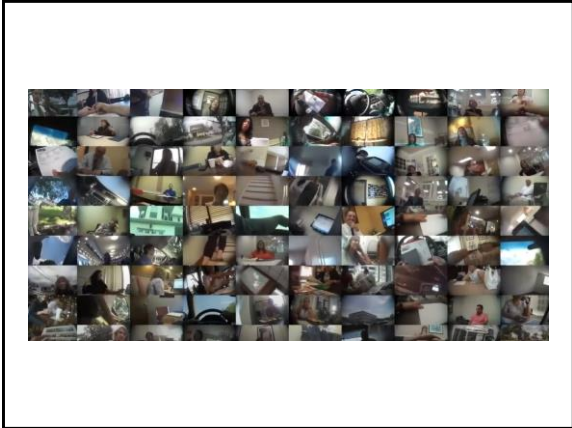
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Testers



- The Supreme Court of the United States has recognized that the use of *testers* is a necessary and essential means of enforcing this country's fair housing laws.
- Testers are described as, "individuals who, without an intent to rent or purchase a home or apartment, pose as renters or purchasers for the purpose of collecting evidence of unlawful practices."

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Enforcement

- An aggrieved person may file a complaint with HUD within one year after an alleged discriminatory housing practice has occurred.
- An aggrieved person is an individual who claims to have been injured by a discriminatory housing practice or believes that such person will be injured by a discriminatory housing practice that is about to occur.
- Once the complaint is filed, HUD must investigate and complete the investigation within 100 days.

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Relief & Penalties

1. Actual Damages
 2. Punitive Damages
 3. Civil Penalties
 4. Injunctive Relief
 5. Equitable Relief
- Max amounts by HUD
 - \$10,000 1st offense
 - \$25,000 if there has been a prior offense within 5 years
 - \$50,000 if there have been two or more offenses within 7 years



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Fair Housing & Advertising



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What is Advertising?

- Under the Act, real estate advertising encompasses more than billboards, commercials or newspaper and online advertisements, it also includes flyers, brochures, banners, leaflets, signs, posters, deeds, applications, pictures, and even property-based roommate ads. In fact, just about anything you verbally *say or imply* to prospective buyers, sellers & renters in person, writing, or by phone can be considered advertising.


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Section 804-C


- Section 804(C) of the Fair Housing Act makes it 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 because of race, color, religion, sex, handicap, familial status or national origin, or an intention to make such preference, limitation or discrimination.

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3 Points About 804(c)

- It applies to newspapers and other media.
- The provision does not violate the First Amendment's guarantee of freedom of speech.
- Whether or not an advertisement violates the Act will be determined by how an **ordinary reader** would interpret the ad.




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Fair Housing & Advertising

- 1989 HUD Advertising Guidelines - Part 109
 - Categorizes discriminatory advertising into three groups:
 - Advertising that contains words, phrases, symbols, or visual aids that indicate a discriminatory preference or limitation
 - Advertising that selectively uses media, human models, logos and locations to indicate an illegal preference or limitation
 - Various types of discriminatory advertising practices condemned by the Fair Housing Act


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Use of Words, Phrases, Symbols and Visual Aids

- Words descriptive of dwelling, landlord, and tenants:
 - White private home, colored home, Jewish home, Hispanic residence, adult building
- Words indicative of race:
 - Negro, black, Caucasian, Oriental, American Indian
- Words indicative of color:
 - White, black, colored


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**Use of Words, Phrases,
Symbols and Visual Aids**

- Words indicative of religion:
 - Protestant, Catholic, Christian, Jew
- Words indicative of national origin
 - Mexican American, Puerto Rican, Philippine, Polish, Irish, Italian, Chicano, African, Hispanic, Chines, Indian, Latino


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**Use of Words, Phrases,
Symbols and Visual Aids**

- Sex – the exclusive use of words in advertisements, including those involving the rental of separate units in a single or multifamily dwelling, stating or intending to imply that the housing being advertised is available to persons of only one sex and not the other, except where the sharing of living areas is involved.


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**Use of Words, Phrases,
Symbols and Visual Aids**


- Words indicative of handicap:
 - Crippled, blind, deaf, mentally ill, retarded, impaired, handicapped, physically fit
- This section does not restrict inclusion of information about the availability of accessible housing.

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 **Use of Words, Phrases, Symbols and Visual Aids**

- Words indicative of familial status:
 - Adults, children, singles, mature persons
 - Remember the exemption for housing for older persons
- Catchwords:
 - Restricted, exclusive, private, integrated, traditional, board approval or membership approval.


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 **Symbols or Logotypes**

- ANY that imply or suggest race, color, religion, sex, handicap, familial status or national origin.




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 **Directions To Real Estate For Sale or Rent**

- Directions can imply a discriminatory preference, limitation or exclusion.
- References to a location that have racial or national origin significance, such as existing black development or an existing development known for it's exclusion of minorities.
- References to a synagogue, congregation or parish may indicate a religious preference.


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Area Description

- Names of facilities that cater to a particular racial, national origin or religious group such as a country club or private school designations or names of facilities that are used exclusively by one sex may indicate a preference.


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Selective Use of Media or Content

- Selective use of human models in advertisements may have a discriminatory impact.
 - It is required that when human models are used in display advertising, the models should be clearly defined as reasonably representing majority and minority groups, both sexes and when appropriate, families with children.


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Selective Geographic Advertisements

- This may involve the strategic placement of billboards, brochure advertisements distributed within a limited geographic area by hand or by mail, advertising in a particular geographic coverage editions of major metropolitan newspapers or newspapers of limited circulation that are mainly reaching for a particular segment of the community or displays of announcement only in selected sales offices.

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Selective Use of Equal Opportunity Slogan or Logo

- Placing the equal opportunity slogan or logo in advertising reaching some geographic areas but not others or with respect to some properties but not others.
- According to HUD, all advertising of residential real estate for sale or rent should contain an equal housing opportunity logotype, statement or logo.
 - Choice will depend on the type of media used and in space advertising the size of the advertisement.

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EQUAL HOUSING OPPORTUNITY

- HUD has published tables to serve as a guide with respect to the size of the logotype in display advertising.
- At no time should the logotype be smaller than ½ inch by ½ inch.
- Not required in advertising of less than four column inches.
- May need to use the slogan....

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Ads & Issues

- The most common Fair Housing Act violation found on the Internet was advertising discriminating against families with children. Ads stating preferences for tenants who were “single” or “a couple of individuals.” Phrases such as “perfect for young couple” or “three adults” were found in ads for houses or apartments with multiple bedrooms. These ads indicate an illegal preference or limitation and discourage families with children from even considering contacting a landlord.

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- Approximately 5.4% of all ads posted to Craigslist at any given time potentially violate the law
- Familial Status is the most common discrimination problem found in ads for rental property



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- HUD offers some examples of intentionally discriminatory conduct one might experience from a landlord:
 - “There’s a lot of traffic. It isn’t safe for kids.”
 - “The apartment I told you about on the phone has already been rented.”
 - “My insurance won’t cover a ramp if you get hurt.”
 - “We only take English-speaking people.”
 - “The ad is wrong. The rent is really \$75 higher per month.”
 - “Steps are what we have. We can’t accommodate a walker.”



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- 2BR: “Mature couple or single with no children” Brooklyn, NY
- 3BR: Duplex: “Christian atmosphere” Evansville, IN
- 2BR: “PERFECT FOR 2 ADULTS....seeking a maximum of 2 tenants” New Haven, CT
- 2BR: “Couples preferred” Chicago, IL
- 4BR: “Looking for responsible adults to enjoy home” Newport, VT



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Fair Housing Advertising Word/Phrase List

IMPORTANT: This list is not all-inclusive but is provided to SmartMLS members as a Fair Housing reminder when writing any public or member only listing description. A rule of thumb is that the listing agent should promote the features of the listing and not use any language for describing the type of buyer or tenant, or the type of neighborhood. SmartMLS is not offering legal advice; if you have any questions you should consult with your own legal counsel.

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USE
THIS
LIST
AT
YOUR
OWN
RISK

UNACCEPTABLE			
able-bodied	Chastise	Blacks	Mexican-American
adult community*	Christian	European	Protestant
adult living*	colored	EVV	Public Racin
adult only*	complex	European	religious references)
adult park*	Congreg only	European	responsibility
affluent	death	European	retired, no
affluent	disabled, not suitable for	European	retired, no
affluent	employed, must be	European	retired, no
alcoholic, no	empy vacancy*	European	retired, no
American Indian	English only	European	Section 8, no
Appalachian Asian	(ethnic references)	European	senior discount, no*
backlot	exclusion	European	senior(ly), no
bank no	exclosure	European	Social Security Insurance
board approval required	golden ages*	European	(SFL), no
Catholic	group houses	European	Spanish speaking
Charismatic	handicapped	European	status
Chicano	handicapped	European	Temple
children, no	handicapped	European	(religious), description of
children, (number of)	handicapped	European	two people
	handicapped	European	completed, no
	handicapped	European	white, white only

CAUTION			
55 and older community*	Fidelerman's retreat	Golden Temple	quality neighborhood
62 and older*	golf course	Golden Temple	retiree(ly)
active bachelor	golf course	Golden Temple	retiree(ly)*
bachelor pad	golf course	Golden Temple	retiree(ly)*
close to	golf course	Golden Temple	retiree(ly)*
country club, near	golf course	Golden Temple	retiree(ly)*
complex	golf course	Golden Temple	retiree(ly)*
complex only	golf course	Golden Temple	retiree(ly)*
condominium only	golf course	Golden Temple	retiree(ly)*
female roommate	golf course	Golden Temple	retiree(ly)*

ACCEPTABLE			
accessible	Equal Housing Opportunity	highly desirable	quiet neighborhood
alcohol, no	Equal Housing Opportunity	highly desirable	reference required
assistance animals only	Equal Housing Opportunity	highly desirable	retired district)
bedrooms, (number of)	Equal Housing Opportunity	highly desirable	school district)
bin, near	Equal Housing Opportunity	highly desirable	school district)
convenient home	Equal Housing Opportunity	highly desirable	school district)
convenient to	Equal Housing Opportunity	highly desirable	school district)
credit check required	Equal Housing Opportunity	highly desirable	school district)
desirable neighborhood	Equal Housing Opportunity	highly desirable	school district)
dogs, no	Equal Housing Opportunity	highly desirable	school district)
dog use, no	Equal Housing Opportunity	highly desirable	school district)

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- Remember, when in Doubt:
 - NEVER USE ethnic references (e.g. Black, Caucasian/White, Asian, American Indian)
 - NEVER USE nationalities (e.g. Chinese, African, German, Italian)
 - NEVER USE religious references (e.g. near temple, mosque, church, Christian, Muslim, Catholic)
 - NEVER USE sex, gender or sexual orientation (e.g. male, female, transgender, homosexual, gay)

DESCRIBE THE PROPERTY NOT THE PEOPLE

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- Treat everyone alike.
- Provide consistent and complete information to everyone.
- Make decisions based only on objective criteria.
- Do not make credit assumptions based on non-credit factors.
- Know the law.



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Adoption of a Fair Housing Advertising Policy

- Real Estate Firms should have a Fair Housing Advertising Policy that provides clear guidelines for Agents and employees to follow. It should inform them that your firm is aware of its obligations under Fair Housing Law, and intends to comply with those obligations. The Policy should also provide for meaningful enforcement mechanisms. It should make clear that your firm will not do business with anyone who is engaging in discrimination, and should make clear to Agents and employees that compliance with the Policy is a term and condition of affiliation and employment.

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REALTOR® FAIR HOUSING DECLARATION



I agree to:

- ✓ Provide equal professional service without regard to the race, color, religion, sex, disability, familial status, national origin, age, sexual orientation or marital status of any prospective client, customer, or the residents of any community.
- ✓ Keep informed about fair housing law and practices, improving my clients' and customers' opportunities and my business.
- ✓ Develop advertising that indicates that everyone is welcome and no one is excluded, expanding my client's and customer's opportunities to see, buy, or lease property.
- ✓ Inform my clients and customers about their rights and responsibilities under the fair housing laws by providing brochures and other information.
- ✓ Document my efforts to provide professional service, which will assist me in becoming a more responsive and successful REALTOR®.
- ✓ Refuse to tolerate non-compliance.
- ✓ Learn about those who are different from me, and celebrate those differences.
- ✓ Take a positive approach to fair housing practices and aspire to follow the spirit as well as the letter of the law.
- ✓ Develop and implement fair housing practices for my firm to carry out the spirit of this declaration.

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Fair Housing Training

- Real Estate Firms must also ensure that Agents and employees receive appropriate training, and that customers and clients are informed of the Firm's Fair housing Policy. HUD regulation [24 C.F.R. § 109.30(d)] specifically provide that the Firm should:
 - (1) Provide a printed copy of the Firm's nondiscrimination policy to each Agent and employee.
 - (2) Post a copy of the Firm's nondiscrimination policy in a conspicuous location for customer and client visitors to view

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REALTOR® FAIR HOUSING DECLARATION



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