

FAIR HOUSING RESOURCE

REALTORS® are community leaders – That’s Who We Are®. You shape and help build neighborhoods that thrive. By promoting diversity and inclusion you unlock access to opportunities that transform lives and improve communities.

The Greater Metropolitan Association of REALTORS® (GMAR) opposes discrimination in housing based on race, color, religion, sex, handicap, familial status (i.e. children), sexual orientation, gender identity, and national origin. This policy is embodied in NAR’s Code of Ethics.

FAIR HOUSING LAW

The National Fair Housing Act, enacted on April 11, 1968, enshrined into federal law the goal of eliminating racial segregation and ending housing discrimination in the United States. It shields people of protected classes from discrimination when they are renting or buying a home, getting a mortgage, seeking housing assistance, or engaging in other housing-related activities. Additional protections apply to federally assisted housing.

- The Fair Housing Act prohibits discrimination in housing based on race, color, religion, sex, familial status, national origin, and disability, as they are protected classes under the federal law.
- The Department of Housing and Urban Development (HUD) is a Federal agency established in 1965 that is responsible for national policy and programs that address America’s housing needs and help to improve and develop the nation’s communities as well as enforcement of fair housing laws.

Federal Fair Housing Law

https://www.hud.gov/program_offices/fair_housing_equal_opp/fair_housing_act_overview

File a Complaint with HUD

https://www.hud.gov/program_offices/fair_housing_equal_opp/online-complaint



PROTECTED CLASSES

The following chart shows a list of protected classes under federal and state law as well as the Code of Ethics

| Class | Code of Ethics | State | Federal |
|---------------------|----------------|-------|---------|
| Race | X | X | X |
| Color | X | X | X |
| National Origin | X | X | X |
| Religion | X | X | X |
| Sex | X | X | X |
| Familial Status | X | X | X |
| Disability | X | X | X |
| Sexual Orientation | X | | |
| Gender Identity | X | | |
| Height/Weight | | X | |
| Age | | X | |
| Marital Status | | X | |
| Genetic Information | | X | |

CLASSES & TRAINING

Fairhaven To help REALTORS® better understand fair housing, discrimination and implicit bias, NAR has launched Fairhaven, an online interactive experience where REALTORS® are presented with situations with that will challenge their preconceived notions about these subjects.

Visit Fairhaven! <https://fairhaven.realtor/>



Bias Override The mind science experts at the Perception Institute partnered with NAR to present an online workshop to help members override implicit bias in their everyday interactions in order to convey respect, ensure fairness, and improve their business.

Watch Bias Override: <https://www.nar.realtor/videos/bias-override-overcoming-barriers-to-fair-housing>

MARKETING & ADVERTISING

Equal Opportunity Logo Federal law requires that applicants for participation in HUD's subsidized and unsubsidized housing programs pursue affirmative fair housing marketing policies.

Though the Equal Opportunity Logo is not required, it is a best practice to include it in any applicable advertisement. According to HUD guidelines, all advertising of residential real estate for sale or rent should contain an equal housing opportunity logo, statement, or slogan as a means of educating the home-seeking public that the property is available to all persons.

Download the Logo: <https://www.hud.gov/library/bookshelf11/hudgraphics>

Print Marketing Most agents are selective in which print advertising they chose to use, given today's technological options. Niche marketing can be helpful when marketing a specific type of property but should not target a specific demographic, unless additional marketing is being printed elsewhere as well.

For example, listing a property in a magazine or mailer that only targets singles, could be a violation of the Fair Housing Act if the property is not advertised in other ways more broadly. There is an exception for communities that are restricted to 55+ senior living communities.

About the 55+ Senior Living Community Exemption

https://www.hud.gov/program_offices/fair_housing_equal_opp/fair_housing_act_housing_older_persons#_How_to_Qualify

Social Media Fair Housing laws also apply to social media and can trip up brokerages and licensees, especially in the use of targeted advertising. As you set ad targeting filters, be sure you think about your targets to ensure you are legal and are efficiently spending your ad dollars. For example, targeting individuals with boats with docks for residential properties or horse lovers for a house with a barn are ad targeting filters can be quite powerful and are legal.

However, targeting 25 to 35-year-olds for a starter home or families with children for a house close to a school would violate fair housing laws. It is important to keep in mind when targeting by geography that your locations consist of diverse groups that would include multiple classes, incomes, religions, and statuses. It is best to be inclusive rather than exclusive with ad targeting to avoid triggering a fair housing violation.



According to HUD guidelines, all advertising of residential real estate for sale or rent should contain an equal housing opportunity logotype, statement, or slogan as a means of educating the home-seeking public that the property is available to all persons, regardless of race, color, religion, sex, handicap, familial status, or national origin. The choice of logotype, statement, or slogan will depend on the type of media used, and, in space advertising, on the size of the advertisement.

Websites Real estate websites is marketing and should comply with the Fair Housing Act in terms of language. However, in regards to accessibility for the disabled, there is not clarity in regards to how it applies to the Fair Housing Act. There are no federal regulations or controlling court decisions under the FHA concerning website accessibility for the disabled.

Organizations that advocate for the disabled have written about problems encountered by the blind in searching for and procuring housing (particularly rental housing) if properties are only available through websites that the blind cannot access. There have been recent demand letters sent to real estate brokerages around the country regarding the accessibility of their websites for the blind citing the Fair Housing Act.

