



EQUAL HOUSING
OPPORTUNITY

FAIR HOUSING: AN AGENT'S GUIDE TO KEEPING IT REAL



AGENDA



EQUAL HOUSING
OPPORTUNITY

Fair Housing and You

.....

History and Background

.....

Who and What is Protected?

Daily Best Practices

.....

Changes in America's Demographics

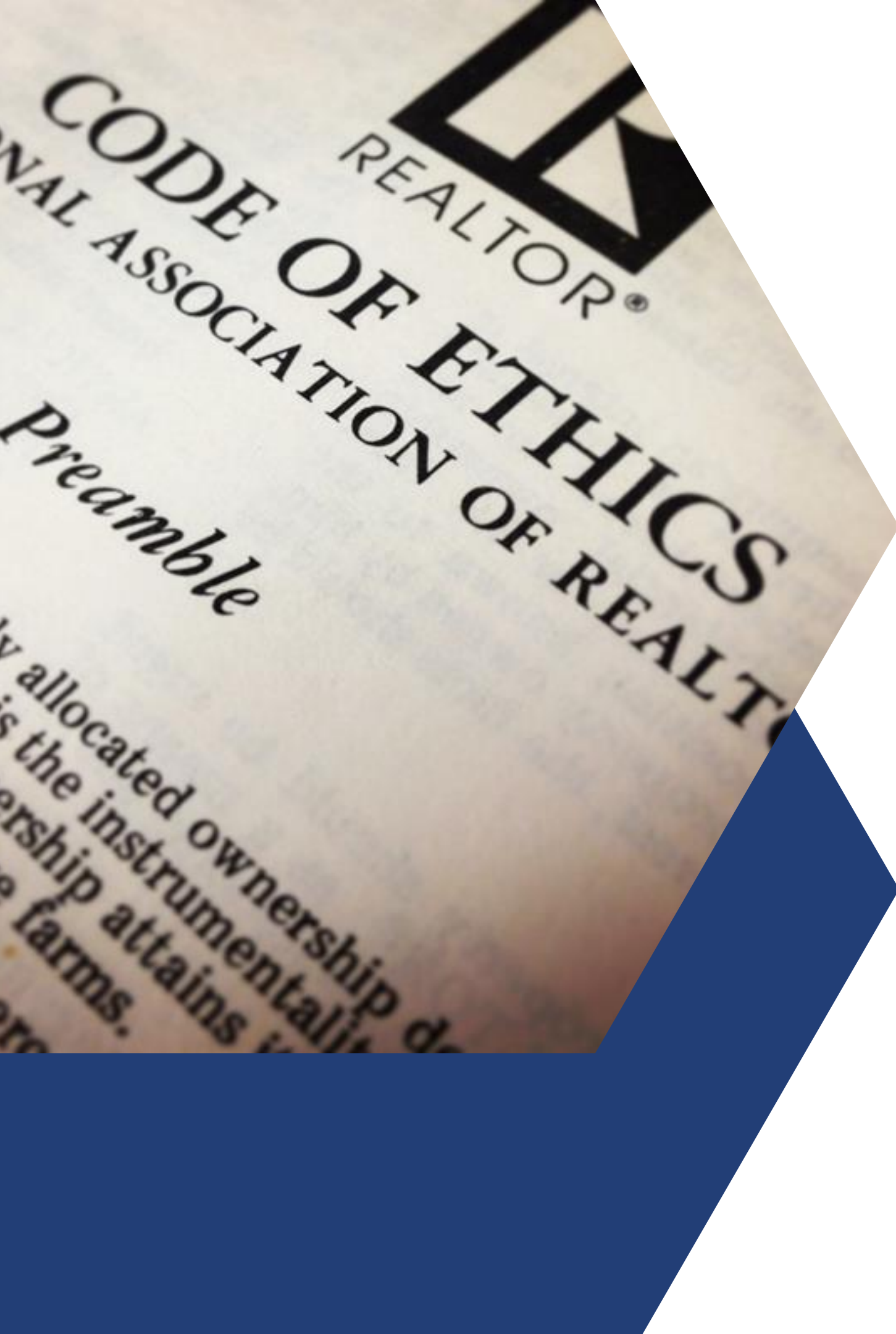
.....

Deepening your Commitment

Our Key Discussion Points

WHAT DOES FAIR HOUSING MEAN TO YOU?





Fair Housing and the REALTOR® Code of Ethics

Download your copy at: [NAR.REALTOR](https://www.nar.realtor/code-of-ethics)



REALTOR® Code of Ethics: Preamble

“REALTORS® should recognize that the interests of the nation and its citizens require the highest and best use of the land and the widest distribution of land ownership.”

“Such interests impose grave social responsibility and a patriotic duty to which REALTORS® should dedicate themselves, and for which they should be diligent in preparing themselves.”

“REALTORS® continuously strive to become and remain informed on issues affecting real estate and, as knowledgeable professionals, they willingly share the fruit of their experience and study with others”

“The term REALTOR® has come to connote competency, fairness, and high integrity resulting from adherence to a lofty ideals of moral conduct in business relations.”



Who oversees Fair Housing?

And what do they do?



HUD!

What if there's a violation?



**But why does
Fair Housing
exist?**

turn the bill and joint resolution into law. Considering the bills and joint resolutions which have been thus far submitted for my approval, I am compelled to withhold my assent from a second measure that has reached the sanction of both Houses of Congress.

ANDREW JOHNSON.
WASHINGTON, D. C., March 27, 1866.

THE CIVIL RIGHTS BILL.

The Measure as it Passed both Houses of Congress and was Vetoed by Andrew Johnson.

...rights bill, as it

...ions of
be lawful for
judge, marshals
to attend
he may
more spe
charged
shall be th
when any
to attend
therein de
SEC. 10.
of the Un
power fo
land or
militia,
tion and
SEC. 1
any ca
appeal
United

Open Housing Marches

Late 1950s-1960s

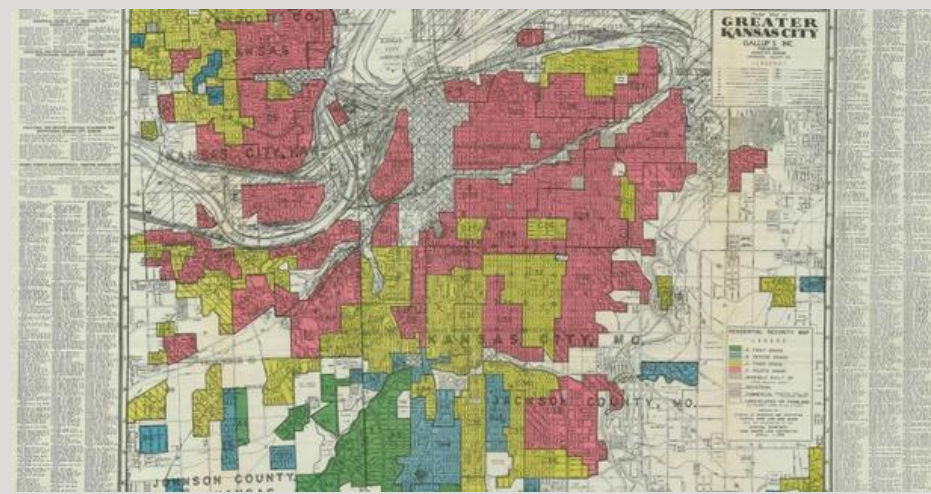


Times of Division and of Unity





Effects of the Vietnam War



Words of the Era

Redlining

Denial of loans

.....

Associated with the "New Deal"

.....

Areas marked as "too risky" to insure loans

Steering

Demographic based

.....

Convincing someone to go toward or away from certain areas

.....

Could it still happen today?

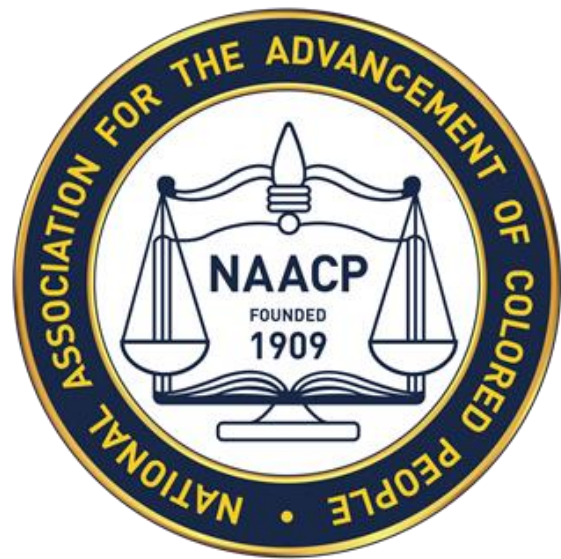
Blockbusting

Incites fear to get an owner to sell

.....

"Your home values are going to go down because..."

Lobbying for Housing Rights



NAACP



**National Association of
Real Estate Brokers**



The GI Forum

"All the News
That's Fit to Print"

The New York Times

LATE CITY EDITION

Weather: Clearing today, turning cold tonight. Fair, cool tomorrow. Temp. range: today 62-64; Thurs. 73-82. Full U.S. report on Page 92.

VOL. CXVII, No. 40,249

© 1968 The New York Times Company.

NEW YORK, FRIDAY, APRIL 5, 1968

10 CENTS

MARTIN LUTHER KING IS SLAIN IN MEMPHIS; A WHITE IS SUSPECTED; JOHNSON URGES CALM

JOHNSON DELAYS TRIP TO HAWAII; MAY LEAVE TODAY

President Spends a Hectic
Day Here and in Capital
—Sees Thant at the U.N.

By MAX FRANKEL
Special to The New York Times

WASHINGTON, April 4 — President Johnson postponed his trip to Hawaii at least until tomorrow after he heard of the death of the Rev. Dr. Martin Luther King Jr. tonight.

The news, which visibly shocked the President, came at the end of one of the most extraordinary days in perhaps the most extraordinary week of his Administration.

Mr. Johnson was to have flown from Washington at about midnight for a weekend of strategy conferences with military and political advisers.

Hanoi Charges U.S. Raid Far North of 20th Parallel

By EVERY CLARK
Special to The New York Times

WASHINGTON, April 4 — North Vietnam charged in a broadcast today that United States planes had bombed a "populated area" in northwestern Vietnam far north of the 20th parallel. The Defense Department said it knew of no such raid but was investigating.

President Johnson has ordered that there be no attacks on North Vietnam north of the 20th Parallel as a step toward de-escalating the war.

[In South Vietnam, United States marines beat off an attack by about 400 North Vietnamese soldiers charging up a hill near Khesanh, killing 93, The Associated Press reported. Meanwhile, an American relief column was nearing the besieged base. Page 15.]

The Hanoi radio, in a broad-



The New York Times April 5, 1968
Hanoi said that area near Laichau (cross) was target.

casted area" about 30 miles west of Laichau, capital of Lai

DISMAY IN NATION

Negroes Urge Others
to Carry on Spirit
of Nonviolence

By LAWRENCE VAN GELDER
Dismay, shame, anger and foreboding marked the nation's reaction last night to the Rev. Dr. Martin Luther King Jr.'s murder.

From the high offices of state to the man in the street, news of the moderate civil rights leader's violent death in Memphis yesterday drew, for the most part, stunned and sober statements.

Most major Negro organizations and Negro leaders, lamenting Dr. King's death, expressed hope that it serve as a spur to others to carry on in his spirit of nonviolence. But some Negro militants responded with bitterness and anger.

PRESIDENT'S PLEA

On TV, He Deplores
'Brutal' Murder of
—Negro Leader

Statements by Johnson, and
Humphrey are on Page 24.

Special to The New York Times

WASHINGTON, April 4 — President Johnson deplored tonight in a brief television address to the nation the "brutal slaying" of the Rev. Dr. Martin Luther King Jr.

He asked "every citizen to reject the blind violence that has struck Dr. King, who lived by nonviolence."

Mr. Johnson said he was postponing his scheduled departure tonight for a Honolulu conference on Vietnam and that instead he would leave tomorrow.



GUARD CALLED OUT

Curfew Is Ordered in
Memphis, but Fires
and Looting Erupt

By EARL CALDWELL
Special to The New York Times

MEMPHIS, Friday, April 5 — The Rev. Dr. Martin Luther King Jr., who preached non-violence and racial brotherhood, was fatally shot here last night by a distant gunman who then raced away and escaped.

Four thousand National Guard troops were ordered into Memphis by Gov. Buford Ellington after the 39-year-old Nobel Prize-winning civil rights leader died.

A curfew was imposed on the shocked city of 530,000 inhabitants, 40 per cent of whom are Negro.

But the police said the trag-

Martin Luther King Jr's Assassination

Fair Housing Act of 1968

■ Signed April 11, 1968

■ President Lyndon Johnson

■ Protects Against Discrimination

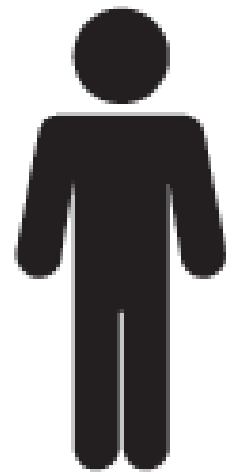
- Renting or Buying
 - Obtaining a Mortgage
 - Seeking Housing Assistance
 - Other Housing-Related Activities
-

■ Fair Housing Amendments Act 1988

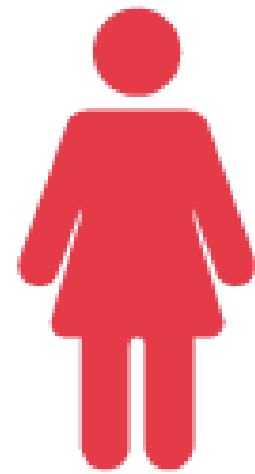
The Protected Classes



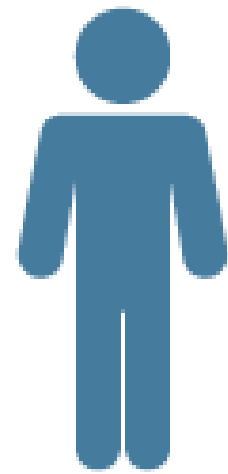
DISABILITY



RACE



SEX



COLOR



NATIONAL
ORIGIN



RELIGION



FAMILY
STATUS

REALTOR® CODE OF ETHICS

ARTICLE 10: NON-DISCRIMINATION

FAIR

HOUSING

MAKES U.S.

STRONGER

Commemorating 50 Years
of the Fair Housing Act

Article 10:

REALTORS® shall not deny equal professional services to any person for reasons of race, color, religion, sex, handicap, familial status, national origin, sexual orientation, or gender identity. REALTORS® shall not be parties to any plan or agreement to discriminate against a person or persons on the basis of race, color, religion, sex, handicap, familial status, national origin, sexual orientation, or gender identity. (Amended 1/14)

REALTORS®, in their real estate employment practices, shall not discriminate against any person or persons on the basis of race, color, religion, sex, handicap, familial status, national origin, sexual orientation, or gender identity. (Amended 1/14)

Standard of Practice 10.1:

When involved in the sale or lease of a residence, REALTORS® shall not volunteer information regarding the racial, religious or ethnic composition of any neighborhood nor shall they engage in any activity which may result in panic selling, however, REALTORS® may provide other demographic information. (Adopted 1/94, Amended 1/06)

Activities where Fair Housing Applies

- Most!
- Exempt in Limited Circumstances:
 - Leases in Owner-Occupied Buildings <4 units
 - Single Family Sold or Rented by Owner without Agent
 - Housing Operated by Religious Organization or Private Clubs
- **Most everything we do daily is covered**



Illegal Examples

- Because of race, color, religion, sex (including gender identity and sexual orientation), disability, familial status, or national origin:
 - Refusing to rent, sell or negotiate
 - Set different terms, privileges
 - Falsely deny that housing is unavailable
 - Use different qualification criteria





**What about
advertising?**



A **THREE-YEAR NEWSDAY
INVESTIGATION UNCOVERED
WIDESPREAD EVIDENCE OF
UNEQUAL TREATMENT BY REAL
ESTATE AGENTS ON LONG ISLAND:**

NEWSDAY INVESTIGATION DOCUMENTARY

Find Your Niche

Discover the schools and neighborhoods
that are right for you.

[K-12](#)[Colleges](#)[Graduate Schools](#)[Places to Live](#)

Search by [state](#) ▼



Niche makes finding your next school or neighborhood easy!

[Sign Up](#)[Log In](#)

K-12 Schools and Districts

US Department of Education K12 data on graduation rates and state level test scores.

Private School Universe Survey (PSS) from National Center for Education Statistics (NCES)
Source for list of private schools and their information such as enrollment figures.

Common Core Data (CCD) from National Center for Education Statistics (NCES)
Source for list of schools and school districts and their information such as enrollment figures.

Common Core Data (CCD) School District Finance Survey (F-33) from National Center for Education Statistics (NCES)
School district data on finance information.

Civil Rights Data Collection
K12 data on AP/IB classes, disciplinary actions, athletics, etc.

School Attendance Boundary Survey (SABS) from National Center for Education Statistics (NCES)
Source for school boundaries.

Niche K-12 Student and Parent Surveys
Survey administered to millions of parents, high school students, and recent alumni on Niche.com.

Niche K-12 Student and Parent Surveys
Survey administered to millions of parents, high school students, and recent alumni on Niche.com.

Places to Live

[American Community Survey \(ACS\)](#) from US Census Bureau
Source for local information such as population, home value, income levels.

[Uniformed Crime Report](#) from Federal Bureau of Investigation (FBI)
Source for crime statistics.

[National Climatic Data Center \(NCDC\)](#) from National Oceanic and Atmospheric Administration (NOAA)
Source for weather information.

[Topologically Integrated Geographic Encoding and Referencing \(TIGER\)](#) from US Census Bureau
Source for list of areas and boundaries.

[County Business Patterns](#) from US Census Bureau

[ZIP Code Business Patterns](#) from US Census Bureau

[Food Environment Atlas](#) from US Department of Agriculture

[Volunteering and Civic Life in America](#) from Corporation for National & Community Service


[Exempt Organizations Business Master File](#) from IRS

[Urban Neighborhood Boundaries and Statistics](#)

[Factle](#)
Secondary source for neighborhood boundaries.

[OpenStreetMap](#)

[Niche Local Survey](#)
Survey administered to millions of people living in neighborhoods across the U.S. on Niche.com



"Be the source
OF the source"



BELONGING

INCLUSION

DIVERSITY

EQUITY

**EQUAL
PROFESSIONAL
SERVICE MODEL**

Develop a Policy

- A written policy sets the tone

Sample Policy Statement:

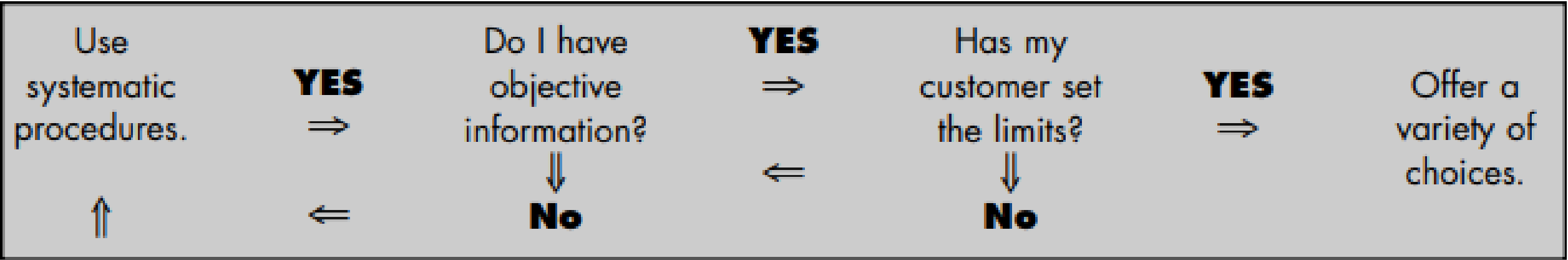
This company conducts business in accordance with all federal, state and local fair housing laws. It is our policy to provide housing opportunities to all persons regardless of race, color, religion, sex, familial status, handicap or national origin.

Fair housing procedures established by the company are not recommendations. These procedures must be followed by everyone associated with the company.



Equal Professional Service Model

- Providing consistent service to all



Create Checklists

40 Fair Housing Handbook

Prospect Equal Service Report

Date:		Sales Associate:		Office:	
Prospect Information					
Name:			Name:		
Address:			Address:		
Home phone:		Work phone:		Home phone:	
Work phone:		Home phone:		Work phone:	
<input type="checkbox"/> Owns now	<input type="checkbox"/> Rents now	<input type="checkbox"/> Must sell to purchase	<input type="checkbox"/> Owns now	<input type="checkbox"/> Rents now	<input type="checkbox"/> Must sell to purchase
Race*		Race*		Race*	
*For affirmative marketing purposes. Information on prospect race is sought to assist in monitoring the firm's commitment to equal professional service. Article 10 of the NATIONAL ASSOCIATION OF REALTORS® Code of Ethics states in part: REALTORS® shall not deny equal professional services to any person for reasons of race, color, religion, sex, familial status, handicap or national origin. REALTORS® shall not be parties to any plan or agreement to discriminate against a person or persons on the basis of race, color, religion, sex, familial status, handicap or national origin.					
Prospect came to us as a result of:		<input type="checkbox"/> Walk-in	<input type="checkbox"/> Past Customer	<input type="checkbox"/> Sign	<input type="checkbox"/> REALTOR.com
<input type="checkbox"/> Referral (source):		<input type="checkbox"/> Ad (source):	<input type="checkbox"/> Phone solicitation	<input type="checkbox"/> Mail solicitation	<input type="checkbox"/> Other Websites
					<input type="checkbox"/> Other:
Prospect Needs and Wants					
Prospect wishes to:	<input type="checkbox"/> Purchase	<input type="checkbox"/> Rent	Possession Date:		
Prospect's price range preference:		Purchase price range:		Rental (use rental form):	
Prospect requested locations:					
Type of home:		# of bedrooms:	# of baths:	<input type="checkbox"/> Dining room	<input type="checkbox"/> Family room
<input type="checkbox"/> Fireplace	<input type="checkbox"/> Garage	Other features:			
Does the prospect desire information regarding housing for older persons? <input type="checkbox"/> Yes <input type="checkbox"/> No					
If so, is any member of prospect's household over 55? <input type="checkbox"/> Yes <input type="checkbox"/> No					
Service Provided					
Was prospect asked questions regarding his/her finances?		Income:	Down payment:	Other (specify):	
<input type="checkbox"/> Yes <input type="checkbox"/> No					
If yes, indicate information obtained.					

Other ways to keep it real

- Evaluate existing procedures
- Attend training
- Discuss regularly
- Publicize your commitment
- Take advantage of available resources





ADVERTISING PROPERTIES

Things to Avoid

- Using words to describe buyers or sellers
- Catchwords like: Exclusive, private, traditional
- Directions that refer to well-known racial, ethnic or religious landmarks
- Targeting ads to one segment of a community
- Using words like:
 - Crippled
 - Single
 - Mature Persons



Things to Avoid

- Advertising exclusively in:
 - A limited geographic area
 - Only small papers that cater to particular ethnic or religious groups
 - Selected sales offices
- What else would you avoid?





HOUSING THROUGH THE YEARS



Close to work



Close to work



Urban Sprawl



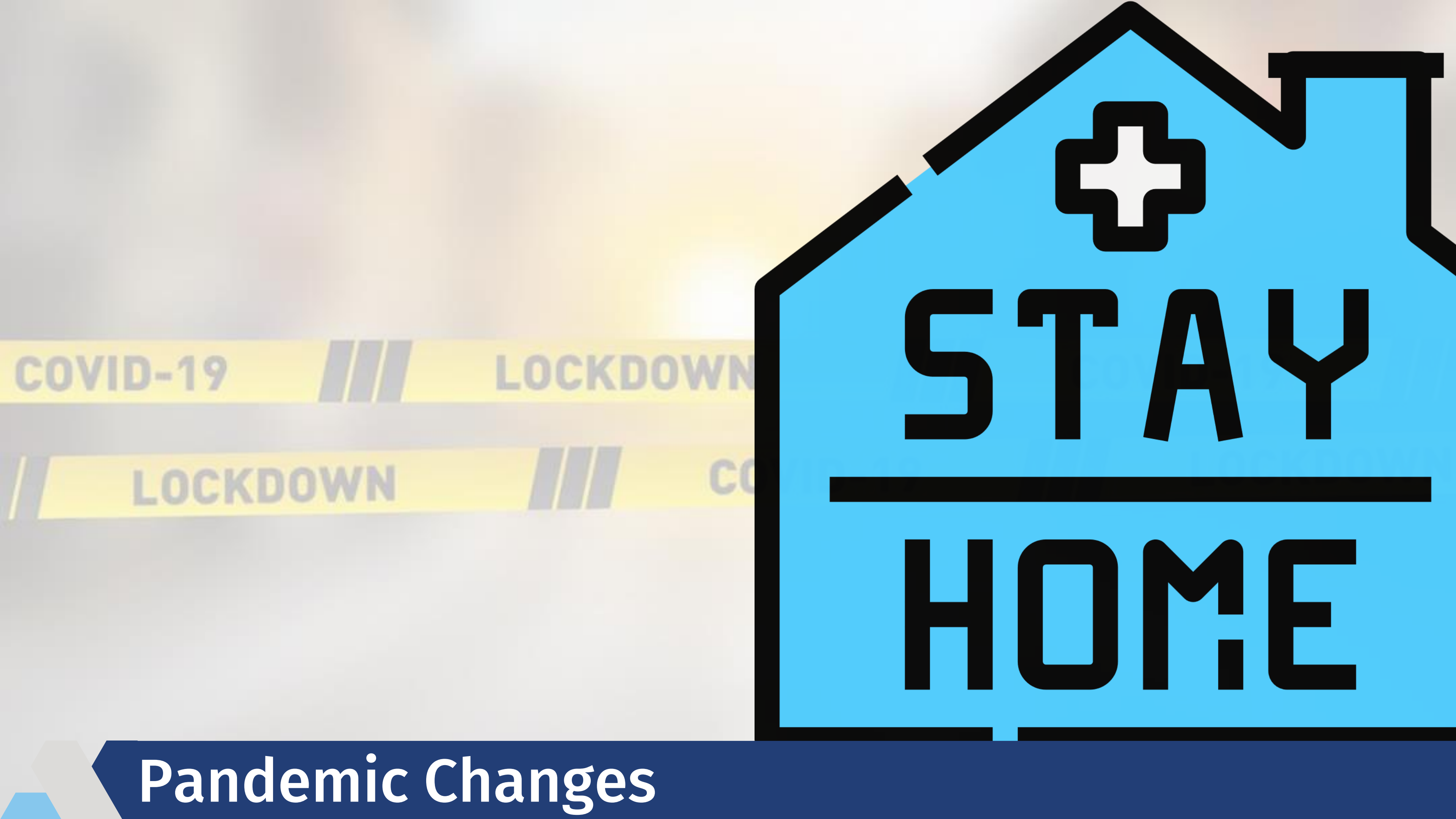
Urban Sprawl



Bigger and Bigger Through the Years



The Great Recession



COVID-19 LOCKDOWN COVID-19 LOCKDOWN



Pandemic Changes

The Future of Housing

- "Back to the City" Movement
- 15-20 million new urban dwellers by 2050
- Resurgence of "flyover country"
- Rural dwellers
 - 43% in 1940
 - <20% today
- Live and work anywhere

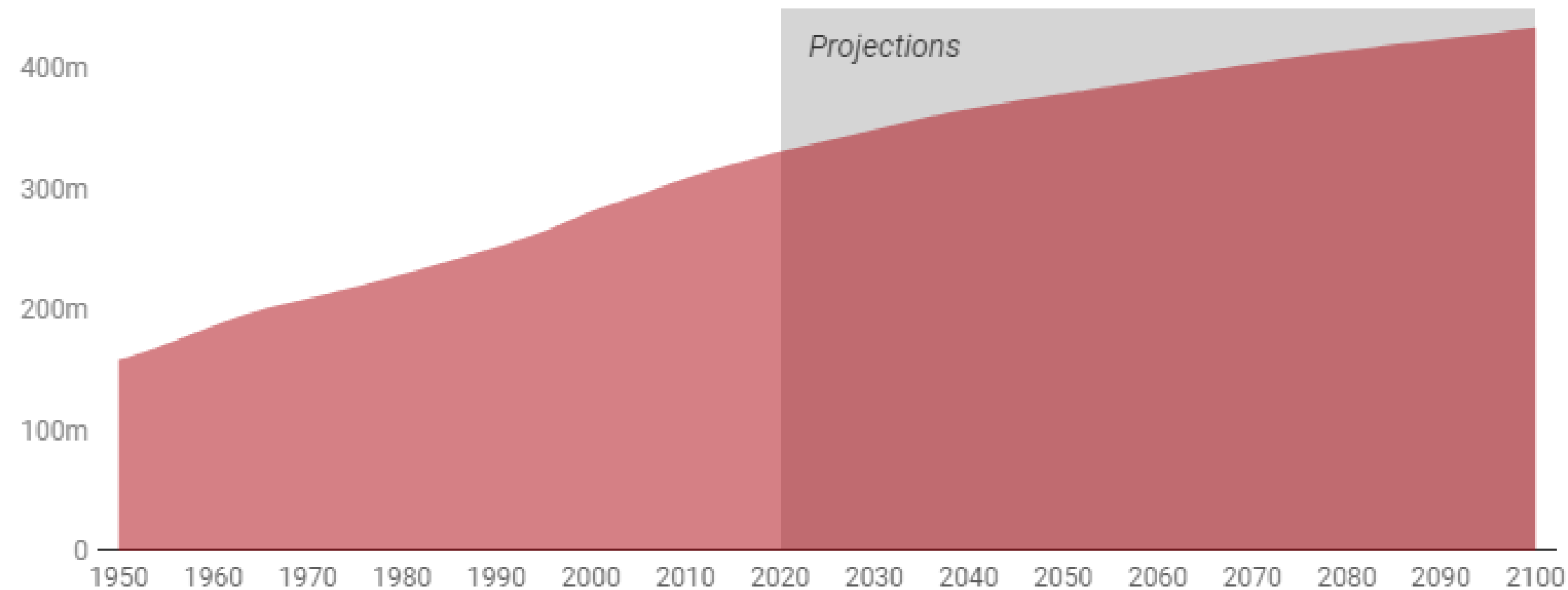


Future of America

US population

Between 2020 and 2030, the U.S. is expected to gain an additional 18.6 million people.

United States of America



PBS via Dept of Economic and Social Affairs

Growing Population

- 3rd Largest Country in the World
- ~350 Million by 2030
- An additional 18.6 million people
 - 2040: 367 Million
 - 2050: 379 Million
 - 2060: 391 Million

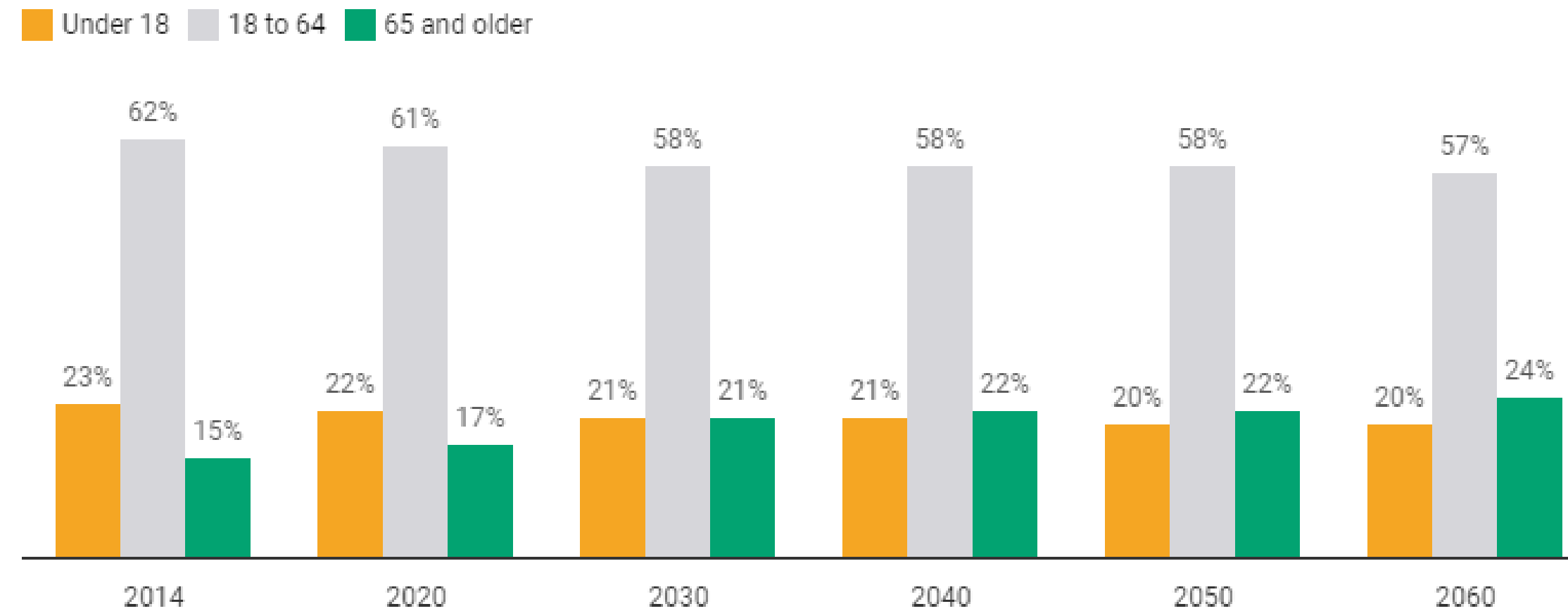
PBS via Dept of Economic and Social Affairs



Future of America

Projected age breakdown

Over the next few decades, the proportion of Americans age 65 and older will grow, from 15% to 24% of the U.S. population.



PBS via US Census Bureau

Aging Population

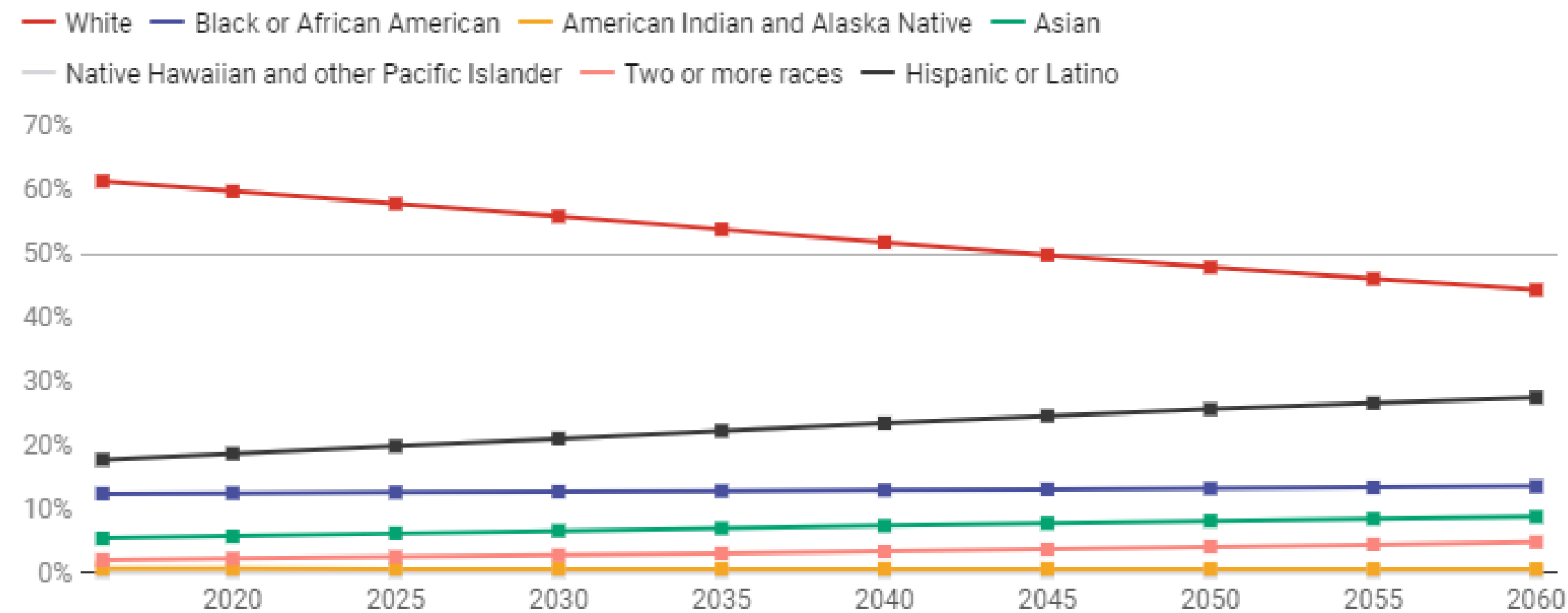
- Aging baby boomers
- Equal <18 and >65+ by 2030
- Over 100 years old?
 - 2020: 90,000
 - 2030: 130,000
 - 2046: First Group of "Boomers" turn 100
 - 2060: 603,000



Future of America

Projected race/ethnicity breakdown

After 2045, non-Hispanic whites will likely make up less than half of all Americans.



PBS via US Census Bureau

More Diverse Population

- Shifting minorities
- Since 2020, whites <18 were minority
- After 2045, non-Hispanic whites likely to make up less than half of Americans
- Today's minorities will contribute to largest drive in population change





HOW WILL REAL ESTATE ADAPT?



POST-PANDEMIC CHANGES



DEEPENING YOUR COMMITMENT TO FAIR HOUSING

Ways to Keep it Real

- At Home with Diversity Certification
- NAR's Fair Housing Resources Webpage
- Fairhaven Fair Housing Simulation
- Fair Housing Declaration



At Home with Diversity

- One-day certification
- Online or in the classroom
- Can also provide credit for other designations



Real Estate Topics > Legal

Fair Housing

Featured

References



Share

Fair housing is more than a list of dos and don'ts, rights and penalties, and mandatory continuing education. As stewards of the right to own, use and transfer private property, fair housing protects our livelihood and business as REALTORS® and depends on a free, open market that embraces equal opportunity.

REALTORS® recognize the significance of the [Fair Housing Act](#) and reconfirm their commitment to upholding fair housing law as well as their commitment to offering equal professional service to all in their search for real property.

NAR's [Fair Housing Action Plan](#), abbreviated 'ACT,' emphasizes (A)ccountability, (C)ulture Change, and (T)raining in order to ensure America's 1.5 million REALTORS® are doing everything possible to protect housing rights in America. On November 18, 2020, NAR launched [Fairhaven.realtor](#) — an innovative online simulation training, where agents work against the clock to sell homes in the

Fair Housing Handbook - Fifth Edition (Digital Download)



Latest on this top

Podcast: Charting the L March to Equality, Justi and Joy

September 2, 2022

Getting Familiar With the Sustainable Lifestyle

August 1, 2022



Could Solving the Housing Shortage Help Close the Racial Gap, Too?

July 26, 2022



Monday Minute: Week of July 25, 2022

July 23, 2022



Fair Housing Resources Webpage

Welcome to FAIRHAVEN

Use your fair housing knowledge to navigate
challenging real estate scenarios in
Fairhaven.*



TIME TO COMPLETE
60-100 minutes

Launch

—
*Fairhaven is a fictional town and does not represent or
simulate a specific neighborhood, town, organization, or
place. Any similarity to an actual place is purely
coincidental.

Need help or have a question? Reach out to
fairhaven@nar.realtor

Having troubling launching? See instructions [here](#) to
clear your cache.

"Fairhaven" Online Simulation

Fair Housing Declaration

I agree to:

- Provide equal professional service without regard to the race, color, religion, gender (sex), disability (handicap), familial status, national origin, sexual orientation or gender identity of any prospective client, customer, or of 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.



Fair Housing Declaration



FAIR HOUSING QUIZ

Under federal fair housing laws, it is legal to prohibit which of the following in a housing unit?

- A. Smoking**
- B. A live-in caregiver for a resident with a disability**
- C. Drinking alcohol**
- D. Both A and C**

Under federal fair housing laws, it is legal to prohibit which of the following in a housing unit?

- A. Smoking
- B. A live-in caregiver for a resident with a disability
- C. Drinking alcohol
- D. Both A and C**

Which of the following are violations or potential violations of the Fair Housing Act?

- A. A seller tells you he doesn't want to sell to African-Americans**
- B. A sales associate puts the phrase "adults only" in an MLS listing**
- C. Both A and B**
- D. None of the above**

Which of the following are violations or potential violations of the Fair Housing Act?

- A. A seller tells you he doesn't want to sell to African-Americans
- B. A sales associate puts the phrase "adults only" in an MLS listing
- C. Both A and B**
- D. None of the above

The fair housing laws prohibit all of the following, except:

- A. Refusal to show, sell, or rent a property because of disability**
- B. Expressing a preference for young adults in a listing comment**
- C. Evicting a current user of illegal drugs**
- D. Marketing your listings exclusively in a religious publication**

The fair housing laws prohibit all of the following, except:

- A. Refusal to show, sell, or rent a property because of disability
- B. Expressing a preference for young adults in a listing comment
- C. Evicting a current user of illegal drugs**
- D. Marketing your listings exclusively in a religious publication

Based on federal fair housing law, which of the following people would be protected:

- A. A divorced female, single parent**
- B. A 35-year-old single, Jewish man**
- C. A 50-year-old white man**
- D. All of the above**

Based on federal fair housing law, which of the following people would be protected:

- A. A divorced female, single parent
- B. A 35-year-old single, Jewish man
- C. A 50-year-old white man
- D. All of the above**

If a seller using a real estate agent refuses an offer because of the buyer's national origin, who may file a federal lawsuit against the seller?

- A. The prospective buyer**
- B. The real estate practitioner**
- C. The federal government**
- D. All of the above**

If a seller using a real estate agent refuses an offer because of the buyer's national origin, who may file a federal lawsuit against the seller?

- A. The prospective buyer
- B. The real estate practitioner
- C. The federal government
- D. All of the above**

In an advertisement for a small, two-bedroom house in a neighborhood where many families live, which of the following language is clearly improper under the Fair Housing Act?

- A. Small, cozy home in quiet neighborhood**
- B. Two-bedroom home, near playground and senior center**
- C. Family Friendly**
- D. No Children**

In an advertisement for a small, two-bedroom house in a neighborhood where many families live, which of the following language is clearly improper under the Fair Housing Act?

- A. Small, cozy home in quiet neighborhood
- B. Two-bedroom home, near playground and senior center
- C. Family Friendly
- D. No Children**

Under the REALTOR® Code of Ethics, the protected classes include:

- A. Race**
- B. Color**
- C. Religion**
- D. Handicap**
- E. Familial Status**
- F. Sexual
Orientation**
- G. Gender Identity**
- H. National Origin**
- I. Sex**



FAIR HOUSING: AN AGENT'S GUIDE TO KEEPING IT REAL

Instructor: Patrick McDowell
pmcdowell@kansascityhomes.com

