What is Fair Housing?

Fair housing laws are designed to protect individuals from discrimination in housing-related activities such as renting, buying, or securing financing for a home.

Key Laws and Regulations

Fair Housing Act (1968)

Prohibits discrimination based on

- Race
- Color
- National Origin
- Religion
- Sex
- Familial Status and Disability.

State and Local Laws

NAR's Code of Ethics adds sexual orientation and gender identity to the list of protected classes.

Common Forms of Housing Discrimination

- Refusal to rent or sell housing
- Falsely denying that housing is available
- Setting different terms or conditions for sale or rental
- Providing different housing services or facilities
- Stating discriminatory preferences in advertisements

Americans with Disabilities Act (ADA) (1990)

Prohibits discrimination against individuals with disabilities in all areas of public life, including housing.

Tenants must be allowed to make reasonable modification to their dwelling or common use areas, at their own expense, if necessary for them to fully use the house. The owner shall allow reasonable modifications if tenant agrees to restore the property to the original condition when s/he moves.

Implicit Bias

The Merriam-Weber dictionary defines implicit bias a bias or prejudice that is present but not consciously held or recognized.

Common Examples in Real Estate

- **Client Interactions** Assuming a client's housing preferences based on their race, ethnicity, or appearance.

- **Property Showings** Steering clients towards or away from certain neighborhoods based on their background.

- **Communication** Using different tones or levels of professionalism with clients from different demographic groups.

- **Background Checks** Selectively running background checks based on demographic

Steering

The practice of guiding prospective homebuyers or renters towards or away from certain neighborhoods based on their race, ethnicity, or other protected characteristics. Examples include:

- **Neighborhood recommendations –** suggesting specific neighborhoods

- **Selective Property Showings –** showing property in a specific area based on race

- **Biased Commentary –** suggesting a neighborhood is 'not suitable' because of race, gender, familial status, etc.

- **Different Treatment –** offering more or fewer options based on socioeconomic status or culture

- **Discriminatory Advertising –** marketing materials that subtly imply a specific demographic

Best Practices

These are a few best practices that realtors can follow, ensuring they provide fair, equitable, and unbiased services to all clients.

Fair Housing

Know the Laws	
Provide Equal Service	
Use Inclusive Language	
Maintain Transparency	

Implicit Bias

Self-Awareness	
Continuous Education	
Standardize Processes	
Promote Diversity	

Steering

Show Diverse Options	
Base Recommendations on Client Needs	
Avoid Assumptive Language	
Provide Object Information	

General

Regular Training	
Peer Accountability	
Community Engagement	
Regularly Review Practices	
Stay Informed About Neighborhoods	

Additional Resources

Harvard's implicit bias test
https://implicit.harvard.edu/implicit/takeatouchtestv2.html

NAR Fair Housing
https://www.nar.realtor/fair-housing-act

HUG Fair Housing and Equal Opportunity
https://www.hud.gov/program_offices/fair_housing_equal_opp