

# Equal Professional Service Checklist

Check your actions for each client

1. Develop policies or procedures concerning treatment of customers during their initial contact with your firm:
  - ☐ Hospitality (greeting, refreshments, etc.)
  - ☐ Explain the services offered by your firm relative to their needs
  - ☐ Explain nondiscriminatory commitment
  - ☐ Keep record of these contacts
  - ☐ Follow-up
2. Obtain objective information regarding the prospect's or customer's needs and wants:
  - ☐ Identify objective needs such as price, size, features and location
  - ☐ Respond to subjective requests to elicit objective criteria
  - ☐ Does my customer know what he or she is financially qualified to buy?
3. Let the customer set the limits in the housing search:
  - ☐ Provide prospective buyers and renters with complete and accurate information on the availability of housing, alternative methods of financing and other facts affecting the choice of location (such as schools, employment or transportation)
  - ☐ Allow the prospect to make the choices in features in a house or apartment, price, financing options, communities or areas
4. Offer a variety of choices:
  - ☐ In housing financing options
  - ☐ In location
  - ☐ With alternatives to all prospects
5. Require good record keeping for all prospects and inquiries:
  - ☐ Housing requested
  - ☐ Housing options and alternatives offered
  - ☐ Services provided
6. Establish methods of monitoring and evaluation.

# Fair Housing Laws

Laws and ordinances by federal, state, city and county

Protected Class	Laws		Ordinances										
	Federal	State	Alexandria City	Arlington Co.	Culpeper Co.	Fairfax Co.	Falls Church City	Fauquier Co.	Loudoun Co.	Madison Co.	Orange Co.	Prince William Co.	Rappahannock Co.
Race	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Color	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Religion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
National Origin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability/Handicap													
- Physical	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
- Mental	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Familial Status	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Elderliness		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marital Status			<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>					<input type="checkbox"/>	
Ancestry			<input type="checkbox"/>										
Age			<input type="checkbox"/>									<input type="checkbox"/>	
Sexual Orientation			<input type="checkbox"/>	<input type="checkbox"/>									


## For Further Information:

Housing Discrimination Hotline	800.669.9777
The Commonwealth of Virginia	804.367.8530
TDY	804.367.2753
Alexandria City	703.838.6390
Arlington County	703.228.3929
Fairfax County	703.324.2953
Falls Church City	703.248.5005
Prince William County	703.792.4680
TDY	703.792.4677

**Use the Virginia number for all other counties:**  
Culpeper County, Fauquier County, Loudoun County,  
Madison County, Orange County and Rappahannock County

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# Fair Housing Laws & the Real Estate Professional



## A Practical Guide to Discrimination Prevention

*The Realtor® Associations of Northern Virginia are committed to the principles of fair housing. Providing this brochure to all our members is only part of that commitment. The Associations believe fair housing is a fundamental philosophy that should be practiced every day. Understanding and complying with fair housing laws will pay off in protecting business.*



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Prepared by the Northern Virginia Association of REALTORS®, Inc.

# Fair Housing Laws...

*This brochure provides a quick review of the federal, state and local fair housing laws. Keep it available as a reference tool that you can use every day.*

## FEDERAL FAIR HOUSING LAWS

### The Fair Housing Act of 1968

Prohibits discriminatory practices in the sale, rental or financing of housing based on race, color, religion, national origin, familial status or disability (mental or physical). With a few limited exemptions, this law covers all residential housing. A showing of intent to discriminate is not necessary for prosecution under the law.

### The Civil Rights Act 1866

Prohibits racial discrimination in the purchase, sale or rental of real and personal property, without exemption or exception. The Supreme Court recently held that this law's protections may also apply to certain ethnic and religious groups.

### Who is Liable?

The real estate firm, broker, owner and even investors in property can be sued under the federal fair housing laws if an agent is found to have discriminated. All can be held liable.

### Testing

- Testers pose as actual home buyers or renters in order to check on a particular agent or firm's adherence to fair housing laws.
- Failure to give a minority tester truthful information about the availability of housing may be a violation of the Fair Housing Act; minority testers generally have the right to sue the agent and the firm under the 1968 Fair Housing Act.
- Testing is not entrapment, and you cannot sue a tester for taking your time.
- It is virtually impossible to spot a tester.
- The only way to protect yourself is to make sure that you know and follow the law.

## VIRGINIA FAIR HOUSING LAW

Prohibits discrimination in the sale, rental or financing of residential housing based on race, color, sex, religion, national origin, familial status, elderliness and handicap. Like the federal Fair Housing Act, there are few limited exemptions.

## NAR REALTOR® CODE OF ETHICS

The Code of Ethics also provides additional protection to clients and customers based on their sexual orientation.

## SUCCESSFUL REALTORS® KNOW FAIR HOUSING PRINCIPLES

### The Seller: Listing the Property

Federal, state and local fair housing laws prohibit brokers and agents from entering into listing agreements with sellers who restrict the rental or sale of a house on the basis of the race, color, sex, religion, national origin, familial status, elderliness or disability of potential buyers. In addition, these factors cannot be used in arriving at a market value for the listing.

If a seller insists on the inclusion of discriminatory factors in the listing, the agent should:

- Inform the seller that such inclusion is illegal under federal, state and local law.
- Give the seller a copy of *What Everyone Should Know About Equal Opportunity in Housing*, published by the National Association of Realtors®, or a copy of this brochure.
- If the seller continues to insist that the listing include the discriminatory conditions, the agent must refuse to take the listing, and must inform the seller that it would be illegal to take the listing.
- The agent must immediately inform the broker, giving full details of the situation and actions taken. Brokers and firms become as liable for discrimination as the seller if they accept such a listing.

### The Buyer: Qualification Procedures

It is illegal to qualify a buyer differently based on race, color, sex, religion, national origin, familial status, elderliness or disability, and any additional protected class, such as sexual orientation. Any qualification process should determine the buyer's needs in a non-discriminatory way.

To comply with fair housing laws, the agent must:

- Use objective criteria for qualifying all buyers. For example, financial information such as annual income, credit history and employment are all legitimate areas of inquiry when qualifying buyers.
- Employ all qualification procedures uniformly and equally. Remember, you violate fair housing laws if you do not qualify all buyers in the same way.

*Realtors® are encouraged to adopt a fair housing declaration outlining their commitment to fair housing.*

### Steering

Steering is conduct intended to influence a buyer's choice of housing based on race, color, sex, religion, national origin, familial status, elderliness, disability or any locally protected class. For example, steering occurs when the Realtor® directly or indirectly influences a buyer to select housing based on the racial makeup of the area.

If the buyer does ask about the racial composition of an area, the Realtor® should respond to the question by referring the buyer to local government agencies that would have this demographic information. Any other response might be misinterpreted and could be illegal under the fair housing laws.

### The Fair Housing Partnership Agreement

The National Association of Realtors® (NAR) and the U.S. Department of Housing and Urban Development (HUD) have reaffirmed their commitment to fair housing in all communities across our nation.

The partnership is based on the following principles:

- All participants in our nation's housing market share a responsibility for achievement of fair housing.
- On an ongoing basis, the HUD and NAR partnership will jointly identify fair housing concerns and issues which need to be addressed.
- The partnership will develop measurable strategies and actions to further fair housing goals.
- The partnership will evaluate the results of the actions taken to determine future strategies and actions.
- The partnership is national in scope but will be implemented both on the local community level and national level.

