

Fair Housing *and* Your Buyer's Rep

The Federal Fair Housing Act, enacted in 1968, is designed to prohibit discriminatory practices when buying and selling homes. Administered by the U.S. Department of Housing and Urban Development (HUD), the law prohibits housing discrimination against seven protected classes—race, color, sex, religion, national origin, familial status and/or physical and mental handicaps.

Fair Housing marked a significant step forward in protecting civil rights for all people. The law covers most types of housing, and includes compliance guidelines for landlords, property managers, builders and real estate agents. The chief concern for buyer's reps is that they not engage in steering, the act of directing home buyers (or tenants) to a particular area that is chosen by the agent, not the buyer.

HOW DO FAIR HOUSING LAWS AFFECT YOUR HOME SEARCH?

Many home buyers want and expect their buyer's rep to help them make good choices in their home purchase. Consumers know that real estate agents are intimately familiar with certain neighborhoods, so it's logical that buyers would seek out their professional advice.

However, your buyer's rep may not be allowed to answer all of your questions, including questions about whether a neighborhood is safe, or the racial composition of an area, or whether the schools are good. Instead, buyer's reps are instructed to direct you to helpful sources of information so you can evaluate neighborhoods on your own.

This is because, under the Fair Housing law, it is unlawful for an agent to engage in any conduct that is discriminatory towards any of the seven protected classes. Whether a neighborhood is safe, for example, is a subjective decision. Your buyer's rep can suggest the best Web sites and other resources to gather related facts. But ultimately, buyers must form their own opinions about whether a home or a neighborhood is desirable to them.

IT'S A BUYER'S CHOICE.

A real estate professional should never steer you toward or away from a particular neighborhood if the homes there fit your needs and are within your range of affordability. However, there is no law restricting buyers

from making choice-limiting decisions or ruling out certain properties or neighborhoods based on factors that are important to them. If you prefer a particular neighborhood, that is your choice, and you can share these preferences with your buyer's rep.

Ultimately, Fair Housing is designed to help all buyers achieve the dream of home ownership on their own terms. By researching neighborhoods that interest you, and giving serious consideration to your needs and preferences, you will be able to make a smart, informed home purchase—one you can enjoy for many years to come.

