



GUIDE TO DEVELOPING FAIR HOUSING PARTNERSHIPS



**Developed by the NATIONAL ASSOCIATION OF REALTORS® FOR
USE BY LOCAL AND STATE ASSOCIATIONS OF REALTORS®**

FOREWORD

Martin Luther King, Jr. said that "people hate each other because they fear each other, they fear each other because they do not know each other. They do not know each other because they ... are separated from each other."

It is impossible to put a price tag on the damage housing discrimination does to the individual, the neighborhood, the city and the nation. The segregation of African Americans, Latinos and Asians is immediately apparent in every major city. This, along with segregation of people with disabilities, families with children or different religious groups, which is often less apparent, seriously impacts our nation and our ability to provide equal housing opportunities.

Housing remains a quality of life issue and the right to choose where we live is as important as the right to equal education, employment opportunity and the right to vote. Fair Housing historically has been the last civil right to be recognized and the most difficult to secure. When President Lyndon Johnson signed the Civil Rights Act of 1964 into law, fair housing was not included and protection from housing discrimination remained a dream. It took the assassination of Martin Luther King, Jr., and the sight of smoke rising from the neighborhoods bordering on the Capitol, to end a filibuster on the Senate floor and bring about the enactment of the Fair Housing Law in 1968.

Fair housing continues to be one of the most challenging problems facing the nation and it cannot be separated from the larger issues of justice and opportunity. President Clinton in announcing his new Race Initiative challenged Americans to realize that the "divide of race has been America's constant curse", and that "the struggle to overcome it has been a defining part of our history."

For over 20 years, REALTORS® actively pursued the achievement of fair housing through a Voluntary Affirmative Marketing Agreement (VAMA) with HUD. The VAMA helped to elevate the importance of fair housing across the nation and resulted in REALTORS® leading the housing industry in its commitment to fair housing.

The Department of Housing and Urban Development (HUD) and the NATIONAL ASSOCIATION OF REALTORS® (NAR) decided after 20 years that a new approach was needed to build upon the VAMA's success. Realtors® no longer needed an agreement to follow the law and to live up to the principles of fair housing. The new HUD/NAR Fair Housing Partnership builds upon the past while looking to the future.

The HUD/NAR Fair Housing Partnership also affirms the President's vision of Americans working together to stamp out housing discrimination and finally end the separation, isolation, and mistrust which it creates.

The late Supreme Court Justice Thurgood Marshall said "that while laws can remove barriers they cannot change peoples hearts; only building bridges of understanding and tolerance can do that".

The actions proposed in this Partnership Guide represent an important step in building a bridge to ensure One America. The freedom and dignity of choosing where we live is a choice every American must have.

INTRODUCTION

The 1960s saw an end to legal segregation. People of all racial and ethnic groups are able to attend the same schools, drink from the same water fountains, and live in the same neighborhoods. However, the reality is that in many communities de facto racial segregation still exists. This is especially so in places where people live and work.

Any review of America's metropolitan areas shows that African-Americans, Latinos, Asian-Americans and other minorities tend to live outside predominantly white communities. The situation often reflects decisions made by individuals belonging to specific racial groups to live in non-racially-mixed communities. It can also reflect continuing discrimination in the nation's housing markets.

If current demographic trends continue, the racial and ethnic mix of America is going to become even more diverse. **The challenge ahead is to ensure that neighborhoods and communities reflect these trends, and that all people regardless of race or color, national origin, gender, with or without disability and regardless of familial status, have freedom to choose the home and neighborhood of their choice. Fair Housing activities, whether through enforcement, education, voluntary programs or a combination of these, respond to a dream unrealized and the vision of a housing market free from discrimination.**

HUD and NAR entered into their first Voluntary Affirmative Agreement in 1975, and after several revisions and renewals, the VAMA expired in December of 1996. The VAMA sought to encourage individual real estate firms to take appropriate steps to ensure that their agents followed the fair housing law. The VAMA also encouraged Realtors® and real estate firms to support the "**spirit of the fair housing law**" through a variety of equal housing opportunity programs including outreach, advertising, equal employment practices, safeguards against racial steering and other steps, that helped housing to be marketed on an equal opportunity basis.

As successful and well intended as the VAMA was, it often placed process ahead of results and often worked against its objective of affirmatively furthering fair housing. The VAMA required endless reports and records on the status of member Realtor® firms to a degree that left many important fair housing issues unaddressed.

The new HUD/NAR Fair Housing Partnership is **results oriented** and gives far less attention to process. The new Partnership focuses on the identification and eradication of housing discrimination in our communities. Because housing discrimination issues and priorities differ from community to community, the new national partnership is intentionally flexible and fluid. The HUD/NAR Partnership recognizes that fair housing is a collaborative endeavor requiring shared involvement by partners in activities such as training, self-testing, public education, affirmative marketing and the promotion of housing choice and opportunities across racial and ethnic lines.

The HUD/NAR Fair Housing Partnership is founded on the principle of providing support for and focusing attention on the implementation of local community initiatives. At the national level, HUD and NAR will regularly meet to identify national

issues and concerns, develop joint strategies and actions to address housing discrimination, and review successes. In this ongoing fluid and flexible arrangement, the partnership's determinations and actions on fair housing will likely change from year to year.

Because of the varying issues and differing circumstances in local communities, no specific model for a local partnership was developed by HUD and NAR. NAR, local associations and HUD field offices are encouraged to develop local fair housing partnerships based on the following principles of the national partnership:

- Sharing responsibility for the achievement of fair housing,
- Identifying fair housing issues and concerns,
- Developing measurable strategies and actions to address identified issues and concerns,
- Evaluating the success of actions taken, and
- Determining future strategies and actions based on that evaluation.

This Fair Housing Partnership Guide, while based on the national partnership principles, offers alternative suggestions for developing and implementing partnerships. The Guide also provides helpful advice to those parties interested in ratifying or participating in an existing partnership.

WHY A PARTNERSHIP

Fair Housing is at a turning point in history. Advocates and industry leaders who once sat almost exclusively at opposite ends of a settlement table, increasingly sit side by side in the negotiation of partnership agreements to fight housing discrimination and to encourage diverse communities. The theme of "partnership" most accurately describes the activities of fair housing advocates and housing providers alike.

Partnership by definition means that one party is cooperating with another in a joint venture or challenge, and that they are doing so through an arrangement in which each party has equal status and a high degree of independence. Partners to the arrangement, also share common responsibilities and obligations.

Great strides have been made in opening housing markets, in giving all Americans an equal opportunity to live wherever they choose. Unfortunately, the need to vigorously enforce fair housing laws remains as urgent today as ever; housing discrimination, although less obvious and pervasive than in years past, still exists.

Fair housing strengthens families and stabilizes communities. It encourages homeownership and through homeownership, it encourages savings and investment, economic and civil responsibility and provides greater opportunity for personal control and family security. Expansion of home ownership through fair housing strengthens the economy and creates jobs.

Americans must all work together to end housing discrimination. The Fair Housing Act is an indispensable tool in this effort, by fortifying those partnerships that make the nation stronger, and a better place for all to live.

WHY A PARTNERSHIP: THE REALTOR® PERSPECTIVE

The right to own, transfer and use real estate and housing is the underlying mission of the National Association of REALTORS®. Discrimination impedes that right by denying people access to the ownership and use of housing and inhibiting real estate professionals whose business is built on the ability of all people to buy, sell, lease and occupy real estate. Fair housing laws, which protect these rights, need strong enforcement. Realtors® accept and expect that the law will be enforced. In fact, many Realtors® are exercising their rights under the Fair Housing Act and their responsibilities as real estate professionals by filing complaints and helping others file complaints alleging housing discrimination.

The National Association of REALTORS® entered into the Fair Housing Partnership with HUD in recognition that REALTORS® are committed to fair housing and will seek training to learn how to put that commitment into practice. This commitment, coupled with enforcement of the law, will work to help REALTORS® consistently provide equal housing opportunities. Housing discrimination will not go away just by making sure REALTORS® don't discriminate. REALTORS® continue to have experiences where a seller, buyer, lender, attorney, city official or someone else seeks to take action which would violate fair housing laws. These actions impede the ability of REALTORS® to do their jobs and they harm the very communities in which REALTORS® live and work. All of these factors led to the development of a new

relationship on fair housing, a partnership.

It is important that the Association of REALTORS® coordinate fair housing activities with HUD. HUD is charged by the Fair Housing Act to work with housing industry organizations and community groups on fair housing education and voluntary programs. As our national partner, HUD is committed to this new model. With offices in every state HUD is in a position to recruit involvement of others, especially fair housing groups and government agencies that receive HUD funds. HUD has access to a great deal of information on discrimination occurring in the housing market. Because we are in partnership nationally, state and local Associations should first explore ways to develop partnership activities with HUD offices.

REALTORS® already work in coalition on many issues, and have, through the REALTORS® Association, participated in partnerships in support of fair housing legislation such as that requiring continuing education in fair housing for real estate licensees. The REALTORS® role in supporting fair housing carries with it a responsibility to assure that fair housing efforts and rules will be effective in the housing market place. REALTORS® know the real estate market, but may not be knowledgeable on all the intricacies of fair housing. Fair housing advocates are not always knowledgeable on real estate. A partnership between REALTORS® and advocates provides a unique opportunity to design solutions which will have a substantive impact and be effective in the market.

WHY A PARTNERSHIP: HUD'S PERSPECTIVE

The HUD/NAR Fair Housing Resolution establishes a renewed partnership between HUD and the National Association of REALTORS®. It is an example of the Department's execution of the Congressional directive in Section 809 of the Fair Housing Act to "work out programs of voluntary compliance and of enforcement."

HUD and REALTORS® were achieving their best voluntary fair housing results where HUD and local REALTORS® were engaged in partnership activities which were not simply tied to the VAMA. It was where HUD and NAR, at the local level, were rightly recognized as leaders among other Federal agencies and housing groups in the ongoing struggle against housing discrimination.

The new HUD/NAR Partnership accepts that Realtors® want to obey the law. It acknowledges that shared responsibility to achieve fair housing is the way of the future. The Resolution rejects the notion of adversity and views it as being outdated and without relevancy. The Resolution is consistent with the way HUD is changing, HUD is becoming **mission focused, community based, customer oriented, and results directed.**

THE HUD/NAR Partnership Resolution is the new way to approach fair housing. The resolution is not punitive in its language or intent. It provides a new proactive way to help shape the future of fair housing. The Resolution places a new emphasis on constructive solutions to fair housing issues within individual communities, and it buttresses the efforts of the National Partners in Homeownership, as they move to implement the "Opening Markets" component of their national strategy.

HUD can find a valuable resource in the Association of REALTORS®. NAR has over

1700 local associations which participated in the VAMA and in other fair housing programs for more than 20 years. Realtors® often lead fair housing efforts in their communities. Realtors® also produce and sponsor credited fair housing training programs and publish and distribute helpful fair housing literature and guidance materials. Realtors® remain the public's primary source of information on home buying.

NAR has worked well with HUD to educate its members about fair housing law and responsibilities. NAR and HUD can now work together to recruit other organizations to national and local partnership efforts. Some of the organizations include: local fair housing advocacy groups, civil and human rights organizations, units of state and local governments, especially community development and planning offices; housing non profits, and housing industry groups.

Step 1 Preparing for Partnership at the Association of REALTORS®:

Before meeting with HUD or other partners, it is important that the Association's Equal Opportunity Committee discuss the new National Fair Housing Partnership Resolution and its implications. Although some state and local Associations have had good partnership arrangements in their communities, this new arrangement may be new, untried and untested, for many. The Association should review its past and ongoing fair housing efforts and assess the impact of its efforts to eliminate barriers and impediments to fair housing.

For example, fair housing education has proven to be successful in helping Realtors® follow the law and affirmatively promote fair housing. Other efforts may not have been as effective. Association members should determine which fair housing efforts were successful and which new ones should be pursued in collaboration or partnership with others. If partners were involved in earlier efforts, how do they now feel about the future? The Association should be better prepared to deal with future arrangements after having reviewed past and present accomplishments, opportunities and problems.

After the Association has reviewed its fair housing history, it can begin to discuss the elements of a partnership on fair housing. The partnership principles discussed in the Introduction to this Guide are taken from the national HUD/NAR Resolution and are broadly focused so that they can serve as a helpful model for developing a local fair housing partnership. The Association should also discuss whether to invite other state or local Realtor® Associations to be involved in its partnership efforts. It may make sense in some metropolitan areas and closely linked communities for NAR neighboring associations to work together on fair housing issues and concerns.. It may be advantageous in other areas for the State Association to coordinate efforts for a number of communities.

Association of REALTORS® Fair Housing Program

The Fair Housing Partnership recognizes that REALTORS® are committed to fair housing and will continue to seek up to date fair housing information and education. Members will expect the Association of REALTORS® to make sure that fair housing education materials and classes are available. In order to allow flexibility in the Association's fair housing program for members, the new Fair Housing Partnership does not spell out an expected fair housing program for the state or local Association.

It is important that state and local Associations continue to address fair housing. Suggested components of an Association fair housing program are as follows:

1. Assignment of fair housing issues to an appropriate governance body that has authority to recommend fair housing policies and programs. Traditionally, this assignment has been made to the Equal Opportunity Committee.
2. Continued availability of up to date and accurate training for members on fair housing practices. NAR has two courses on fair housing, *Fair Housing - Opening Doors to Equal Opportunity*, and *Fair Housing in the 90's - Rental*.
3. Availability of fair housing information and materials for use by members. NAR publishes a *Fair Housing Handbook*, the *What Everyone Should Know About Equal Opportunity in Housing* brochure, and participant material for the two courses listed above. Continue the publication of fair housing information in your newsletters and other publications, including internet sites.
4. Establish and maintain partnerships and coalitions. Use this *Fair Housing Partnership Guide* in these efforts.

At the HUD Field Office:

The HUD/NAR Partnership Resolution calls for a new approach to achieve Fair Housing. This new approach is based on the collective experiences of the past and a new appreciation for the challenges and opportunities of the future. This new approach emphasizes local partnerships and local community actions. The new approach is short on process and strong on possibilities, opportunities and results. The new approach is about leaving no one behind and providing housing opportunities for all.

It is within this context that HUD Field staff should begin a preliminary analysis to determine the current local fair housing environment and the relationship of that environment to present fair housing actions or inactions. The analysis should identify persons and organizations having influence and impact on fair housing issues in the community, and it should facilitate the identification of potential parties to a new local partnership arrangement.

Partnerships may already have been formed when communities embarked on the fair housing planning process put in motion by HUD. Fair housing organizations teamed up with local governments and others to analyze the obstacles - legal, practical, or political - to housing choice and equal opportunity. These same partnerships are now devising fair housing plans that address the impediments as they have been identified and prioritized.

Step 2 Initiating Partnership and Approaching Potential Partners

The national partners, HUD and NAR, are committed to encouraging local partnerships between HUD field offices and state or local Associations of **REALTORS®**. The partnership approach is new to much of HUD and NAR. This means that while some HUD offices and state or local Associations are already building partnerships, many others are learning how to move beyond the compliance model of the VAMA. The national partnership provides a model for discussion, planning, and action, whose success depends on local initiatives that anticipate and develop solutions to real problems.

Local partnership efforts may be initiated by state or local Associations, HUD field offices, or other organizations.

POTENTIAL FAIR HOUSING PARTNERS

Fair Housing Organizations - Fair housing organizations, including human relations commissions and voluntary, nonprofit organizations focusing on fair housing problems. For more information <http://www.fairhousing.com>.

Local Governments - Local governments in the metropolitan area or region (even if the jurisdiction is not participating in metropolitan or regional fair housing programs).

Advocacy Groups - Advocacy groups and organizations that have among their concerns the needs of particular segments of the population, such as people with disabilities; families with children; immigrants and homeless persons; and specific racial or ethnic groups.

Housing Providers - Housing provider representatives, in particular those who are aware of, and can speak to, the problems of providing moderate and low-cost housing in the community; and representatives of landlords/owners.

Banks and Other Financial Institutions - Banks and other financial institutions that can provide loans and other financial support to improve homes or areas of the community where living conditions have deteriorated.

Educational Institutions - Educational institutions and their representatives, including the administrators and teachers/professors who can assist in conducting studies and developing educational activities for delivery in formal and informal settings.

Other Organizations - Other organizations and individuals, such as neighborhood

organizations and representatives, that can provide information, ideas, or support in identifying impediments to fair housing at the neighborhood or other geographic level and in developing and implementing actions to address these problems.

Before contacting and meeting potential partners, make sure you can clearly and succinctly state your objective for entering into a Fair Housing Partnership. Potential partners will want to know that you are serious about ending housing discrimination and helping people live and work together across racial and ethnic lines. You must be able to clearly articulate your goals, objectives and vision for the partnership. You must be prepared to sell the idea of support and involvement by others. You should also be prepared to listen carefully to what the other organizations are saying in their responses to your invitation and be prepared to meet more than once with each potential partner.

It is likely that many fair housing organizations will seek to develop partnerships and may take the lead in pulling together a broad spectrum of organizations to address fair housing issues in the community. If the Association of REALTORS® or HUD field offices are approached to participate in such a partnership, they should listen to and understand the goals and objectives of the potential partners and request that the partnership reach out to both the Association of REALTORS® and HUD field office.

HUD's task after engaging in the process set forth in Step One (Preparing for Partnership) is to reach out to fair housing advocates, housing industry leaders, and all persons interested in fair housing partnering. HUD staff must make clear that their mission as a government agency is to find ways to build upon their strengths and supplement those strengths – not supplant them. HUD staff must make clear that their job and that of the Department is to build the capacity of other partners to the arrangement, so they can be more effective in helping to address fair housing issues and concerns in their local communities. HUD is expected to provide the legal and institutional framework for both voluntary fair housing efforts and enforcement, and to assist others in building the capacity to sustain success.

The overriding principle in approaching potential partners is to strengthen existing lines of communication or where none exist, establish them. In short – to establish relationships and begin a broad-based fair housing dialogue that can lead to a meaningfully local partnership. This approach ultimately should allow the participants to settle upon a common vision and to frame fair housing issues and concerns that can be addressed in collaboration.

Step 3 Reaching An Agreement

Identify and review the shared goals of the various partners and begin to discuss reasons why those goals have or have not been met. Having common goals and a shared understanding of why those goals have not been met, is necessary to the development of successful fair housing strategies and actions. Communities which have completed an Analysis of Impediments (AI) to Fair Housing Choice as part of their fair housing planning process, may already have some information that can help the various parties to the fair housing partnership. An AI is simply a blueprint for identifying housing and lending barriers that a community has determined it should address. HUD's *Fair Housing Planning Guide* gives some tips on the analysis of impediments.

It is not necessary that local partners adopt the national Partnership Resolution. The vision is that local partners will develop their own partnership arrangements and

determine how best to formalize their local efforts. The value of a local partnership rests in tailoring strategies and actions to address local concerns. The structure of your relationship depends on who is involved and whether the emphasis will be on one or a limited number of "projects" or a more comprehensive set of strategies. In addition, many existing partnership efforts embody the spirit of the national partnership and should continue. There is no need to replace something that is working.

The new partnership differs from that of the VAMA, because there is no intention for the partners to monitor the state or local Association's activities or those of its member firms. The Fair Housing Act and the REALTOR® Code of Ethics provide clear mechanisms to address housing discrimination allegations against individual real estate agents and firms. The focus of the new partnership is aimed at joint or shared actions, and the partnership as a whole is accountable for the success of its own actions and strategies.

There should be agreement on how the partners will determine issues and concerns, develop strategies and actions, and measure the success of those strategies and actions. These discussions can lead to a more formalized ongoing relationship among partners or an agreement that they will meet periodically to plan and evaluate the local partnership.

In addition to the NAR/HUD National Fair Housing Partnership Model, there are many other ways to implement similar partnerships at the local level:

Partnership Models

Single Issue Coalition - A local partnership might form around a single fair housing related issue or campaign. Fair Housing Month is an example of an activity designed to promote fair housing and educate the public on fair housing issues. Coalitions between Associations of REALTORS® and community based organizations have addressed issues such as the relationship between school quality and neighborhood choice, residential segregation, and continuing education requirements.

Fair Housing Advisory Boards - Some fair housing agencies have established community advisory boards that involve local government and housing industry representatives in discussions regarding their work. These discussions can lead to agreement on shared actions to address local fair housing needs.

Fair Housing Planning - A number of communities have developed fair housing plans to address local impediments to fair housing choice. Some communities have endeavored to involve a cross section of the housing community in their planning efforts. Continuing these efforts can serve to achieve the purposes of the Fair Housing Partnership.

Home Ownership Efforts - The National Partners in Homeownership is a coalition of over 60 national organizations working to increase homeownership levels across the nation. These national efforts incorporate a commitment to opening markets to remove discriminatory barriers to homeownership. The National Partners in

Homeownership strategies strongly encourage the development of local home ownership efforts. Working with these local homeownership efforts and promoting fair housing as a major activity of local partnership goes a long way toward integrating fair housing into the community. Local affiliates of the National Partners in Homeownership are natural allies and supporters of the National Fair Housing Partnership.

Step 4 Identifying Issues, Planning Actions and Evaluating Success

Although there may be many impediments to fair housing in a community, decisions must be made regarding which issues or concerns should be addressed first. Both HUD and NAR have limited resources, and many demands on these resources. Other organizations in a partnership face similar restraints. Carefully marshaling the resources of several organizations can greatly increase each organization's effectiveness.

The HUD *Fair Housing Planning Guide* has many suggestions and examples of actions that have been designed to address specific impediments to fair housing choice. The National Partnership Resolution lists a limited set of actions which have local parallels. For example, the National Partners will develop a fair housing publicity kit. A local partnership, using the kit and other materials, could develop a campaign to educate the communities residents about fair housing. The strategies and actions should be collaborative, designed to involve the widest spectrum of the housing community, and intended to produce measurable results within set time frames

HUD and NAR have identified five national issues to be addressed, beginning in 1997. These issues have a local or community corollary.

Using the REALTOR® Fair Housing Declaration

The new Fair Housing Partnership provides Realtors® with a great deal of flexibility in developing fair housing practices. The ability to address fair housing in a manner that best fits a real estate firm's business environment and style provides exciting opportunity, but raises many questions about the best way to take advantage of the opportunity. Realtors® are encouraged to use the Fair Housing Declaration adopted by the National Partners to promote fair housing to the public and within their individual firms.

REALTORS® are not asked to sign a document with HUD to demonstrate a commitment to fair housing. That commitment is part of the REALTOR® Code of Ethics, real estate license requirements and the laws of the land. Because there is no document to sign, there is no list or form outlining what every REALTOR® should do. Instead, NAR and HUD developed a declaration of general fair housing principles. This Fair Housing Declaration is available to any REALTOR® to use to promote fair housing to the public and within the firm. The declaration contains the following principles:

Provide equal professional service without regard to the race, color, religion, sex, handicap, familial status, or national origin of any prospective client, customer, or of the residents of any community.

This is required by law and training is available from NAR. The equal service model calls for the use of systematic procedures, using objective information, letting the customer set the limits, and offering a variety of choices. This commitment is included in the declaration as a basic principle of fair housing.

Keep informed about fair housing law and practices, improving my clients' and customers' opportunities and my business.

Fair housing education is an ongoing process. A basic fair housing course is a prerequisite, but must be supplemented because the law and community concerns change over time. Updates may be obtained from many sources including newsletters, classes, newspaper articles, discussions with community fair housing leaders, and office fair housing meetings. NAR's fair housing course - *Fair Housing - Opening Doors to Equal Opportunity* contains several modules - from an introduction to fair housing to one tailored for brokers.

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.

The law prohibits discriminatory advertising. You can take this one step further by using inclusive advertising that indicates everyone is welcome. For example, you may not use human models of only one race in a series of ads without risking a violation. Many advertisers have responded by not using human models at all. If you consciously use human models of multiple races in integrated settings you are indicating that everyone is welcome.

Inform my clients and customers about their rights and responsibilities under the fair housing laws by providing brochures and other information.

Letting clients and customers know about their fair housing rights and responsibilities is an important step towards ending discrimination in the housing market. Informed customers can better recognize discrimination and address it. The information also reduces the likelihood that you will be asked to discriminate or face a discriminatory decision by a client or customer.

Document my efforts to provide professional service, which will assist me in becoming a more responsive and successful REALTOR®.

Documentation is important not only for risk management, but also to assist you in learning where you can improve. Documentation also provides you with tools to help you solicit repeat business and gives you invaluable clues into market trends.

Refuse to tolerate noncompliance.

Noncompliance with fair housing laws impacts your ability to do business. Find ways to address those who appear to be violating the law and help them understand the importance of fair housing to your business - and theirs. If discrimination continues, you cannot in any way be associated with it. As a last resort, make sure any customers or clients who have been victim to the discrimination know how to file a complaint alleging discrimination. Remember, the law protects you too, and you may file complaints on your own behalf. Use the Code of Ethics to educate fellow REALTORS® as well.

Learn about those who are different from me, and celebrate those differences.

We live in an increasingly diverse nation. By the year 2010, nearly 1/3 of our nation's population will be minority. We are not a melting pot and there are real differences in our cultures - not only based on race and ethnicity. It is important to learn about the differences between people and celebrate how those differences contribute to our society.

Take a positive approach to fair housing practices and aspire to follow the spirit as well as the letter of the law.

Treat fair housing in a positive light - fairness and equal opportunity are key elements of a real estate market where there are no barriers to the ownership, use or transfer of real estate. Discrimination is an impediment; fair housing is the positive answer to discrimination. The spirit of the law is to provide for fair housing which means a free and equal choice based on complete information on the market. That is our business and we should be about the spirit of fair and open housing markets, not just following the letter of the law.

Develop and implement fair housing practices for my firm to carry out the spirit of this declaration.

A commitment to principles cannot be complete unless we have procedures in place and in use to address how those principles are to be implemented. Nothing substitutes for clear procedures outlining how we do business. These procedures can and should be tailored for you and your firm and should be flexible to meet your

needs as well. Sample procedures are available in the NAR *Fair Housing Handbook*.

REALTORS®, working individually, in their firms, and through the association, can make the REALTOR® Fair Housing Declaration relevant to the fair housing issues REALTORS® and the community face every day.

CONCLUSION

The HUD/NAR Fair Housing Partnership represents a significant commitment by the National Association of REALTORS®, to take an aggressive role in eliminating housing discrimination. NAR realizes that America is becoming an increasingly multiethnic and multiracial society and that new policies and strategies are required to foster, access, mobility and opportunity in housing for all of its people.

The new HUD/NAR partnership represents the future and it seeks to undo the patterns of separate and unequal housing that are widespread throughout America. Housing discrimination places a devastating burden on racial minorities. The U.S. Supreme Court has found that whites can also be harmed by housing discrimination, for it violates their rights to associate with minorities.

The success of the new Partnership will depend upon the extent to which it is enthusiastically and successfully embraced in local communities, by NAR, HUD, policy makers, activists and regular citizens. The vision of the Partnership is that one day neighborhoods and communities will no longer be known as the white, black, Latino or Asian neighborhood or community, **but simply as a neighborhood and a community.**

Fair Housing Partnership - Frequently Asked Questions

I want to show support for Fair Housing. Do I have to use the Fair Housing Declaration contained in the Fair Housing Partnership resolution? Do I sign it? May I change it?

NAR and HUD encourage REALTORS® to adopt the REALTOR® Fair Housing Declaration. The declaration contains a broad set of fair housing principles. The importance of the declaration is the affirmative declaration in support of fair housing. There is no requirement to use the declaration, and there is no requirement that it be signed. You may make changes to the declaration, but, if so, it should no longer be called the REALTOR® Fair Housing Declaration.

What does the line in the Fair Housing Declaration about "Celebrating Differences" mean? I thought we were supposed to treat everyone equally.

We are a diverse nation and people have many different cultures. The law prohibits us from discriminating on several bases, including race and national origin. Understanding the cultural variables and celebrating our diversity enables us to better serve customers and clients from different cultures. We continue to provide equal professional service, but do so in a way that shows respect for the cultural, racial and ethnic backgrounds of all people.

A number of our members are builders and developers and signed the VAMA in lieu of developing Affirmative Fair housing Marketing Plans. What do they need to do now if they want to offer FHA financing for their project, and what can I offer these members that they can't get elsewhere?

The ending of the VAMA also ended the ability of firms to reference their REALTOR® VAMA status in lieu of developing individual Affirmative Fair Housing Marketing Plans. Any new developments where FHA financing is offered will not be approved by HUD unless there is an Affirmative Fair Housing Marketing Plan. A Model Affirmative Fair Housing Marketing Plan has been approved by HUD and NAR for REALTORS® to use.

The local HUD office wants our Board to hurry up and sign the new partnership agreement. How do we do that?

There is no specified agreement for the Board to sign with the local HUD office. The national Fair Housing Partnership encourages local HUD offices and REALTOR® Associations to enter into similar partnerships. You should meet with the HUD representative and discuss your shared goals and identify actions to address specific issues. Once this is done, you can decide whether a formal agreement between the Board and the local HUD office is needed.

Now that the VAMA has ended, does this mean my firm doesn't have to worry about fair housing education and office procedures any more? I'm really glad I don't have to keep Equal Service Reports anymore.

The VAMA was a voluntary program and contained a set of valuable fair housing practices, including fair housing education. The Fair Housing Act is still the law of the

land and actions which result in housing discrimination can trigger a fair housing complaint. Penalties for violating fair housing laws can be severe, including the loss of a real estate license. Good, ongoing fair housing education is one of the best tools available to avoid the risk of violating the law. Record keeping, like the Equal Service Report Form, provides additional tools for a broker to monitor the firm's agents and to use when defending against a complaint.