



WHAT IS

FAIR HOUSING & EQUAL OPPORTUNITY HOUSING

A GUIDE TO UNDERSTANDING
THIS **RESPONSIBILITY** AS A
REAL ESTATE PROFESSIONAL

A REAL ESTATE EBOOK FROM



FAIR HOUSING & EQUAL OPPORTUNITY



FAIR HOUSING is the right to choose housing free from unlawful discrimination. Federal, state, and local fair housing laws protect people from discrimination in housing transactions such as rentals, sales, lending, and insurance.



EQUAL OPPORTUNITY gives equal access to all persons and grants the “equal opportunity” when it comes to renting or purchasing.



BOTH PRACTICES

not only underline and establish the importance of us all being equals, but they also bring great benefits. Inclusion and opportunity are what help us grow as a community, individuals, and as a country.

LAWS & POLICIES ENACTED TO PROTECT CITIZENS' RIGHTS

There have been a number of different laws and policies put in place throughout history to **protect citizens' rights**, for both living and for real estate transactions.



▶▶ **1866** CIVIL RIGHTS ACT OF 1866

▶▶ **1968** FAIR HOUSING ACT

▶▶ **1974** EQUAL CREDIT OPPORTUNITY

▶▶ **1990** AMERICANS WITH DISABILITIES ACT



CIVIL RIGHTS ACT | 1866

The Civil Rights Act of 1866*

was the first United States federal law to define citizenship and affirm that all citizens are equally protected by the law.

The act gave the U.S. district courts exclusive jurisdiction over criminal cases related to violations of the act. It also gave concurrent jurisdiction, along with the U.S. circuit courts, of all civil and criminal cases affecting those who were unable to enforce in course the rights guaranteed by the act.



*INDUSTRY RESOURCE
FEDERAL JUDICIAL CENTER

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THE FAIR HOUSING ACT | 1968

The Fair Housing Act of 1968 **prohibited discrimination** concerning the sale, rental, and financing of housing based on race, religion, national origin, or sex. Fair housing is the key to all people having the roof they want over their heads.

Fair housing practices help people understand what it means to be a welcoming and vibrant neighborhood. The ideas, connections, and sense of pride that are found in diverse and open neighborhoods have the opportunity to make a real difference.



EQUAL CREDIT OPPORTUNITY ACT | 1974

The Equal Credit Opportunity Act* prohibits creditors from discriminating against credit applicants on the basis of:

**RACE • COLOR • RELIGION • NATIONAL ORIGIN
SEX • MARITAL STATUS • AGE**

In cases involving discrimination with home mortgage loans or home improvement loans, the Department of Justice may file suit under both the Fair Housing Act and Equal Credit Opportunity Act. Individuals who believe that they have been the victims of an unfair credit transaction involving residential property may file a complaint with the Department of Housing and Urban Development.



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THE UNITED STATES DEPARTMENT OF JUSTICE
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AMERICANS WITH DISABILITIES ACT | 1990

The Americans with Disabilities Act (ADA)*
prohibits discrimination against people with disabilities in several areas including:

**EMPLOYMENT • TRANSPORTATION
PUBLIC ACCOMMODATIONS • COMMUNICATIONS
ACCESS TO STATE/LOCAL GOVERNMENT
PROGRAMS AND SERVICES**

As it relates to employment, Title I of the ADA protects the rights of both employees and job seekers.



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CIVIL RESPONSIBILITIES

HOME SELLER

As a home seller or landlord, you have a **responsibility and a requirement** under the law not to discriminate in the sale, rental, and financing of property on the basis of race, color, religion, sex, handicap, familial status, or national origin. You cannot instruct the licensed broker or salesperson acting as your agent to convey for you any limitations in the sale or rental because the real estate professional is also bound by law not to discriminate.



CIVIL RESPONSIBILITIES

HOME BUYER

As a home buyer you have the right to expect that housing will be available to you without discrimination or other limitations based on:

**RACE • COLOR • RELIGION • SEX • HANDICAP
FAMILIAL STATUS • NATIONAL ORIGIN**



WHAT YOU CAN DO...

As a real estate **professional** you are held to a high standard with a great deal of responsibility to the people in your community. You cannot discriminate against anyone due to any certain characteristics or personal bias. Here are some examples of what this means in relation to real estate:

Lying to a client based on discriminatory biases, such as saying a home is not for sale when it actually is.

Unlawful altering of the terms and conditions for a home purchase or loan.

Refusal to rent, sell, or negotiate based on discriminatory biases.

Blatant discrimination in your business practice, advertising, or marketing

The Fair Housing Act has become one of our country's greatest achievements, allowing for equality for all when it comes to purchasing, selling, and renting properties.

For more information about The Fair Housing Act and what responsibilities you hold, read our blog **What Does the Fair Housing Act Mean for Real Estate Agents?***



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