



## **FAIR HOUSING AND REAL ESTATE ADVERTISING**

Wording which describes a preference or limitation in violation of the Fair Housing Act.

The Fair Housing Act prohibits the making, printing or publishing of any statement, notice or advertisement in connection with the sale or rental of housing which expresses a preference, limitation, or discrimination based on race, color, religion, sex, handicap, familial status, or national origin. REALTORS should be aware that this applies not only to real estate advertisements, but also to notices and statements in listings on the MLS and any other statements, verbal or written, connected with the sale or rental of housing. The HUD guidelines on advertising state that HUD will examine wording used in ads to determine if, in the context used, discrimination is a likely result.

To help you in the development of your ads and comments, the following list of words has been developed by NAR. Please note that there is no wording which is always acceptable or always unacceptable under the Fair Housing Act. This list is meant as a guide. Each ad should be examined to determine whether in the context used, wording expresses an illegal preference, limitation or discrimination

A general rule is to describe the property, not the tenant, purchaser, seller, owner, neighbor, etc.. Wording which describes a person or group of persons, community or neighborhood is likely to express discrimination if reference is made, either directly or indirectly, to the race, color, religion, sex, handicap, familial status, or national origin of that person, group, community or neighborhood. The following words should not be used in reference to people:

- able-bodied
- empty nesters
- mentally handicapped
- Polish
- adult
- (ethnic reference)
- mentally ill
- Puerto Rican
- African
- handicapped, not for
- Mexican-American
- responsible
- Indian
- (# of) children
- single person
- blacks
- Irish
- older person (s)
- unemployed
- blind integrated
- one child
- white, white only
- Catholic
- Jewish

- agile
- healthy only
- (nationality)
- retarded
- alcoholics
- Hispanic
- newly weds
- seasonal worker
- Asian
- impaired
- non-drinkers
- singles only
- bachelor
- one person
- Caucasian
- Latino
- Oriental
- Chicano
- mature
- physically fit
- Chinese
- crippled
- child, children
- couple
- deaf
- drinkers
- employed, must be

Wording that describes the physical characteristics or architectural features of a property generally are acceptable under the Fair Housing Act. As a general guide, the following wording is usually acceptable when describing architectural or physical features of a dwelling. Most locational descriptions are also permitted under the Fair Housing Act, unless reference is made to race, color, religion, sex, handicap, familial status, or national origin. Be advised that HUD will examine wording in its context to determine if discrimination within the meaning of the Fair Housing Act is a likely result of the wording used.

#### Architectural Features

- family room
- master bedroom
- English basement
- Japanese garden
- butler's pantry
- private driveway
- private entrance
- private property
- # of bedrooms/sleeping areas
- nursery
- play area
- traditional style
- walk-in closet
- executive home
- den
- great for family

#### *Locational Descriptions*

- near...\*
- walking distance to...\*
- executive community
- family neighborhood
- (neighborhood name)
- school district\*
- School name\*
- secluded
- private setting
- quality neighborhood

- view of/overlooks

\*When providing location information, reference should not be made to specific places of worship or other racially, ethnically, or religiously identifiable institutions or locations. References to schools and school districts may convey racial or ethnic information in some communities, and if so, should be avoided.