



Fair Housing Quiz:

How knowledgeable are your sales associates about the Fair Housing Act Amendments of 1998? Are they aware of their liability and skilled in working with buyers and sellers on this important issue?

Here's a quiz to test your sales associates' practical application of the laws. If they can't correctly answer the following questions, it may be time for you to bring them up to date.

1. As a sales associate, you have a client who wishes to sell her condominium and specifies that she will only sell to a senior citizen. You determine that although her building is occupied solely by people over the age of 62, it does not advertise itself as an "older persons" facility.

Are you in violation of Title VIII provisions that prohibit discrimination on the basis of familial status if you comply with your client's wishes and do not show the unit to families with children?

2. As a sales associate, you bring your clients a good offer on their home. They decline to consider the offer, which happens to be from a family they know through business connections, on the basis that the head of the household is an alcoholic and therefore undesirable to the neighbors. Are your clients within their rights?
3. Under Title VIII, the only people who can bring charges of discrimination are those who have been turned down for a home they bid on or an apartment they applied for. Correct or incorrect?
4. If a discrimination suit is filed against you, the burden of proof is on the plaintiff to show that you engaged in discriminatory practices, so your own recordkeeping on what properties you show to whom is a valuable resource, but is not necessary for court. Correct or incorrect?
5. If you are representing a client who does not want to sell to people of a certain ethnic background, that is your clients' affair. As long as you show that discrimination was at the client's direction, there will be no basis for a discrimination claim against you. Correct or incorrect?

Answers:

1. No. The fact that the building is occupied solely by people over the age of 62 is sufficient to qualify the building as housing for “older persons.”
2. No. Alcoholics, unless they are currently a threat to the health, safety or property of others, are included in the new protected handicapped class under Title VIII.
3. Incorrect. The law states that anyone can file a charge who has been “aggrieved” or can show “injury” by reason of discriminatory housing practice. So, for example, persons who have been steered on the basis of race could also bring charges alleging discrimination.
4. Incorrect. You want to be in a position to prove that, at all times, you provide equal professional services to everyone; records on the showing of properties provide excellent evidence that you have not engaged in discriminatory behavior.
5. Incorrect. If clients communicate that they intended to discriminate in the sale of their property, it is your obligation, first, to advise them that they are in violation of the law, and second, if they persist in their intention, to terminate your relationship with them. Furthermore, when knowingly acting as an agent for a client who engages in discriminatory behavior, you are also liable in a discrimination lawsuit.

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