

## ADVISORY REGARDING FAIR HOUSING

It is unlawful for a seller to refuse to sell a home to a buyer because the buyer is a member of, or is perceived to be a member of, a protected class. Sellers are free to reject offers for legal reasons, such as price and terms, but they cannot base their rejection solely on the protected characteristics of a buyer. Under fair housing law, these protected characteristics are known as "protected classes."

Federal, state, and local fair housing laws are in place to protect buyers in protected classes from discrimination by sellers, real estate and mortgage brokers, and other real estate service providers and their employees. At the federal level, these protected classes include race, color, religion, national origin, sex (gender), disability (physical or mental), and familial status (children in the household under age 18, anticipated presence of children through adoption, pregnancy, surrogacy, etc.). To the list of federal protected classes, the State of Oregon adds sexual orientation, gender identity (whether the individual identifies as female or male, both, or neither, regardless of their assigned sex at birth), marital status (single or married), legal source of income, and victims or survivors of domestic violence (including sexual assault and stalking). Local jurisdictions may also have additional protected classes, like domestic partnerships, ethnicity, and age. The more restrictive federal, state, or local laws will apply.

- (a) For information about federal law, see 42 U.S. Code § 3604 – Discrimination in the sale or rental of housing.
- (b) For information about Oregon law, see:
  - (i) [ORS 659A.421](#) – Discrimination in selling, renting, or leasing real property prohibited;
  - (ii) OAR 839-005-0205 – Housing discrimination; prohibited discrimination in real property transactions; and
  - (iii) [ORS 90.390](#) – Discrimination against tenant or applicant.
- (c) Contact the city or county where the property is located for information about local discrimination laws.

In addition to federal, state, and local law, REALTORS® must follow the Code of Ethics of the National Association of REALTORS®. Article 10 of the Code of Ethics says: "REALTORS® shall not deny equal professional services to any person for reasons of race, color, religion, sex, handicap, familial status, national origin, sexual orientation, or gender identity. REALTORS® shall not be parties to any plan or agreement to discriminate against a person or persons on the basis of race,

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color, religion, sex, handicap, familial status, national origin, sexual orientation, or gender identity."

If a buyer feels discriminated against, they should consult their real estate agent or the agent's office manager. If additional resources are needed to help resolve a complaint, the following are some state and federal organizations available to help:

- (a) Fair Housing Council of Oregon - Hotline: (800) 424-3247, ext. 2
- (b) Oregon Law Center: (888) 585-9638
- (c) Bureau of Labor & Industries (BOLI): (971) 673-0761
- (d) U.S. Department of Housing and Urban Development: (800) 669-9777

**ACKNOWLEDGMENT:** The undersigned parties acknowledge they (a) have read and understand this Advisory; (b) have been provided with a copy for their files; and (c) are aware that they can contact government agencies if they believe illegal discrimination is occurring in a real estate transaction.

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Client \_\_\_\_\_ Date \_\_\_\_\_  a.m.  p.m. ←  
Print Name \_\_\_\_\_

Client \_\_\_\_\_ Date \_\_\_\_\_  a.m.  p.m. ←  
Print Name \_\_\_\_\_