

## Positive Steps Long Island REALTORS® Can Take to Help Eliminate Discrimination in Real Estate

*By Patrick Fife, Associate Corporate Counsel and Doreen Spagnuolo, Corporate Counsel, Long Island Board of Realtors®, Inc.*

Legislation like the Fair Housing Act was developed to end discrimination in real estate; but in order to eliminate discrimination in real estate, REALTORS® need to be part of the solution.

By taking the following positive steps, REALTORS® can help foster equality, diversity and inclusivity within the real estate industry needed to combat discrimination.

**Understand Fair Housing Laws:** Real estate professionals are legally required to uphold federal fair housing laws, which prohibit discrimination based on race, color, national origin, religion, sex, familial status, and disability. However, real estate professionals on Long Island have additional legal obligations at both the State and local level.

Besides the protected classes covered under federal law, New York State Human Rights Law prohibits discrimination in housing because of marital status, sexual orientation, age (18 and older), military status, creed, gender identity, gender expression, source of income (for example: public assistance, Section 8, SSD, SSI, court ordered child support), pregnancy, and domestic violence victim status.

Local municipalities also extend these protections even further. New York City prohibits discrimination based on gender, gender identity, marital or partnership status, alienage, citizenship status, any lawful source of income (including Section 8), lawful occupation, because children are or may be residing



with the person, status as a veteran or active military service member, status as a victim of domestic violence, stalking and sexual offenses. Nassau County prohibits discrimination based on lawful source of income (including Section 8) and ethnicity. Suffolk County local laws prohibit discrimination based on veteran status, status as a victim of domestic violence, or group identity (which includes actual or perceived age, alienage or citizenship status, gender, sexual orientation, and military status).

The Supreme Court has also ruled that illegal housing discrimination against protected classes can occur even without intent. Under disparate impact discrimination, a housing-related action can be considered a fair housing violation if it disproportionately affects a particular protected class and the accused entity could have achieved the same legitimate goal with a less discriminatory practice. Therefore, real estate professionals, should identify ways fair housing laws may be violated unintentionally and avoid such behavior.

**Participate in And Develop Training Programs:** Education is the key to learning how the Fair Housing

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## President's Message

*By Susan Helsing  
LIBOR President*

As we enter the new year, I would like to wish everyone a happy, healthy and prosperous 2021.

It is my great honor to serve as your 2021 President of the Long Island Board of REALTORS®. I look forward to many adventures and accomplishments together.

In 2016, I was selected as one of the five Good Neighbor Award recipients by the National Association of REALTORS® (NAR) for my work in founding the Jason Gruen Research Foundation, an organization that raises money and awareness for children with heart ailments as well as providing services such as free heart screenings for children at public schools. For the past 21 years, the Good Neighbor Awards has recognized REALTORS® who have made an extraordinary impact on the world through volunteering.

Locally, LIBOR created the "We're More Than REALTORS®..." public relations campaign in 2006, to raise public awareness about the extraordinary REALTOR® efforts in our community.

In keeping with the spirit of these programs, one of my goals for 2021 is for all 27,000 members of our association to participate in a community activity. Whatever you choose to do, whether large or small, everyone has the ability to participate in some form of community service.

As you help your community, please log the hours you contributed and share them with LIBOR's Communications Department at [pr@lirealtor.com](mailto:pr@lirealtor.com). NAR President Charlie Oppler has set a goal for REALTORS® to donate over one million hours of REALTOR® community service. I know Long Island REALTORS® are up to the challenge and I welcome your ideas on how we can be more involved in serving our communities.

My next goal for 2021 is a simple one, but so very important. In our industry we have come to know that "R" stands for REALTOR®. As a proud REALTOR® for 30 years, I also look at the "R" and see the word "RESPECT"- 2021 has to be the year of respect for each other and for our colleagues. Our common goal is the same, we want to be successful in our profession. To achieve that we must first treat each other with respect and fairness.

Let us continue to work together for the good of each other and for the good of our profession. ●

## Soaring to New Heights In Queens

*By Geoffrey Mock, Government Affairs Director  
- Queens, Long Island Board of REALTORS®*

Despite the burdens of a pandemic, the Long Island Board of REALTORS® has begun making new strides in Queens and opened doors to many new possibilities in uncharted waters. Your Government Affairs Department has met with a number of Queens City Councilmembers to discuss their role in potential legislation and how their offices may be allies in the industry. These meeting also served as forums to discuss important issues, such as fair housing and COVID relief opportunities.

The relationships that we are building also benefitted the Queens Community as the Government Affairs team partnered with Councilmembers Donovan Richards and Adrienne Adams to provide hand sanitizing stations for organizations in their district. This initiative creates new possibilities of future projects for them and shows that we are not only REALTORS®, but advocates for safer communities.

Another exciting opportunity for LIBOR in Queens is the upcoming 2021 election. These elections include the NYC City Council races and the NYC Mayoral race. This will be the first time that LIBOR will have taken a wide reaching candidate vetting process for City elections. We have already participated in a successful race by contributing to Donovan Richards' campaign as he went on to win the seat for Queens Borough President. We look forward to working with the Borough President and his team!

There is some time before we get a clear picture of all of the candidates running in Queens, however your Government Affairs Department feels confident in monitoring these races and look forward to engaging our members in the candidate vetting process. Stay tuned for much more to come from your Government Affairs Department! ●

# Positive Steps Long Island REALTORS® Can Take

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Act may be violated during real estate related activities (even unintentionally) and how to conduct your business according to the law. However, real estate professionals should look for educational opportunities that go beyond explaining what the law is, including workshops and continuing education courses that discuss topics like diversity, equality, implicit bias and inclusivity.

Over the past year, LIBOR has provided several live virtual Fair Housing Continuing Education classes to members at no cost, and LIBOR has made recordings of those classes and other Fair Housing resources available on LIBOR's Fair Housing Hub, which can be found at [lirealtor.com/fair-housing](http://lirealtor.com/fair-housing).

The New York State Division of Human Rights Fair Housing webpage, which can be found at [dhr.ny.gov/fairhousing](http://dhr.ny.gov/fairhousing), also provides a plethora of videos and resources aimed at opening doors and breaking down barriers caused by unlawful discrimination.

On November 18, 2020, NAR launched Fairhaven. realtor — an innovative online simulation training tool that allows participants to work against the clock selling homes in the fictional town of Fairhaven, while confronting discrimination in the homebuying process. Training participants walk in the shoes of a homebuyer facing discrimination, and the program provides customized feedback that participants can apply to their daily business interactions. NAR also offers its At Home With Diversity® (AHWD) certification program designed to present a picture of the changing face of the real estate industry, which can be found at [nar.realtor/at-home-with-diversity](http://nar.realtor/at-home-with-diversity).

Brokers should use these programs and resources to develop training materials for existing staff and new hires that outline the history of racial bias in real estate, best practices to promote diversity and equality, and methods to avoid discrimination and bias.

**Set Goals and Monitor Your Compliance.** Understanding fair housing laws and learning how you can comply with them is only part of the solution. You should ensure compliance with fair housing laws by conducting periodic audits and reviews of your business, regularly updating your company handbooks and policies, and closely monitoring training for newly hired and existing agents. Simply developing training programs is not enough. Brokers should ensure that their training is being followed in the field.

“Education is the key to learning how the Fair Housing Act may be violated during real estate related activities...and how to conduct your business according to the law.”

When reviewing your business for fair housing compliance, you may want to ask yourself these questions:

- Does your advertising comply with fair housing laws? Remember advertisements and property descriptions can discuss things like amenities, size, and other property features, but they should not describe the “type” of person who the property might appeal to.
- Do your websites (including social media) comply with New York State's Fair Housing regulations and do they have links to the New York State Fair Housing Notice?
- Do your files contain evidence that your agents are providing the newly required Fair Housing and Anti-Discrimination Disclosure Form at first substantive contact?
- Are all of your office policies concerning customers and potential customers neutral policies that are evenly applied to all people?
- Is your office providing the same information and sources of information to everyone and being careful about narrowing options for customers?
- Is your office letting clients tell you what they want first and then providing the client a list of all available choices?
- Are you regularly talking with your staff and agents about fair housing laws and regularly reminding them of their Fair Housing obligations?
- Are you reinforcing fair housing training with regular reminders via regular meetings, calls, company newsletters or something similar?
- Do you have a process for talking to and educating clients about fair housing laws, including things like the pitfalls of buyer love letters?

By following these steps, Long Island REALTORS® can do their part to bring about the systematic change needed to put an end to discrimination in the real estate industry. ●

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## 2019-2021 REALTOR® Mandatory Ethics Training

REALTORS® are required to complete ethics training of not less than 2 hours, 30 minutes of instructional time within **THREE-YEAR cycles** (NAR rule changed November 2019). We are currently in CYCLE 6 that covers **January 1, 2019 to December 31, 2021**. There are no exceptions or exemptions from this National Association of REALTORS® requirement, even if you are exempt from CE in NY. This mandatory requirement is separate from your New York Department of State Fair Housing and Agency requirements.

Go to link below to take your Ethics NOW!  
[www.lirealtor.com/education/nar-code-of-ethics-training](http://www.lirealtor.com/education/nar-code-of-ethics-training)

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Check out the NEW How-to Search Stratus videos now available on the Help Center's video section and learn how to search the new Stratus more efficiently.



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