

Our Goals and Objectives

All of us at Windermere Real Estate are committed to the principles of Fair Housing practices for all. Fair Housing is a matter of dealing equally with all people as well as a matter of federal, state and local laws. Fair Housing involves everyone, and we have to count on your being our partner in that effort as we work to find you a home or sell your home.

We are experts in homes. It is our responsibility to provide you with the information you need to make a wise decision for yourself. Our task is to do our best to locate a home with the characteristics, location and price you want, or to find a buyer who can satisfy your needs as a seller. It is also our task to provide you with enough information about current market conditions, including the sale prices of properties that have recently sold, to enable you to intelligently determine the price you are willing to pay or receive for a specific property.

You may wish to have available other kinds of information. Many buyers ask questions about the people who live in a neighborhood: “What kinds of people live here?” “Are there many children in the neighborhood?” “Are there any registered sex offenders nearby?” “Is there much crime here?” “Are there any especially noisy neighbors?”

Sellers may ask similar questions: “What kind of people make good prospective buyers?” “Who will fit well in this neighborhood?” “Do unmarried couples make good buyers?”

Such questions are outside the scope of our professional practice. Some of them raise Fair Housing issues, and all of them seek subjective judgments rather than objective information. Such questions are important to buyers and sellers, but you ought to be aware of the laws that restrict the rights of buyers and sellers to make decisions based on such inquiries.

The Law

Federal law prohibits discrimination in a real estate transaction based on race, color, religion, familial status, sex, handicap and/or national origin. In addition to the federal prohibitions, most states prohibit discrimination based on creed, marital status, sensory/physical/mental disability, age and/or use of a service animal (e.g., a seeing-eye dog). Local laws may go even further to prohibit discrimination based on parental status, sexual orientation, Section 8 housing subsidy (for low-income families), political ideology and/or ancestry.

For buyers, there is a way to make your own private decision about whether a neighborhood and its surroundings are right for you. The standard inspection form that we use provides an option for you to select a contingency for a Neighborhood Review. This contingency provides time for you to conduct your own exploration for answers to the questions that are important to you. You can use that time to return to the neighborhood at different times of the day and night. You can walk along the streets, step into neighborhood businesses, and ask any questions you wish of whomever you meet.

continued

What buyers and sellers need to know about

Fair Housing



Sellers should be aware of the laws that prohibit choosing a buyer based on legally protected class status. Generally speaking, if a seller receives a bona fide offer on a property, the seller cannot refuse to sell or even refuse to negotiate with the prospective buyer based on the above-mentioned prohibited criteria. Sellers may not falsely represent that the home is no longer for sale, nor can they advertise the home with an indication of preference or limitation on what type of people may purchase it.

Real estate agents may not engage in any such practices, either. In fact, agents are prohibited from “steering” prospective buyers to specific neighborhoods based on the above-mentioned criteria. Agents who perform prohibited discriminatory practices on behalf of their principals subject both themselves and their principals to liability.

A victim of discrimination may pursue a civil lawsuit or an administrative claim. The victim may seek a temporary restraining order, permanent injunction, actual damages, punitive damages and attorney’s fees.

Further Resources

There are many resources available at the public library, such as census figures that provide a wide range of statistical information about the people in the neighborhood. The local police precinct station can provide data about crime, and public school districts can provide information as well. Much information is also available on the Internet.