

In conjunction with the Fair Housing Center of West Michigan, MR offers this resource with best practices and helpful tips to assist with risk management and compliance with fair housing laws.

### **Courtesy and Service**

Real estate is all about relationships so being courteous and providing good service is critical to success. Think through the prospect's experience from their perspective as if you are a new client yourself. Ask yourself:

- What is their experience like in person? How are they treated? What information is made available to them? How are cold call/walk-in referrals to agents made?  
Review your processes and ensure that no protected characteristics are taken into account.
- What is their experience like by phone? How quickly are return calls made? Does every message get a response?  
It's a good idea to have an established communication plan, such as calls (and other inquiries) are returned within 2 business days.
- What is their experience like online? How quickly are email or web form inquiries addressed? Is your website user friendly and accessible? Is your social media up to date?

Note: see website section below!

### **Interviewing and Qualifying**

Getting a solid understanding of the particular interests and market that the prospect is interested in is a particularly important part of fair housing compliance.

- Avoid making assumptions on likes or dislikes and qualifications of prospects.  
Use open-ended questions to avoid any assumptions being made.
- Allow the prospect to define the type of housing, location, and amenities of their choice.  
Document their specifications and follow them as closely as possible.  
Check in as the search progresses. If it changes/narrows, update documentation with any changes.  
Establish a process that works best for you to ask appropriate questions consistently (price range, housing preference, desired features, initial investment, preapproval, financing, etc.).  
Review these processes regularly to ensure no one receives less favorable service based on a protected class.

### **Financial Information**

It is essential that accurate information on the different types of financing available and current rates is given to all prospective clients.

- Fair housing laws apply.  
Have updated mortgage information on hand that can be shown consistently to prospects.
- Avoid comments about financing, such as that it may be difficult to obtain.  
Allow the lender to make the assessment.
- Think about providing consistent information, resources, and referrals.  
If financial information is provided to some prospects, it should be provided to all prospects.  
If you are sharing any resources such as first-time homebuyer incentives, be sure to offer them to all first-time homebuyers.  
If referrals are made to lenders or others, make them consistently and ensure that they are familiar with and utilizing best practices under fair lending and fair housing laws.

## Housing Availability

It is important to be aware of the number of available housing choices that are ready for immediate inspection. For many agents, this comes down to entering criteria and receiving a detailed and sometimes extensive list of options.

- Do not assume that the client understands the way in which the search may be altered by the slightest change in a variable.
  - Be careful to suggest a similar number and types of homes across protected classes - or take care to explain the reasons why the given criteria may have created limitations in possible listings.
  - If a home meets the buyer's preference, do not omit showing it.
- The content, quality, and quantity of the information provided as well as the level of service provided to all prospects should be equal.
  - Be certain to include all homes that fit within the criteria given to you by the client.
  - Do not suggest that one prospect drive through a neighborhood and, at the same time, show another prospect through the interiors of homes.

## Location

Fair housing laws are about choice, including where someone wants to live.

- Allow the prospect's choices to inform the location of properties they are shown.
  - Show all homes that fit the buyer's specified preferences in order to give them as many choices as possible.
  - Be certain that it is the buyers' request and not your suggestion that determines the areas in which housing is sought.
  - Document their requests and preferences, including where they specifically requested to be shown homes; keep it updated if they change.
  - Document any incidences of statements that you feel may have a fair housing implication and follow your policies for next steps if needed.
- Requests for information and comments related to area schools should be objective, and prospects should be referred to neutral sources to do their own inquiry. Generally, best practice is not to offer advice on schools. However, if you are, you would be wise to have a comprehensive amount of fact-based information to present to the prospect regarding all the schools in the area.
  - Make sure that the prospect leads the narrowing of the search, and make note of the way that the search was conducted.
- Answering any questions on demographics can also raise potential fair housing issues.
  - Direct prospects to neutral sources that they can access on their own. If you are asked or pushed to answer, you can rely on fair housing laws to state that you cannot provide information on any protected classes.

## Follow-up Plan

Communication is key to good business and good fair housing practices. People who do not receive any follow up may wonder why they are not being contacted or taken seriously. You also may lose an excellent prospect.

- Make sure your communication plan ensures consistency in communication with regard to all prospects.
  - Be sure to evaluate your plan on an ongoing basis. If your level of treatment is unequal, you should take a hard look at your internal policy for making follow-up contact.
  - If you request contact information for a callback, ensure that it actually happens. If it doesn't, why? Review and update the internal policy.
  - If the prospect declines follow up, it should be noted that they did so.

## **Advertising/Statements**

Remember that advertising under the Fair Housing Act is broadly defined.

- Advertising includes promotional materials, print or online advertisements, and written or verbal notices and statements.

Exercise caution in all statements made in emails, text messages, voicemails, online messaging, etc.

Review all statements and ads (including flyers, brochures, deeds, signs or banners, or any document used with respect to a home sale or rental) for any fair housing risk before disseminating.

Describe the property, not the people. Avoid 'perfect for' or 'ideal for'.

Minimize the use of human models. If human models are utilized, be inclusive of as much representation as possible across the protected classes.

Always include the fair housing logo and/or the "Equal Housing Opportunity" slogan in your advertising.

Use advertising outlets and online tools that reach the broadest audience possible.

Broaden - don't restrict - your market.

## **Website**

It's important to take steps to create a more inclusive online environment.

- Is your website easy to read and navigate? Is it accessible?

Use free online Accessibility Checkers.

Incorporate accessibility features into your website design, such as a button to change the contrast, or an option to increase/decrease font size for users.

Make sure that you maintain sufficient color contrast (dark text on light background, for example).

Look at the type of font that you use. While it is tempting to use decorative fonts, such as those that mimic handwriting, it can interfere with its readability. Sans-serif fonts (e.g., Arial, Calibri, Tahoma, etc.) are generally more accessible for web use because they appear cleaner and simpler than other fonts, making them easier to read on screen.

Avoid using too many fonts, and too small of a font size.

- Be conscious of using technical or industry terms that the general public may not understand.

Use online tools to check for readability and reading level of text.

Ensure that acronyms are spelled out.

- Keep in mind that many people access websites on a smartphone or tablet. How does the information appear on different devices?

## **Social Media**

The same rules apply to social media platforms as in 'Advertising' above.

- Any social media policies should include fair housing compliance.

Do not exclude certain audiences or neighborhoods in settings. Never limit your ad reach by any characteristic tied to a protected class.

Consider all protected classes especially if depicting people; this includes avatars, animated characters, and illustrations.

Posts must not position your listing as more or less suitable for someone based on membership in a protected class. Avoid things like racial or ethnic terms, references to religion, exclusions based on disability, and limitations based on familial status.

Keep business pages on social media free of any personal content, opinions, etc.

Regularly review all social media posts and comments, especially with a fair housing lens.  
Display the Equal Housing Opportunity logo, share fair housing information.

### **Identity Verification & Screening Tools**

Ensuring the safety of realtors through effective protocols is paramount.

- All policies and practices regarding identity verification and screening should also consider fair housing.

Regularly review and update policies and procedures if needed to ensure consistency in all verification and screening tools used.

Adopt structured meeting and check-in protocols: Meet all new clients in public or office settings first, share showing schedules with a colleague, and use daylight appointments and secure parking for added safety.

Prioritize safety through teamwork and training. Encourage paired showings, regular communication, and bias-aware safety training so agents distinguish genuine risks from stereotypes.

Provide training on bias, safety, and privacy to ensure compliance with fair housing and consumer protection laws.

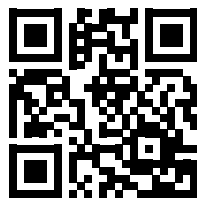
For agents who choose to use screening tools, adopt recommended policies and procedures on how to appropriately respond when a concern arises. The policies and procedures should emphasize practices that do not lead to lost housing opportunities.

### **Connect with your local Fair Housing Center!**

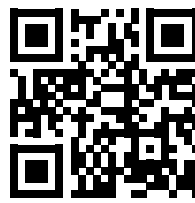
- [Fair Housing Center of Metropolitan Detroit](#)
- [Fair Housing Center of Southeast & Mid Michigan](#)
- [Fair Housing Center of Southwest Michigan](#)
- [Fair Housing Center of West Michigan](#)



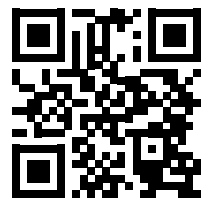
Fair Housing Center of  
Metropolitan Detroit



Fair Housing Center  
of Southeast & Mid  
Michigan



Fair Housing Center of  
Southwest Michigan



Fair Housing Center of  
West Michigan