

Fair Housing Rules for REALTORS®

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The Rules

THERE ARE 3 MAIN SETS OF RULES TO CONSIDER:

1. The **Fair Housing Act** is the federal fair housing law that applies uniformly across the country

States may also have their own fair housing regulations; e.g., Massachusetts implements its rules through Massachusetts General Laws Chapter 151 B

2. As a real estate licensee, you are bound by **licensing laws and regulations**, notably 254 CMR 3, which includes an anti-discrimination provision
3. REALTORS® voluntarily adhere to a higher standard through the **REALTOR® Code of Ethics**



What To Know:

- The **Fair Housing Act** protects against discrimination in various housing-related activities, such as renting, obtaining a mortgage, or seeking housing assistance
- Massachusetts anti-discrimination laws cover similar activities, as does the **REALTOR® Code of Ethics**



Protected classes differ across these rules



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Protected Classes

- The **Federal Fair Housing Act** covers 7 classes including race, color, religion, sex, handicap, familial status, and national origin
- The **REALTOR® Code of Ethics** further includes gender identity and sexual orientation; Article 10 of the Code prohibits discrimination based on these classes and addresses discriminatory employment practices
 - Standard of Practice 10-5, adopted November 2020, prohibits REALTORS® from using harassing speech, hate speech, epithets, or slurs, based on any of the protected classes

NOTE: This applies always, not just within the context of a real estate transaction



Protected Classes

- **Massachusetts General Laws**

Chapter 151 B includes several additional protected classes: ancestry, genetic information, marital status, veteran or active military status, age, and source of income as protected classes



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Enforcement Mechanisms Vary

- Complaints alleging discrimination under the **Fair Housing Act** can be filed with HUD
- For additional protected classes in Massachusetts, complaints go to the **Massachusetts Commission Against Discrimination**
- Complaints can be lodged with the **Board of Registration of Real Estate Brokers and Salespersons** for discriminatory behavior by real estate licensees
- Under the **REALTOR® Code of Ethics**, ethics complaints can be filed with the REALTOR® Association to address alleged violations of Article 10 and to determine if that REALTOR® should face any type of discipline



Summary

These rules collectively uphold fair housing principles and hold real estate professionals to account for discriminatory practices



Resources

Additional resources featured in this presentation:

<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXXI/Chapter151B>

<https://www.nar.realtor/about-nar/governing-documents/code-of-ethics/2024-code-of-ethics-standards-of-practice>

<https://www.mass.gov/doc/254-cmr-3-professional-standards-of-practice/download>

<https://www.marealtor.com/dispute-resolution-realtors/>



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