



Fair Housing ...At Every Turn

PAST AND PRESENT

SHAD BOGANY, APRIL 2025

WELCOME



Shad Bogany

(713) 828-6075

shad@bogany.com

www.bogany.com

Who Am I?



Licensed Real Estate Broker with 42 years experience who lives and works in the Greater Houston Area

Native Texan born and raised in Houston, TX

Bachelor's Degree in Real Estate from The University of North Texas

Host of the longest running Real Estate radio show in the nation, The Real Estate Corner, streaming at www.bogany.com

2024 NAR Fair Housing Champion Award Winner

2021 NAR Executive Liaison to MLS and Data

2020 TAR Texas Realtor of the Year

2017 and 2001 Houston Black Real Estate Association Realist of the Year

2013 Chairman of the Texas Realtors Association

2004 HAR Realtor of the Year

2003 Chairman of the Houston Association of Realtors

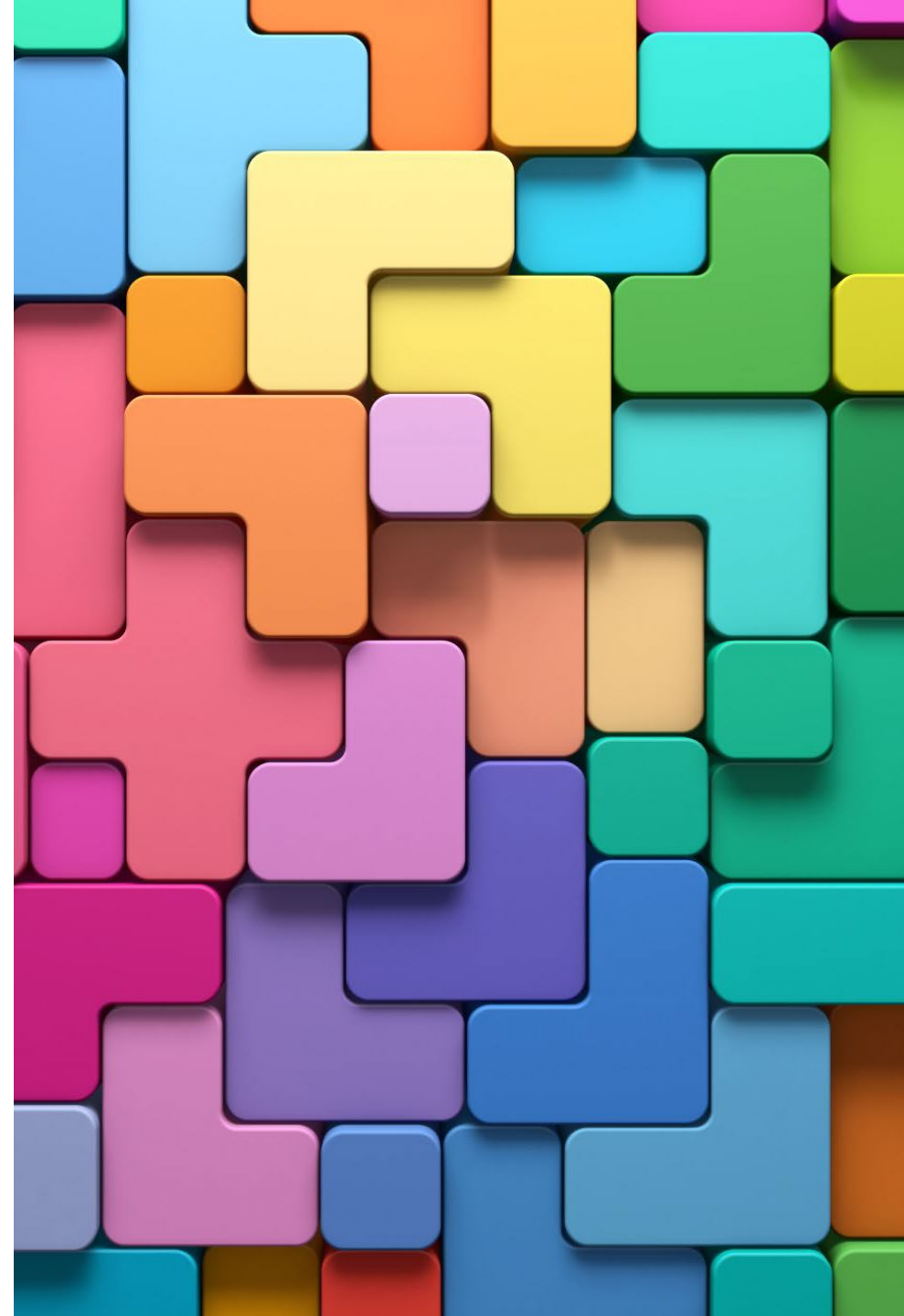
Proud Father of two beautiful daughters Lisa and Megan and one rambunctious granddaughter, Bale

Loving Husband to Vernice Ross-Bogany

Proud Texas REALTOR and honored to share my passion and knowledge with you

Fair Housing ...At Every Turn

PAST AND PRESENT





FAIR HOUSING...PAST AND PRESENT

Learning Objectives



Outline the major historic events leading up to the **Fair Housing Act**



Summarize what's in the Fair Housing Act, including its **protected classes, its prohibitions, and its exemptions.**

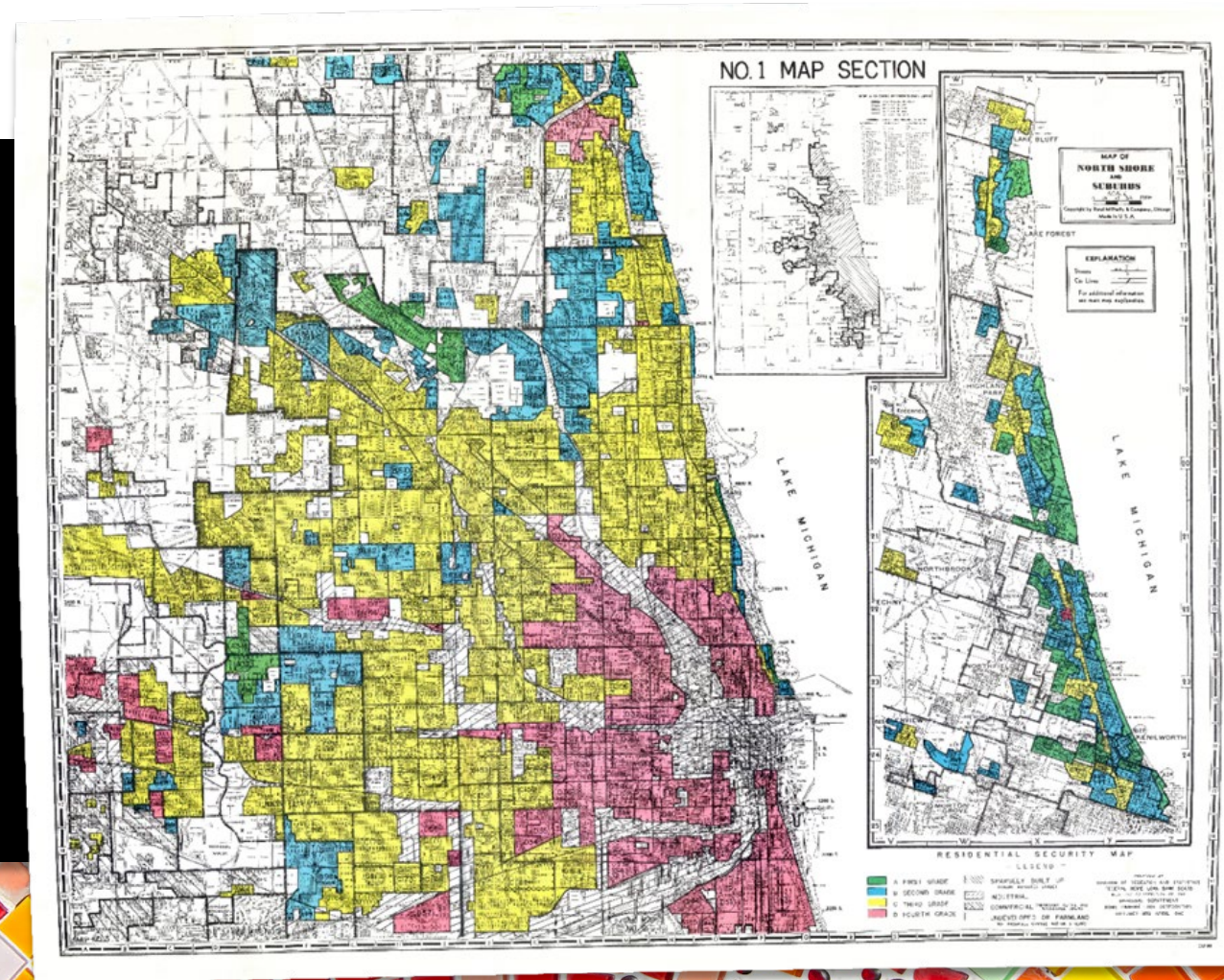


Describe the real estate practices that pose particular **risk of discrimination** and the process to follow in reporting acts of discrimination.

**Free—
But Not from
Discrimination**



Special Feature: Residential Segregation in America





Segregated By Design



The Struggle for Fair Housing: A Brief History



Civil Rights and the Fair Housing Act of 1968



A decorative graphic on the left side of the slide, featuring a vertical column of colorful interlocking blocks. The blocks are in various colors including blue, orange, yellow, green, pink, purple, and teal, and are arranged in a way that they appear to be stacked and interlocked, creating a textured, 3D effect. The colors transition from light blue and yellow at the top to darker blues and purples at the bottom.

The Fair Housing Act: A Closer Look

In passing the **Fair Housing Act in 1968**, Congress established a national policy to provide for **fair housing throughout the United States**. This act and other federal fair housing laws **prohibit discrimination in the housing market**.

Protected Classes

Race

Sex

National Origin

Color

Handicap

Sexual Orientation

Religion

Familial Status

Gender Identity

CODE *of* ETHICS
and STANDARDS *of* PRACTICE

NATIONAL ASSOCIATION OF REALTORS®



Modifications/ Accommodations for People with Disabilities

The FHA requires two types of changes to make existing housing more accessible to people with disabilities:



People with disabilities must be allowed, at their own expense, to make reasonable modifications for the enjoyment of the premises.



“Reasonable accommodations” must be made in “rules, policies, practices, or services” necessary to afford disabled persons “equal opportunity to use and enjoy a dwelling.”

Prohibitions of the Fair Housing Act

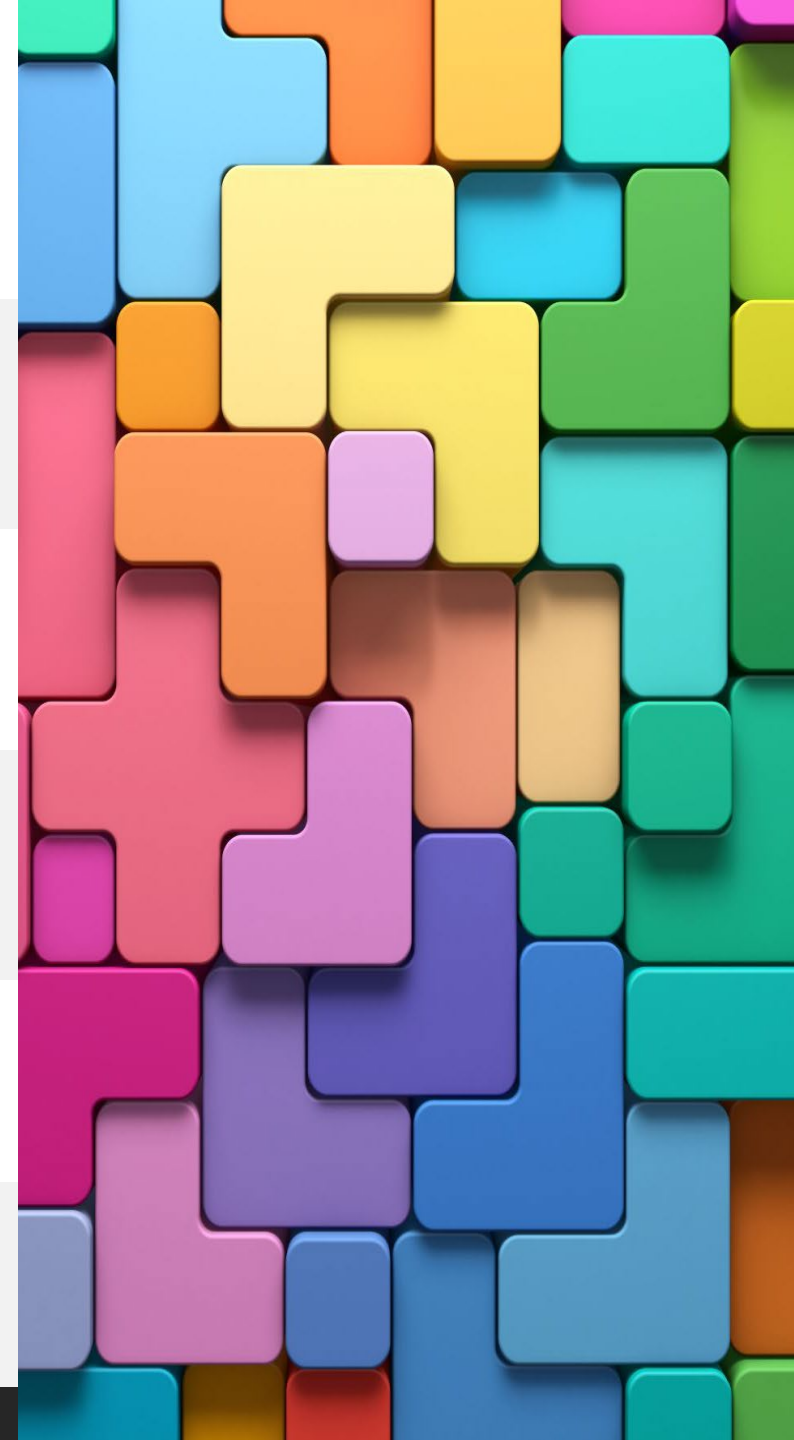
Refusing to rent a dwelling, whether outright or subtly, by **using techniques to confuse or harass the applicant.**

Using **discriminatory terms, conditions, or privileges** in the sale or rental of a dwelling.

Using **discriminatory advertising** with respect to the sale or rental of a dwelling.

Misrepresenting that a dwelling is not available for inspection, sale or rental.

“Blockbusting”



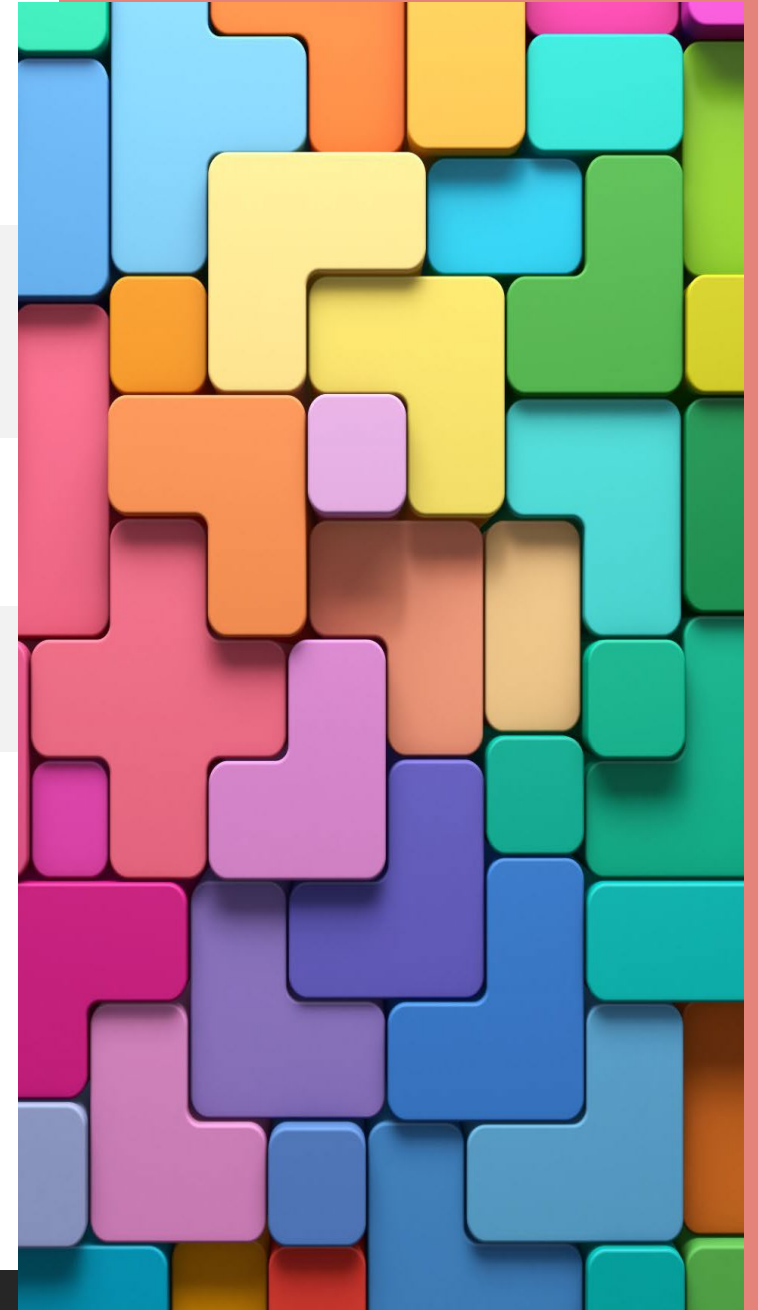
Prohibitions of the Fair Housing Act

Denying the opportunity for sale or rental of a dwelling to **people with disabilities.**

Refusing mortgage loans and/or financial assistance
based on membership in a protected class.

Discriminating in **providing brokerage services.**

Coercing, threatening, intimidating or interfering with any person's exercise of his or her rights provided under Sections 803, 804, 805 and 806 of Title VII.



Exemptions Under the Fair Housing Act

Single-family houses, if the owner:



Owns, sells, or rents the house.



Owns three or fewer homes at any one time.



Does not use the services of someone in the real estate business.



Does not advertise in violation of Section 804(c).



House or living quarters



Religious organizations, associations, or societies



Non-profit organizations or private clubs



Housing for older persons

Additional Laws that Impact Real Estate Transactions



Americans with Disabilities Act



Equal Credit Opportunity Act



State and Local Laws





Practice: Is This Discrimination?

Answer **True** if you believe the action below is a discriminatory act and False if you believe it is not.

01 Refusing to sell or rent housing

02 Refusing to negotiate for housing (unless limited by state agency law)

03 Setting different terms, conditions or privileges for sale or rent of a dwelling

04 Providing different housing services or facilities

05 Falsely denying that housing is available for inspection, sale or rental

06 Persuading owners to sell or rent because of changes in neighborhood composition (a.k.a., blockbusting or panic selling)

07 Complying with buyers who specifically ask to see properties in neighborhoods where people share their racial/cultural background

08 Refusing to make a mortgage loan to an otherwise qualified buyer

09 Suggesting a particular kind of mortgage on the basis of race, culture, religion, etc.

10 Imposing different terms or conditions on a loan (such as interest rates, points or fees)

11 Discriminating in the appraisal of a property

12 Advertising or making a statement that indicates a limitation or preference connected with the sale or rental of housing



Four Areas of Real Estate Practice that Pose Risk of Discrimination

01 Screening

02 Steering

03 Advertising

04 Lending Discrimination

Reporting Acts of Discrimination



If the party discriminating is your client or is not a client of any other real estate agent:

- Talk to the party who appears to be violating the law and explain fair housing. Ask the party to act in a nondiscriminatory manner.



If the party discriminating is a client of another real estate agent:

- Talk to the other agent and explain your concerns. Ask the other agent to speak with the client and end the discriminatory behavior.

If the discrimination does not cease, and the discriminating party is:



YOUR CLIENT:

End your relationship with that client; terminate the listing. Inform homebuyer about what occurred, and state your belief that discrimination was involved.



NOT YOUR CLIENT:

Inform the homebuyer about what occurred, and state your belief that discrimination was involved. Follow up with a letter to the homebuyer summarizing your discussion.



ANOTHER REALTOR®:

In addition to the above, you may file an ethics complaint with NAR's Board of Directors alleging violation of Article 10 of the Code of Ethics.

Agencies to Contact to Report Discrimination



U.S. Department of Housing and Urban Development:
800/669-9777



State and local government human rights or civil
rights agencies








Private fair housing groups

A decorative graphic on the left side of the slide, featuring a vertical column of colorful interlocking blocks in shades of blue, orange, yellow, green, pink, and purple. The blocks are arranged in a way that they appear to be stacked and interlocked, creating a textured, 3D effect. The colors transition from light blue at the top to darker shades of blue and purple at the bottom.

Defend Fair Housing Rights

You may have a **cause of action against the discriminating party** and **file a complaint on your own** behalf. You may **report any incident of discrimination** to an appropriate agency without filing a complaint.

Think Objectively, Ask Objectively

 Property	“What kind of home you are looking for?”
 Location	“What types of neighborhoods are you interested in?”
 Price	“Our homes are listed by price. Do you have a price range in mind?”
 Payment	“I would be happy to discuss financing with you. Would this be helpful now?”
 Timing	“If you find a house, how soon do you want to move?”

Think Objectively, Ask Objectively



Understanding

“Perhaps you could tell me how you think the homebuying transaction takes place, or would you prefer me to show you a description?”



Expectations

“A number of people could be involved in the purchase. Do you need help understanding what each person does and what your rights are?”



Special Needs

“Is there anything I can do or anything I need to know to make this process easier for you?”



Next Steps

“How would you like to proceed from here?”

Fair Housing Declaration

I agree to:



Provide equal professional service without regard to the race, color, religion, gender (sex), disability (handicap), familial status, national origin, sexual orientation, or gender identity of any prospective client, customer, or of the residents of any community.



Keep informed about fair housing law and practices, improving my clients' and customers' opportunities and my business.



Develop advertising that indicates that everyone is welcome, and no one is excluded, expanding my client's and customer's opportunities to see, buy, or lease property.



Inform my clients and customers about their rights and responsibilities under the fair housing laws by providing brochures and other information.



Document my efforts to provide professional service, which will assist me in becoming a more responsive and successful REALTOR®.



Refuse to tolerate non-compliance.



Learn about those who are different from me and celebrate those differences.



Take a positive approach to fair housing practices and aspire to follow the spirit as well as the letter of the law.



Develop and implement fair housing practices for my firm to carry out the spirit of this declaration.



Q & A

Thank You!



Shad Bogany
(713) 828-6075
shad@bogany.com
www.bogany.com