

**Christopher R. Osborn
Steve Francks**
Attorneys at Law

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**HUD, WASHINGTON LAW AND NWMLS REQUIRE THAT ALL LISTINGS BE
NON-DISCRIMINATORY AND COMPLY WITH FAIR HOUSING LAWS**

The Fair Housing Act and Washington's Law Against Discrimination prohibit discrimination in the sale, rental or advertising of housing. These laws prohibit the use of certain "red letter words" that could tend to discriminate against various protected classes of persons. For example, it is illegal to state a preference or limitation on account of race, color, or national origin. These restrictions apply not just to classified advertising but also to NWMLS listings. An MLS in Oregon was fined by HUD for violations of the Fair Housing Act contained in listings published by that MLS.

Because of the potential for liability, all NWMLS members must exercise great caution in the wording of their listings. There are some obvious "red letter words" that should never be used in a listing, e.g. restrictions against children or people with disabilities or any reference to "families" or family status. However, some red letter words are not as obvious. For example, the phrase "quiet neighborhood" can be construed to discriminate against children, and the phrase "close to Catholic church" could indicate a preference for a certain religious group. By way of example, a list of potentially offensive words is set forth below. When you review this list, remember that it is by no means exhaustive and the context in which these words and phrases is used is equally important.

Given the enormous number of listings that NWMLS receives every month, it is almost impossible for NWMLS to review each listing for the presence of "red letter words." It is even more impossible for NWMLS to review listings to look for more obscure discriminatory language. Ultimately, it must be, and indeed it is, the responsibility of each broker and licensee to ensure that offensive references are not included in NWMLS listings. NWMLS' Rule 10(h) clarifies the nature of each member's responsibility by providing that "each listing shall comply with all applicable local, state, and federal codes, regulations, laws, and ordinances, including but not limited to, the Fair Housing Act, the Civil Rights Act of 1964 and the Washington Law Against Discrimination, RCA 49.60." Under the rule, each member is solely responsible for ensuring such compliance and agrees to indemnify NWMLS in connection with any claims arising from the listing.

HUD takes violations of the Fair Housing Act extremely seriously and has a zero tolerance policy regarding advertising violations. Accordingly, NWMLS has the same policy and Rule 10(h) exists to enforce that policy. To protect NWMLS and its members from liability that might result from another member's violation of the Fair Housing Laws, NWMLS Rule 10(h) also requires that a member violating the law will indemnify, defend and hold NWMLS harmless from any claim arising from the violation. For that reason, all NWMLS members are urged to continually remind their sales associates of the need to keep all listings free of any discriminatory taint. Even an innocent mistake can result in liability. This is one area where an ounce of prevention truly is worth a pound of cure.

List of Offensive Words:

Able Bodied	Girl	Perfect for Two
Adult	Golden Age	Philipino
African	Grandmas House	Philippino
Age	Guy	Physically Fit
Agile	Handicap	Polish
AIDS	Healthy	Prestigious
Alcoholic	Heterosexual	Private Community
American	Hindu	Professional
Ancestry	Hispanic	Protestant
Arab	HIV	Public Assistance
Asian	Homosexual	Puerto Rican
Bachelor	Hungarian	Race
Black	Immigrant	Religion
Blind	Impaired	Religious
Board Approval	Independent Living	Restricted
Boy	Indian	Restriction
Buddhist	Integrated	Retarded
Catholic	Interracial	Retired
Caucasian	Irish	Retirees
Chicana	Italian	Saint
Chicano	Jew	Seasonal Worker
Child	Job References	Section 8
Chinese	Kid	Senior
Christian	Lady	Sexual
Church	Latina	Shrine
Citizen	Latino	Single
Colored	Lesbian	Smoker
Congregation	Male	Social Security
Couple	Man	Spanish
Cripple	Marital Status	Straight
Deaf	Married	Student
Disability	Mature	Synagogue
Disabled	Membership Approval	Temple
Drinkers	Men	Traditional
Elderly	Mentally	Two People
Employed	Mexican	Unemployed
Empty Nesters	Migrant	Wheelchair
English	Minority	White
Ethnic	Mormon	Woman
Exclusive	Mosque	Women
Executive	Muslim	Working
Families	Nationality	Young
Family	Negro	Youth
Female	Newlyweds	
Filipino	No Children	
Filippino	No Play Area	
Foreign	Older Person	
Gay	One Person	
Gender	Oriental	
Gentleman	Parish	