

A RESOLUTION IN SUPPORT OF
H.R. 1447
THE FAIR AND EQUAL HOUSING ACT OF 2017

WHEREAS, food, clothing, and shelter are essential for human life, and human beings seek shelter in a place that is clean, safe, and welcoming and fondly call this place “home”;

WHEREAS, because home is so important, fairness in both the availability of housing and access to it is vital; and

WHEREAS, in 1866, Congress passed the Civil Rights Act, which prohibited all racial discrimination in the sale or rental of property; and

WHEREAS, in 1968, Congress strengthened the Civil Rights Act by adding Title VIII, known as the Fair Housing Act, which declared a national policy of fair housing throughout the United States and made illegal any discrimination in the sale, lease, or rental of housing based on race, color, religion, sex, handicap, familial status, or national origin; and

WHEREAS, in 1974, Congress passed the Equal Credit Opportunity Act, which made it unlawful to discriminate with respect to any aspect of a credit application based on race, color, religion, national origin, sex, marital status, age (provided the applicant has the capacity to enter into a contract), or because all or part of the applicant’s income is derived from a public assistance program; and

WHEREAS, in 1990, Congress passed the Americans with Disabilities Act, which prohibits discrimination against persons with disabilities in places of public accommodations and in commercial facilities; and

WHEREAS, California law was amended in 1999 to ban discrimination based on a person’s sexual orientation and was amended yet again, five years later, to ban discrimination based on his or her gender identity; and

WHEREAS, in this tradition of fair practice in both the availability of housing and access to it, members of the U.S. House of Representatives have proposed H.R. 1447, which may be cited as the “Fair and Equal Housing Act of 2017” and which would ensure that the protections of the Fair Housing Act are extended to lesbian, gay, bisexual, and transgender Americans by

- amending the Fair Housing Act to add *sexual orientation* and *gender identity* as classes that are protected against discrimination in the sale, rental, or financing of housing;
- defining the term *gender identity* as “the gender-related identity, appearance, or mannerisms or other gender-related characteristics of an individual, without regard to the individual’s designated sex at birth”;

- defining the term *sexual orientation* as “homosexuality, heterosexuality, or bisexuality”; and
- adding prohibitions against discrimination based on an individual’s association with another person who is a member of such a protected class or a perception or belief, even if inaccurate, that an individual is a member of such protected class; and

WHEREAS, the National Association of REALTORS® adopted in 1913 a Code of Ethics as a declaration of the industry’s principles and beliefs and,

WHEREAS, the Preamble to this Code of Ethics concludes with the following words:

The term REALTOR® has come to connote competency, fairness, and high integrity resulting from adherence to a lofty ideal of moral conduct in business relations. No inducement of profit and no instruction from clients ever can justify departure from this ideal.

In the interpretation of this obligation, REALTORS® can take no safer guide than that which has been handed down through the centuries, embodied in the Golden Rule, “Whatsoever ye would that others should do to you, do ye even so to them.”

WHEREAS, Article 10 of this Code of Ethics states, in pertinent part, “REALTORS® shall not deny equal professional services to any person for reasons of race, color, religion, sex, handicap, familial status, national origin, sexual orientation, or gender identity,” and further, “REALTORS® shall not be parties to any plan or agreement to discriminate against a person or persons on the basis of race, color, religion, sex, handicap, familial status, national origin, sexual orientation, or gender identity”;

NOW, THEREFORE, BE IT RESOLVED that the Mammoth Lakes Board of REALTORS® Board of Directors

- does find that H.R. 1447, the Fair and Equal Housing Act of 2017, is consistent with its long-held belief that home seekers have a right to expect housing in their price range made available to them without discrimination; equal professional service; the opportunity to consider a broad range of housing choices; no discrimination in the financing, appraising, or insuring of housing; and freedom from harassment or intimidation while exercising their fair housing rights;
- does affirm its support for H.R. 1447; and
- does strongly encourage the swift passage of this bill as a means of further ensuring fairness in housing purchase, lease, and rental practices.

July 11, 2018