

AGENDA



**NATIONAL ASSOCIATION OF REALTORS®
2019 REALTORS® CONFERENCE AND EXPO
DIVERSITY COMMITTEE
FRIDAY, NOVEMBER 8, 2019
1:30PM to 4:30PM
PARK CENTRAL Hotel
METROPOLITAN III, SECOND LEVEL**

**CHAIR: Danny Hernandez, FL
VICE CHAIR: Bikel Frenelle, GA
COMMITTEE LIAISON: Tiffany Curry, TX
STAFF EXECUTIVE: Fred Underwood, DC**

Additional background materials may be found at:

[Committee HUB Page](#)
[Committee Landing Page](#)

PURPOSE

I. Welcome – Danny Hernandez, Chair Review [Ownership Disclosure and Conflict of Interest Policy](#)

II. Approval and [Minutes of the May 16, 2019](#) meeting – Danny Hernandez

III. Creation of the Fair Housing Policy Committee – Tiffany Curry and Joe Ventrone

To develop NAR@s position on public policies promoting equal opportunity in housing and diversity within the real estate industry. To develop and oversee national fair housing and diversity partnership agreements with HUD. To identify fair housing education needs and goals. To share equal opportunity and fair housing knowledge, expertise, analysis and information with other NAR committees as appropriate.

IV. Updates to Article 3 of the Code of Ethics – Leigh York, Chair, Professional Standards Committee

At both its March and September 2019 meetings, the Interpretations and Procedures Advisory Board discussed reports of discrimination in cooperative relationships. While it was understood that Article 3, at present, would prohibit discrimination against a cooperating broker on the basis of any personal characteristic, including their membership in a protected class, the Advisory Board felt strongly that Article 3's prohibition on discrimination should be highlighted in order to reaffirm the National Association's commitment to diversity and a real estate industry free from the scourge of discrimination.

At its September 2019 meeting, the Advisory Board adopted a new Standard of Practice under Article 3 to highlight the Article's protections. Should the Committee agree Article 3's position on discrimination should be clarified in a separate Standard of Practice, consideration could be given to adopting the following possible recommendation.

V. Methods to increase Diversity on NAR Committees -- committee roundtables

Questions for discussion

What is the value of inclusion of diversity on NAR committees? Using the purpose statement (see next page) of one committee, relate the value of diversity to that purpose.

The Diversity Committee has often been the first committee many members from diverse backgrounds either choose to apply for or are name to. Discuss whether and how the Diversity Committee should encourage members to seek membership on other committees.

Should previous membership on the Diversity Committee be considered when NAR appoints members to other committees? Would this apply to all committees or specific committees? What value would previous participation on the Diversity bring to other committees.

NAR's expertise profile provides room for applicants to include narrative reasons for their interest in a committee. Discuss the value of having drop down buttons for applicants to list membership in multicultural real estate organizations.

What role should the committee leadership and liaison play in including diversity in that committee's membership?

VI. Multicultural Organization Outreach and Meetings

VII. Tools for local association - panel and roundtables

VIII. African American Homeownership campaign

NAR is supporting and joining efforts initiated by the National Association of Real Estate Brokers (NAREB) and the Urban Institute to address the continued low rate of African American Homeownership. According to some studies, the homeownership rate for African Americans has fallen to 40% and homes in black neighborhood are valued 23% below similar homes in <1% black neighborhoods due to racial bias. This leads to a \$156 billion loss in wealth. Among the solutions presented was that real estate developers should focus on minority, low density, and middle-income neighborhoods as places for commercial development, and not just as bedroom communities, which could increase home values and neighborhood prosperity.

IX. Accessibility features on MLS listings

Questions for discussion

- Should MLS provide or require that the listing indicate whether there are accessible features in a house or apartment?
- Should the MLS be searchable for accessibility or certain accessible features?
- Which of the following formats would be preferable and useful to you?
 - o Choosing among three possible choices (visitable, accessible, not fully accessible but with features (can be listed on an open field)
 - o Check box of seven accessible features
 - o Single checkbox for accessible features with option to list those present.
 - o Checkboxes for a number of specific accessible features.

X. Section 8 and fair housing update –

The Section 8 voucher program provides a government subsidy to bridge the gap between a low-income tenant's income and the cost of providing housing, enabling recipients to choose where they want to live. The property operator enters into a contract with the tenant and third party, usually the local housing authority, which pays the portion of the rent above the amount to which the tenant is directly obligated to the landlord, as a rental subsidy, subject to maximum fair market rents for the community.

XI. HUD settlement with Los Angeles regarding Accessibility

The U.S. Department of Housing and Urban Development (HUD) announced a landmark agreement with the City of Los Angeles to provide accessibility improvements for individuals with disabilities throughout the City's affordable housing program. The agreement announced today resolves longstanding HUD findings of noncompliance with Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act. This settlement paves the way for HUD to continue funding the City under the Community Development Block Grant (CDBG) and HOME Investment Partnerships programs

XII. HUD regulations –

a. Disparate Impact

The landmark Fair Housing Act of 1968 outlawed discrimination against people looking to buy or rent a home based on their race, color, religion, sex, familial status, or national origin—and the Supreme Court has ruled more recently that illegal housing discrimination can occur even without intent. Under the court's 2015 disparate impact decision, a housing-related action can be held to be a fair housing violation if it disproportionately affects a particular protected class and the accused entity could have achieved the same legitimate goal with a less discriminatory practice.

b. Assistance Animals

An assistance animal is an animal that works, provides assistance, or performs tasks for the benefit of a person with a disability, or that provides emotional support that alleviates one or more identified effects of a person's disability. An assistance animal is not a pet. Increased efforts by tenants misclassifying pets as assistance animals has made things difficult for landlords. HUD has stated it is their intent to issue clarifying guidelines.

XIII. Equality Act Update

The Equality Act, which would expand protection against discrimination to the LGBTQ community, including the Fair Housing Act would appear to have stalled in the Senate. The bill passed the House of Representatives but has not had any action taken on it by this Senate. The Equality Act would have little impact on California because the state has already extended anti-discrimination laws to the LGBTQ community.

XIV. Other business

XV. Adjournment