

Housing for the Non-Discriminating Buyer

By R. RANDY LEE

There's a nice house for sale: It has a beautiful ocean view, spacious master bedroom, walk-in closets, and maid's quarters. There's even a family room/den downstairs. It's perfect for empty-nesters or mature couples, since it's located in a quiet, private community within walking distance to shopping and the beach.

Uh-oh. If you're the builder—and this is your ad—you are liable for lawsuits and financial penalties due to housing discrimination on six counts. You've offended the blind (that's the ocean view), women (that

advertisements. As seen nearby, the list of about 75 words and phrases includes: adults, couples, mature persons, newlyweds, young families, children, executive, private, traditional, established neighborhood, exclusive, bachelor pad and—amazingly enough—integrated.

In the first six months of 1994, the Fair Housing Council of Suburban Philadelphia filed lawsuits against landlords and three newspapers, seeking more than \$1 million. The group also filed complaints against 40 newspapers for 150 ads it called discriminatory. An ad for a "rare find" in Chester was pulled after a complaint it was racist—because the house was located in a largely black area, the complaint ran, it suggested that most blacks don't live in nice houses.

In New Jersey, the Hunterdon County Democrat will not even accept the words "professional," "non-smoker," "quiet" or "exclusive" neighborhood, or "no dogs" in its real estate ads. (Oddly enough, "no pets" is O.K. Presumably, the paper does not wish to antagonize dog-owners, a powerful paper-reading lobby.) The dreaded words "ideal for" are also verboten.

And in Salem, Ore., a woman charged a newspaper with religious discrimination because of an ad that ran a logo of an Easter bunny and the words "Happy Easter." Another complaint in Oregon cited "convenient to jogging trails" as discriminatory against the disabled—as well as the notorious "ocean view."

Now, no ethical builder wants to advertise a house that deliberately excludes people based on their race, ethnicity, religion, disability or marital status. It's only good marketing sense, however, to target your buying audience as much as possible—whether it be first-time home buyers who may be singles or newlyweds, families who want dens and multiple bedrooms, etc. To forbid such phrases seems a tremendous distortion—in fact, a perversion—of the intent of the Fair Housing Act, which was to outlaw racial and religious "steering."

Everything is offensive to somebody in this world because individual tastes vary so greatly. However, it does not necessarily follow that because a person doesn't like something—or even may be offended by it—that it is discriminatory and thus should be banned. Since practically all descriptive adjectives are being stricken from the builder's and real estate agent's lexicon, let's imagine the following scenarios:

Does "New England-style" make me liable to lawsuits from those who resent the "WASP" connotation? Will "short walk from the beach" raise the hackles of peo-

ple who never learned to swim—and are pretty darned defensive about it? Does "visit this weekend" discriminate against those who work weekends? Will "townhouse" violate the sensibilities of those who prefer the country? Perhaps we will be reduced to describing homes by color alone. Danger ahead, though. "White house for sale" may offend those who have never run for president. "Black house for sale"—out of the question: too many white people around to anger.

Back to that ad. Scratch those forbidden adjectives. How about "Nice house for sale: qualifications classified"? Oops: You're discriminating against buyers who are not nice—and not CIA employees. And God knows there's a lot of them around.

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THE FORBIDDEN WORDS

The Pennsylvania Association of Realtors, the Pennsylvania Newspaper Association and the Pennsylvania Human Relations Commission have issued guidelines against the use of some words, including the following, in real-estate ads:

bachelor pad	traditional
landmark	exclusive
couples	young
mature	newlyweds
older seniors	young family
adults	private
single	integrated
children	executive buyer
senior citizen	mature person
setting up	established
housekeeping	neighborhood
traditional	close to
neighborhood	local structure
mother-in-law suite	

Source: *The Philadelphia Inquirer*

"master" bedroom smacks of sexism), the disabled ("walking" distance), singles ("family room"), families with children (that "quiet" neighborhood) and minorities ("private" can be a code word for a white community).

Welcome to the brave new world of politically correct real estate advertising, where even the most innocent-sounding adjectives are a potential minefield for builders, real estate agents and the newspapers that carry their ads. As a result of 1989 amendments that broadened the Fair Housing Act of 1968, complaints alleging discrimination have been filed—and won—by vigilant fair-housing groups and aggrieved individuals across the nation. Examples of offensive language range from the merely questionable to the absurd.

In Pennsylvania, the state's Human Relations Commission, Realtors' association and the Pennsylvania Newspaper Publishers Association have agreed on a list of "unacceptable" words in real estate

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