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**JB**: Hello, hello everyone. This is Janelle Brevard, NAR’s chief storyteller. And today I'd like to start this episode off a little different from the previous ones. And that's because I want to share with you a personal story. So it was the late 1970s, so not even the 60s or the 50s that you would think of, but my family was preparing to move into a new home. And just to give you some context, we had lived in another part of town in a much smaller home, it was majority black families just like us. But that neighborhood frequently flooded. And when you're living along the Mississippi Gulf Coast, that's not a good thing. And so after yet another heavy rain that caused flooding. And this time I remember the firemen actually had to come in and rescue us on boats. But my dad said enough is enough. And so our family of five moved into this two-bedroom apartment until we could get a new home. And I was about five years old. And I was so excited because this home had stairs, which to five-year-old me, that is equivalent to a mansion. I remember the mayor came over on moving day and told my father that the Klan wasn't happy that we were moving into this home and that they had told him that they plan to come and burn a cross in our front yard. And I just remembered that nightfall came and my father and my teenage brother sat in a window that faced our front yard and they had rifles and they just sat there all night. And even at my young age of five, I could just vividly remember that night and I just remember walking back and forth and back and forth by that room where they were and I had on a little pink night gown. But I just remember thinking why is this even happening? And you know, no one ever came that night and everyone was okay. My family actually still lives in that home. But as a small child, you know, it really ingrained in me how important it is that no one should ever feel excluded from a neighborhood because of race or gender or ethnicity or religion and fair housing laws really do matter. And that moves me each and every day in the work that I do for NAR and so today's conversation is especially important because we're going to dig deeper into the topic of fair housing. We are joined by Lorraine Arora, managing broker for Berkshire Hathaway Home Services in Alexandria, Virginia.

**Lorraine Arora**: Good morning. Janelle. Thank you for having me.

**JB**: Stephen beard, REALTOR® and accessibility specialist with Keller Williams Realty in Oakland, California.

**Stephen Beard**: Hi, Janelle. It's delightful to be here with you.

**JB**: And Tim Hur, managing broker with Point Honors and Associates in Duluth, Georgia. Tim is also president of the Asian Real Estate Association of America.

**Tim Hur**: Thank you for the invite. I really appreciate it.

**JB**: So happy to have all three of you join us. We are about to have a very sobering discussion about some difficult topics. But I thought we could loosen things up a bit first, with something a little more lighthearted. And so I would just love to hear about a song that motivates each of you to do your jobs.

**TH**: This was a very tough one for me, because there's so many songs I could that we could choose from, but I kind of ended up with one of the classics. “Hi, Ho, Hi, Ho,” from the Seven Dwarves, like everyone knows that sound, right? Because they're, we're working hard. We're, you know, there's seven doors, they're all going to do different things. We have different ways of approaching it. But at the end of the day, we're taking care of our clients who wake up every morning and we're just living life.

**JB**: That was one of my faves. Tim, I feel like I'm going to be singing that all day now. Lorraine, what about you? What's the song that really gets you started every day?

**LA**: One that really gets me going is Alicia Keys, “This Girl Is On Fire.”

**JB**: It's an anthem. I love it.

**SB**: So I'm not going to subject your listeners to my voice singing. I am a very optimistic guy. And I like “Don't Stop Believing” by Journey.

**JB**: Oh, that's a classic, Stephen. That's a great one. I want to thank each of you for playing along with me. You have some hidden vocal talents that we didn't know about. I hope we're feeling a little bit more comfortable because this is a very serious topic today. And I'm excited for us to just dig deep into this whole thing about fair housing and get some of your thoughts on it. One question that I've been sort of thinking about that I was really anxious to ask you was can you share a personal moment where you actually felt or witnessed what could be discrimination or fair housing violation? Lorraine?

**LA**: I'm of Indian origin. And I don't have an Indian name. My first name is not Indian, if you can call it that. And so it was an Indian couple who called me on one of my listings. And when I came up to show the property, he said to his wife in Hindi, I thought she was a white woman. And without missing a beat, I turned around and responded in Hindi, which is grammatically incorrect, my Hindi is grammatically incorrect. And I told him, yes, but I'd be happy to show you the house. And that shouldn't make a difference. He did end up looking at the house, and I ended up selling the house. But sometimes these preconceived notions are just tough. Also, you know, the Afghan refugees, we've had a lot come into the area, and people discriminate against them. And they have, you know, husband, wife, two kids, three kids, a mother, mother-in-law, whoever they're all staying there. And these are little rentals, they're willing to pay 2500 or more supporting that and paying for it, paying for them because they don't have the funds. And people discriminate, they wouldn't take it. In the end, we've had three families that we've helped, and my agent ended up getting them into a home, because it was a fellow Afghan who rented to them.

**SB**: I specialize in real estate services for people with disabilities and their families. And although I don't know that I've ever experienced it directly, there are four areas very distinct areas where I see discrimination happening over and over and over again, and a sense of a non-Fair Housing mentality. Number one, there's this idea of general stereotype in our society that someone who is being pushed in a manual wheelchair can't speak for themselves, that you're going to talk to the person who's pushing them. That is something I've seen over and over again, and I've seen it in medical facilities, as well as in the general street kind of deal. That's a problem. Just because somebody is got a physical challenge, and they're using a wheelchair does not mean that they have a mental challenge and can't speak for themselves. The second point is that there's this assumption in our real estate marketplace, by sellers and by listing agents, that accessibility features in homes, detract from the seller’s ability to get top dollar, you know, you got to get rid of that grab bar, you got to get rid of that ramp, it makes the house look medical, and that's going to hurt the sale, that is being proven wrong over and over again. On the buyer side, we see a lot of real estate agents who make a generalized assumption that people with disabilities can't afford to buy a home, if you're disabled, you must be poor, therefore, you're not going to ever be a homeowner. And that's something I've been fighting my whole career. And then finally, and perhaps the most insidious, we have fair housing law in this country, but condo boards are among the most serious violators of that in regard to allowing people who live in their units, either as owners or tenants of the landlords to do accessibility renovations in common areas.

**TH**: With the Asian American community. You know, we're seeing a lot of the reverse housing discrimination. You know, as in the 70s, when a lot of Asian Americans were immigrating to the US, you know, they were faced with, you know, racial or housing discrimination. And as the Asian American community has now grown, and they're, you know, acquiring properties for investments and renting them out that the same thing that they faced when they were trying to rent homes when they first immigrated here. So there's a lot of education that we have to do on all parties. And if we really think about the Fair Housing Act has just been, you know, it's only been like 50 to 53 years from the date of recording. So it's interesting to see, nobody wakes up every morning saying, I'm going to be racist, or I'm going to wake up and say, I'm going to do a fair housing violation. You don't do that on purpose. I don't think people are waking up intentionally, to do something wrong. It's just again, we have to take a step back.

**LA**: There's an instance that I had talked about quite often, where when my son was in elementary school, he was the only Indian. And there in that school, it was mostly Caucasian. They may have been a few Asian and you know, African American. And the principal said to me, Mrs. Arora, you speak very good English. And I turned to her and said, so do you. You know, what do you think we didn't we grew up in a country where we speak English. And then someone else said, “Oh, but you don't have an accent,” because they put you in that little box. There are so many things that we do unintentionally. And I think that causes the discrimination, I think, because they don't know better. They've just read something or heard just that that experience that they've had once or twice that they put everyone in that same box.

**JB**: All three of you mentioned the importance of education. And so I'd love to hear from you. What resources or training have you found to be helpful with fair housing and on your fair housing journey. Tim, I'd love to start with you.

**TH**: NAR does a great job, there's a lot of great stuff that's coming out from any articles, this is a very important topic, right? This is a very important issue. We know there is the at home a diversity training, that if you really want to get your feet wet, and get started, it gives you CE credits. So if you're lacking and need credits, this is a great way of getting you're getting that done in your local association or your or your state association may offer it or have subsidized cost for the training. And I really encourage everyone to do that. There is the at the Fair Haven modules that you can take, I think everyone should do it. And you know, if you should do the at home at diversity training, get the certification, take the FFA Haven modules and go through the scenarios and see how you know, see what comes out of that there is the implicit bias trainings that you can do. And don't feel like you have to do it alone. Because I am wearing my AREA hat as well as my REALTOR® hat, but the Asian Real Estate Association of America, we have trainings that we can also assist you and help you and a lot of the multicultural associations that NAR has partnered up with, we do provide those kind of trainings, as well. So you're not alone. And we can definitely help you if you want the training,

**SB**: I think we've come a long way in terms of making progress, especially in the last two years around what you're talking about, Tim. And I would add, I think we have a really long way to go still around training around how to serve clients who have different modalities of interacting with the world around their physical and cognitive status, namely, people with disabilities and their families, people who are aging, people who are losing capacity, people who are unable to express themselves verbally, all those types of groups I, I would love to see in NAR accreditation around working with that client population, because the way we interact with them, is going to be different and needs to be different and more sensitive than the way we interact with folks who do not come across that way, who did not come across as having those challenges.

**LA**: And you're right, Stephen, and because we have to learn how to deal with people with disabilities the way they want to be treated, not the way we think they want to be treated.

**SB**: Absolutely. You know, one of the things that we do that I do in my area is a lot of training of REALTORS®, around how to work with clients with disabilities, and how to approach them not just folks who have physical challenges, but folks on the autism spectrum, folks with Down syndrome folks who have not who are nonverbal and might be being supported by either a family member or a care provider. And you're absolutely right, Lorraine, one must be very sensitive not to put your own layer of judgment overtop of where they're coming from. And I like to say come from curiosity, not judgment, don't make assumptions. Just ask questions.

**JB**: Those are all really good points. The housing market is pretty competitive now. And in some cases, prospective buyers are writing letters just to get a shot at buying a home, I'd really like to dig a little bit deeper in that practice with all three of you. Is that a slippery slope towards fair housing violations?

**SB**: The California Association of REALTORS® has actually changed its whole approach to this. And we now have our state REALTOR® forms that everybody uses now require sellers to proactively say yes, they will look at love letters, when they sign a listing agreement. If they don't do anything, the default language is they will not look at love letters. So we're seeing more and more listing agents saying no letters, please no letters, please. From a buyer's agent perspective, we want to distinguish our buyers any way we can against competition. And so when that restriction has not been put in place, when we do talk to our buyers about it, we say yes, you can. And you must you can write the letter, it must be about the property. You should not be talking about yourself. It should be about the property and why the property, the amenities of it and everything are helpful to you. But yeah, there's a real push against it. And I understand that you can get to the point where how do you avoid discrimination because someone doesn't like someone's last name on a purchase contract, you're not going to maybe we're going to get to the point where you don't get to see who the buyer is. You don't get to see the name of the buyer because of potential for a fair housing violation.

**LA**: We do see love letters and I advise my agents not to accept them. So what my agents do is if the love letters come in, put those love letters in a separate attachment. And the agents put that in the agent remarks letting them know that they don't want love letters. Because we live in such a litigious society that someone can always you know, because of the frustration that we experience with the agent's experience the buyers experience, they may turn around and want to say, well, you discriminated. And I didn't win it, because so it's better not to have it and have it separately. And if the sellers want to review it, that's on them, but you educate the sellers and tell them what to expect. Focus on the contract and the strong points of the contract, as opposed to the person and their kids and their families.

**TH**: You know, for me, I cringe when I when I when I hear agents say, oh my god, I just want my client because they read the letter. And I know we wanted, I think it's because you know, it tipped it in my favor, and I just cringe. But for me as a listing agent, I explicitly state, the Fair Housing Act prohibits discrimination based upon race, color, national origin, sex, religion, familiar status, or disability, these letters often provide this information and thus are best avoided. So I write this in my listing agreements. So that way it people just upfront understand that it's it, there's potential for fair housing violations. And thus, it's just we should just avoid it. If I do get it. Honestly, I just say I tell the client, hey, I got a love letter, but I'm not sending it to you, because I want you to make an informed decision based on the contract. But we can laugh about it and discuss it later. But you know, I most of the times some kind of statement like this, you know, most of the agents are very good about not including a love letter into the contract, or with the offer. You know, I have a lot of buyers, however, who, who do ask, Hey, can I write a love letter and usually I say, hey, go Google it, go look it up and see there's a lot of potential litigation you used to want to be embroiled in it. And so let's best avoid it.

**JB**: Stay right there, everybody. We'll be right back after a word about our sponsor. Every agent wants more leads. But what you need is more deals. Chime’s all in one CRM uses powerful AI to cost effectively capture and convert leads into new business. It's the number one sales acceleration platform for real estate pros. Schedule a free demo today at Chime.me/NAR.

**JB**: I'd like to touch on technology for a bit because you know, it's helped us advance by leaps and bounds. But some also say that technology could create opportunities for bias the rear its head, do the three of you have any experience with this? Lorraine?

**LA**: In Virginia, they have to disclose if there are any recording devices, Ring cameras, and other recording devices in the home. And it happened where on one occasion one of my agents was showing a home. And they were discussing the pros and cons. And the sellers had someone there, you know, they had an offer, they ended up taking the other offer because they heard what the buyers were saying about this house. And it's just horrible. Because they don't realize what happens, again, it comes back to education. Educate your clients, when you take them into the home, even though they say there are no devices, because you can have a camera. But if there's no audio, then you know it's a little better, but you don't know what's going on. So the best thing is, look at the house, say nothing, make your notes go outside and discuss it and discuss it further away from that Ring camera. So nowadays, people Google you, if you get an offer, they're Googling you. They were they going on Facebook and LinkedIn, and all these other places. And you can get a lot of information about people, oftentimes that they don't even want you to get.

**TH**: I'm going to take it from a different standpoint to you when we talk about technology because as a broker owner, we get pitched a lot of new technology all the time. There's so much technology that you know, with lead gen and all these targeting tools. But you know, the first question that I usually aske these tech companies or the sales agents is how am I going to avoid fair housing violations? How are you targeting, what is these targeting tools? And what are you doing to you know, hone in on these because, if they're saying that, “Oh, you know, this listing is going to be perfect for a millennial that comes from an X amount of income bracket or something like that.” I'm usually like absolutely, then you already lost me as a client like I'm not doing it because that is the number one way of you know violating fair housing that you're doing advertising in the incorrect way. You have to be very careful with these lead gen tools to make sure that they don't target by race. They don't target by age. They don't target by you know the Fair Housing classes to make sure that even you as an agent or a broker facilitating these technologies that you're paying for, to violate fair housing.

**SB**: We also as agents don't want to be discriminating against buyers and sellers who are non-technically literate. It is more work nowadays for us, if we have to physically go to the buyer or seller's home and sign papers with a pen, instead of doing that with digital signing technology. And we have to walk through all the disclosures with them one by one in person, because they don't come for comfortable with these automatic tools to help fill out disclosure paperwork as sellers. And so we as agents have to watch ourselves that we don't get caught up in the potential for not wanting to provide excellent service, because it's going to be more work for us, because the folks that we're working with are not technically strong.

**JB**: Where are we now with fair housing? Do we have a long way to go? Steven?

**SB**: I think we have a long way to go. I think what's happened is the explicit discrimination is now implicit at hidden. And there is a lot of systemic bias we haven't resolved. And there's also a lot of implicit kind of hidden discrimination that we have to be really aware of as agents. And we need to be thinking about in serving our clients working in this industry.

**LA**: Now we're more aware, it's brought to the forefront with all the challenges that we've had and the lawsuits. But what is more important, because we're aware, NAR, and the local associations are taking up the charge. I know in Virginia, we have been really working hard to get agents involved, looking at ways that we can improve, where we can be more inclusive, where we stop this bias that it's subtle, but it's still there.

**TH**: We do have a long way to go. The Fair Housing Act was passed in 1968. It's not that long ago, you guys, right? Women couldn't own real estate until the 70s without the permission of their, you know, their husbands or their fathers and the Chinese Exclusion Act, the Japanese internment camps. I mean, it's all the stuff that has happened in the civil rights movement. I mean, all these things that has happened, it's not that long ago, we kind of forget about it, especially unlike some of our younger agents that never had to go through some of these, you know, they're now facing, you know, they never had to face these issues, right. So there is a long way to go. And we are looking beyond the federally protected classes, and we're looking at the next generation and the next frontiers. So we have the sexual orientation, gender identity, we already include that in, in our REALTOR® contracts. We are not supposed to do that as REALTORS®, we are better than the average real estate agent, right? And so the onus is on us as REALTORS® to advocate for policy and changes within a federal level to make sure that we include additional protected classes that are going to be faced with discrimination.

**JB**: Each of you represents different demographics of minorities in America. What would you like your peers—other REALTORS®—to know?

**LA**: We’ve just got to be kind.

**TH**: Amen.

**LA**: We've got to stop. You know, just treat people with empathy. Don't make judgment calls. It's just, it's heartbreaking when you hear what's going on. But I think we as REALTORS® can set the bar that we can rise and educate and help people treat other people fairly and without going and pontificating. But at least, you know, educate them when the opportunity arises.

**SB**: I second what you say, Lorraine, treat people the way you would like to be treated. And it comes back to our fiduciary obligation. We have a fiduciary obligation to treat our clients the way we would want to be treated. And that means not being in judgment. That means being open to understanding where they're coming from and listening to them. And being sensitive to their lived experience being different than our own. One of the reasons I like to teach is because it gives me an opportunity to share with other agents’ ideas about how to broaden their perspective of how to work with clients in their circles.

**TH**: You have to continue to band together and continue to have these discussions and talk about it because it's an eye when I go and do a lot of DE&I training across the US. One of the slides that I always include is diversity and inclusion and over indexed, is it some work that is just too commonly used? And depending on where I am in the country, people will say yes, and some people will say no. So it's a topic that we continuously have to say and talk about and you know, when I've been on the DNI training before and I've had people say I'm outright wrong that I'm incorrect that in his city and in his market or his or her city in their market, this doesn't exist. And I'm like, hmmm, I beg to disagree, but thank you for your input. And I'm glad that you are not. But I guarantee you that there are other people in your marketplace that that that needs this training, right? We're here to continue to dialogue, to continue the conversation so that we can make a positive impact because and to make a positive change. We all have a unique perspective. And I know that it's we're only going to get better as a society in a country when we hear each other out, hear our stories, and understand from each other and be like, huh, I never thought about it in Lorraine’s shoes. I never thought about it from Stephen’s shoes. So I think it's so important that we continue to talk about it.

**JB**: That's great. And you guys have given us a lot of information to digest today, I love it. We'd like to close every episode with an “In the Trenches” moment. And that's where we hear from you on a transaction, something where you were really in the trenches, and you can tell us about it. So, Tim, what's your “In the Trenches” moment?

**TH**: There are just those transactions that just go everything is just wrong, wrong, wrong, wrong, right. Everything could go wrong. I had an international client that was trying to buy something, the money didn't come over from international and time for closing. But we find out that it was a short sale, and the short sale had to get approved. So we got the approval letter, but it was at the last minute. And then then funds didn’t come through. So the funds came through a day later, but we met we were able to make the short sale, you know, approval, period time, and everything that could go wrong in real estate, you guys can go wrong. And I know that we are bringing value to what we do as an industry. And everyone is watches TV and watch, you know, they watch the shows. And it makes it very, very simple. So I encourage everyone, you know, as we're in the trenches and to fight, you know, make sure you do the right thing.

**JB**: Lorraine, in the trenches.

**LA**: So recently, after getting beat up and burnt out multiple times, my son who's an agent found a home on Zillow for sale by owner. And he was able to negotiate with the owner. And one of the questions they asked was, why didn't you put it on MLS and use a REALTOR® and she felt that she could do it? Well the market is you know hot, he could have taken advantage of her because she didn't know what she did. What she didn't know. However, he suggested she get a REALTOR®. In the end, she did use an attorney which was good. But, and they won the contract. And it was a win-win. It was a vet who was able to use his allocation, and everyone was happy. But again, you know, you've got to think outside the box. And be kind and be fair. You know, they could have taken advantage of her because she didn't know how to handle things. But they didn't. And that is what is important. So I know this is a difficult market. I know buyers are frustrated, I know agents are frustrated. But just be kind and do the right thing because we are REALTORS®.

**SB**: I've been doing this for 17, almost 18 years now. And earlier in my career and 2910 and 11. In the depths of the recession, I worked with clients who were dealing with multiple areas which had the potential for discrimination and not just being disabled, but also being people of color. And I helped several of them to buy homes in the market back then, using a HUD program called Section Eight homeownership. And it's very exciting, rewarding, gratifying for me now that they're coming back to me and saying, Steven, we want to sell our houses and come off of government assistance completely. They have built up enough equity in these homes they bought 10-12 years ago that they can now sell them with significant equity. Now that's a somewhat a reflection of the market. But you know, it's so wonderful when you can take someone from being in a poverty-stricken situation to being free of being reliant on support. It's a really, really great story of how a good progressive program from HUD has manifested.

**JB**: Well that's it for today's episode. I would really like to thank my guests today: Lorraine Arora, Stephen beard and Tim Hur, all three of you are absolutely amazing and I'm so thankful for you joining and giving us all this information today. To all the REALTORS® out there, keep driving. We're all in this together. Have a great day, everyone. Thanks for joining us on this episode of Drive With NAR, tune in every month or [magazine.realtor/drive](https://magazine.realtor/drive) or subscribe wherever you get your podcasts, get more tips to boost your business at [magazine.realtor/](https://magazine.realtor/).