

## **FAIR HOUSING ADVERTISING WORD AND PHRASE GUIDELINES**

### ***Describe the Property- Not the People***

The Fair Housing Act prohibits any preference, limitation, or discrimination based on a person's race, color, national origin, religion, sex, disability (mental or physical) or familial status.

Besides the protected classes covered under federal law, New York State Human Rights Law prohibits discrimination in housing because of marital status, sexual orientation, age (18 and older), military status, creed, gender identity, gender expression, source of income (for example: public assistance, Section 8, SSD, SSI, court ordered child support), pregnancy, and domestic violence victim status.

Local municipalities also extend these protections even further. New York City prohibits discrimination based on gender, gender identity, marital or partnership status, alienage, citizenship status, any lawful source of income (including Section 8), lawful occupation, because children are or may be residing with the person, status as a veteran or active military service member, status as a victim of domestic violence, stalking and sexual offenses. Nassau County prohibits discrimination based on lawful source of income (including Section 8) and ethnicity. Suffolk County local laws prohibit discrimination based on veteran status, status as a victim of domestic violence, or group identity (which includes actual or perceived age, alienage or citizenship status, gender, sexual orientation, and military status).

Federal, state and local laws also prohibit publishing advertisements indicating any preference, limitation or discrimination based on these protected categories with respect to the sale or rental of a dwelling.

From a practical standpoint, any word or statement that may be perceived to limit a buyer's choices or indicate a preference based on their protected class should be avoided when advertising a property. While you may not intend to indicate a preference or limitation, even a client's perception may be construed as discriminatory.

The following word and phrase list is intended only to provide general guidelines to assist in complying with federal, state and local fair housing laws and nondiscriminatory practices. This list should not be construed as providing legal advice. It is intended to educate, provide guidance, and make you aware of the important legal obligations concerning fair housing issues as they relate to real estate advertising.

This list is not all-inclusive, but is provided to LIBOR members as a Fair Housing reminder of words that are prohibited in most instances when writing any advertisements or listing descriptions. A general list cannot cover every situation or question. Each word must be considered in context. If you have questions you should consult with your own legal counsel.

**Remember, when in Doubt:**

**NEVER USE** ethnic references (e.g. Black, Caucasian/White, Asian, American Indian)

**NEVER USE** nationalities (e.g. Chinese, African, German, Italian)

**NEVER USE** religious references (e.g. near temple, mosque, church, Christian, Muslim, Catholic)

**NEVER USE** sex, gender or sexual orientation (e.g. male, female, transgender, homosexual, gay)

**Prohibited Words**

Able-bodied	Criminal Records, no	Impaired, no
Adult community*	Crippled, no	Indian
Adult friendly	Deaf, no	Integrated
Adult living*	Disability	Irish
Adults only*	Disabled	Islamic
Adults preferred	Disabled, not suitable for	Italian
African	Employed, must be	Jewish
African Americans	Employment verification	Landlord, (description)
Agile	Empty nesters	Latino
AIDS	English only	Lesbian(s)
Alcoholics, no	Ethnic references	LGBTQ
American Indian	Exclusive (i.e. neighborhood)	LINC
Appalachian Asian	Executive	Low income
Asian	Family	Male(s), man, men only
Bachelor	Family, great for	Married
Black(s)	Females(s) only	Mature couple
Blind	FHEPS	Mature individual
Board approval required**	Gay friendly	Mature person(s)
Buddhist	Gay(s)	Membership approval required**
Cash assistance	Gender	Mentally disabled, no
Catholic	Golden agers only	Mentally ill, no
Caucasian	Grandma's house	Mexican
Chicano	Group homes	Mexican-American
Child(ren), (number of)	Handicapped, not for	Migrant workers, no
Children, no	Healthy only	Mormon Temple
Chinese	Heterosexual	Mosque
Christian	Hindu	Muslim
Church (es), near	Hispanic	Must comply with...
Citizens only	HIV	Nationality
Colored	Homosexual	Negro
Couples only	Hungarian	Newlyweds

Non alcoholics	Protestant	Singles preferred
Non drinker(s)	Public assistance, no	Smoker(s), no
Non married	Puerto Rican	Social Security Insurance/SSI
Non-citizen	Queer	Spanish speaking
Non-drinkers	Quiet Tenants	Stable
Not suitable for...	Religious reference	Straight, only
Older person(s)	Responsible	Synagogue
One child	Restricted	Temple
One child only	Retarded, no	Tenant(s), description of
One person	Safe neighborhood	Transgender
Oriental	Seasonal workers, no	Two people
Parish	Section 8, no	Unemployed, no
Paystub required	Senior discount, no*	Verifiable income
Philippine	Sex or gender	Wheelchairs, no
Physically fit only	Shrine	White
Play area, no	Single friendly	White only
Polish	Single woman, man	Woman (women) only
Preferred community	Singles	
Programs, no	Singles only	

### Caution Words

55 and older community*	Mother-in-law apt.	School designations
62 and older*	Nanny's room	Secluded
Active	Near...	Secure
Close to...	Older person(s)	Seeking same
College students, no	One person	Senior citizen(s)*
Country club, near	Perfect for...	Senior housing*
Credit check required	Person(s), (number of)	Senior(s)*
Domestic's quarters	Pets, no	Sophisticated
Fisherman's retreat	Prestigious	Starter
Gentleman's farm	Private	Student(s) students, no
Handicap	Quality neighborhood	Traditional
Handyman's dream	Retired retiree(s)	Two people
Ideal for...	Retirement home	Walking distance to...

NOTE: All caution words will be unacceptable if utilized in a context that states an unlawful preference or limitation. Furthermore, all caution words may be "red flags" to fair housing enforcement agencies, which may invite further investigation and/or testing.

\*May be permitted only when complex or development legally qualifies as senior housing.

\*\*If property is in a condo or co-op, you should instead state that sale may be subject to terms and conditions of an offering plan.