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DATE: January 5, 2020

TO: Montana Association of Realtors
Great Falls Association of Realtors
Helena Association of Realtors
Missoula Organization of Realtors
Northwest Montana Association of Realtors
Billings Association of Realtors & Havre Hi-Line Board of Realtors
Gallatin Association of Realtors
Bitterroot Valley Board of Realtors
Rocky Mountain Association of Realtors
Park County Board of Realtors

FROM: Pam Bean, Montana Fair Housing

RE: Submission of Personalized Letters and Pictures, Webcams, Advertising,
and Marketing

VIA E-Mail

Montana Fair Housing is experiencing an increase in calls related to Real Estate practices. As a result of these calls, we are hoping to alert the associations and boards in an effort to assist brokers and agents in averting violations of the Federal Fair Housing Act as Amended in 1988 and the Montana Human Rights Act.

As always, we encourage agents and brokers to look at and incorporate marketing and advertising strategies reaching qualified buyers and sellers in all protected classes. Ensure graphics used in materials and on websites reflect a diverse population, and are distributed in a manner reaching your entire service area. Place the EHO logo on websites, your business cards, and materials.

We have been advised there is an increased use of webcams and microphones during showings. While I am not an attorney, it is my understanding Montana is a two-party consent state and recordings can not be conducted without the consent of all participating parties. MFH encourages agents and brokers to talk with private legal

The mission of Montana Fair Housing, Inc., is to promote fair housing throughout Montana, and elsewhere. Among MFH's specific purposes and goals is the promotion of equal opportunity in all housing related transactions, and to ensure all housing is available on a non-discriminatory basis. In addition, Montana Fair Housing supports the pursuit and expansion of all civil rights available in Montana and throughout the United States.

counsel about this practice. In addition, arguments are arising that owners are utilizing this information to make decisions about interested buyers – making decisions about a household's ability to purchase a home based on that household's protected class status as identified by cameras and microphones. This can lead to allegations of housing discrimination and the filing of complaints.

The third area of concern is the practice of having buyers submit offers that include a personal letter. This practice has also raised allegations of discrimination, particularly if the owner has requested pictures of the household.

Montana Fair Housing is hopeful this brief memo will encourage brokers and agents to revisit advertising and marketing strategies, and avoid participation in practices that could lead to being identified in an enforcement action.

I look forward to further discussion related to these practices, and can be reached by e-mail at pam@montanafairhousing.org.