



January 27, 2020

The Honorable Stephen D. Hambley  
Riffe Center  
77 S. High St  
Columbus, OH 43215  
RE: House Bill 369 Proponent Testimony

Chairman Hambley, Vice Chair Patton, Ranking Member Brown and Members of the Civil Justice Committee:

On behalf of 33,000 Ohio REALTORS® we thank you for this opportunity to provide comments on House Bill 369 sponsored by Representatives Hillyer and Skindell.

My name is Anjanette Frye, and I'm the immediate Past President of Ohio REALTORS® living in Dayton.

And my name is Steve Brown. I am also a Past President of Ohio REALTORS® and I served as the 2014 President of the National Association of REALTORS®. I, too, am a Dayton resident. We appreciate the ability to come and testify in support of HB 369. This legislation expands many of the Ohio Civil Rights Commission (OCRC) Law's existing prohibitions against discriminatory practices to apply to "sexual orientation," or "gender identity or expression." This legislation has been reviewed by our Legislative Steering Committee and our Board of Directors. Our Association enthusiastically and unanimously supports these sections of HB 369 directed at fair housing practices.

To give you background on our position, the National Association of REALTORS® (NAR) Code of Ethics, adopted in 1913, was one of the first codes of ethical duties adopted by any business group. Our Code requires REALTORS® to cooperate with each other in furtherance of our clients' best interests.

Specifically, Article 10 of the Code states:

*"REALTORS® shall not deny equal professional services to any person for reasons of race, color, religion, sex, handicap, familial status, national origin, sexual orientation, or gender identity. REALTORS® shall not be parties to any plan or agreement to discriminate against a person or persons on the basis of race, color, religion, sex, handicap, familial status, national origin, sexual orientation, or gender identity."*

*REALTORS®, in their real estate employment practices, shall not discriminate against any person or persons on the basis of race, color, religion, sex, handicap, familial status, national origin, sexual orientation, or gender identity."*

**Chris Reese, CRS**, President • **Scott R. Williams**, CEO



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In order to become a REALTOR®, to join and remain a member of the 1.4 million member-strong National Association of REALTORS®, a person must swear to uphold this Code of Ethics.

Although we would like to believe that housing discrimination does not occur in today's marketplace -- let alone discrimination based upon a person's sexual orientation and/or gender identity/expression -- we would be sadly mistaken. Housing discrimination remains a real occurrence and this legislation is a critical step in providing important protections.

If you have ever experienced discrimination, I guarantee that you never forget it. As a young boy I still remember vividly when my parents were looking at a home in a community near Dayton that had deed restrictions specifying who could and could not purchase homes in that community. Thinking my family was Jewish, the agent bluntly told us on the front porch of the home we wanted to see, that "Jews" were not allowed to purchase this home or any other home in that neighborhood. He refused to show us the house, telling us to "move on." Although this experience does not focus on discrimination based on gender identity or sexual orientation, it shows how openly people will try to keep others out of homes.

You would be right in saying that things are different today. But while progress has occurred, there's still more that needs to be done. Recently, one of my most seasoned agents returned to the office from a showing in a community near Dayton in tears. She could not put together a deal despite willing buyers, because the seller continued to change both the selling price and the terms of the transaction because he did not like the notion of two men living together in his house. How is this different than 50 years ago, when it was still legal to "not like" the idea of "African-Americans", "Jews", "Foreign-Born" or the "Differently Abled" in a neighborhood?

As Steve has highlighted, this legislation is vitally important because, despite our best efforts, discriminatory practices exist. My family, unfortunately, experienced this first-hand when my wife, daughter and I purchased a home in the Dayton area two years ago.

Growing up in Dayton as a second-generation real estate broker, I have witnessed the excitement and joy of achieving the American Dream through the eyes of many clients and friends. That's what made this home search so special -- it was for my family's home. Yet...discrimination occurred, and I experienced it through the eyes of my daughter.

While we were looking at homes, the seller asked my daughter where her father was. She pointed to me. The seller responded that my wife was too pretty to not be with a man and that the neighborhood did not have any people like "us." In my daughter's eyes we ARE like the other neighbors. She began to tell the seller we like to plant flowers and decorate our house for Christmas. She asked the seller if the other neighbors like to decorate at Christmas. A child's innocence and honesty - we can all learn something from our children.

We walked out of that home sad and angry. You see in my daughter's eight years of life we had managed to shield her from the discrimination of being a same sex family only to have it thrown back in our faces that we are different and may not fit in the neighborhood.

Discrimination is real and is in our lives daily!

Although House Bill 369 is consistent with the everyday practices of Ohio's REALTORS®, one of the tenets of our Code requires REALTORS® to “identify and take steps, through enforcement of this Code of Ethics and by assisting appropriate regulatory bodies, to eliminate practices which may damage the public or which might discredit or bring dishonor to the real estate profession.”

Our current laws do both. They damage the public because discrimination for any reason other than the buyer's inability to qualify hurts everyone in the market. It is simply bad business. Worse, it dishonors the American Dream, which is the dream of home ownership. It brings discredit to whole communities through the actions of a bigoted few, and to those REALTORS® who, for fiduciary reasons, must remain silent.

But we no longer remain silent and we respectfully ask for your support of HB 369, not just because of our Code of Ethics, not just because we have a personal interest in this legislation because we are both gay, but because it is the right thing to do. Every Buckeye deserves to be treated with equality.

We are very grateful for the opportunity to address the committee today. If you or the members of the committee have any questions or would like to discuss further our position on this legislation, please do not hesitate to contact us.

Steve Brown  
2014 President, National Association of REALTORS®  
Past President, Ohio REALTORS®

Anjanette Frye  
Immediate Past President, Ohio REALTORS®