

Professional Standards Update-- Equal Professional Services by the REALTOR®

REALTOR® A was contacted by Prospect C, a female head of household, concerning a home for sale which was advertised during the previous week in the newspaper's classified real estate section. When informed by REALTOR® A that the home in question had already been sold, Prospect C asked to be shown homes in the \$80,000 to \$90,000 price range with three bedrooms and located near schools and playgrounds. REALTOR® A proceeded to show Prospect C a number of homes which met her stated criteria for price range, size, and location, but Prospect C was interested in none of them.

Shortly thereafter, Prospect C filed a complaint with the Board of REALTORS® against REALTOR® A, complaining that he had violated Article 10 of the Code of Ethics by failing to offer equal professional service to her because she was a woman. Prospect C contended that she did not receive the same professional service from REALTOR® A that would have been afforded to a male head of household and home seeker with the same criteria for price range, size, and location.

The complaint was referred to the Grievance Committee and after its preliminary review and evaluation, the Grievance Committee referred it to the Secretary and directed that a hearing be arranged before a Hearing Panel of the Professional Standards Committee. The Secretary made the necessary arrangements and provided the proper notices and opportunity for response by REALTOR® A.

At the hearing, Prospect C expressed her complaint and concluded by saying, "It was obvious to me that REALTOR® A discriminated against me because I am a woman. In my opinion, he showed little interest in helping me to find a home."

REALTOR® A responded that he was sorry that Prospect C had that opinion, but that certainly he held no such attitude as charged. REALTOR® A advised the Hearing Panel that he routinely utilized a contact report for each prospect which includes identification information on the clients, provides data on the price range, type of house and location preferred by the prospect, and records the homes shown to the prospect with information on the price, type, and location of each home shown. REALTOR® A presented several such reports from his files including the report pertaining to Prospect C. Prospect C's report showed that several homes shown to her met the data as supplied by her.

The Hearing Panel concluded that REALTOR® A's documented evidence did, in fact, establish a clear position in which equal professional service had been offered and that no violation of Article 10 had occurred.