

FEDERAL RESERVE BANK OF DALLAS

DALLAS, TEXAS 75222

Circular No. 78-80

June 14, 1978

FAIR HOUSING ADVERTISING AND POSTER REQUIREMENTS

TO ALL STATE MEMBER BANKS
AND OTHERS CONCERNED IN THE
ELEVENTH FEDERAL RESERVE DISTRICT:

The Board of Governors of the Federal Reserve System, in conjunction with the Department of Housing and Urban Development and other Federal regulatory agencies, has updated its fair housing advertising and poster requirements for State chartered member banks in order to reflect the current provisions of the Equal Credit Opportunity and Fair Housing Acts. The new advertising and poster requirements are effective June 19, 1978. Copies of the "Equal Housing Lender Poster" containing the required notice regarding nondiscrimination in real estate financing were forwarded to you under a letter dated February 1, 1978.

Printed on the following pages is a copy of the Board's order as it appeared in the *Federal Register*. Any questions regarding this matter may be directed to our Bank Supervision and Regulations Department, Consumer Affairs Section, at Ext. 6171 or 6181.

Sincerely yours,

Robert H. Boykin

First Vice President

Banks and others are encouraged to use the following incoming WATS numbers in contacting this Bank: 1-800-492-4403 (intrastate) and 1-800-527-4970 (interstate). For calls placed locally, please use 651 plus the extension referred to above.

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Thursday, May 25, 1978
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[6210-01]

FEDERAL RESERVE SYSTEM

(Docket No. R-0162)

**FAIR HOUSING ADVERTISING AND POSTER
REQUIREMENTS**

Order

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Order.

SUMMARY: The Federal Reserve System is updating its fair housing advertising and poster requirements for State-chartered banks that are members of the System to reflect the current provisions of the Equal Credit Opportunity and Fair Housing Acts.

DATE: The Board's order is effective June 19, 1978.

FOR FURTHER INFORMATION CONTACT:

Robert C. Plows, Section Chief, Division of Consumer Affairs, Washington, D.C. 20551, 202-452-3667.

SUPPLEMENTARY INFORMATION:

In order to encourage compliance with, and to increase public awareness of, the discrimination prohibitions of the Fair Housing Act of 1968, the Board, along with the other Federal financial supervisory agencies and the Department of Housing and Urban Development, adopted in 1971 and 1972 advertising and poster requirements relating to residential real estate lending activities. Pursuant to those requirements, any State member bank that advertises residential real estate lending services must indicate in those advertisements that it makes such loans without regard to race, color, religion, and national origin. Written advertisements must contain a specified equal housing lender logotype. Similarly, a State member bank making residential real estate loans must display a specified equal housing lender poster in the public lobbies of its offices.

Parts of the advertising and poster requirements have become outdated because of the addition of sex as a prohibited basis of discrimination under the Fair Housing Act (42 U.S.C. 3601, et seq.) and because of the passage of the 1976 amendments to the Equal Credit Opportunity Act (15 U.S.C. 1691, et seq.).

As amended, section 805 of the Fair Housing Act prohibits discrimination in the financing of housing on the basis of race, color, religion, national origin, or sex. The Equal Credit Opportunity Act, as amended, prohibits discrimination against any applicant in any aspect of a credit transaction on the basis of sex, marital status, race, color, religion, national origin, or age; because all or part of the applicant's income derives from any public

assistance program; or because the applicant has in good faith exercised any right under the Consumer Credit Protection Act.

In order to encourage compliance with, and to increase public awareness of, the anti-discrimination provisions of both acts, the Board, along with HUD and the other Federal financial supervisory agencies, has adopted new advertising and poster requirements. These new requirements further amend those first set out by the Board on December 29, 1971 (36 FR 25168) and amended on April 28, 1972 (37 FR 8578).

The Assistant Secretary for Equal Opportunity of the Department of Housing and Urban Development has granted a waiver to State member banks from the Fair Housing Poster Requirements described in Part 110 of that agency's regulation (24 CFR 110.25(b)) in view of the Board's poster requirements.

The Board is distributing copies of the new fair housing poster to each State member bank through the bank's appropriate Federal Reserve Bank.

Accordingly, the Board issues the following order:

**FAIR HOUSING ADVERTISING AND POSTER
REQUIREMENTS**

1. NONDISCRIMINATORY ADVERTISING

(a) Any State member bank that directly or through third parties engages in any form of advertising of loans for the purpose of purchasing, constructing, improving, repairing, or maintaining a dwelling (as defined in section 3 of this order) shall prominently indicate in such advertisement, in a manner appropriate to the advertising medium and format utilized, that the bank makes such loans without regard to race, color, religion, sex, or national origin.

(1) With respect to a written or visual advertisement, this requirement may be satisfied by including in the advertisement a facsimile of the logotype with the equal housing lender legend contained in the Equal Housing Lender Poster prescribed in section 2 of this order.

(2) With respect to an oral advertisement, this requirement may be satisfied by a statement, in the spoken text of the advertisement, that the bank is an "equal housing lender."

(3) When an oral advertisement is used in conjunction with a written or visual advertisement, the use of either of the methods specified in subparagraphs (1) and (2) will satisfy the requirements of this paragraph (a).

(b) No advertisement shall contain any words, symbols, models, or other forms of communication that express, imply, or suggest a discriminatory preference or policy of exclusion in

violation of the provisions of the Fair Housing Act or the Equal Credit Opportunity Act.

2. EQUAL HOUSING LENDER POSTER

(a) Each State member bank engaged in extending loans for the purpose of purchasing, constructing, improving, repairing, or maintaining a dwelling (as defined in section 3 of this order) shall conspicuously display an Equal Housing Lender Poster in any public lobby and area within the bank where deposits are received or where such loans are made in a manner clearly visible to the general public entering such areas.

(b) The Equal Housing Lender Poster shall be at least 11 by 14 inches in size and shall have the following text;



We Do Business in Accordance With the
Federal Fair Housing Law

IT IS ILLEGAL, BECAUSE OF RACE, COLOR,
RELIGION, SEX, OR NATIONAL ORIGIN, TO:

- Deny a loan for the purpose of purchasing, constructing, improving, repairing or maintaining a dwelling or
- Discriminate in fixing the amount, interest rate, duration, application procedures or other terms or conditions of such a loan

IF YOU BELIEVE YOU HAVE BEEN
DISCRIMINATED AGAINST, YOU MAY SEND
A COMPLAINT TO:

Assistant Secretary for Equal Opportunity,
Department of Housing and Urban
Development, Washington, D.C. 20410

IT IS ILLEGAL UNDER THE EQUAL CREDIT
OPPORTUNITY ACT TO DISCRIMINATE IN
EXTENDING CREDIT:

- On the basis of race, color, religion, national origin, sex, or marital status, or age
- Because income is from public assistance
- Because a right was exercised under the Consumer Credit Protection Act.

IF YOU BELIEVE YOU HAVE BEEN
DISCRIMINATED AGAINST, YOU MAY SEND
A COMPLAINT TO:

Federal Reserve System, Division of
Consumer Affairs, Washington, D.C. 20551

3. DEFINITION OF DWELLING

"Dwelling" means any building, structure (including a mobile home), or portion thereof that is occupied as, or designed or intended for occupancy as, a residence by one or more natural persons and any vacant land that is offered for sale or lease for the construction or location thereon of any such building, structure, or portion thereof.

By order of the Board of Governors,
May 15, 1978.

THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc. 78-14616 Filed 5-24-78; 8:45 am]