

BUYER LETTERS BEWARE!

Buyer love letters, also known simply as “buyer letters,” are seemingly harmless personal messages, often with photos attached, written to convince a seller to accept an offer.

GOOD IDEA?

Buyer letters raise the risk of violating fair housing laws. The content of these letters could contain information that could be used, either knowingly or unconsciously, as an unlawful reason for the sellers to accept or reject an offer.

YOU MIGHT NOT REALIZE IT.

We all have life experiences that influence how we think about things, including how we view characteristics of groups or individuals. These views can lead to totally unintentional, or implicit, bias. The result could be unlawful discrimination against protected classes.

In Delaware, *race, color, religion, sex, national origin, familial status, disability, creed, source of income, marital status, age (18+), sexual orientation, and gender identity* are protected classes.

BE AWARE!

Recognizing the possibility for implicit bias and acting to preclude the appearance of bias helps to mitigate the risk of legal action.

ACT RESPONSIBLY. CONSIDER THESE NAR BEST PRACTICES

- Educate clients about fair housing laws and the pitfalls of buyer love letters.
- Inform clients that you will not deliver buyer love letters, and advise others that no buyer love letters will be accepted as part of the MLS listing.
- Remind clients that a decision to accept or reject an offer should be based on objective criteria only.
- If a client insists on drafting a buyer love letter, do not help draft or deliver it.
- Avoid reading any love letter drafted or received by your client.
- Document all offers received and the seller’s objective reason for accepting an offer.