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From One Voice to Many: Despite Setbacks and Opposition, How a Growing Chorus Paved the Way to Fair Housing

Looking back on the fifty years since the passage of the Fair Housing Act in 1968, it's easy to recognize the line in the sand that was drawn when President Lyndon B. Johnson's pen made the bill into law. Before that day, housing discrimination was integral to the way real estate business was conducted, and afterwards, the law signaled that such practices were no longer tolerable.

But the change wasn't as sudden as it might appear at first glance. The road to fair housing was a process that took decades to navigate. From the mid-nineteenth century on, community activism, the Civil Rights movement, and court cases at all levels of the judiciary chipped away at the long-standing views that made discrimination such a powerful institution.

Within the real estate industry itself, there were signals that the old way of doing business was on the way out. In 1944, a letter to the editor appeared in the National Real Estate Journal, written by REALTOR® W. H. Daum, a former president of the California Association of REALTORS®. Responding to an article promoting ideas for housing "colored people," Daum countered: "It strikes me that this problem is being set up as a tremendous one,

when as a matter of fact it is simple, and the solution is this: Placing subdivisions or homes on the market without race restrictions. The subdivisions can be made as large as are required to take care of the population that desires to live in a district not restricted as to race. This includes people of all nations, colored, white, yellow and others."

Views such as Daum's were exceedingly rare in an industry overwhelmingly dominated by middle-aged white males, but the voices were out there for those who chose to listen. Over time, those voices became louder and bolder and more widespread, imploring the National Association of Real Estate Boards (as NAR was then called) and others at the forefront of the real estate industry to take notice.

For many local REALTOR® associations, preventing anyone who wasn't a white male from becoming members (and gaining access to MLS listings and other essential resources) was an acceptable way of doing business. Often their by-laws explicitly stated that blacks, women, Jews, and other groups were not allowed to join.

Barred from joining established REALTOR® organizations in their communities, black real

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estate brokers in New York, Chicago, Los Angeles and other cities created their own boards to support their professional interests. In 1947, the National Association of Real Estate Brokers was created “out of a need to promote fair housing and equal opportunities for African American real estate professionals, consumers and communities.” Calling its members REALTISTS, the association presented a new and vital voice to the real estate industry as a whole.

Although the National Association of REALTORS® welcomed the REALTISTS to the industry and pledged to help the organization along, NAR did nothing to open up membership in local boards of REALTORS® until the 1960’s. It wasn’t until 1961 that NAR finally overturned the policies that prevented black real estate professionals from joining their local boards of REALTORS®. Even after the passage of the Fair Housing Act, some local Boards continued to prevent or discourage black real estate brokers from becoming REALTOR® members.

During the 1950’s and 1960’s, a time when NAR opposed fair housing legislation in many states and nationally, the National Association of Real Estate Brokers championed fair housing and their actions encouraged others, including REALTORS®, to support open or fair housing.

Among those working for change within the real estate industry was Baltimore REALTOR® Malcolm “Mal” Sherman. While attending synagogue in the early 1960s, Sherman heard his rabbi assert that if the Holocaust had taught any lesson, it was that one should never ignore

injustice done to one’s neighbor. The next day, he announced his intention to buy, sell, and rent to anyone, regardless of race, creed, or color. “This was totally contrary to NAR policy at the time,” Sherman later recalled. In 1953, when he tried to stabilize a neighborhood that was undergoing blockbusting, he appealed to white residents to stay. They rebuffed his plea and refused to do business with him. Despite the setbacks and opposition, Sherman continued to act on his beliefs, hiring African American real estate agents and helping black families find homes in desirable neighborhoods. “All that black people wanted was the right to buy or rent anyplace, regardless of race, creed or color,” he told the Baltimore Sun in 2001.

At the same time, voices outside the real estate industry were bringing an intense focus on instances of discrimination and unfairness in housing. In Louisville, KY, in 1954, the family of Andrew Wade, an African American Korean War veteran, benefitted from the assistance of Anne and Carl Braden when they sought to purchase a home. Since the Wades were not allowed to buy the home in the traditionally white neighborhood they were interested in, the Bradens purchased it for them and transferred the title to the Wades. The Wades were eventually driven from their home by their neighbors’ threats and acts of violence, while the Bradens were indicted on criminal conspiracy charges. The incident proved to be a touchstone for the open housing drive that was embraced by the Civil Rights movement, became a prime example of the need for local fair housing laws and the national Fair Housing Act.

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In 1957, New York City became the first municipality in the United States to enact an ordinance to prohibit housing discrimination, followed by Pittsburgh in 1958. By 1964, scores of towns and cities across the country had followed suit. Open housing demonstrations and marches in Chicago, Seattle, and other cities continued to challenge the policies that restricted who could live where based on race and nationality.

Although the successful passage of a national fair housing law was still a few years away, it was this growing chorus of voices that paved the way to make it possible.

For more information, resources and to get involved, visit www.FairHousing.realtor