



Oregon becomes first US state to ban homebuyer love letters

Homebuyers have used these so-called 'love letters' help their offers stand out, but critics say they leave the door open for discrimination

BY [DANIEL HOUSTON](#)

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Oregon will become the first state to require real estate agents to reject so-called “love letters” from homebuyers to sellers.

The [new law](#), which will go into effect in January throughout Oregon, says a seller’s agent [must reject](#) “any communication other than customary documents” from a potential homebuyer, including photographs.

These letters often paint a personal picture meant to [tug at the heartstrings of a seller](#). But critics say they can also reveal information about buyers that could be [used to discriminate](#) against them or others, consciously or otherwise, in violation of the Fair Housing Act.

The National Association of Realtors advises its members to only consider legitimate, non-discriminatory criteria when selling a home. Failing to do so could leave agents in “a compromised position,” NAR spokesman Wesley Shaw said.

“We also recommend that our members explain potential pitfalls to their clients while stressing the importance of sticking to objective criteria in order to adhere to federal and state Fair Housing laws,” Shaw said in a statement provided to Inman.

The association is unaware of whether buyer love letters have led to any lawsuits, Shaw added.

Still, some real estate professionals Inman spoke to say the opportunity to discriminate is apparent.

When Leann Harris bought a home recently, she said she wrote a letter to the seller without fear of her race, ethnicity or family situation reducing her chances of getting the house.

“My love letter included things about my children and being able to have holidays with my kids, and it did strike that seller,” Harris told Inman. “I’m also a white woman, and I feel like it was a privilege. I’ve been privileged in that arena. So for me, I’m OK with it going away.”

For Harris, business owner and CEO of Keller Williams Realty Portland Central, the letter appeared to help her cause.

But in the experience of some agents, these letters are sometimes ineffective, RE/MAX agent Sandy Williams said.

"I've had transactions where we've done these letters and it doesn't do any good," said Williams, who is based in the Oregon city of Beaverton, just west of Portland. "It's not a cut-and-dried situation, in my opinion."

Traditionally, it's been up to the seller whether to review a buyer love letter, Williams said. But she added that sellers tend to prioritize the hard numbers of an offer over the personal circumstances of the buyer.

Even though the Oregon law doesn't go into effect until January, some agents are already implementing the no-letter policy, Williams said.

Portland-area Keller Williams agent Wesley Johnson said he rarely sees these letters from buyers. Sometimes he'll see them from first-time homebuyers — [especially those with families](#), he said.

The new law explicitly says banning the letters should help sellers avoid discriminating among potential buyers based on familial or marital status, in addition to a buyer's race, national origin, gender, sexual orientation or religion.

The statute language also raises questions for some agents about what will still be allowed when it goes into effect in January.

For instance, an offer will often include a cover sheet with some information on the buyer. But it's unclear whether such a cover letter containing personal information would be allowed as a "customary" document under the new law, Keller Williams agent Amy Logue said.

Logue works in the Portland area at Harris's firm. She said if the new law prevented agents from [including any personal information](#) in an offer cover letter, it would be "a sticking point" for some.

"For the agents, it's mixed emotions," Logue said. "Some love them. Some attribute winning multiple offer situations to the love letters, while others hate them and don't want to provide them."

"A lot of people are really happy to see the law. For fair housing, it's a great thing."