



### ScratchThat Podcast Episode 38: A Haven for All

Emily: Hey, I'm Emily Chenevert, advocacy nerd, Peloton enthusiast, wife, and mama to two and CEO of the Austin Board of REALTORS®. Every day, real estate is changing. So we're taking it to the experts to unpack major topics that you need to know about to be successful in this business. Scratch what you think you know about this business, and listen up for a fresh take on an old industry. Bryan Greene has been shaking things up on the fair housing front as NAR's Director of Fair Housing. And now serving as the Vice President of Policy Advocacy, he's got a finger on the pulse of housing equality, and he's going to talk to us about what our industry has been doing the last year and what we need to continue to do to make diversity, equity and inclusion a priority across the marketplace. Join us in the conversation and listen up. I want to start to talk about you being like quite the rock star and the NAR world. These days, you become a pretty popular staff member pretty quickly. So tell me a little bit about your background and how you came to work with NAR.

Bryan: Sure. So I joined NAR last November after 29 years at HUD, U S Department of Housing and Urban Development. So it was a brave new world for me.

Emily: Yeah, that's a big change.

Bryan: Yeah. And at HUD, I was overseeing, uh, HUD's office of fair housing. I was the top career person in that office doing that work, and I had done pretty much every job there. And so it was a, uh, uh, a good time to change. And, uh, I really did jump right in it.

Emily: You know, really the timing of you jumping in, it was pretty extraordinary given what we saw with the Newsday reporting and just the conversation that I think our industry was beginning to have. Was that exciting to you? Overwhelming in the beginning?

Bryan: It was exciting. And, you know, I was still trying to find out, you know, where the water cooler was my job, at least as far as I understood it was focused on legislative and regulatory advocacy and this work that we immediately needed to do after that, uh, New York Newsday story was a lot more introspective, you know, in terms of, um,

addressing issues within our industry. So it really opened up a whole other dimension of work, which I suppose was always going to be mine, but, uh, it laid a great deal of emphasis on it. So we've developed a lot of initiatives that were member directed in addition to, you know, responding to Congress and the agencies about these issues and all the other issues that, you know, affirmatively I had planned to advance. So it just, yeah, it just opened up several of work for me.

Emily: Definitely the focus feels like it has been more introspectively related to the way that our own members are managing their businesses, you know, their interactions with their clients. Of course, the code of ethics changes, all of those being really within market. Is it fair to say that that's still the priority as we head into 2021? Or will we see a shift towards that legislative focus again?

Bryan: I wouldn't say that the legislative focus did not become the priority. It really just, uh, you know, the circle expanded.

Emily: Yeah. It was a "yes..and" Yeah?

Bryan: Yeah and in fact, if anything, I think as we, as this year progressed, uh, it became evident that we really needed to talk and engage even more on the federal government front. I described a lot of what we did in the early part of the year with ACT the initiative that we launched, uh, to address discrimination within the industry acronym for Accountability, Culture Change, and Training. I found mid year, I was explaining, look, act is about ensuring that our industry is doing what it's already obligated to do under a federal laws, state, and local laws, licensing laws, as well as our code of ethics. You know, so we should be doing those things already and, you know, Newsday sort of underscored that, uh, you know, when you do testing, it reveals not everyone's doing what they should be doing. And so those are issues that are sort of like do no harm. Like you, you, you know, you, you have to satisfy the law. Beyond that, and especially after the killing of George Floyd, and more Americans began discussing our neighborhoods and the history of segregation in our communities. I think it became really evident that we also need to be vocal on policy and how we, how we redress, uh, legacy of harm and address structures that, you know, beyond what individual agents may do may perpetuate, you know, uh, structures that may perpetuate segregation. So they go hand in glove or they're part and parcel, you know, I said, we have ACT, you know, we need a second ACT that, uh, follows on and talks about the underpinnings of the real estate world that may still serve to disadvantage some and, uh, advantage others. And so there's a lot more work to do to unpack, uh, the issues in our communities.

Emily: Yeah. So you're a full fledged REALTOR® association staff member now that you've got your own acronym going. So that's a good start.

Bryan: It was actually accidental.

Emily: Oh, it always is. But then we cling to them like nobody's business. I want to talk about, talk to me a little bit about the partners that you're bringing into that conversation to work in parallel with NAR. I mean, I think you guys have been really smart in, in sort of

assessing what appears to me is we can't do this by ourselves. There are people who do this work all the time and are really good at it, and they're going to help us rewrite the narrative with our own marketplaces. So talk to me about who some of those people are.

Bryan: Sure. So, uh, as I said, briefly, ACT, it stands for accountability, culture change and training. And if you think of it as a triangle, you know, you're really kind of, uh, closing in on the issue of discrimination from those three vantage points and each is important and you really can't succeed without, you know, moving on each, you know, towards the center. And so accountability is all about making sure that the end of the day there some consequence when people engage in discrimination, right? And we, as a profession, don't want unprofessional people out there harming the profession, harming our brokerages, harming our economy, arming our neighborhoods and reputation so much. And so we've said that we want to do self-testing to create essentially a program that companies can tap into so that Newsday doesn't have to do an expose or so the government doesn't have to do testing to reveal what's happening, but that companies do it themselves. And self-correct. And so that's one area where we are tapping into the expertise that's out there, there are private fair housing groups all throughout this country that have decades of experience doing this kind of work. And so in developing that we are tapping into that network of, uh, private fair housing organizations, for example, the national fair housing Alliance. It's an umbrella group of many of those organizations. So there's an opportunity to utilize that network, to do testing in different places. Testing is difficult, it's expensive tensive. And so there's a lot of infrastructure there that's already been created. And if we're going to go to say Texas, or we're going to go to California or New York, we would want to use some of that infrastructure. That's there to do this work. So that's underway in terms of say training. We have some new partners and we discovered the perception Institute almost as soon as I arrived, to do implicit bias training with us. And they are, uh, premier trainers in this area. They do have civil rights background, and I sort of found out about them through other civil rights advocacy groups. One of their co-founders is, uh, a real estate attorney with a civil rights background. And so, so she understood that she had never worked with the REALTORS®, uh, and they developed, uh, in may a 50 minute training video for us as an overview of, of this work. And they're going to do more in-depth training with our members early next year. And then, you know, there are other groups like the Poverty and Race Research Action Council. Uh, that's doing preliminary work with us on schools and fair housing. We know that school segregation, housing, segregation reinforce each other. So they've done a lot of work in that space. So we're developing curriculum as well as, uh, hopefully a video that talks some about these issues. The fair housing justice center in New York is working with us on a video about fair housing leaders. They've produced some, uh, wonderful videos on fair housing in the past, uh, using a great filmmaker named Bill Cavanaugh. They worked with Norman Lear. Remember Norman Lear, the, uh, famous producer of, uh, shows like all in the family and good times and things. So they've done all these great films on housing discrimination in the past. And so they're working with us to do a film on leaders of fair housing in our industry. I think coming out of Newsday, one of the messages we want to send to people is there are real estate agents working in communities who are prosperous, and follow the law. And while we don't know exactly why people in 2020 still are engaged in discrimination, there's an opportunity to have peers illustrate that

whatever's motivating you. It's unnecessary. You know, it doesn't pay, uh, in fact, what pays more is working with everybody and look at me, look at what I'm doing. And, you know, just have more peers in our industry and showing folks, this is, this is the way to go. So that film, we hope to release early in the year as well. So lots of different partners every few weeks, it seems like we're partnering with someone on another initiative, all very substantive and ultimately of benefit to our members.

Emily: I find that exciting though, because I think when I think about the REALTOR® advocacy program, we are so successful in so much of what we do, that we tend to row our own boat and sort of pave the way for others on a lot of legislative activity and political activity. But in this realm of advocacy, we have not always been the best. We are not necessarily leaders on this front yet. And so I find it exciting to see us finding opportunity to pave our way with some new partners, with new voices, you know, really finding like new breath in this, in this arena. Um, and I appreciate you for helping do that. Cause I think it's important for us. It's good for us to not always be just on top, right. Healthy. I want to talk about advocacy a little bit, uh, and specifically legislative solutions that address fair housing. Certainly I think we've all, uh, started to have a greater understanding of the land use patterns of the past. Just really systemically re-reiterating racist behaviors, time after time after time. Austin's a great example of that. Our land use maps were, are really based on 1928 red line maps, and they don't look that different than they did then, which is surely a problem. And certainly perpetuating segregation in a way that's not healthy for our community. And, you know, the solutions to that are, are typically doubling down on land use provisions that control the development or manage where it goes or how it goes. But that's not always conducive to what the market needs either. That's not always healthy for the real estate market. How are you going to help us sort of walk the line between those both managing opportunity for greater integration and equality, but also allowing the market to drive the way that it needs to, to maintain its stability?

Bryan: You know, I think there's sort of a confluence of those issues right now, if anything, in the real estate world. Uh, and, you know, I would say this is true or a sentiment shared by many of our partners in the mortgage banking world as well. And home building world it's that we are short on housing supply and that there are lots of regulatory barriers, which either limit how much you can build, where you can build or the cost of building. And so I think we're all united in recognizing we need to increase our housing stock and we need to increase, uh, the housing stock that's available to first time home buyers and other owner occupants. So I think federal policy and state and local policy sort of joined together and trying to find ways to, uh, drive that the current administration we know, which is around for another month had prioritized a reduction of regulatory barriers. And there was a great bipartisan effort to work together, to identify the range of regulatory barriers that could be addressed and, you know, maintain the other public policy purposes for regulation. I mean, you don't want to get rid of environmental regulation or, you know, other regulation that ensure safety and other community interests, but it was designed to take a look at what could be modified, to help produce more housing, including zoning. And my understanding is, uh, the administration still intends to get a report out on that, but that's also one area where we hope that the Biden administration continues this bipartisan effort to identify ways in which the federal government can incentivize state and local actions that will

lessen regulatory for the development of more housing, which, you know, in turn would make housing more affordable, great leadership at the state and local level. You know, we see communities that are re-examining, uh, zoning, for example, and, uh, you know, making modest changes and they can be modest changes that have a major effect. I do think there's an opportunity for local and federal to come together with the industry, to produce greater housing stock and balance other interests in the community.

Emily: Yeah. I mean, my sense is that we absolutely need more housing. That is definitely the headline for Austin, Texas, given the growth that we continue to enjoy, but it's it's how do you increase capacity while also in parallel increasing an equitable access to that housing? And I think balancing those interests becomes, very dynamic, very difficult on the ground.

Bryan: Well, right. And some of it, I also think is going to be market-driven in that some of these communities that have kept out say any kind of multifamily housing duplexes are discovering, they can't keep doing that.

Emily: Yeah, yeah, yeah. Yeah. If you're only building single family all day long if you're only building for certain people. Which is a problem.

Bryan: And, you know, you ha you had secretary Ben Carson at HUD saying these communities need to change. So I think there's a broad spectrum of people saying, you know, we can't live this way in America anymore. Uh, you know, we're not going to revolutionize it, but, uh, we definitely can make marginal changes that have great effects and that, and that will promote, I think, more opportunity in many communities.

Emily: So from an advocacy perspective, I mean, you hit the nail on the head in terms of, we were going one way with one administration. We're hoping that we're running that direction with the next, what is that transition like for you, you're now experiencing it, not as a HUD official, but from a sort of lobbying perspective, what are you excited about? What are you nervous about?

Bryan: You know, I I'm, I'm definitely more excited than nervous. Uh, I think what makes me nervous is what makes everyone nervous, which is this winter and what COVID is going to do to the country. Uh, but I see lots of hope on the horizon. I feel that our priorities as NAR are in sync with a lot of the things that the Biden administration, uh, is looking at, you know, we're about home ownership. We're talking about home ownership, home ownership for everyone that the American dream has to be equitable. And the Biden administration is, uh, speaking that same language. You know, they are talking about, uh, coordinating equity issues among multiple agencies. I think there's a recognition there that housing policy and transportation policy, environmental policy, education policy, all go together. Uh, so there's opportunity for us to, you know, come up with more cohesive approaches to address those things, to recognize that, you know, you know, for us, for example, student loan debt is a great concern. Uh, as we, uh, want to see the next generation, you know, gain home ownership opportunities. So I think they recognize that GSE reform and making sure that we have a strong regulator of Fannie and Freddie and that those entities further the mission. They have to provide a liquidity for low and moderate income home mortgages. We see very common interests

there. Uh, so I'm hopeful. I mean, obviously the devil's going to be in the details of all these things.

Emily: Yeah. I mean, lots of work to be done if nothing else. Right? Yeah. And the work that keeps us busy as good work. In thinking about the act acronym and accountability you spoke about. And the example of, of the testing programs at NAR is rolling out, but, there was also sort of a poignant moment for NAR this year in terms of accountability when 2021 president Charlie Oppler apologized on behalf of the organization for the policies that we've supported, like red lining land use patterns in the past that have led to systemic racism. Tell me why you think it's important that leadership like Charlie, take that approach and talk to me about if you think that we will see more of that and how that reconciliation sort of happens from here.

Bryan: Sure. I just think that when we talk about our history and when we talk about our successes, we have to own everything. And so I think we can only understand the present day if we speak candidly about how we got here. And so the work that NAR has been doing that led to Charlie Oppler apology was sort of in the making for a long time, you know, most notably in 2018, the association on the 50th anniversary of the fair housing act, uh, acknowledged this history, uh, and you know, how NAR had opposed the passage of the fair housing act, but more fundamentally that the communities that we see in the segregation that we see in America still today, isn't the result of just one group or, you know, people of color, uh, failing to earn more or failing to get ahead. You know, this was all designed and that housing policy and the exclusion from neighborhoods, exclusion of mortgages and, you know, all these other practices made it impossible for people of color, to gain wealth and to pass on wealth, uh, and you know, to even move to the suburbs and, you know, and, and conversely, we, we, we created policies that provided a lot of stuff for free for a lot of the public and subsidized, a large portion of this country for decades, you know, the white population. And so when we recognize today that in order for our economy to hum in order for us to, you know, get, get ahead, we need to make sure that everyone's moving ahead and that, you know, the growth, uh, in this country is going to come largely from, you know, people of color in the housing industry. The home ownership rate among whites is, is relatively high and, you know, probably will max out at some point, we're not going to have a hundred percent home ownership. So, you know, maybe we'll have 75, 80% home ownership if we're fortunate, but once we tap out there, uh, we need to make sure that the Hispanic home ownership rate in the African American home ownership rate, uh, you know, in the forties needs to climb Asian home ownership rate in the sixties needs to climb. Uh, and that's where we're going to see the boosts in our economy. And that's where we have seen, I mean, Hispanic millennials have, you know, for the last decade, been driving the housing growth, all of this is a recognition that where we are for a reason, and this was policy and that we need to be thoughtful as we go ahead and recognize the past. And it's only if you recognize that, that you can fashion, you know, the policies for the future. So I think, I think it was really, really critical and, uh, sometimes hard for all members to understand overwhelmingly people do. But, you know, we, we do find that there are many members who still see discrimination as sort of one-off things that some bad folks did and that, you know, the membership shouldn't be talking about about that history.

Emily: It would be convenient to be able to continue to avoid it. But unfortunately, that won't serve as well. And I think that NAR is doing a good job of leaning forward that that reconciliation is necessary, that it is, um, potent. And then it will certainly lead the way for a bright future for housing. It's not, you know, it's not without benefit to everyone that we recognize what has gone wrong and what we have to do better. So I think you guys are doing a good job on that front. Um, yeah, you bet happy to give the props where they're due. I want to talk a little bit about what agents and brokers individually can and should be doing. So it can be overwhelming to think about how to really address your own bias, how to begin to make changes in your own business, give them like the low, the low hanging fruit. What are the things today that people can do to just start to do a little better where they might not be the best

Bryan: Folks have to appreciate that they may have biases that enter into the transaction. That as much as we all think we know everything there is to know on fair housing, uh, we may surprise ourselves. And so I think just to have that sort of self-awareness is, is the first point, uh, second, I think as trite as this may sound, we need to make a conscious effort to make sure we're treating everyone fairly, whether that means having a mental checklist of things that we do with everybody. I think, you know, and there's some people who say, Oh, you know, people should have a written checklist. That's a little awkward sometimes, but, but, but literally sort of think about, you know, what is your protocol? What is your approach with everybody be conscious of that? I mean, when you look at New York Newsday video and you see, uh, the differences in treatment, many times they do seem intentional, but maybe sometimes they're unintentional where people are just winging it and their biases are coming into play. And so they find themselves, you know, telling, uh, white homeowners all about the school districts and what school districts to avoid, and which is, you know, the good ones, et cetera. And then, you know, when they're dealing with a person of color, they're not having that conversation or the conversely like praising a school district that they just maligned. And so, you know, if you're doing that unintentionally, if you're a conscious of, you know, what your, you know, approaches with each person, you can correct. Some of that, you know, we just launched a simulation called Fair Haven.

Emily: The Fair Haven, yeah. Talk to us about it.

Bryan: And that, I think for many people is a good reminder of just how tricky fair housing can be. So fair Haven is an online, uh, interactive simulation, the folks who developed it at Ernst and young, their learning labs have done a lot of projects like this. They actually call it gaming and we would call it gaming too, but some people thought that was not serious enough. You know, when talking about this, the subject of how

Emily: Is just the tactic that this is not a game, but it's exactly right, right.

Bryan: The platform is like a game. And, you know, you're presented with these scenarios and you actually have a challenge to sell four homes in six months. And you're confronted with different situations where someone else, you know, in the scenario may be engaged in discrimination or where you may be tempted to engage in discrimination, you know, as you reach towards your goal of closing a deal. And so it really just challenges you with, you know, different paths you can take. Um, and you know,

thinking about Led Zeppelin there, you know, there are two paths, uh, you can go on, but I'll run there still time to change the path you're on. Or maybe there are two roads you go by, I'm forgetting exactly right. But, but you know, there are different branches you can take and you actually might prolong the game by taking one, uh, road. Um, but you learn something along the way. Uh, and you know, you can ultimately get back on, on path. It may slow you down and you get feedback along the way. And so ultimately you're trying to close these four deals and you learn, uh, about the different ways in which discrimination can occur. And I found that even as we were developing it, I mean, I was, you know, subject matter consultant along with one of my team. But even then I found it thought provoking and challenging. And many of the people who have gone through it have said they expected it to be schmaltzy and unrealistic, and that they found themselves really tested. And so it's helpful because it reminds you that, you know, real estate transactions and real life, although this isn't real life, it's messy and different choices may seem equally attractive, but you know, you still have to do some discernment. So I think it's been very, very helpful in that way. And at the end of the day, I think when it comes to fair housing, it really is all about testing your muscles. You know, uh, it, isn't just about reading a book or, you know, sitting in a classroom it's really about testing, you know, testing yourself in real life situations. And it's possible that a lot of people don't have the opportunity to test themselves and, you know, situations with diverse populations. So this really makes you think, and we've just been gratified at just how much people have appreciated it. I, you know, I don't think I even fully appreciated just how much exposure it would get and how much commentary it would get. Um, but we've just been very fortunate. It's been, it's been overwhelmingly positive

Emily: REALTORS® will always tell you what they think, but for the ones who want to access it, who maybe don't know where it is. Is it on the realtor site? Yeah.

Bryan: Yes. And, uh, one very easy place to find it is [fairhaven.realtor](http://fairhaven.realtor)

Emily: Oh, great. Perfect. Yeah, we'll put it in the show notes too. So everybody's got that. Yeah. I think those tactical options are a great place to wrap up our serious talk and now run with a rapid fire round if you're up for it. Oh, sure. Okay. What's your favorite book?

Bryan: My favorite book. Oh gosh. Do I have a favorite book?

Emily: I mean, Bryan, in this season, this chapter, what's your favorite book?

Bryan: In this time of my life?

Emily: In time of your life? Which one? I mean, I don't know. You could have asked me that five years ago. It would have been completely different than today. Probably.

Bryan: A book that I really enjoyed recently was actually I have it right here,.

Emily: The Splendid and the Vile.



Bryan: By Eric Larson and he is a best-selling author. He's written, uh, a lot of other books that I'd probably consider among my favorites in the garden of beasts. He writes historical it's, historical non-fiction, but it's, it's very, you know, creative and you feel like you're there. And Splendid and the Vial is, is really about Winston Churchill's leadership during world war two, during the Blitzkrieg rates as really sort of focused on that period. And I began reading this, early, during the pandemic.

Emily: Yeah I'm like co-pandemic, that feels pretty intense, Bryan.

Bryan: Well, you know, cause it, you know, you know, it, it kind of felt like.

Emily: Step up your Churchill, we're in a pandemic. Right.

Bryan: It felt like we were we're a bunkered. And so it was really weird because I was reading it and I was thinking, we're going through something like this where we're, you know, we're, you know, this period of deprivation, but you know, the characters in the book would go out at night and they would go to clubs and movies. And I can think of, you can't do that. You know, you can't be among people. I'm like, Oh, right, right. Now this is, this is world war two. You know, we're going.

Emily: A different kind of war. It's a different one.

Bryan: So everything that he writes, I buy.

Emily: Okay. But let's go opposite. That was very academic of you to like that. Now, now tell me your favorite binge worthy TV.

Bryan: Oh gosh. You know, I have three kids, so I barely watch TV. Uh, I can say during my Paternity leave, uh, I finally, I caught up on mad men one time.

Emily: Yeah. Yeah. But with twins? You cut up on Madmen during paternity leave?

Bryan: I think that was during my first.

Emily: Oh, okay. I was going to say that's impressive.

Bryan: Yeah. And then binge-worthy yeah. You know, I it's mostly one offs, cause I never know when I'm going to get back to it. I mean, there, there are old things that I've watched, like inspector Morse, I think during my second, uh, paternity leave, I watched that as a BBC program. It was on Netflix for a while and these things disappear from Netflix.

Emily: It's spoken like a true parent to Mark your binge-watching according to where the children were born. I can attest to the same.

Bryan: Right and I didn't have to work the next day. Uh, but most, most evenings I'm just way too tired. Um, and then there's something now on that I'm trying to binge, but I ended up, uh, watching in small bites. Uh, it's called small acts. I don't know if you've heard this

it's by a fellow named Steve McQueen, not the American actor, but British filmmaker. He actually, uh, did the movie, um, uh, 12 years of slave some years ago. This is a collection of five movies he did. And they're, you know, presented as, uh, as an anthology and they just came on Amazon prime around Thanksgiving. One released every week and it's about, um, it's about the life of Afro Brits. Um, so not all that light, but it's fiction.

Emily: We need to get, we need to get you out a little bit. Bryan, this lightning round is maybe concerned for you, but we're going to find a way.

Bryan: And then the other thing I just watched was the Bee Gees documentary. Now I'm feeling better. That's amazing. That's great. I've been, I've been singing the praises of the Bee Gees and their song writing for years. And so I feel vindicated because people are like the BGS? and I'm like, Oh no, no, no. Barry Gibbs Songwriting.

Emily: Brilliant. I'll take a listen. Well, thank you for spending time with me today. I really appreciate it. I know our listeners will benefit from hearing from you and we're just glad to have you on our team.

Bryan: Great. Well, thank you. Thanks for having me.

Emily: You bet. Thanks for tuning in. Like what you hear, let's continue this conversation. Give us some love by leaving us a review on iTunes and let your friends know about this show by sharing this episode on social media. You can also follow along and tag me @EmChenevert. That's E M Chenevert. Until next time.