

Article 04.16: Housing for Older Persons

Last Updated: September 27, 2026

Disclosure of qualified housing for older persons in the MLS database is mandatory. Any listing otherwise eligible for dissemination in the MLS database that is located within a community that is “qualified housing for older persons” under the Fair Housing Act and thus may lawfully limit occupancy to such older persons (e.g. an “over- 55” or “over-62” community).

A. When the listing Participant discloses that a property is qualified housing for older persons, then at the time the listing is loaded in the MLS database, the Participant must select “Yes” under the “Housing for Older Persons” menu in the Listing Maintenance program. The property may also be described as being qualified housing for older persons in any of the “Remarks” sections (optional). The penalty for non-compliance is outlined in the General Fine Schedule (See Article 11/Section 4.2).

B. The Participant’s submission of a listing to the MLS database that is subject to a restriction on the age of the occupants of the property shall constitute the Participant’s commitment to defend, indemnify, and hold harmless the MLS against any claim that the MLS, by including such remarks, has violated any local, state, or federal laws that prohibit discrimination against families with children, or on the basis of age. The penalty for noncompliance is outlined in the General Fine Schedule (See Article 11/Section 4.2).