

Check your political ad attribution policy now!

Beware of discrimination in housing ads

Several issues relating to advertising have come up this month that I want to address to those of you handling the newspaper's ad content. You will want to keep this column handy.

First, if you regularly read the Bulletin from Missouri Press Association, you saw my brief note about issues relating to attribution in political advertising.

It has become common practice among many of the smaller newspapers in the state to use the words "Paid for by the candidate" in political advertising of local races, where the candidates come in and pay for the ad themselves.

I would suggest you alert your ad staff that they need to change that practice. Section 130.031 of the Revised Statutes of Missouri relates to the attribution that is required on political campaign ads. It says, when an ad is paid for by the candidate from personal funds and where no candidate campaign committee exists, such ads must say "Paid for by" and include the first and last name by which the candidate is known.

Newspapers have adopted the incorrect attribution habit just because it's easy. But in early May, the members of the Missouri Ethics Commission requested a study be done as to whether the language "Paid for by the Candidate" complies with state statutes.

I'll bet they decide it does not comply. If that happens, then those running such attribution in campaign ads could be cited by the Commission, and they might be fined. That would not be a good thing for you.

But why wait until the Commission

makes a decision about this! I suggest your folks just make this change now. It's a simple change of policy, and now is a good time to take action, go over this in staff meetings and get notes up in your advertising department so staff will mentally make the shift. Before you know it, it'll be election time again.

Speaking of advertising issues, I cannot remind you often enough about your housing ads and what needs to be done to avoid discrimination issues.

Be sure you have the statement of non-discrimination in an advertising box (I'm assuming most of you run it as a box) at the top of your Housing advertising section.

If you are NOT running The Equal Housing statement and if it doesn't contain the Equal Housing logo in it, CALL ME NOW! Seriously, stop reading right now and go check if you don't know for absolutely sure.

And then, be sure everyone writing copy for those ads understands the simple rule to **Describe The Property, NOT the Renter or Buyer.**

About a month ago, a Missouri newspaper got a letter from a city's Human Relations Department advising that they were investigating a complaint about a fair housing issue regarding an ad that was running.

The ad said an apartment was "Perfect for senior or retired." The complaint stated: "These advertisements suggest that families with children may not be welcome."

It is clear that these complaints that are filed are done by organizations that

use the fines that are assessed to fund their non-discrimination activities. These are not filed by persons who have actually been discriminated against, in most cases.

Most of the time, these are groups seeking ads just like this to use to make their complaints. That doesn't mean these groups are bad, but it DOES mean that someone is watching what you are doing.

These categories of ads are important to monitor, because the newspaper has as much liability as your advertiser for discriminatory language in housing ads.

Warn your folks about language like this in your ads. Call me anytime you have a question. The call to me is free. The fine or settlement you may have to pay will NOT be free.

Before I close, let me add one last note for those on the news side of the paper.

The Missouri Attorney General's Office recently sent a letter to a city advising that its notice of a meeting, which listed items such as "ordinance reports" and "new business," was insufficient to meet the standard under the Sunshine Law. And it also stated that listing the same three subsections for closure each time the city met was NOT complying with the Sunshine Law.

"Simply listing these same subsections for meeting after meeting is not creating an agenda that is reasonably calculated 'to advise the public of the matters to be considered,'" the letter said.

If you believe your city would benefit from seeing this letter, let me know and I'll send you a copy!



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The attorney general has notified a city that repeated generic meeting notice entries do not comply with the statute requiring notice that a meeting will be closed. Call if you want a copy of the AG's letter.
