

Newspaper Advertising Rules

Politics • Fair Housing & Employment • General Guidelines



Prepared by the staff of the Washington Newspaper Publishers Association. Additions and corrections to these rules are always welcome. Contact us at wnpa.com, 360-344-2938 or execdirector@wnpa.com.

**Advertising guidelines
Federal & Washington State
Compiled by the Washington
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Advertising is regulated by state and federal governments. The following guidelines are not all inclusive but cover many of the common areas newspapers encounter.

General guidelines

- Ads must be truthful and non-deceptive.
- If you make claims, you must have evidence to back them up.
- Ads can't be unfair. For example, ads cannot make claims about health benefits that will lead reasonable consumers to buying a product, only to find out later that the product is actually harmful.
- Be careful about knocking the competition and especially avoid commenting on employees and poor service.

Housing & employment

Ads for housing or employment, classified or display, are prohibited from specifying race, color, religion, sex (including gender identity and sexual orientation), disability, familial status or national origin.

Do not allow descriptors like the following:

- Words descriptive of a dwelling, landlord or tenants, such as white private home, colored home, Jewish home, Hispanic residence or adult building.
- Words indicative of race, color, religion, sex, handicap, familial status, or national origin.
- Words that state or tend to imply that



the housing being advertised is available to persons of only one sex and not the other.

Exceptions to gender rule

Specifying a gender is allowed in dwellings where living areas are shared, such as a room in a house with a shared kitchen, living room or bathroom.

Also dormitory facilities operated by educational institutions are exempt from the gender rule.

Other restrictions

Do not use words that describe physical abilities like handicapped, crippled, blind, deaf, mentally ill, retarded, impaired or physically fit. You can include information about accessibility of a unit for people with handicaps, noting wheel chair ramps or elevators.

Do not describe housing as limited to adults, children, singles or mature persons. You can note that rentals are accessible for people with disabilities and that families

are welcome, emphasizing amenities such as a playground.

Don't use words and phrases used in a discriminatory context such as restricted, exclusive, private, integrated, traditional, or with board approval or membership approval.

Symbols or logos which imply or suggest race, color, religion, sex, handicap, familial status, or national origin are prohibited.

Colloquial words or phrases used regionally or locally which imply or suggest race, color, religion, sex, handicap, familial status or national origin are prohibited.

Do not use directions to real estate for sale or rent that can imply a discriminatory preference, limitation, or exclusion. For example, references to real estate location made in terms of racial or national origin or of significant landmarks, such as an existing black development (signal to blacks) or an existing development known for its exclusion of minorities (signal to whites). Specific directions which make reference to a racial or national origin are not allowed if they indicate a preference. Such wording could include references to a synagogue, congregation or parish.

Do not use a location descriptor that caters to a particular racial, national origin or religious group, such as country club or private school designations, or names of facilities which are used exclusively by one sex or religion.

Avoid using pictures or images that show a preference or discourage anyone of a protected class. Example: Don't use a series of newspaper ads publicizing vacancies using only young, white models. For advertising with photographs or drawings of people, portray a variety of individuals who reflect the population as a whole – men, women, children, people with disabilities, and people of various races and ages.

It is OK to advertise:

- that Section 8 Housing Choice Vouchers are accepted.
- that veterans and members of the military and their families are welcome.
- that a property is a Housing for Older Persons. Generally this means housing for people over 55 with specific facilities meant to aid older people.

For more information:

<https://www.hud.gov/sites/dfiles/FHEO/documents/BBE%20Part%20109%20Fair%20Housing%20Advertising.pdf>



Photos in ads for housing or employment should include a variety of people. Ads for senior living facilities are allowed, but should show people of varied ethnic backgrounds.

Political ads

Political advertising has its own set of particular rules that apply to newspaper ads, billboards, signs, brochures, articles, tabloids, flyers, letters, radio or TV presentations, or other means of mass communication.

If the item directly or indirectly asks for votes or for financial or other support or opposition in an election campaign, it is considered political advertising.

Here are a few of the rules established by the Washington State Public Disclosure Commission that should be taken into account when preparing election materials:

Required to keep records

Newspapers are required to keep records of published political ads (name and address of the person who paid for them, amount charged, and dates the ad ran) and make those records available for inspection if someone asks to see them. This information must be kept for five years and available for inspection at your office. There is no requirement that you compile the records, make copies and deliver them to a requestor.

Other requirements

Candidate photos must have been taken within the last five years.

Party preference must be included in any form of advertising about a candidate seeking election to a partisan office, regardless of who sponsors the ad. Official symbols or logos adopted by the state committee of the party may be used to indicate a candidate's party preference in political advertisements instead of words.

Sponsor identification is required for political advertising, except for certain types of ads. The "sponsor" is the candidate, committee,



or other person who pays for the ad. When the person buying the ad is an agent for another person or is otherwise reimbursed, the sponsor is the ultimate spender. The PDC has separate instructions that explain the unique sponsor ID requirements for electioneering communications and independent expenditures.

Use the words "paid for by" or "sponsored by" followed by the sponsor's name and address. Include all sponsors' names and addresses when there is more than one.

A political committee must include its Top 5 contributors' names when sponsoring an ad about a ballot measure with a cost of at least \$1,000 in the aggregate. (The top 5 is defined as the five largest contributors who gave more than \$700 during the 12 months before the ad appears.)

Print ads and websites must display sponsor names and any party preference in an area set apart from the ad text on the first page of the ad. Use at least 10-point type. Do not screen or half-tone the text. Small online ads with limited characters may display sponsor names and party preference in an automatic display such as a mouse tip/rollover or non-blockable popup that

remains visible for at least four seconds or on a webpage that is conspicuously linked to the small ad and reached with one mouse click.

A sponsor's name and address may be left off of a political ad that meets all of the following criteria:

- the sponsor is an individual acting on his or her own behalf, independent of any candidate, political committee or organization, who personally produces and distributes the ad (or pays for it to be produced and/or distributed).
- the sponsor receives no contributions or other support to produce and distribute the ad and no more than \$50 in the aggregate is spent for online advertising or \$100 in the aggregate for any other type of advertising.
- the advertising is either distributed through the individual's social media site, personal website, or similar online forum where information is produced and disseminated only by the individual.
- the advertising is a letter, flier, handbill, text or email from the individual that does not appear in a newspaper or comparable mass publication.

Content

It is illegal to sponsor a political ad, with actual malice,

that contains a statement constituting libel or defamation.

Ads cannot directly or indirectly imply a candidate has the support or endorsement of any person or organization when the candidate does not. Ads cannot include a false statement of material fact about a candidate or falsely represent that a candidate is an incumbent.

Sponsors of ads cannot use an assumed name for sponsor identification in a political ad or distribute campaign material deceptively similar in design or appearance to the voter and candidate pamphlets published by the Secretary of State or use the state seal or its likeness to assist or defeat a candidate.

Candidates cannot falsely imply incumbency in a political advertisement about a candidate who does not hold the office. Recommended format: Elect Tracy Jones Auditor or Tracy Jones for Auditor.

Political ad rates

Newspapers can set their own rates for political ads, but they should charge all candidates or organizations the same rate.

It is WNPA's recommendation that all political advertising run at the paper's open rate, and be paid in advance of publication without discounts for size or frequency.

Public Disclosure Commission

Washington State's Public Disclosure Commission oversees adherence to political advertising rules. Its staff is available to help sort out the sometimes complicated rules surrounding political action committees or any other advertising issue.

If you need to clarify a rule regarding Washington State political ads, contact the Public Disclosure Commission at <https://www.pdc.wa.gov>.