



## Fair Housing Enforcement Program

December 2016

Volume 3, Issue 10

### Aloha from FHEP!



Reyna Ramdete, LASH Fair Housing Attorney (L), Dan O'Meara, LASH Asset Protection Unit Managing Attorney (middle), and Sheila Lippolt, LASH Housing Attorney (R).

Well done to our amazing attorneys in the Asset Protection Unit (APU) at Legal Aid!

At our annual Legal Aid Staff Retreat this year, three of Legal Aid's asset protection attorneys received awards to commend the outstanding work done on our clients behalf.

Reyna Ramolete-Hayashi, fair housing staff attorney, was awarded the Rising Star award to congratulate and honor her steadfast determination as a social justice attorney and the progress that she's made in fighting for equality and language access for disadvantaged housing consumers in Hawaii.

Dan O'Meara, managing attorney of APU which includes the Fair Housing Enforcement Program received the Outstanding Leadership award for the awesome work he's done in reinvigorating our unit and inspiring our team to tackle the most pervasive social

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### About Us

The Fair Housing Enforcement Program (FHEP) is a project of the Legal Aid Society of Hawaii. Our mission is to promote fair housing and end housing discrimination through education, advocacy, outreach, and litigation.

All people in Hawaii have the right to make housing choices without regard to race, color, religion, national origin, sex, disability, familial status, age, gender identity or expression, sexual orientation, marital status, or HIV infection.

If you believe you have been denied access to housing because of discrimination, you may call the FHEP Hotline at **808-527-8024** or from the Neighbor Islands, **866-527-3247**. Leave a message and our Intake Specialist will call to

justice issues facing our clients.

Sheila Lippolt, housing staff attorney and guru, was awarded as the People's Champion. This recognition couldn't be more deserved seeing as Sheila is the only full-time attorney at the Honolulu Legal Aid office that represents clients in public housing, section 8, and private landlord-tenant matters, which is a significant portion of our total cases. Sheila's caseload is some of Legal Aid's most challenging yet she has fought relentlessly for many years to keep economic and socially disadvantaged renters and their families housed instead of homeless.

Congratulations again to Reyna, Dan, and Sheila for a job exceptionally well done!

Fair Housing is our kuleana, our right and responsibility. Have you ever felt discriminated against by a housing provider based on your national origin, your familial status, your sex, etc? Share your story with us! [#FairHousingIsOurKuleana](#)



schedule an interview.

One of our staff attorneys will then review your case and determine whether we will be able to provide assistance.

## News from HUD



## New VAWA Rules

WASHINGTON - The U.S. Department of Housing and Urban Development (HUD) has recently expanded VAWA protections for victims of domestic violence, dating violence, sexual assault, and stalking in HUD funded housing.

The expansion of the Violence Against Women's Act (VAWA) implements new rules that will help to minimize the insidious social and economic impacts of domestic violence. The new protections seek to continue with VAWA's theme that survivor's of domestic violence are not denied housing assistance as applicants, evicted, or

have their assistance terminated due to their victim status, or due to bad credit, poor rental history, and any other negative consequence that is a result of being a victim of domestic violence.

Additionally, HUD has required that emergency transfer policies go into effect, which allows for survivors to move to another safe and available unit if they fear for their life and safety. Prior to HUD's final ruling on VAWA, survivor's would require a third party verification of their victim status in order to be covered by VAWA's protections. A new, key element to HUD's final ruling is that victims will be able to self-certify their victim status. This will hopefully remove undue barriers and will hasten the process of victims being able to take advantage of VAWA's protections.

**The new rules will not take effect until December 16, 2016.** To read the full press release, [click here](#).

Also stay tuned for FHEP's revised VAWA/ Domestic Violence Factsheet.

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### HUD/DOJ Joint Statement: State and Local Land Use, Laws, and Practices & Application to the FHA

WASHINGTON - The U.S. Department of Housing and Urban Development (HUD) and the Department of Justice (DOJ) are jointly responsible for enforcing the Fair Housing Act (FHA). Recently they have released a joint statement providing clarifications on the applicability of the FHA to local land use and zoning practices.

The FHA applies not only to buildings intended for occupancy as residences, but also vacant land that may be developed into residences. The FHA thus prohibits state and local land use and zoning laws, policies, and practices that discriminate based on a characteristics protected by fair housing laws.

A few examples of discriminatory land use policies and practices are:

- Restricting or prohibiting development of homes based on the belief that the residents will be members of a particular protected class,
- Imposing restrictions on housing because of alleged public safety concerns that are based on stereotypes about the residents' or anticipated residents' membership in a protected class,
- Enforcing otherwise neutral laws or policies differently because of the residents' protected characteristics, and
- Refusing to provide reasonable accommodations

to land use or zoning policies when such accommodations may be necessary to allow persons with disabilities to have an equal opportunity to use and enjoy the housing.

Local zoning officials often acquiesce to community bias which is considered intentional discrimination. The joint statement goes on to elaborate that even in municipalities that do not intentionally seek to discriminate against housing consumers, they can be held responsible for zoning laws that have a disparate impact against groups who are members of a protected class.

For more details, check out the full statement [here](#).

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## Inspiring Fair Housing News

### **Facebook, an Exclusionist**

October 28, 2016

by Julia Angwin and Terry Parris Jr. of ProPublica

It's no secret that businesses in recent years have been innovating new services based off of their mass collections of user data. One new service that's made civil rights groups very concerned is Facebook's "Ethnic Affinity" marker that advertisers can utilize to target their products and services to specific groups of people. In an independent investigation, ProPublica created a housing advertisement on Facebook and triggered the ethnic affinity marker so that African Americans, Asian Americans, and Latinos would be excluded from seeing the ad on their personal Facebook. Within 15 minutes, Facebook had approved ProPublica's test ad, and it had approved the group, in essence, to have their discriminatory housing ad circulated only to caucasian Americans.

To see ProPublica's report, [click here](#).

Also check out the [National Community Reinvestment Coalition's opinion](#) on the report.

### **Update: Facebook Removes Ethnic Affinity Marker for Advertisements**

November 11, 2016

"We take these issues seriously. Discriminatory advertising has no place on Facebook."

Two weeks after ProPublica released its report on Facebook's tool for advertisers that allows them to select which ethnicities to advertise to and which not to, they have released a statement that they have listened to

concerns raised by various civil rights groups and have removed their ethnic affinity marker from all housing, credit, and employment advertisements.

The National Fair Housing Alliance has commended Facebook for their quick action and commitment to providing equal opportunities for all those who use their platform.

Check out Facebook's statement on the matter [here](#).

### **Uneven Economic Recovery Post-Foreclosure Crisis**

September 29, 2016

The Center for Responsible Lending (CRL) released a policy analysis based on new mortgage data collected under the Home Mortgage Disclosure Act (HMDA). The data, which covers nearly all mortgages made in the United States in 2015, revealed that access to mortgage credit remains out of reach for many consumers of color.

Click [here](#) to read CRL's press release.

Click [here](#) to read the full report.

### **Tester Training for Interested Volunteers**

The Fair Housing Tester Program hosts regular tester training for interested volunteers. Candidates must be 18 years and older with no previous felony record, have no open case with the Legal Aid Society, and cannot have an active real estate license.

Please call the Fair Housing Investigation Coordinator at (808) 527-8036 to register and to receive more details, or complete the online [application here](#).

### **December FHEP Outreaches**



FHEP at the 2016 Honolulu Pride Parade

### **Thursdays at St. Elizabeth's in Kalihi**

The Fair Housing Enforcement Program has partnered with [We Are Oceania](#) to provide outreach, education, and on-site intake for legal assistance at St. Elizabeth's Episcopal Church in Kalihi.

**Where:**

**St. Elizabeth Episcopal Church  
720 N. King Street, HI 96817**

**When:**

**Thursdays from 11:30am-2:00pm**

If you or anyone you know has a fair housing issue and is interested in applying for Legal Aid services, feel free to come down. A Chuukese interpreter will also be present. For more information on this outreach, please contact Madonna or Shea at (808) 527-8024.

### **Voice of Chuuk - KNDI Radio**

Tune in to [KNDI](#) on the second Wednesday of every month to catch our outreach specialist, Emmie, giving on-air fair housing survival tips and information with DJ Bender Sam. (Chuukese only)

**Where:**

**KNDI Radio - 1270AM**

**When:**

**2nd Wednesday of the month from 8:30-9:30pm.**

If you would like more detailed information on Emmie's fair housing outreaches, please contact her at 808-527-8024.

Want more info on Language Access? Check out our [new brochure!](#)

## Looking for Training?

Do you work in a human services field, the health profession, or housing/real estate, or do you know of a group that could use education on their rights?

FHEP offers free trainings and workshops on fair housing. Our training options can be tailored to meet specific needs, but typically cover a range of topics from general fair housing information to specific areas such as reasonable accommodation requests, assistance animals, and others.

Please contact Madonna or Shea at (808) 527-8024 or [info@fairhousinghawaii.org](mailto:info@fairhousinghawaii.org) to schedule a free training on fair housing.

Mahalo for reading!

Legal Aid Society of Hawaii | | [info@fairhousinghawaii.org](mailto:info@fairhousinghawaii.org) | <http://www.fairhousinghawaii.org>  
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Please forward this email to other interested parties

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