

What if I missed the 180-day deadline to file with HCRC?

1. You can still file a complaint with the Department of Housing and Urban Development (HUD). You have **1 year** from the date of the last alleged discrimination to file a complaint with HUD. You can fill out the complaint form at the HUD website:
http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opportunity/online-complaint
2. You can still file a lawsuit in either state or federal court. You have **2 years** from the last date of discrimination to file suit. You should seek the advice of a licensed attorney because this process can be quite long and is very complicated.

Can Legal Aid Help me with my HCRC Complaint?

Although we cannot guarantee assistance in every case, the Fair Housing Enforcement Program (FHEP) at the Legal Aid Society of Hawai'i may be able to assist you with your HCRC complaint. Please contact the Fair Housing Hotline for possible assistance at (866) 527-FAIR.

FAIR HOUSING ENFORCEMENT PROGRAM



ABOUT OUR PROGRAM

The Fair Housing Enforcement Program at the Legal Aid Society of Hawai'i is dedicated to ensuring that all persons are afforded equal access to housing, furthering the goal of equal opportunity housing and providing assistance in the enforcement of fair housing law.

State and Federal laws prohibits housing discrimination based on race, color, religion, national origin, religion, gender identity or expression, family status, disability, marital status, age, sexual orientation and HIV infection.

FAIR HOUSING HOTLINE

Oahu: (808) 527-8024
Neighbor Islands: (866) 527-FAIR (3247)
www.fairhousinghawaii.org

LEGAL AID SOCIETY OF HAWAI'I

924 Bethel Street
Honolulu, HI 96813

MAIN LEGAL INTAKE HOTLINE

Toll Free: (800) 499-4302

www.legalaidhawaii.org

© Copyright 2013, Legal Aid Society of Hawai'i. All rights reserved. These materials may not be reproduced without written permission of the Legal Aid Society of Hawai'i. Under no circumstances are persons receiving these brochures to be charged for copies without written permission of the Legal Aid Society of Hawai'i. This publication is designed to provide general information and should not be utilized as a substitute for professional legal service.



LEGAL AID SOCIETY OF HAWAI'I



HOW TO FILE A HOUSING DISCRIMINATION COMPLAINT WITH THE HAWAI'I CIVIL RIGHTS COMMISSION

****You have 180 days from the last date of discrimination to file a complaint with the Hawai'i Civil Rights Commission****

How do I File my Complaint?

STEP 1: You must complete a Pre-Complaint Questionnaire (PCQ) for Real Property Transactions. For a copy of this form, you can either contact HCRC or print it from their website at: <http://labor.hawaii.gov/hcrc/forms/>

STEP 2: Fill out the PCQ completely. Make sure you identify the key instances of discrimination by your housing provider (e.g. statements or actions).

STEP 3: Make 3 copies of your completed PCQ (1 for you and 2 for HCRC).

STEP 4: Submit your completed PCQ with two copies to HCRC by mail or facsimile.*

Hawai'i Civil Rights Commission

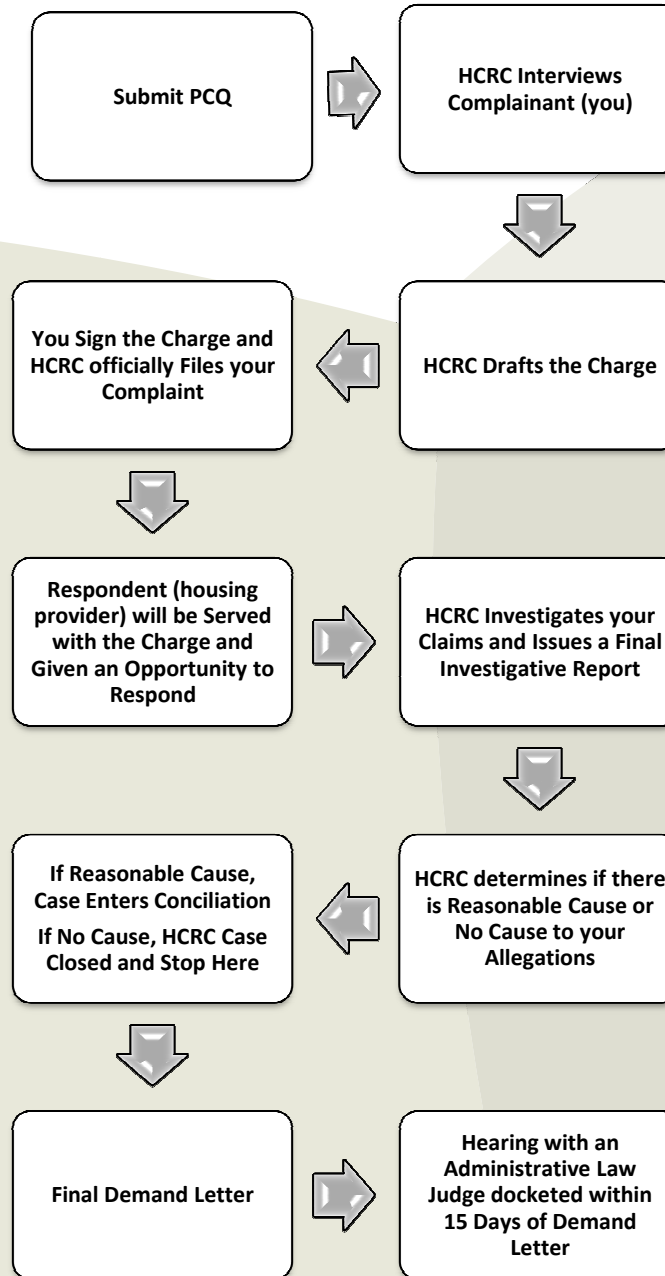
Address: 830 Punchbowl Street, Room 411
Honolulu, HI 96813

Phone: (808) 586-8636

Fax: (808) 586-8655

*You MUST still mail the original and two copies of your PCQ if you fax it. HCRC may not accept your faxed complaint if you do not also mail the original + 2 copies.

What happens after I file my PCQ?



Pre-Determination Settlement

After your PCQ has been filed, HCRC will give you an opportunity to take part in pre-determination settlement (PDS). PDS aims to resolve the dispute between Complainant and Respondent without the completion of a formal investigation. The PDS process is voluntary and confidential. PDS is similar to mediation and is designed to help the parties achieve a mutual resolution. HCRC works impartially with both parties to reach a settlement that may benefit everyone. If a settlement can be reached during PDS, that is not an admission that Respondent has violated the law, nor is it an admission by Complainant that his or her allegations do not have merit. It is merely a process by which the parties try to reach a quick, amicable resolution.

What Can I Do if HCRC Issues a No Cause Determination?

- Write a letter to HCRC requesting reconsideration. In your letter, clearly outline any reasons why you believe HCRC should reconsider and submit any new evidence supporting your position. You have 30 days from the date you receive the Notice of Dismissal to submit your Request for Reconsideration letter.
- Consider filing a private lawsuit in State Circuit Court within 90 days after receiving the Right to Sue Letter. Seek legal advice about your options and deadlines to file in State vs. Federal Court.