



**LEGAL AID**  
SOCIETY OF HAWAII



## Fair Housing Enforcement Program

July 2014

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### Aloha!

We have recently been receiving a lot of inquiries on parking stalls as reasonable accommodations, so we have dedicated this month's "Questions and Answers" to this topic. Next month we will focus on common fair housing issues relating to families with children.

### Mark Your Calendars!

On July 15, 2014, the City and County of Honolulu, the Hawaii Civil Rights Commission, the U.S. Department of Housing and Urban Development, and the Legal Aid Society of Hawaii will be hosting a free Fair Housing Overview Training from 1:00 p.m. - 4:30 p.m at the Hawaii State Capitol Auditorium. For more information or to register, please [visit our website](#) or contact us at [info@fairhousinghawaii.org](mailto:info@fairhousinghawaii.org).

### Recent Fair Housing News

In June 2013, the U.S. Department of Housing and Urban Development (HUD) released a report on housing discrimination faced by same-sex partners. The study found that same-sex couples face discrimination at a rate higher than heterosexual couples. HUD's study is based on over 7,000 e-mail tests done between June 2011 and October 2011. Although sexual orientation is not a federally protected class for the purpose of housing discrimination, many states, including Hawai'i, have added sexual orientation as a protected class in anti-discrimination laws. HUD has also released guidance that discrimination based on gender non-conformity should be treated as sex discrimination, meaning that discrimination on the basis of sexual orientation may be in violation of both state and federal Fair Housing law.

### Quick Links

[Visit Our Website!](#)

[Learn More About Fair Housing](#)

[Request a Training](#)

[Contact Us](#)

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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

For more information on HUD's Press Release, click [here](#).

To obtain a copy of HUD's Full Report on housing discrimination against same-sex couples, click [here](#).

## Questions and Answers?

**I am a resident manager for an apartment complex. There are no reserved parking stalls for tenants. A tenant has requested a reserved parking stall that is closer to his unit because he is mobility-impaired. Do I have to provide him with a reserved parking space?**

Probably. If the tenant is disabled as defined under the Fair Housing Act and can show a nexus between his disability and his need for a reserved parking stall closer to his unit, this is considered a reasonable accommodation that must be granted under the Fair Housing Act.

**Can I request that the tenant provide me with verification that he is disabled?**

It depends. If the tenant's disability is obvious, or otherwise known, and if the need for the parking stall is also readily apparent or known, then you cannot request additional information about the disability or the disability-related need for the accommodation. If the disability is not obvious or otherwise known, you can request information that verifies that the person has a disability that substantially limits a major life activity. You may not inquire as to the diagnosis, nature or severity of the person's disability.

**Is a handicap placard sufficient information to verify that a person has a disability?**

The threshold of "disabled" to acquire a handicap placard is different from the definition of disability under the Fair Housing Act. Just because an individual has a handicap placard does not necessarily mean that they are disabled as defined by the Fair Housing Act. However, it is not a requirement for an individual to have a handicap placard to make a reasonable accommodation request for a specific parking stall.

For more questions and answers regarding parking stalls and for a printable PDF version of our Question and Answers Fact Sheet, please [click here](#).

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 schedule an interview.

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

## Fair Housing Enforcement Program in the Community

### Training Provided to Property Managers and Maintenance Workers

On June 25, 2014 the Fair Housing Enforcement Program provided an interactive training to maintenance workers, property managers, and other housing staff on Fair Housing laws at the Ala Moana Hotel. The training was directed to maintenance workers and their obligations and responsibilities under the Fair Housing Act.



Left to Right: Elise von Dohlen, Cinthia Villalobos, Fabiola Ramirez, and Laurie Gardner

Despite the heat and lack of shade, Legal Aid AmeriCorps Advocates set up a booth at the annual Honolulu Pride Parade and Celebration at Kapiolani Park on June 7, 2014. During the event, brochures and information packets on Fair Housing laws were distributed.

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