

# Legal Aid Society of Hawaii Fair Housing Enforcement Program

June 2014

Volume 1, Issue 3

## Aloha!

Last month's newsletter topic was on assistance animals and Reasonable Accommodation Requests. This month's newsletter focuses on medical marijuana. We have included a PDF with additional questions and answers on medical marijuana. Make sure to click on the link to download the PDF for your reference.

Next month's newsletter will focus on reasonable accommodation request for parking stalls.

## MARK YOUR CALENDARS!

On July 15, 2014, Legal Aid, the Hawaii Civil Rights Commission, and the U.S. Department of Housing and Urban Development will be hosting a general Fair Housing Overview training from 8:30 a.m. - 12:30 p.m. in downtown Honolulu. For more information or to register, please go to our website at [www.fairhousinghawaii.org](http://www.fairhousinghawaii.org) or contact us at [info@fairhousinghawaii.org](mailto:info@fairhousinghawaii.org).

## Did you know?

### Is the use of medical marijuana legal in Hawaii?

Under the Federal Controlled Substances Act, marijuana is classified as a Schedule 1 controlled substance. The manufacture, distribution, or possession of marijuana is a federal criminal offense and it may not be legally prescribed by a physician. In October 2009, however, the Obama Administration sent a memo to federal prosecutors encouraging them not to prosecute people who distribute marijuana for medical purposes in accordance with state law. In Hawaii, individuals suffering from certain "debilitating medical conditions" may use and possess an adequate supply of marijuana to alleviate the symptoms of their medical condition, provided that the supply does not exceed three mature marijuana plants, four immature marijuana plants, and one ounce of usable marijuana per each mature plant.

**Since medical marijuana use is illegal under federal**

## 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 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

## **law, does that mean tenants in federal public and assisted housing are not allowed to use their medical marijuana?**

Since marijuana is still classified as a Schedule 1 controlled substance under federal law, a person's use of medical marijuana is a violation of the housing program rules. The United States Department of Housing and Urban Development (HUD) has stated that PHAs and owners of federally assisted housing may not grant requests by current or prospective tenants to use medical marijuana as a reasonable accommodation for their disabilities.

For more questions and answers regarding medical marijuana, [click here](#).

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.

## **Recent National Fair Housing Cases**

### **Testing Supports Fair Housing Claim**

In Virginia, the court awarded a fair housing program \$25,000 in damages and \$11,000 in attorney's fees, to be paid by a landlord who engaged in discriminatory housing acts. He told an African-American woman that a unit was no longer available, but told a white applicant who called afterwards the unit was still available. The fair housing organization conducted "undercover" testing that confirmed the allegations of housing discrimination.

Click [here](#) for a copy of the press release.

## **Outreach Efforts in Kalihi**

JoJo, Legal Aid Society of Hawaii's Health Care Connector invited FHEP to several outreach events in the Kalihi area. This neighborhood on Oahu is known to have some public housing units, other subsidized housing, and a homeless population. On May 28th, one a FHEP advocate went to one of Living the Word Ministries' weekly social service outreach events and gave information on the Fair Housing Enforcement Program.

On May 29th, we accompanied JoJo to St. Elizabeth's Episcopal Church on North King street and met with some migrants from the Compact of Free Association States. At St. Elizabeth's, our FHEP advocate distributed Fair Housing brochures in Chuukese, Marshallese, and English. With the help of JoJo's Chuukese language skills, we were able to talk to the residents living around Kalihi about Fair Housing rights.



Legal Aid Staffer JoJo at an outreach at St. Elizabeth Episcopal Church.

## Tester Training Information

### Oahu Testers

Monday, June 9th from 5:30 p.m. - 7:30 p.m. in Kalihi.

### Big Island Testers

Kamuela/Waimea - Wednesday, June 25th from 9:00 a.m. - 11:00 a.m.

Kailua- Kona - Wednesday, June 25th from 5:00 p.m. - 7:00 p.m.

For registration information, please call our Investigation Coordinators at (808) 527-8017 or (808) 527-8078 or **click here** to complete the pre-screening questionnaire on our website.

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