



Fair Housing Enforcement Program

2016 In Retrospect

Volume 3, Issue 12

Aloha from FHEP!



Happy New Year's from the Fair Housing Enforcement Program

We hope you and your ohana had a very happy holiday season!

This year went by in a flash. With so much going on in the fair housing world, both locally and nationally, we thought it'd be a good idea to do a quick recap of all the important fair housing related news from this year. Please enjoy!

Got any interesting New Year's resolutions? In the off chance that furthering fair housing in your community did not make your list of next years to-do's, there is no need to worry, this newsletter was sent to your inbox on New Year's Eve for a reason.

From our Legal Aid ohana to yours, Hau'oli Makahihi Hou!

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

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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

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. Please note that Legal Aid is physically accessible to those with mobility impairments.

Watch us on Thinktech Hawaii



Thinktech Hawaii: Avoiding Fair Housing Mistakes

The Legal Aid Society of Hawaii was recently invited to sit down with Thinktech Hawaii to talk about some common fair housing issues that come up in associations of home and apartment owners. Madonna Castro Perez, civil rights advocate, and Dan O'Meara, managing attorney represented the Fair Housing Enforcement Program.

2016 Recap of Fair Housing News from HUD & the DOJ



In 2016, the Department of Housing & Urban Development (HUD) released a lot of important new decisions and guidances on the Fair Housing Act. Among them were:

- [HUD Guidance on Application of Fair Housing Act \(FHA\) Standards to the Use of Criminal Records by Providers of Housing and Real Estate-Related Transactions](#)

- [HUD Guidance on FHA Protections for Persons with Limited English Proficiency](#)
- [HUD Guidance on Application of FHA Standards to the Enforcement of Local Nuisance and Crime-Free Housing Ordinances Against Victims of Domestic Violence, Other Crime Victims, and Others Who Require Police or Emergency Services](#)
- [HUD Final Rule: Violence Against Women Act](#)
- [HUD Final Rule: Equal Access in Accordance with an Individual's Gender Identity](#)

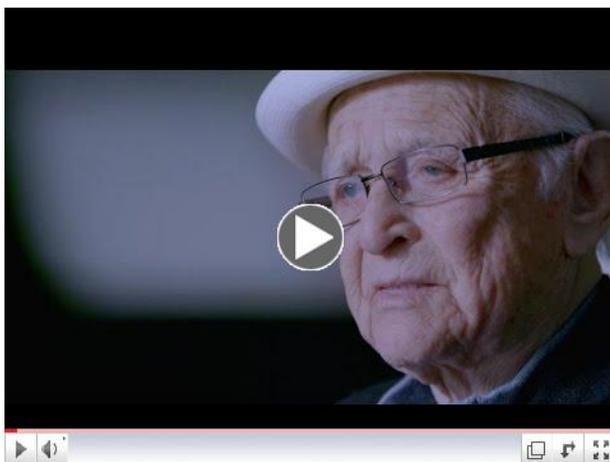
Additionally, the Department of Justice (DOJ) filed and resolved several fair housing cases in 2016. Among them were:

- 3 mortgage discrimination cases;
- 13 housing rental and sales discrimination cases, of which a whopping 9 cases alleged discrimination based on familial status;
- 5 sexual harassment cases, in which all of the victims were female tenants;
- 12 disability discrimination cases, of which 10 had to do with accommodations for some kind of assistance animal;
- 8 cases arising from new multifamily housing developments failing to incorporate the FHA's Design & Construction requirements; and
- 7 discriminatory land-use and zoning cases, filed against various localities across the U.S.

If you would like to learn more about the DOJ's fair housing cases during the calendar year, [click here](#).

A HUD/DOJ [Joint Statement on State and Local Land Use Laws and Practices and the Application of the FHA](#) was also released in November 2016.

America Divided: A House Divided



America Divided: A House Divided

In this episode of America Divided, follow Norman Lear, television writer, producer, and WWII veteran as he

explores the housing divide and affordability crisis that's taken over New York City. In learning and experiencing the housing troubles faced by the minority community of NYC, Mr. Lear meets Fred Freiberg of the Fair Housing Justice Center who sets him up to volunteer in a housing discrimination test.

If you're interested in more, [check out this](#) follow-up panel discussion with Norman Lear and guests at the Brookings Institution's Initiative on Business and Public Policy.

Fair Housing News in 2016

Among some of the biggest fair housing news stories of the year were:

- **Local - affordable housing, emergency rental assistance, and language access in public housing.**

Hawaii's homeless epidemic, fueled in large part by the dire lack of affordable housing, received some positive news this year in the form of [emergency rental assistance funds](#) that helped pay rents and security deposits for some of Hawaii's most vulnerable renters. Also, plans on building a new luxury high rise in Ala Moana were [halted](#) on the basis that the development would have provided zero affordable units.

Last but not least, thanks to the persistence of our staff attorney, Reyna Ramolette, the Hawaii Public Housing Authority has agreed to [implement new language access policies](#) in order to provide an equal opportunity to residents with limited English proficiency.

- **The use of the internet and modern social media technologies in discriminating against renters.**

Both Facebook and Airbnb faced criticism this year when it was reported that their online platforms facilitated housing discrimination in the form of denying applicants based on their race. [Airbnb was accused](#) of not doing enough to prevent housing providers from denying applicants based on their profile photos and also having African-American sounding names. Facebook came under fire when an [independent report](#) discovered that housing providers could use Facebook's ethnic affinity marker to select which races of Facebook users to show the listing to.

Both companies have since taken strong stances against allowing housing discrimination to spread on

their respective platforms.

- **State and local legislation adopting Source of Income as a protected class status under the FHA.**

A growing issue in the country is the short supply of housing that will accept tenants with rental assistance. Several cities across the country, in California, Washington, Iowa, Illinois, New York, Maryland, and more, adopted new protections for tenants with housing choice vouchers and other types of rental assistance that is meant to be used in the private market.

Other jurisdictions in California, Hawaii, New York, and Maryland now have proposed legislation to protect a tenant's source of income. For more information, [click here](#).

- **Major national mortgage lenders are sued, accused of violating the FHA.**

Lawsuits were brought against more than a few national banks and mortgage lenders who were accused in some way, shape, or form of discriminating against African-American and Hispanic homeowners. The [National Fair Housing Alliance sued](#) the mortgage giant Fannie Mae, accusing them of racial discrimination in 38 metro areas in the U.S. Also, the [Supreme Court has agreed](#) to review the city of Miami's lawsuit against Bank of America and Wells Fargo, of whom Miami alleges is responsible for a drop in property tax revenue that resulted after the banks foreclosed disproportionately in the cities minority neighborhoods.

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](#).

January 2017 FHEP Outreaches



Christlei Hessler, Fair Housing staff attorney at Richardson Law School panel discussion *Perspectives From the Field: Disability Law In Action*.
Photo credit: Charlotte Mukai

Voice of Chuuk - KNDI Radio

Tune in to [KNDI](#) on Saturday, Jan. 14th & 28th to catch our managing attorney, Dan, giving on-air fair housing survival tips and information.

Where:
KNDI Radio - 1270AM

When:
Saturdays 2-5pm

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 to schedule a free training on fair housing.

Mahalo for reading!

Please forward this email to other interested parties

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