

HOUSING NON-DISCRIMINATION POLICY & PROCEDURE STATEMENT

It is our policy not to unlawfully discriminate in any real property transaction, including any decisions related to the use of any residential unit, facility, and/or service due to an individual's race; sex, including gender identity or expression; sexual orientation; color; religion; marital status; familial status; ancestry/national origin; disability; age; or human immunodeficiency virus (HIV) infection, as stated in Hawaii Revised Statutes, Chapter 515 and Title VIII of the Civil Rights Acts of 1968, as amended by the Fair Housing Amendments of 1988.

Pursuant to H.R.S. Chapter 515, it is a discriminatory practice for an owner or any other person engaging in a real property transaction, because of race; sex, including gender identity or expression; sexual orientation; color; religion; marital status; familial status; ancestry; disability; age; or human immunodeficiency virus (HIV) infection:

- (1) To refuse to engage in a real property transaction with a person;
- (2) To discriminate against a person in the terms, conditions, or privileges of a real property transaction or in the furnishing of facilities or services in connection therewith;
- (3) To refuse to receive or to fail to transmit a bona fide offer to engage in a real estate transaction from a person;
- (4) To refuse to negotiate for a real property transaction with a person;
- (5) To represent to a person that real property is not available for inspection, sale, rental, or lease when in fact it is so available,
- (6) To refuse to permit a person to inspect real property;
- (7) To steer a person seeking to engage in a real property transaction¹;
- (8) To subject a person to unwelcome or offensive harassment because of that person's protected basis. Harassment based race; sex, including gender identity or expression; sexual orientation; color; religion; marital status; familial status; ancestry; disability; age; or human immunodeficiency virus (HIV) infection, that has the purpose or effect of creating an intimidating, hostile, or offensive living

¹The term "steering" includes the practice of directing persons who seek to enter into a real estate transaction toward or away from real property in order to deprive them of the benefits of living in a discrimination-free environment.

environment, or otherwise adversely affects an individual's home environment, constitutes unlawful harassment in a violation of state and federal civil rights laws.

Harassment may include many forms of offensive behavior. The following is a partial list:

- a. Verbal harassment, such as racial or sexual (or any protected basis) epithets, derogatory comments, jokes or slurs;
 - b. Physical harassment, such as touching, assault, impeding or blocking movement;
 - c. Requests for sexual favors which are conditioned upon offered benefits or threats of lost benefits, whether express or implied; or
 - d. Visual forms of harassment, such as displaying racial or sexual (or any other protected basis) derogatory posters, cartoon or drawings that are offensive;
- (9) To print, circulate, post, or mail, or cause to be so published a statement, advertisement, or sign, or to use a form of application for real property transaction, or to make a record or inquiry in connection with a prospective real property transaction, which indicates, directly or indirectly, an intent to make a limitation (preference), specification, or discrimination with respect thereto;
- (10) To refuse to engage in a real property transaction with a person or to deny equal opportunity to use and enjoy a housing accommodation due to a disability because the person uses the services of an assistance animal;
- (11) To solicit or require as a condition of engaging in a real property transaction that the buyer, renter, or lessee be tested for human immunodeficiency virus infection (HIV), causative agent of acquired immunodeficiency syndrome (AIDS);
- (12) To refuse to permit, at the expense of a person with a disability, reasonable modifications to existing premises occupied or to be occupied by the person if modifications may be necessary to afford the person full enjoyment of the premises;
- (13) To refuse to make reasonable accommodations in rules, policies, practices, or services, when the accommodations may be necessary to afford a person with a disability equal opportunity to use and enjoy a housing accommodation;

If you are a person who has a physical or mental condition which substantially limits one or more of your major life activities, such as walking, seeing, hearing, breathing or caring for oneself, and you need a modification to your unit or an accommodation in order to use and enjoy your housing unit, please contact _____ at _____ for help.

- (14) To institute or apply facially neutral policies or restrictions which result in a disparate adverse impact; or
- (15) To fail to design and construct housing accommodations in a manner that it has at least one accessible entrance, unless it is impracticable to do so because of the terrain or unusual characteristics of the site.²
- (16) To threaten, intimidate or interfere with persons in their enjoyment of a housing accommodation because of the person's race; sex, including gender identity or expression; sexual orientation; color; religion; marital status; familial status; ancestry; disability; age; or human immunodeficiency virus (HIV) infection or of visitors or associates of such person.

State law also recognizes other discriminatory practices involving retaliation, threatening, intimidating, interfering, or otherwise obstructing or preventing persons in the enjoyment or exercise of full and equal rights to enjoy a housing accommodation as guaranteed by Chapter 515; or to aiding, inciting, or coercing another person to engage in a discriminatory practice prohibited by Chapter 515. See, H.R.S. §515-16.

All prospective or current owners, tenants or occupants may complain about discrimination without fear of retaliation and any incident of harassment or other alleged discrimination may also be brought immediately to the attention of _____, at _____, who will promptly and thoroughly investigate the matter and take appropriate corrective action to prevent further occurrences.

If you think you are being harassed or discriminated against in any real property transaction because of your sex, including gender identity or expression, sexual orientation, race, disability, color, religion, marital status, familial status, ancestry, age, HIV infection, or have any questions or concerns regarding any suspected or known discriminatory practice, please contact:

HAWAII CIVIL RIGHTS COMMISSION

Keeli`ikolani Building

830 Punchbowl Street, Room 411

Honolulu, Hawaii 96813

Phone: (808) 586-8636

TDD: (808) 586-8692

Facsimile: (808) 586-8655

E-Mail: DLIR.HCRC.INFOR@hawaii.gov

Website: <http://labor.hawaii.gov/hcrc/>

Neighbor Islands call (toll-free):

Kaua`i: 274-3141, ext. 6-8636#

Maui: 984-2400, ext. 6-8636#

Hawai`i: 974-4000, ext. 6-8636#

Lana`i & Moloka`i: 1-800-468-4644, ext. 6-8636#

You may file a complaint with the above agency.

²In connection with the design and construction of housing occupancy after March 13, 1991. See, H.R.S. §515-3(10).