

Wednesday, October 31, 2012

Press Release: Hawaii Public Housing Authority Executive Director blames lawyers for problems at Mayor Wright Homes

Honolulu: After a more than a decade of failing to provide the most basic of services to the residents at Mayor Wright Homes, the Hawaii Public Housing Authority Executive Director, Hakim Ouansafi, has sent a letter to all tenants living in the project attacking the law suit filed aimed at requiring the state make all necessary repairs and provide minimum services that are mandated by federal and state law. In the letter, Ouansafi also attacked the motives of the non-profit law firm, Hawaii Appleseed Center Law and Economic Justice, in representing residents and suggests the case was brought to put attorneys fees "in the pockets of some fancy lawyers".

The federal and state lawsuits filed in April 2011 sought to end notoriously unsafe conditions and inaccessible apartments at the Mayor Wright Homes, the state's second largest public housing project. Both lawsuits were similar to previous lawsuits brought in 2009 by Hawaii Appleseed Center against the state for its historical neglect of Kuhio Park Terrace and Kuhio Homes, the state's largest housing complex. Those cases were resolved and resulted in a complete overhaul of the KPT towers through the creation of a partnership with a housing developer.

The Mayor Wright Homes federal suit charges that the unsafe and unsanitary conditions at the project violate the Americans with Disabilities Act, the Rehabilitation Act and the Fair Housing Act. These federal laws prohibit discrimination against persons with disabilities and require the state to provide equal access to government programs including public housing projects. The relief sought includes a court order requiring the State to provide accessible housing to disabled residents and eliminate the unsafe and unsanitary conditions that exacerbate and cause disabilities.

A separate lawsuit filed in state Circuit Court alleges that the HPHA has breached their obligations to residents under the warranty of habitability—a warranty implied in all residential leases under state law. The warranty binds landlords to maintain premises in decent, safe and sanitary conditions.

Prior to the current lawsuit being filed the facilities at MWH were characterized by architectural barriers, leaking and bursting plumbing, an almost total lack of hot water in many buildings, vermin infestation including rats, roaches and bedbugs, overflowing trash piles, toxic air filled with noxious particulates, inconsistent and unprofessional security and hazardous and inaccessible conditions.

Victor Geminiani, Executive Director of Hawaii Appleseed Center, said " It is unfortunate that after a year of attempting to resolve the suits through negotiations by obtaining some assurances that the state would make the repairs and provide the services minimally required by the law mandated by law, the HPHA has decided blamed the messenger for its historical failure to maintain its projects. This letter is an obvious attempt to restrict residents' willingness to grieve governmental failures that have dramatically affected their lives for years. I would hope that the administration would encourage residents to enforce their legal rights rather than adopt a public posture of making intimidation and false and harmful allegations meant to intimidate tenants and their representatives."

Ouansafi's letter and Hawaii Appleseed Center's response is attached to this press release.

For additional information, contact Victor Geminiani, Executive Director of the Lawyers for Equal Justice by email at victor@lejhawaii.org or by phone at 587 7605.