

NOTICE TO PERSONS WHO MAY HAVE EXPERIENCED BARRIERS TO ACCESSIBILITY AT OLA KA `ILIMA ARTSPACE LOFTS BECAUSE OF DISABILITY (i.e., PHYSICAL IMPAIRMENTS) AND LACK OF ACCESSIBILITY AND/OR DENIAL OF REASONABLE MODIFICATIONS

Ola Ka `Ilima Lofts, LLLP, including all related parties (collectively "Owner"), have established a Fair Housing Aloha Accessibility Assistance Fund ("Compensation Fund") to provide monetary relief to those current and past tenants at Ola Ka `Ilima Artspace Lofts who may have encountered barriers to accessibility because they were denied reasonable modifications or resided in designated accessible units that were noncompliant with applicable accessibility standards. This notice provides you with information on how to file a claim should you qualify for relief from the Compensation Fund.

On February 14, 2022, the Owner entered into a Voluntary Compliance and Conciliation Agreement with the U.S. Department of Housing and Urban Development ("HUD") and Complainants to resolve certain HUD discrimination complaints, FHEO Case Nos. 09-20- 1182-8; 09-20-1182-4; 09-20-1182-D and FHEO Case Nos. 09-20-1225-8; 09-20-1225-4; 09-20-1225-D. ("Agreement"). Complaints were filed by individual tenants who allegedly suffered barriers to accessibility which are discriminatory under Title VIII of the Civil Rights Act of 1968, as amended (Fair Housing Act), the Rehabilitation Act of 1973, as amended, (Section 504), and Title II of the Americans with Disabilities Act of 1990, as amended, (ADA) regarding their residence at Ola Ka `Ilima Artspace Lofts.

The Owner denies Complainants' allegations, contending that its actions were nondiscriminatory. Nevertheless, HUD, Complainants, and the Owner entered into Agreements to resolve all claims, demands, and issues as set forth in the Complaints. As part of the Agreements, the Owner has agreed to establish the Compensation Fund for the purpose of paying damages to persons who may have suffered (i) barriers to accessibility in designated accessible units that were not compliant with minimum applicable accessibility standards and/or (ii) denial reasonable modifications to such designated accessible units

In order to receive a payment from the Compensation Fund, you must demonstrate that you meet each of the following conditions:

1. You resided at Ola Ka `Ilima Artspace Lofts at any time from 2019 to the present;
2. At the time of your residence, you were disabled (a physical impairment which substantially limits one or more major life activities); and
3. Your requests for reasonable accommodations or reasonable modifications were denied by Owner and/or you were told that you could make reasonable modifications but at your expense, or you were otherwise denied full use and enjoyment of a unit and common areas at the Ola Ka `Ilima Artspace Lofts because of disability related reasons:
 - you were not able to access the common entrances and/or exits of the Ola Ka `Ilima Artspace Lofts,
 - you were not able to fully use and enjoy the community and common areas of the Ola Ka `Ilima Artspace Lofts,
 - you were not able to fully use features or appliances within your unit, and/or

- you were subjected to different terms and conditions of accessibility throughout the common areas of the Ola Ka `Ilima Artspace Lofts.

In order to substantiate your claims, you must provide (a) a written detailed description of the facts and circumstances regarding your claims including the time period, location, and character of the purported barriers to accessibility throughout the Ola Ka `Ilima Artspace Lofts common areas in your particular unit; and (b) any documentation that you may have related to these matters, including your request for reasonable accommodations and/or modifications, and any denial or communication from Owner regarding such requests.

You are not entitled to payment if the Owner acted in a nondiscriminatory manner toward you during your residency, if no disability related changes were requested during your residency, or if the Owner offered or provided you reasonable accommodations or reasonable modifications. It is recognized that engaging in an interactive process is an essential part of addressing the changes requested for disability related reasons and that in some instances alternatives may be offered instead of what was requested if such alternatives would equally address the disability related need.

If you believe that the Owner discriminated against you during your residency on the basis of your disability, **you must file a claim by 08/21/2022 in order to be eligible for an award from the Compensation Fund.** If you wish to file a claim, you must provide: (1) your contact information, including your full name, address, telephone number(s), and, if available, email address; and (2) a full description of why you believe that the Owner has discriminated against you in violation of the Fair Housing Act, Section 504, or the ADA because of your disability. If known, please provide your reasonable modification or accommodation request, and the names of any of the Owner's personnel who processed your requests. You are encouraged to include with the written description of your claim, copies of any documents you believe would help explain the basis for your claim, particularly any information necessary to establish the conditions described in this notice. Eligible claims shall be paid in the order of date and time of receipt of each eligible claim by the Administrator on a first come, first served basis until the Compensation Fund are exhausted. If you intend on filing a claim you are encouraged to do so as soon as possible,

All claims must be sent to: Jelani Madaraka, Administrator

1132 Bishop Street, Suite 1400, Honolulu, Hawaii 96813 or by email to: jelani.m.madaraka@hud.gov

More information on the claims process, including a complete copy of the Agreement, is available at the above address or by calling 808-457-4677. All Claimants will receive notice of whether their claim has been found to be meritorious. If it is determined that your claim has merit, the Administrator will approve a payment to you from the Compensation Fund only if you sign a written release ("Release"), a copy of which will be sent to you if your claim is approved. The Release waives all claims, legal or equitable, that you might have against the Owner regarding the allegations asserted in your claim. You are not eligible for payment of an award from the Compensation Fund with respect to a disability complaint if you have previously received compensation for a claim of discrimination regarding the same disability complaint and have previously executed a release in exchange for the compensation.