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Kuhio housing residents sue

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On top of being in a wheelchair and having respiratory problems, Lewers Faletogo has had to deal with sewage leaking into his apartment from the upstairs toilet, frequent garbage chute fires that char the already-corroded metal, and no hot water for 18 hours a day.

After years of putting up with the living conditions at Kuhio Park Terrace and Kuhio Homes, Faletogo has teamed up with other residents and a group of lawyers to sue the state.

A pair of lawsuits in federal and state court accuse the state of letting the housing projects fall into disrepair.

Nonprofit law firm Lawyers for Equal Justice has joined local firm Alston Hunt Floyd & Ing and mainland firm O'Melveny & Myers LLP to handle the class-action lawsuits.

"It is tragic that the state has become the largest slumlord in Hawaii," said Victor Geminiani, executive director for Lawyers for Equal Justice.

— [Gene Park](#)

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[By Gene Park](#)

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Federal and state class-action lawsuits were filed yesterday on behalf of Kuhio Park Terrace and Kuhio Homes residents who allege that they have lived with "notoriously unsafe and inaccessible" conditions.

The federal case alleges that the public housing project violates the American with Disabilities Act, the Rehabilitation Act and the Fair Housing Act. The state case alleges a breach of obligation by the state under its warranty of habitability.

"These pair of lawsuits were filed to bring court scrutiny to how badly public housing has been run in the state of Hawaii," said Paul Alston, the residents' local attorney. "We also know based on history that under this administration, it won't change without a court mandate."

The legal action, which was joined by several private attorneys and six tenants, addresses conditions at two of the largest and oldest public housing properties in the state — Kuhio Park Terrace and Kuhio Homes in Kalihi on Oahu. Kuhio Park Terrace has 614 units in two 16-floor towers. Kuhio Homes is a low-rise complex with 134 units.

The lawsuits name the state government, the Hawaii Public Housing Authority and property manager Realty Laua LLC. Realty Laua officials could not be reached for comment.

The suits seek to force the state to improve living conditions, as well as an unspecified amount of monetary compensation for rent, "emotional distress, pain and suffering."

Members of the legal team took the media on a tour of Tower A of Kuhio Park Terrace, pointing out ripped-out fire alarms, corroded garbage chutes backed up by rubbish, and pest infestation.

Public Housing Executive Director Chad Taniguchi declined to comment on the specifics of the cases since he hadn't read the accusations, but listed a number of upcoming improvements to address many issues.

The agency has just awarded a contract to replace fire alarms at the two high-rise buildings for \$1.5 million. Taniguchi said the agency also is about to award a contract for elevator modernization and replacing the garbage chute.

"We care deeply about the safety and well-being of our public housing residents," Taniguchi said. "The staff is doing everything we can to fix problems. ... We need the help of public housing residents, the police and other community partners as we move forward."

Lewers Faletogo, a 46-year-old area resident for 15 years, said he doesn't blame the staff for the problems, because many of the issues can be addressed by more funding.

"It's something small like our trash bin, having a fire every day," Faletogo said. "The elevators are breaking down every day. Gas leaks in our homes, you smell them every day."

He has serious respiratory problems worsened by the constant gas leaks. His condition requires him to be in a wheelchair, but there are no grab bars in his bathroom. Hot water comes on only from midnight to 6 a.m.

Faletogo, who has lived at both housing complexes, said he has had to be sponged clean with hot water boiled on a stove, because the cold water would worsen his illness.

Kathy Vaiola has similar bathing problems. She had her left leg amputated due to complications from diabetes, but her bathroom is upstairs in her two-story Kuhio Homes unit. She has been unable to bathe for the past five years, and wipes herself down with a wet towel.

"I try to go upstairs, but my stump went bleed," Vaiola said.

Residents and the legal representation took note of the state's dedication of two homeless transitional homes along the Leeward Coast yesterday.

"I don't know where the money going, but it's not in my hand," Vaiola said.

Public housing needs to be a part of solving the homeless problem in the state, yet the Kuhio Park Terrace and Kuhio Homes units are in a state of disrepair, said Victor Geminiani, executive director of Lawyers for Equal Justice, a nonprofit law firm handling the case.

The Associated Press contributed to this report.

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