

Ntaub Ntawv: Kev Yuav Teb Li Cas Rau ib Qhov Kev Foob Ntiab Tawm Lawsuit

Luam Tawm #7159.09, Cuaj Hli 2020

Tsab ntaub ntawv no muab cov xov xwm hais txog kev yuav ua li cas cov neeg xauj tsev nyob thiaj li pov thaiv tau lawv cov cai thaum lawv cov tswv tsev xa ntawv foob ntiab tawm. Kev foob ntiab tawm raug muab hu ua ib qhov “Kev Raug lab Liam Tsis Raws Cai.” Thaum tus tswv tsev foob “Kev Raug lab Liam Tsis Raws Cai”, tus neeg xauj tsev nyob tuaj yeem pov thaiv tau kev raug ntiab tawm ntawm lawv lub tsev los ntawm kev teb raws cai rau qhov kev foob thiab kev xa ntaub ntawv mus rau tom tsev hais plaub. Ib txoj hau kev los mus teb rau qhov kev foob ntawd yog sau kom tiav thiab xa tsab “Lus Teb.” Tsab ntaub ntawv no muaj cov xov xwm hais txog:

- qhov kev foob “Kev Raug lab Liam Tsis Raws Cai” zoo li cas,
- yuav sau kom tiav thiab xa daim foos “Lus Teb” tau li cas,
- yuav sau lwm cov ntaub ntawv ntawm tsev hais plaub li cas txhawm rau pov thaiv koj cov cai.

Xav tau lub kauj ruam txog tus txheej txheem kev ntiab tawm hauv tsev hais plaub ces mus saib:

https://www.disabilityrightsca.org/system/files/file-attachments/Link_1_UD_Process_Flowchart_Final.pdf

Ua Ntej Qhov Kev Foob Ntiab Tawm: Ceeb Toom

Ua ntej tus tswv tsev yuav pib tus txheej txheem Kev Raug lab Liam Tsis Raws Cai, tus tswv tsev yuav tau muab ib tsab ntawv ceeb toom rau tus neeg xauj tsev nyob tso. Tsab ceeb toom no yuav qhia rau tus neeg xauj tsev hais tias tus tswv tsev xav xaus qhov kev xauj tsev lawm.

Qee cov ntawv ceeb toom yuav tso cai rau tus neeg xauj tsev kho qhov

kev ua txhaum rau daim ntawv cog lus xauj tsev txhawm rau pov thaiv qhov kev foob. Piv txwv, tsab Ceeb Toom kuj yuav hais tias tus neeg xauj tsev muaj ib tug tsiaj yug uas tsis tau txais kev tso cai nyob rau hauv lub tsev xauj, thiab yuav tau “kho” qhov teeb meem los ntawm kev muab tus tsiaj yug tshem tawm tsis dhau sij hawm 3 hnuv.

Tus neeg xauj tsev tuaj yeem thov tau ib qhov kev pab ua kom yooj yim raws qhov tsim nyog rau lawv li kev tsis taus yog tias tsim nyog. Qhov kev pab ua kom yooj yim no kuj yuav thov sij hawm ntxiv txhawm rau kho qhov kev ua txhaum rau daim ntawv cog lus xauj tsev. Lossis tus neeg xauj tsev kuj yuav thov txog ib qho kev pab ua kom yooj yim ntsig txog qhov kev ua txhaum los ntawm tus kheej. Piv txwv, yog tias tus tsiaj yug uas tsis tau txais kev tso cai ntawd yog ib tug tsiaj txhawb nqa raws kuj siab, thiab tus neeg xauj tsev tau thov txog ib qho kev pab ua kom yooj yim dua los lawm, ces tsab ceeb toom yuav siv tsis tau. Saib tsab ntawv kev pab ua kom yooj yim raws qhov tsim nyog piv txwv no kom tau sij hawm ntau ntxiv los mus kho qhov kev ua txhaum rau daim ntawv cog lus xauj tsev. Qhov kev txuas no yuav tsum raug muab siv ua ib tug qauv thiab muab kho txhawm rau tso koj cov xov xwm ntiag tug rau.

https://www.disabilityrightsca.org/system/files/file-attachments/Link_2_Template_RA_More_Time_to_Comply_with_Notice.pdf

Qhov Kev Foob Ntiab Tawm: Ntawv Foob thiab Lus Tsis Txaus Siab

Tus tswv tsev tuaj yeem pib tus txheej txheem Kev Raug lab Liam Tsis Raws Cai (kev ntiab tawm) los ntawm kev xa ntawv foob thiab siv Kev Raug lab Liam Tsis Raws Cai “Ntawv Foob” thiab tsab “Lus Tsis Txaus Siab.” Tus tswv tsev yog tus “Neeg Foob,” tus neeg lossis lub koom haum uas xa ntawv foob, thiab tus neeg xauj tsev yog tus “Neeg Raug Foob,” tus neeg uas tiv thaiv qhov kev foob.

Tsab “Ntawv Foob” ceeb toom rau tus neeg xauj tsev (Tus Raug Foob) tias nws raug foob lawm. Nws tseem muaj cov xov xwm tseem ceeb xws li qhov chaw nyob ntawm lub tsev hais plaub, npe thiab chaw nyob ntawm tus tswv tsev lossis tus tswv tsev tus kws lij choj, thiab tus najnpawb case. Cov xov xwm no tseem ceeb rau tus neeg xauj tsev thaum sau daim “Ntawv Teb.” Qhov “Kev Tsis Txaus Siab” muaj qhov laj thawj tias yog vim li cas tus tswv tsev thiaj li pheej yuav ntiab tawm lub tsev xauj. Qee qhov laj thawj yog vim li cas tus tswv tsev tuaj yeem ntiab tawm rau tawm tus neeg xauj tsev yog vim qhov tsis them nqi tsev, ua txhaum daim ntawv cog lus xauj tsev, lossis ua qee yam uas cuam tshuam rau kev noj qab haus huv thiab kev nyab xeeb ntawm lwm tus neeg xauj tsev hauv lub tsev. Qhov

“Lus Tsis Txaus Siab” yuav tsum muaj ib daim qauv ntawm tsab ntawv ceeb toom xa mus rau tus neeg xauj tsev ua ntej yuav foob mus.

Daim “Ntawv Foob” thiab “Lus Tsis Txaus Siab” raug foob rau tsev hais plaub thiab yuav tsum tau ua haujlwm (xa mus) rau tus neeg xauj tsev, kom tus neeg xauj tsev paub tias muaj ntawv foob mus foob nws lawm.

Kev Teb Rau Txoj Cai Kev Raug Ntiab Tawm: Tsab Ntawv Teb

Thaum tus neeg xauj tsev (Tus Raug Foob) tau txais tsab “Ntawv Foob” thiab “Lus Tsis Txaus Siab,” tus neeg xauj tsev muaj **5 hnuv hauv tsev hais plaub** los mus sau tsab ntawv teb raws cai mus rau lub tsev hais plaub. Tsab ntawv teb raws cai no yog “Ntawv Teb.” Yog tsis xa tsab ntawv teb ces tus neeg xauj tsev yuav raug ntiab tawm tsev tam sis ntawd yam tsis muaj rooj plaub li.

Tsab “Ntawv Teb” yog tus neeg xauj tsev (Tus Raug Foob) cov lus teb rau tus tswv tsev (Tus Foob) qhov kev foob tawm. Nws yog qhov chaw uas tus neeg xauj tsev tuaj yeem tsis lees txais cov lus cuav uas ua los ntawm tus tswv tsev hauv cov “Lus Tsis Txaus Siab” thiab kuj tseem muab tso rau hauv kev tiv thaiv thiab. Cov hauv qab no yog cov kev tiv thaiv uas tus neeg xauj tsev tuaj yeem sau rau hauv lawv tsab “Ntawv Teb.”

1. Daim Ntawv Ceeb Toom yog Yam Txhaum Cai

Muaj qee case, yog tias tus neeg xauj tsev tau txais tsab ntawv ceeb toom uas tsis muaj cov laj thawj tias vim li cas kev xauj tsev ho xaus mus, ces tsab ntawv ceeb toom thiab ntawv foob yuav yog yam txhaum cai.

Tsab Cai Hais Txog Kev Pov Thaiv Neeg Txauj Tsev uas teev tseg xyoo 2019 yog ib tsab cai lijchoj hauv xeev uas yuav tseev kom qee tus tswv tsev muaj “qhov laj thawj” los mus ntiab tus neeg xauj tsev tawm. Txoj Cai tau teev cov laj thawj tsi ntsees rau qhov uas tus tswv tsev tuaj yeem ntiab ib tus neeg xauj tsev twg tawm. Qhov no siv tau rau cov neeg xauj tsev uas tau nyob hauv lawv lub tsev lossis chav tsev yam tsawg kawg kiag yog 12 lub hlis thiab nyob hauv cov tsev uas koom ntau tsev neeg nyob thiab cov chav tsev nyob. Qee lub tsev nyob ib yig thiab cov condos los siv tau rau ib yam nkaus thiab. Yog xav paub ntau ntxiv txog Tsab Cai Kev Pov Thaiv Tsev Neeg Xauj Tsev Xyoo 2019:

https://www.disabilityrightsca.org/system/files/file-attachments/Link_3_Tenant-Protection-Act-AB-1482-Fact-Sheet.pdf

Qee lub nroog muaj cov kev pov thaiv kev ntiab tawm hauv ib cheeb tsam

ze uas muab cov laj thawj tsi ntsees rau qhov uas tus tswv tsev tuaj yeem ntiab tau ib tus neeg xauj tsev twg tawm.

2. Tsab Ntawv Ceeb Toom Siv Tsis Tau

Tus tswv tsev yuav tau muab tsab ntawv Ceeb Toom rau tus neeg xauj tsev hais txog qhov vim li cas tus tswv tsev xav ntiab tus neeg xauj tsev tawm mus. Yog Tsab Ntawv Ceeb Toom hais tias tus neeg xauj tsev tsis them nqi xauj lossis tau ua txhaum rau daim ntawv cog lus xauj tsev mus rau lwm txoj kev, tus tswv tsev yuav tau muab sij hawm rau tus neeg xauj tsev los mus daws qhov teeb meem. Yog tias tsab ntawv ceeb toom tsis muab lub hwv tsam no los kho qhov teeb meem, ces tsab ntawv ceeb toom ntawd yuav siv tsis tau.

Yog Tsab Ntawv Ceeb Toom hais tias tus neeg xauj tsev tsis tau them nqi xauj, ces Tsab Ntawv Ceeb Toom yuav tau sau kom muaj:

- cov nqi xauj uas tshuav,
- tus neeg uas cov nqi xauj yuav tsum them rau,
- cov nqi xauj yuav tuaj yeem muab them rau qhov twg,
- thiab cov hnuv uas muaj ntawm lub lim tiam thaum tuaj yeem them tau cov nqi xauj tsev.

Tsab ntawv ceeb toom tsis tuaj yeem sau ntau tshaj ntawm tus nqi xauj tsev uas tshuav.

Yog tias Tsab Ntawv Ceeb Toom hais tias tus neeg xauj tsev ua txhaum rau tsab ntawv cog lus xauj tsev, ces Daim Ntawv Ceeb Toom yuav tsum hais tias lub sij hawm twg ntawm kev cog lus xauj tsev rau ua txhaum, thiab yuav ua li cas tus neeg xauj tsev tuaj yeem kho tau qhov teeb meem. Tsab ntawv ceeb toom yuav tsum piav qhia qhov teeb meem kom txaus kom tus neeg xauj tsev thiaj paub hais tias yuav kho tau li cas. Qhov kev ua txhaum kuj tseem yuav tsum yog qhov tseem ceeb, txhais tau tias kev txhaum me me ntawm tsab ntawv cog lus xauj tsev yuav tsum tsis yog lub laj thawj ntawm kev ntiab tawm.

Yog tias Tsab Ntawv Ceeb Toom hais tias tus neeg xauj tsev tau tsim muaj kev kub ntxhov lossis kev phom sij rau lub vaj luv tsev, ces Tsab Ntawv Ceeb Toom yuav tsum yuav tau piav qhia tus neeg xauj tsev ho tsim muaj qhov kev kub ntxhov ntawd tau li cas.

3. Kev Ua Txhaum Rau Kev Lees Nres txog Tus Cwj Pwm

Tus tswv tsev muaj lub luag haujlwm los mus tuav twj lub vaj lub tsev kom

thiaj li muaj kev nyab xeeb thiab siv tau. Piv txwv, tus tswv tsev yuav tsum ua kom paub tseeb tias lub ru tsev tsis xau, lub tsev muaj cua sov txaus, thiab txhua lub teeb taws ua tau hauj lwm raws qhov tsim nyog. Yog tias tus tswv tsev tsis tswj lub tsev thiab muaj teeb meem loj heev tuaj, tus neeg xauj tsev tuaj yeem cav tias lawv tsis tshuav nqi xauj puv ntwb ntawm tus tswv tsev.

4. Kev Zam Pub

Yog tias tus tswv tsev hais kom tus neeg xauj tsev ua pov hnov qab txog tsab ntawv ceeb toom kom xaus kev xauj tsev, lossis lees txais xauj los ntawm tus neeg xauj tsev tom qab tsab ntawv ceeb toom tag sij hawm, daim ntawv tiv thaiv txog kev zam pub kuj yuav siv tau. Qhov no txhais tau tias tus tswv tsev tau zam lawv txoj cai ntiab tawm lawm.

Yog tias tus tswv tsev paub txog cov kev ua txhaum cai ntawm tsab ntawv cog lus xauj tsev thiab tseem pheej muaj cia cov kev ua txhaum cai tshwm sim ntxiv mus, tus neeg xauj tsev tuaj yeem cav hais tias tus tswv tsev zam lawv txoj cai ntiab tawm.

5. Kev Ua Pauj

Tus neeg xauj tsev tuaj yeem cav hais tias tus tswv tsev tab tom ua pauj rau lawv vim tus neeg xauj tsev ua qee yam sim lawv txoj cai. Ib qho piv txwv yog tus tswv tsev ntiab tus neeg xauj tsev tawm rau qhov uas ceeb toom tus tswv tsev mus rau lub rooj tsav xwm saib xyuas vaj tse thiab kev nyab xeeb hais txog kev ua txhaum txoj cai.

6. Kev Ntxub Ntxaug, xam muaj RA

Yog tias tus tswv tsev tab tom ntiab tus neeg xauj tsev tawm raws li cov laj thawj ntsig txog ntawm tus neeg xauj tsev li haiv neeg, tus pojniam lossis txivneej, kev ntseeg, keeb kwm haiv neeg, kev nyiam sab poj niam txiv neej, kev muaj txij nkawm, cov menyuum, kev tsis taus, lossis vim tias tus neeg xauj tsev yog tau txais kev pab cuam los ntawm pej xeem sawv daws, tus neeg xauj tsev yuav muaj kev tiv thaiv txog kev ntxub ntxaug.

Nws yog kev ntxub ntxaug rau tus tswv tsev uas tsis kam lees tus neeg xauj tsev cov lus thov txog kev pab ua kom yooj yim raws tsim nyog rau kev tsis taus yam tsis muaj laj thawj raws cai.

7. COVID-19

Muaj cov kev tiv thaiv tshiab thooj plaws lub xeev rau cov neeg xauj tsev uas tsis tuaj yeem them lawv cov nqi xauj tsev thaum lub sijhawm muaj xwm ceev hauv xeev ntawm COVID-19. Qee qhov ntawm cov kev tiv thaiv no tuaj yeem muab siv tiv thaiv yog tias tus tswv tsev xa ntawv foob ntiab tawm.

Koj lub nroog cheeb tsam lossis lub cheeb nroog kuj tseem muaj cov kev tiv thaiv uas tuaj yeem muab siv ua cov kev tiv thaiv.

Caw saib peb phab ntawv vaj tse ntsig txog COVID-19 kom paub xov xwm ntau ntxiv:

<https://www.disabilityrightsca.org/post/coronavirus-housing>

Lub tsev hais plaub tau tsim daim foos "Lus Teb" lawm. Cov neeg xauj tsev tuaj yeem siv daim foos no los mus teb rau qhov kev foob ntiab tawm no. Txog ntawm cov lus qhia tias yuav sau daim foos "Ntawv Teb" tau li cas:

https://www.disabilityrightsca.org/system/files/file-attachments/Link_4_UD_105_Instructions.pdf

. Koj tuaj yeem nrhiav tau daim foos uas tsis tsu sau ntawm no:

https://www.disabilityrightsca.org/system/files/file-attachments/Link_5_UD_105_Blank.pdf

Kuj tseem muaj ib qhov xa nrog ua ke ntxiv nrog daim foos "Ntawv Teb" uas koj tuaj yeem muab tso nrog koj li "Ntawv Teb." Cov ntaub ntawv xa nrog ua ke no muaj cov kev tiv thaiv raws ntxiv. Thov ua twb zoo ntsuam xyuas cov ntawv xa nrog ua ke thiab cov kev tiv thaiv thiab kos cov npov uas koj xav tias siv tau rau koj.

https://www.disabilityrightsca.org/system/files/file-attachments/Link_6_Attachment_3I_Attachment_StateWide.pdf

Muaj ib qho video hauv online cob qhia luv luv uas qhia rau koj txog kev yuav sau daim foos "Ntawv Teb" tau li cas.

<https://www.youtube.com/watch?v=NZNb3WVFo8s>

Ib daim luam qauv ntawm tsab "Ntawv Teb" yuav tsum muab xa tawm (xa mus) rau koj tus tswv tsev tus kws lij choj, yog tias muaj, los yog koj tus tswv tsev. Nws tuaj yeem raug xa tau hauv kev xa ntawv. Tom qab ntawd, koj yuav tsum sau xa tsab "Ntawv Teb" rau lub tsev hais plaub.

Ntawv Pov Thawj Kev Pab Cuam

Daim qauv ntawm tsab "Ntawv Teb" yuav tsum muab xa (xa mus) rau tus tswv tsev tus kws lij choj, yog tias muaj, los yog tus tswv tsev kiag. Nws tuaj yeem raug xa tau hauv kev xa ntawv. Qhov kev pabcuam yuav tau ua los ntawm ib tus neeg uas muaj hnuv nyoog tshaj 18 xyoo uas tsis txuam nrog hauv qhov kev sib foob. Tus neeg ntawd yuav tau sau kom tiav thiab kos npe rau daim "Ntawv Pov Thawj Kev Pab Cuam."

Txog ntawm cov lus qhia txog qhov yuav sau kom tiav daim foos "Ntawv

Pov Thawj Kev Pab” tau li cas:

https://www.disabilityrightsca.org/system/files/file-attachments/Link_7_POS_Instructions.pdf . Cov foos uas tsis tau sau tuaj yeem nrhiav tau ntawm no:

https://www.disabilityrightsca.org/system/files/file-attachments/Link_8_POS_Form_Blank.pdf

Tom qab sau tiav daim foos “Ntawv Pov Thawj Kev Pab Cuam’ lawm, koj yuav tau xa daim foos mus rau tom tsev hais plaub.

Lwm Cov Foos thiab Ntaub Ntawv Uas Koj Yuav Tau Xa

1. Ntawv Thov Kev Zam Nqi Pab Cuam

Muaj cov nqi hauv tsev hais plaub uas yuav tsum tau them rau cov ntaub ntawv xa mus rau tsev hais plaub. Yog koj xav tau kev zam tus nqi pab cuam, ces koj tuaj yeem thov lawv los ntawm kev sau cov foos uas tsim nyog muaj.

“FW-002: Kev Thov Kev Zam Cov Nqi Pab Cuam Ntxiv ”yuav tsum muab sau thiab xa mus kom tiav yog tias koj xav thov lub rooj sib tham ntawm tsoom kws txiav txim plaub ntug.

Cov lus qhia txog kev yuav ua li cas txhawm rau sau cov foos no tuaj yeem nrhiav tau ntawm no:

https://www.disabilityrightsca.org/system/files/file-attachments/Link_9_Instructions_on_FW_Forms.pdf

Cov foos uas tsis tau sau tuaj yeem nrhiav tau ntawm no:

1. https://www.disabilityrightsca.org/system/files/file-attachments/Link_10_fw001_blank.pdf
2. https://www.disabilityrightsca.org/system/files/file-attachments/Link_10_fw001_blank.pdf
3. https://www.disabilityrightsca.org/system/files/file-attachments/Link_10_fw003_blank.pdf

Koj TSIS tas yuav ua cov ntaub ntawv no mus rau koj tus tswv tsev lossis koj tus tswv tsev tus kws lij choj.

2. Kev Xav Tau ntawm Lub Rooj Tsib Tham Ntawm Tsoom Kws Txiaiv Txim Plaub

Yog koj xav tau tsoom kws txiaiv txim plaub, tshaj tus kws txiaiv txim plaub, kom txiaiv txim siab txog koj rooj plaub tshwm sim, koj tuaj yeem thov lub rooj sib tham ntawm tsoom kws txiaiv txim plaub. Koj tuaj yeem thov hauv koj tsab “Ntawv Teb,” lossis koj tuaj yeem xa cov ntaub ntawv uas nyias

muaj nyias los tau. Peb tau muab cov ntaub ntawv ua tus qauv Word document nkag rau. **Thov sau rau hauv cov tshooj lus uas nyob hauv voos qhom thiab zas kob thiab muab kho ua ntej xa mus rau tsev hais plaub.** Saib daim qauv ntawm no:

https://www.disabilityrightsca.org/system/files/file-attachments/Link_11_Demand_for_Jury_Trial_Template.docx

Koj yuav tau ua cov ntaub ntawv no mus rau koj tus tswv tsev lossis koj tus tswv tsev tus kws lij choj. Saib tshooj lus “Ntawv Pov Thawj Kev Pab Cuam” saum toj no.

3. Kev Thov Txog Kev Pab Ua Kom Yooj Yim

Yog koj xav tau kev pab ua kom yooj yim tom tsev hais plaub rau koj qhov kev tsis taus, koj tuaj yeem sau daim foos hauv tsev hais plaub thiab xa daim foos mus rau tom tsev hais plaub. Lossis koj tuaj yeem hu rau koj lub tsev hais plaub thiab thov tham nrog tus Khiav Haujlwm ADA lossis ib tus neeg twg uas tuaj yeem nres koj qhov kev thov kev pab ua kom yooj yim.

Qee cov piv txwv ntawm cov kev pab ua kom yooj yim hauv tsev hais plaub koj tuaj yeem thov tau yog thov kom txuas ntxiv hnuv txiav txim vim yog koj qhov kev tsis taus, thov kom muaj tus neeg txhais lus ASL rau kev hais plaub hauv tsev hais plaub, thiab thov kom coj koj cov tsiaj txhawb nqa mus rau hauv tsev hais plaub.

Daim foos ntawd tuaj yeem nrhiav tau ntawm no:

https://www.disabilityrightsca.org/system/files/file-attachments/Link_12_MC_410_Form.pdf

Koj TSIS tas yuav khaws daim qauv ntawm luam daim foos no rau koj tus tswv tsev lossis koj tus tswv tsev tus kws lij choj.

Muaj Dab Tsi Tshwm Sim Mus Ntxiv?

Tom qab tus neeg xauj tsev xa tsab “Ntawv Teb,” tsis hais tus tswv tsev lossis tus neeg xauj tsev los yeej tuaj yeem thov tau hnuv teem hais plaub. Tom qab qhov kev thov, lub tsev hais plaub yuav teem hnuv hais plaub thiab xa ib tsab ntawv ceeb toom mus rau ob tog.

Thov saib peb cov npe xa mus thov kev pabcuam raws cai lossis kev sawv cev rau koj qhov teeb meem kev ntiab tawm.

https://www.disabilityrightsca.org/system/files/file-attachments/Link_13_Housing_Law_List_2020-with_SR_edits.pdf