



► Phau Ntawv: Kev Txheej Txheem Pab Cuam Hauv Xeev Wisconsin Rau Kev Ncaj Ncees

Qhov kev pab cuam no yog siv los ua qhov kev qhia rau cov tib neeg nrog kev xiam hoob khab puas tes puas taw, tsis yog los sib hais plaub ntug (legal advice). Rau kev pab rau kev hais plaub ntug txog koj li teeb meem, thov tham rau ib tug kws lij choj (attorney).

Qhia Tawm

Yog koj ntseeg ib tug tswv tsev ua kev saib tsis tau koj vim koj muaj kev xiam hoob khab, koj muaj cai sau ib tsab ntawv tsis txaus siab (Fair Housing Complaint) nrog rau lub tsev hauv Xeev Wisconsin Kev Ncaj Ncees (Wisconsin's Equal Rights Division / ERD). Qhov kev pab cuam qhia txog tus txheej txheem thiab muab cov tswv yim pab nrhiav rau koj tus kheej.

Kauj Nruam 1: Kev Sau ib Tsab Ntawv Tsis Txaus (Fair Housing Complaint) Nrog Rau Lub Tsev Hauv Xeev Wisconsin Kev Saib Xyuas Sib Luag (Wisconsin's Equal Rights Division).

Koj muaj cai tsis txaus siab txog vaj tsev tsis ncaj ncees raws ntawm kev xiam hoob txog li ib xyos tom qab qhov kev saib tsis tau tshwm sim los sis koj kawm txog ntawd. Los sau ib tsab ntawv tsis txaus siab txog kev xiam hoob khab hauv vaj tsev, kos sau ntawm daim ntawv (ERD complaint form):

dwd.wisconsin.gov/dwd/forms/erd/pdf/erd-10240.pdf?20230905

1-800-928-8778 Toll Free | disabilityrightswi.org

Xa ntawv los sis muab xa (fax) rau lub hoob kas:

ERD Madison

PO Box 8928
Madison, WI 53708
Tus (Fax): 608-267-4592

ERD Milwaukee

819 N. 6th St., Room 723
Milwaukee, WI 53203
Tus (Fax): 414-227-4084

Koj tseem xa tau koj daim duab tsis txaus siab no rau nruab ntug (online), tiam sis koj yuav tsum tsim ib tug (account) thiaj ua tau. Sau qhov kev tsis txaus siab nyob no: dwd.wisconsin.gov/er/complaints/

Tswv Yim Qhia Txog Kev Pab Txhawb Nqa

Sau daim ntawv (form) kom tiav thiab kos npe rau ua ntej xa mus rau lub Tsev Saib Xyuas Sib Luag (Equal Rights Division). Koj tseem hu tau rau lub Tsev Saib Xyuas Sib Luag (Equal Rights Division) ib as thiv los sis ob tom qab xa tag lawm kom lawv tau txais lawm.

Equal Rights Division, Hoob Kas Hauv Madison Xov Tooj: 608-266-6860
Equal Rights Division, Hoob Kas Hauv Milwaukee Xov Tooj: 414-227-4384

Koj muaj cai rho tawm koj qhov kev tsis txaus siab lub sij hawm twg los tau. Yog koj xav rho tawm, nug rau kev sau ntawv, kos npe rau, thiab xa mus rau lub Tsev Saib Kev Ncaj Ncees (Equal Rights Division). Yog koj tias koj rho tawm koj qhov kev tsis txaus siab, tawm sis, koj yuav nqa tsis tau tuaj dua lawm.¹

Thaum lub Tsev Saib Xyuas Kev Sib Luag (Equal Rights Division) tau txais koj tsab ntawv tsis txaus siab, lawv yuav saib xyuas rau kom tsum:

- ▶ koj thiab tus tswv pab vaj tsev muaj nyob rau tsab cai hauv xeev kev ncaj ncees (Wisconsin fair housing law).
- ▶ tias koj qhov kev tsis txaus siab muaj ib qhov kev thov pab lawv yuav tham txog.
- ▶ tias koj yuav tsum sau nyob rau ib xyoos ntawm koj kev saib tsis tau los sis thaum koj kawm txog ntawd.²

¹ Saib rau tsab cai (DWD 220.04(8)).

² DWD 220.05(1).

Yog tias koj qhov kev tsis txaus siab ntawm tsis ntsib cov kev muaj no, lub Tsev (Equal Rights Division) muab tso tseg.³ Yog koj rau muab tso tseg, koj muaj cai foob nyob rau 20 hnuv rau tus neeg txiav txim (Administrative Law Judge / ALJ).⁴

Kauj Ruam 2: Tsev Saib Xyuas Sib Luag Kev Tshawb Fawb thiab Kev Txiav Txim Siab Thaum Chiv Keeb

Yog koj qhov kev tsis txaus siab raws li cov cai, lub tsev saib xyuas sib luag (Equal Rights Division) yuav tshuaj xyuas. Lawv yuav mus saib lub tsev los sis lwm cov chaws, mus nrhiav thiab txhais cov ntaub ntawv, los sis tham nrog cov tib ua leej twg paub txog kev tshwm sim li cas.⁵

Lub Tsev Saib Xyuas Sib Luag (Equal Rights Division) muaj cai tshem tawm cov kev tsis txaus siab ua ntej qhov kev tshawb fawb yuav tiav ntawd yog tias:

- ▶ koj tsis teb ib yam lawv xa rau koj li 20 hnuv ntawd; los sis
- ▶ lub Tsev Saib Xyuas Sib Luag (Equal Rights Division) los sis tsev hais plaub (court) twb tshem tawm cov lus iab liam hauv koj qhov tsis txaus siab ua ntej ntawd.⁶

Yog tias lawv tshem koj qhov kev tsis txaus siab rau ib qhov yog vim li cas, koj muaj cai thov hais dua rau hauv tus Neeg Txiav Txim (Administrative Law Judge) nyob rau 20 hnuv ntawd.⁷

Tom qab lub Tsev Saib Sib Luag (Equal Rights Division) tiav qhov kev tshawb fawb, lawv yuav sau daim ntawv **Txiav Txim Thawj Zaug (Initial Determination)** — uas hais tias yog lawv muaj pov thawj txaus rau koj daim ntawv tsis txaus siab.⁸ **Lo lus (Probable cause)** txhais tau tias muaj laj thawj ntseeg tau tias tej zaum yuav muaj kev ntxub ntxaug tsis raws cai tshwm sim lawm. Yog tias lub Tsev Saib Xyuas Sib Luag (Equal Rights Division) txiav txim muaj pov thawj txaus lawm, lawv yuav tshuaj ntsuam rau kev **ntxub ntxaug / charge of discrimination** (saib rau Kauj

³ DWD 220.05(2).

⁴ DWD 220.05(3).

⁵ DWD 220.07(1).

⁶ DWD 220.07(2)(a).

⁷ DWD 220.07(2)(b).

⁸ DWD 220.08(1).

Ruam 3: Charge of Discrimination for more information).⁹ Yog lub Tsev Saib Xyuas Kev Sib Luag (Equal Rights Division) txiav txim tsis muaj pov thawj tseeb, lawv yuav lawb koj qhov kev tsis txaus siab foob no.¹⁰ You muaj cai rov hais rooj plaub Tsis Pub Tshem Tawm (No Probable Cause) nyob rau 20 hnub los nug txog, nyob rau kev sau ntawv, rau ib qhov **Kev Muaj Pov Thawm Txaus Mloog Rooj Plaub (Probable Cause Hearing)**.¹¹ Saib Cov Kev Mloog Hais Plaub nyob rau Kauj Ruam 3: Charge of Discrimination rau ntaub ntxiv txog rau Kev Muaj Pov Thawj Mloog Cov Plaub no.

Kev Kho Kom Haum Xeeb (Mediation)

Yog tias ob tog pom zoo, lub Tsev Saib Xyuas Sib Luag (Equal Rights Division) tuaj yeem sim pab koj sib tham kom haum xeeb thiaj li daws tau qhov teeb meem ntawm koj tsab ntawv tsis txaus siab ntawd – qhov no hu tias (**mediation** los sis **conciliation**). Yog koj nrog tus pab tsev nyob sib haum xeeb tau lawm, daim ntawv cog lus yuav raug muab sau tseg cia, thiab koj tuaj yeem mus cuag tau lub Tsev (Equal Rights Division) kom muab yuam ua raws li txoj cai yog tias tus neeg muab kev pabcuam ua txhaum cai rau tsis ntev tom qab no. (Saib DWD 220.10 rau ntaub ntawv ntxiv).

Kauj Ruam 3: Kev Sau Tsab Ntawv Tsis Txaus Siab Rau Kev Ntxub Ntxaug

Yog tias Lub Tsev (Equal Rights Division) pom tias muaj laj thawj tseeb rau koj lo lus tsis txaus siab, txawm nyob rau hauv Kev Tshawb Pom Thawj Zaug (Initial Determination) los yog tom qab Lub Rooj Sab Laj Tshawb Fawb Laj Thawj (Probable Cause Hearing), lawv yuav tsim ib rooj plaub ntxub ntxaug thiab xa mus rau tus Lij Choj Loj (Attorney General) ntawm xeev Wisconsin tshuaj xyuas. Tom qab ntawd, Tus Thawj Kws Lij Choj thiaj li txiav txim siab tias puas yuav foob tus neeg muab tsev nyob vim nws ua txhaum cai.

⁹ DWD 220.08(2).

¹⁰ DWD 220.08(3).

¹¹ Saib Tsab Cai (DWD 220.09).

Tswv Yim Qhia Txog Kev Pab Txhawb Nqa

Txoj kev cai tswj hwm tsev nyob tsis muaj cai yuam kom koj yuav tsum tau mus foob rau tseem fwv uas tswj hwm txoj kevcai ntawd ua ntej. Qhov no txhais tau tias koj tuaj yeem foob tus tswv tsev tau txhua lub sij hawm, txawm tias koj tseem tsis tau mus yws los sis foob rau tsoom fwv raws li cov txheej txheem kev tsis txaus siab los xij.

Feem ntau cov teeb meem tsev nyob yog mus daws ntawm Lub Tsev Hais Plaub Me (Small Claims Court) xwb. Saib rau hauv xeev (Wisconsin Court Self Help Law Center webpage rau ntaub ntawv ntxiv):

www.wicourts.gov/services/public/selfhelp/smallclaims.htm

Lub Tuam Tsev (Equal Rights Division) yuav tso koj qhov kev tsis txaus siab tseg yog tias koj txiav txim siab foob tus neeg pab tsev nyob thiab qhov kev sib hais plaub tau pib lawm.¹² Txawm tias lub Tsev (Equal Rights Division) txiav txim foob lawm los xij, koj tseem tuaj yeem xaiv koj qhov teeb meem plaub mus hais rau tom tsev hais plaub tau.¹³

Cov Kev Hais Plaub Ntug

Muaj ob hom rooj sib hais uas yuav muaj tau nyob rau hauv lub Tsev (Equal Rights Division) txoj cai tsis txaus siab tus txheej txheem hais plaub ntug. Ob hom kev sib hais plaub ntuas no puav leej mus raws li cov kauj ruam pib tib yam nkaus xwb, qhia nyob rau **Kauj Ruam 4: (Equal Rights Division Hearing)**.

Qhov Kev Mloog Plaub Puas Muaj Pov Thawj (Probable Cause Hearing):

Lub tsev hais plaub mloog lus li no yuav muaj xwm txheej tuaj yog tias Lub Tsev (Equal Rights Division) txiav txim tias Tsis Tau Muaj Txaus (No Probable Cause) xwb tab sis koj tseem tsis txaus siab thiab thov txuas mus hais ntxiv (appeal). Nyob rau hauv Lub Rooj Sib Hais Txog Kev Muaj Pov Thawj Txaus (Probable Cause Hearing), Tus Kws Txiav Txim Kev Cai Tswj los txiav (Administrative Law Judge) txim siab seb puas muaj pov thawj txaus rau koj lo lus tsis txaus siab kom mus ntxiv.

¹² DWD 220.11(2).

¹³ DWD 220.12(1).

Cov Kev Hais Plaub Ntug (cont.)

Qhov Kev Mloog Plaub Tseeb (Merits Hearing): Hom plaub ntug li no yuav muaj nce ntxiv yog tias Lub Tsev (Equal Rights Division) pom tias Muaj Keeb Kwm tsim nyog (Probable Cause) thiab muab ntaub ntawv foob txog kev ntxub ntxaug (charge of discrimination) ntawd. Thaum lub Rooj Sab Laj Hais Txog Qhov Tsim Nyog (Merits Hearing), tus Txiaiv Txim Tsoj Cai Tswj Hwm (Administrative Law Judge) yuav txiaiv txim siab seb tus neeg muab tsev puas tau ua txhaum cai thiab tuaj yeem muab nyiaj tsim txom (damages), lossis nyiaj txiag, rau koj rau qhov xwm txheej uas tau tshwm sim ntawd.

Kauj Ruam 4: Kev Mloog Ntawm Lub Tsev Saib Xyuas Sib Luag (Equal Rights Division)

Lub Tsev (Equal Rights Division) yuav xa rau koj thiab tus tswv pab vaj tsev ib **Daim Ntawv Ceeb Toom Txog Kev Sib Hais (Notice of Hearing)** nrog rau cov ntsiab lus ntawm lub rooj txiaiv txim, zoo li hnuv tim, sij hawm, thiab qhov chaw ntawd. Qhov kev mloog no yuav tsum tshwm sim li 30 hnuv tom qab daim ntawv ceeb toom no, ces koj thiaj li yuav muaj caij nyoog npaj tau.¹⁴ Nyob rau 10 hnuv ntawm Daim Ntawv Ceeb Toom (Notice), koj tus tswv pab vaj tsev yuav tsum xa ib qhov lus teb rau koj qhov kev tsis txaus siab rau neb ob leeg thiab lub Tsev (Equal Rights Division).¹⁵

Lub sij hawm twg los tau thaum rooj plaub tseem daws tsis tau, Tus Kws Txiaiv Txim Plaub (Administrative Law Judge) tuaj yeem hu ob tog tuaj sib tham ua ntej **(Pre-Hearing Conference)** txhawm rau nrog ob tog sib tham.¹⁶

Koj thiab tus tswv tsev uas koj tsis txaus siab rau ob leeg muaj cai tshuaj xyuas txhua cov ntaub ntawv pov thawj uas lwm tog muaj txog qhov teeb meem no, ua ntej lub sij hawm txiaiv txim plaub, thiaj li yuav pab tau koj npaj txhij. Cov ntaub ntawv no yuav tsum tau muab pauv hloov rau ib leeg hauv ib txoj kev hu ua **kev tshawb fawb (discovery)**. Nyob rau lub caij nrhiav pov thawj, koj yuav nug tau sab nrauv rau cov ntaub ntawv thiab xov xwm uas lawv muaj txog koj daim ntawv tsis txaus siab ntawd. Koj kuj tseem tuaj yeem nug cov lus nug rau cov tim khawv uas pom qhov xwm txheej raug cais tawm tsam ntawd, nyob rau hauv ib lub rooj sib

¹⁴ Saib Rau Tsab Cai (DWD 220.14(1)).

¹⁵ DWD 220.15.

¹⁶ DWD 220.16.

tham uas hu ua **kev nrhiav pov thawj (deposition)**. Tus neeg raug foob los kuj muaj cai thov tshuaj xyuas cov ntaub ntawv pov thawj ntawm koj thiab.¹⁷

Tswv Yim Qhia Txog Kev Pab Txhawb Nqa

Nws tseem ceeb heev uas yuav tsum tau teb cov ntaub ntawv thov tshawb fawb ntawm lwm tog kom sai thiab muaj kev hwm. Lawv muaj cai ua qhov no raws li txoj cai lij choj, ib yam li koj thiab. Yog koj xav tias lwm tog tab tom thov ib yam dab tsi uas tsis tsim nyog los ntawm koj, koj tuaj yeem tham nrog lawv los sis lawv tus kws lij choj los sim daws qhov teeb meem ntawd.

Dau tsawg kawg yog **10 hnub** ua ntej yuav txog hnub hnov plaub, koj thiab tus neeg muab tsev nyob yuav tsum tau xa daim ntawv teev npe cov neeg ua tim khawv thiab cov ntaub ntawv tim khawv (exhibits) uas koj npaj siab yuav coj los sis nyob rau ntawm lub rooj hnov plaub mus rau lub Tsev (Equal Rights Division) thiab rau tog tshuav ntawd.¹⁸ Koj yuav tsum tau xa cov no los ntawm tshuab fax lossis xa ntawv, tsuas yog tias tus Kws Txiaiv Txim Txoj Cai Thawj Coj hais tias koj tuaj yeem siv email tau.¹⁹

Kev txiaiv txim plaub ntug tiag tiag yuav tsum ua raws li cov cai ntawm lub xeev Wisconsin txoj cai.²⁰ Qhov no yuav zoo li ib lub tsev hais plaub — tus kws txiaiv txim plaub yuav coj cov txheej txheem, thiaj li koj thiab lwm sab tuaj yeem nug cov tim khawv thiab qhia cov pov thawj ntawd. Koj mus koom lub rooj txiaiv txim plaub ntug ntawm koj tus kheej los tau, los sis ib tug sawv cev uas tau txais tso cai (li yog ib tug kws lij choj) mus hloov koj los tau.²¹ Yog tias koj tsis mus rau lub rooj sib rhais plaub, Tus Txiaiv Txim Cai Lij Choj Tswj Fwm yuav tshem koj qhov kev tsis txaus siab tawm tsuas yog tias koj muaj qhov laj thawj zoo qhia rau lawv paub.²²

¹⁷ DWD 220.18(3). Saib (Wis. Stat. §804) rau cov kev li kev cai ntawm qhov (depositions thiab discovery).

¹⁸ Saib Rau Tsab Cai (DWD 220.18).

¹⁹ Saib Rau Tsab Cai (DWD 220.25).

²⁰ See DWD 220.21(1), Wis. Stat. Ch. 227.

²¹ DWD 220.21(3).

²² DWD 220.21(4).

Kauj Ruam 5: Kev Mloog Los Txiaiv Txim Siab Rau

Tom qab Lub Rooj Sib Hais Txog Qhov Tsim Nyog Muaj Noob Ntsis (Probable Cause) los sis Cov Ntsiab Lus Tseem Chaw (Merits Hearing), Tus Tuam Tswj Cai Tswj Hwm yuav sau ib tsab ntawv txiaiv txim siab uas yuav yog:

- ▶ muab tsab ntawv foob tshem tseg.
- ▶ lub Tsev (Equal Rights Division) txib kom tsa tsub (rau lub Rooj Tswj Fwm Nrhiav Kev Tsim Nyog (Probable Cause Hearing)).²³
- ▶ txib kom tus neeg muab tsev nyob ua raws li tsab cai tswj kev ncaj ncees ntawm kev muab tsev nyob (rau lub Rooj Hais Plaub Txiaiv Txim (Merits Hearing)).²⁴

Hauv tsab ntawv txiaiv txim siab txog Qhov Muaj Peev Xwm (Merits Hearing order), Tus Kws Txiaiv Txim Plaub Ntug ntawm Tso Hmoom (Administrative Law Judge) tuaj yeem muab cov nyiaj them rau kev puas tsuas rau koj yog tias lawv pom tau tias tus neeg muab tsev nyob tau xaiv ntug (discriminated) rau koj. **Kev Puas Tsuj (Damages)** txhais tias yog nyiaj them rau lub sijhawm tsis tau ua haujlwm, nqi tshuaj nqi tsev kho mob, nqi tsev nyob siab dua qub, lossis kev ntxhov siab sab hauv lub siab.²⁵

Yog tias koj swb ntawm Lub Rooj Tswj Txiaiv Txim (Merits Hearing), koj tuaj yeem thov rov hais dua rau tom tsev hais plaub hauv xeev (state court). Tus Kws Txiaiv Txim Plaub Ntug ntawm Txoj Cai Tswj Fwm (Administrative Law Judge) tsab ntawv txiaiv txim siab yuav tsum qhia txog koj cov cai thov rov hais dua ntawd.

²³ DWD 220.23(1).

²⁴ DWD 220.23(2).

²⁵ DWD 220.23(2).