Practice Areas

BUSINESS

L-1 Visas

H-1B

H-1B Transfers

Visas

TN Visas (NAFTA)

Special Visas for Other Countries:
- Australia
- Chile / SingaporeE-1

E-1 Visas

E-2 Visas

PERM Labor Certification

HOSPITALS /HEALTHCARE

H-1C Visas

H-1B Visas for Doctors

FAMILY

Spouse / Fiancée Visas

Permanent Residence for Family within U.S.

Naturalization /Citizenship

AMNESTY

Appeals Court to Cities: "Butt Out"

Posted: November 11, 2010

A three-judge panel of the U.S. Court of Appeals for the 3rd Circuit recently ruled that federal immigration law preempts municipal ordinance initiatives aimed at punishing landlords and businesses that deal with illegal immigrants.

The 188-page ruling in Lozano, et al. vs. City of Hazleton, stated that: "Federal law simply does not prohibit landlords from renting… to persons who lack lawful immigration status." Chief Judge Theodore McKee also emphasized that federal law does not prohibit "persons lacking lawful status" from renting apartments.

This decision upheld a lower-court ruling that prohibited the City of Hazleton, Pennsylvania from enforcing its immigration-related municipal ordinances.

More than 60 cities and towns in more than 21 states have reportedly enacted similar ordinances, most of which have not been legally challenged. Court observers have suggested that this trend will virtually insure that the U.S. Supreme Court will take up the preemption issue when it is properly presented.

In the meantime, individuals and families residing in the U.S. without citizenship or proper visas are at risk from de jure and de facto discrimination.

Those in need of assistance are encouraged to call our office at (847)564-0712 and/or refer to the pertinent section of our Website [insert link].