

Memorandum of Understanding

MEMORANDUM OF UNDERSTANDING ("MOU") made this 13th day of May 2016, by and between the New York City (the "City") Department of Housing Preservation and Development ("HPD") and the New York City Commission on Human Rights (the "NYCCHR").

WHEREAS, HPD desires to make \$107,000 available to the NYCCHR for activities in furtherance of the City's fair housing strategy; and

WHEREAS, this MOU is not a legally binding instrument and is only intended to set forth the understandings of the parties without creating any legally enforceable rights or obligations;

NOW, THEREFORE, HPD and the NYCCHR set forth their mutual understanding as Follows:

1. HPD has designated \$107,000 from its budget (the "Fair Housing Funds") for usage by the NYCCHR in support of activities related to the City's fair housing strategy as set forth in Exhibit A, Scope of Services, attached hereto and made a part hereof. The Fair Housing Funds shall be applied in accordance with Exhibit B, Budget, attached hereto and made a part hereof.
2. HPD shall participate in all discussions with the City's Office of Management and Budget ("OMB") and shall prepare and/or execute all documents required by OMB that are necessary to effectuate NYCCHR's utilization of the Fair Housing Funds.
3. NYCCHR's expenditures of HPD's Fair Housing Funds shall not exceed \$107,000. NYCCHR may apply the Fair Housing Funds to activities set forth in Exhibit A, which commenced on or after July 1, 2015.
4. NYCCHR will submit to HPD, within thirty (30) days of the end of each quarterly period, an invoice, in a form acceptable to HPD, for actual services performed. The invoice will include a certification signed by the NYCCHR Commissioner or his/her designee, stating that the expenditures are true and accurate and were incurred in performance of Exhibit A, Scope of Services. Accompanying the invoice, NYCCHR will also submit to HPD a program report. This report shall include the progress made towards implementing the services as defined in Exhibit A, Scope of Work. In the event that quarterly reports and invoices are not feasible, the Commission may, with HPD's prior approval, submit one final invoice and final program report in lieu of quarterly invoices and reports.
5. NYCCHR shall within ten (10) days of receipt of any written request from HPD, provide to HPD an accounting of the distribution of the Fair Housing Funds by NYCCHR, as of the date of any such request.
6. All services must be rendered and goods delivered by June 30, 2016. NYCCHR will provide HPD a final report of its usage of all such monies no later than August 30, 2016. This report shall also serve as the final program report, described in paragraph 4.
7. NYCCHR shall return any remaining Fair Housing Funds not utilized for activities performed by June 30, 2016 to HPD. In HPD's sole discretion, it may permit NYCCHR to allocate remaining Fair Housing Funds to activities in furtherance of Exhibit A, which will occur after June 30, 2016.

8. All notices and requests hereunder by either party shall be in writing and directed to the address of the parties as follows:

To NYCCHR:

New York City Commission on Human Rights
Attn: Melissa S. Woods
First Deputy Commissioner/General Counsel
100 Gold Street, 4th Floor, Suite 4600
New York, New York 10038

To HPD:

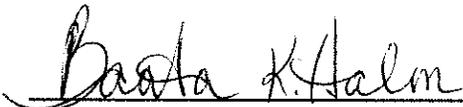
New York City Department of Housing Preservation and Development
Attn: Lucy Joffe
Executive Director for Regulatory Compliance
100 Gold Street, 4th Floor, Room 4-O2
New York, New York 10038

9. This MOU may be terminated by either party upon no less than thirty (30) days written notice.

10. This MOU may not be modified except in writing signed by both parties.

IN WITNESS WHEREOF, the parties hereto have executed this MOU as of the date first written above.

NEW YORK CITY DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT

By: 

Name: Baaba K. Halm

Title: Assistant Commissioner for Governmental Relations & Regulatory Compliance

NEW YORK CITY COMMISSION ON HUMAN RIGHTS

By: 

Melissa S. Woods

First Deputy Commissioner/General Counsel

EXHIBIT A

FAIR HOUSING PROGRAM SCOPE OF SERVICES

1) *Goals and Objectives*

- a) Protect New Yorkers from unwarranted discrimination in obtaining housing accommodations, including both rental and homeownership opportunities, by leveraging the resources and expertise of the Department of Housing Preservation & Development ("HPD") and the New York City Commission on Human Rights (the "Commission");
- b) Educate building owners and project sponsors receiving financial assistance from HPD regarding their federal, state and local fair housing obligations; and
- c) Evaluate the effectiveness of the various fair housing tools employed by the City to strengthen fair housing efforts.

2) *Description of Compensated Work*

a) *HPD/NYCCHR Fair Housing Symposium*

- i) HPD and the Commission will cohost a fair housing symposium to educate developers, social service providers and/or the public regarding a specific fair housing issue, agreed upon by both agencies. The Commission will work with HPD to plan and coordinate the event. HPD will retain final approval for all expenditures related to the symposium.
- ii) **Deliverable:** Annual symposium organized in collaboration with HPD staff. The Commission will provide all printed materials required for the event. Printed materials will be translated, as necessary.

b) *Owners and Tenants Forums Presentations*

- i) The Commission will participate in community forums, typically in partnership with local political and community leaders. HPD will sponsor the events and the Commission staff will attend the forums to discuss fair housing-related issues relevant to the local community and audience. The forums will usually be held at night, at locations throughout New York City.
- ii) **Deliverable:** The Commission will participate in roughly 20 events sponsored by HPD. Printed materials, which will be translated into the five most commonly used languages in New York City.

c) *Fair Housing Media Campaign*

- i) HPD and the Commission will create an advertising campaign to raise awareness regarding a specific fair housing issue, agreed upon by both agencies. HPD will sponsor the campaign and the Commission will work with HPD to plan and

coordinate the campaign. HPD will retain final approval for all expenditures related to the outreach campaign.

- ii) HPD and the Commission will create a plan to measure the effectiveness of the campaign, which the Commission will implement.
- iii) **Deliverable:** Targeted outreach campaign. The Commission will report on the effectiveness of the campaign in its quarterly-submitted program reports.

d) *Fair Housing Testing*

- i) The Commission will conduct fair housing testing to identify, document, and eliminate housing discrimination. The Commission may conduct the testing itself, in accordance with well-established best practices, or may use the fair housing funds allocated by HPD to support testing conducted by outside organizations.
- ii) **Deliverable:** The Commission will report on the outcomes of its fair housing testing in its quarterly-submitted program reports and how the data gleaned from testing will be used to address housing discrimination.

3) ***Additional Uncompensated Work***

a) *Fair Housing Training Sessions for Building Owners and Project Sponsors*

- i) HPD will host fair housing training sessions for building owners, project sponsors or developers, management agents, and contractors doing business with the city. The Commission staff will present information regarding housing discrimination and fair housing laws, rules and regulations. Fair housing training sessions will occur on a quarterly basis during business hours at HPD offices.
- ii) **Deliverable:** Quarterly presentations at fair housing workshops. Printed materials, which will be translated into the five most commonly used languages. The Commission will report attendance for each session to HPD.

b) *Counseling Services*

- i) HPD will refer persons who have experienced or believe they have experienced housing discrimination to the Commission for counseling services. The Commission will provide such services as appropriate.
- ii) HPD will provide training for the Commission on matters relevant to the provision of counseling services that are within HPD's purview, as necessary.
- ii) **Deliverable:** The Commission will document the services provided to each individual or family referred by HPD, and the outcome of such services to HPD.

c) *Housing Discrimination Complaints*

- i) HPD will refer to the Commission complaints of possible housing discrimination. NYCCHR will investigate complaints over which it has jurisdiction. When the Commission lacks jurisdiction to investigate, it will advise complainants regarding alternative potential state and federal venues or avenues to seek resolution.

- ii) **Deliverable:** The Commission will document the services provided to each individual or family referred by HPD, and the outcome of such services to HPD.

d) *Promote HPD Services and Programs*

- i) The Commission will promote HPD programs and services and will refer New York City residents seeking HPD programs and services to the appropriate HPD department. This includes, but will not be limited to, referrals for:
 - (1) Property owners to HPD borough offices for assistance in correcting Housing Maintenance Code violations;
 - (2) Homeowners to HPD-sponsored home improvement loans;
 - (3) First-time homebuyers to the HomeFirst Assistance Program; and
 - (4) Apartment-seekers to www.HousingConnect.nyc.gov.
- ii) HPD will provide training to Commission staff regarding HPD programs and services, upon request from the Commission.
- iii) The Commission will, subject to HPD's approval, incorporate HPD materials into the curriculum of presentations and make such materials available to the public, including via the Fair Housing NYC website.
- iv) **Deliverable:** The Commission will document referrals made to HPD programs and services in its quarterly-submitted program reports.

e) *Pre-Award Conferences*

- i) HPD will host pre-award conferences for developers and contractors seeking to do business with HPD. Commission staff will present information regarding housing and employment discrimination and review fair housing laws, rules and regulations. The pre-award conferences will occur on a weekly basis during normal business hours.
- ii) **Deliverable:** NYCCHR will participate in weekly presentations at pre-award conferences. Printed materials will be translated into the five most commonly used languages in New York City.

EXHIBIT B

HPD CCHR MOU BUDGET FOR FY 2016

Deliverable	Total Allocated
Fair Housing Symposium	\$20,858.75
Education and Outreach Materials	\$31,201.25
Digital Outreach	\$21,500.00
Fair Housing Testing	\$31,565.00
Fair Housing Month Event	\$1,875.00
Total \$107,000.00	