

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding ("MOU") made this ~~14~~ day of October, 2016 by and between the New York City (the "City") Department of Housing Development ("HPD") and the New York City Commission on Human Rights (the "Commission").

WITNESSETH

WHEREAS, HPD desires to make \$70,000 available to the Commission 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 understanding of the parties without creating any legally enforceable rights or obligations;

NOW, THEREFORE, HPD and the Commission set forth their mutual understanding as follows:

1. HPD has designated \$70,000 from its budget (the "Fair Housing Funds") for usage by the Commission 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. The parties acknowledge that the amounts set forth in the different categories of Exhibit B may be modified by the Commission subject to the reasonable prior approval of HPD, but shall in no event exceed \$70,000 total.
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 the Commission's utilization of the Fair Housing Funds.
3. The Commission may apply the Fair Housing Funds only to the activities set forth in Exhibit A, which commenced on or after July 1, 2016.
4. All services must be rendered and goods delivered by June 30, 2017.
5. The Commission 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 Commissioner or his/her designee, stating that the expenditures are true and accurate and were incurred in performance of Exhibit A. Accompanying the invoice, the Commission will also submit to HPD a program report. This report shall detail the progress made towards implementing the services as defined in Exhibit A. The Commission will provide the final quarterly invoice and report no later than July 31, 2017.

6. The Commission shall, within fifteen (15) days of receipt of any written request from HPD, provide to HPD an accounting of the distribution of the Fair Housing Funds by the Commission, as of the date of any such request.
7. The Commission is not entitled to any Fair Housing Funds not utilized for activities performed by June 30, 2017 to HPD. HPD may, subject to HPD's sole discretion, permit the Commission to allocate remaining Fair Housing Funds to activities in furtherance of Exhibit A, which will occur after June 30, 2017.
8. All notices and requests hereunder by either party shall be in writing and directed to the address of the parties as follows:

To the Commission:

New York City Commission on Human Rights
Attn: Melissa S. Woods
First Deputy Commissioner/General Counsel
22 Reade Street, New York, New York 10007
mwoods@cchr.nyc.gov

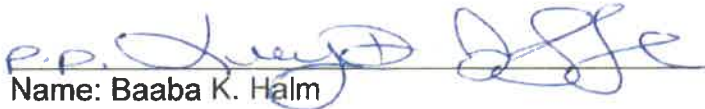
To HPD:

New York City Department of Housing Preservation and Development
Attn: Lucy Joffe
Executive Director for Regulatory Compliance
100 Gold Street, 4th Floor, Room 4-02
New York, New York 10038
JoffeL@hpd.nyc.gov

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

A handwritten signature in blue ink, appearing to read "Baaba K. Halm", written over a horizontal line.

Name: Baaba K. Halm

Title: Assistant Commissioner for Economic Opportunity & Regulatory Compliance

NEW YORK CITY COMMISSION ON HUMAN RIGHTS

A handwritten signature in blue ink, appearing to read "Melissa S. Woods", written over a horizontal line.

Name: Melissa S. Woods

Title: 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 project sponsors receiving financial assistance from HPD and building owners 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) Reprinting of Fair Housing Outreach Materials
 - i) The Commission will use HPD funds for reprinting outreach materials such as the multilingual fair housing brochures, posters, flyers, etc. These materials will be a critical tool to use and distribute among housing groups to share citywide, and to distribute at the various tenants' rights forums and landlord resources fairs.
 - ii) **Deliverable:** In its program reports, the Commission will indicate which materials were reprinted, explain the significance of the materials to advancing fair housing and preventing housing discrimination, and list examples of events at which such materials were distributed.
- b) Fair Housing Testing
 - i) The Commission will use testers to conduct fair housing testing to identify, document, and eliminate housing discrimination based on one or more of the classes protected under the New York City Human Rights Law. 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. The Commission will notify HPD in advance of making any offers or effectuating any contracts.
 - ii) **Deliverable:** In its program reports, the Commission will provide

data on the number of tests conducted, the outcomes of its fair housing testing, and how the data gleaned from testing will be used to address housing discrimination.

3) Description of Additional Work (Non-Reimbursable with HPD Funds)

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:** The Commission will deliver presentations at four fair housing workshops, each of which will be listed in the quarterly reports. Printed materials will be translated into the nine most commonly used languages.

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 approximately 30 events sponsored by HPD, each of which will be listed in the quarterly reports. Printed materials will be translated into the nine most commonly used languages in New York City.

c) Housing Discrimination Complaints

- i) HPD will refer to the Commission complaints of possible housing discrimination. The Commission 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 and HPD will collaborate and determine a process by which referrals can be made to the Commission. The Commission will document the services provided to each individual or family referred by HPD through this process, and the Commission will report 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 of:
 - (1) Property owners to HPD borough offices for assistance in correcting Housing Maintenance Code violations;
 - (2) Homeowners to HPD for 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.

Deliverable: The Commission will participate in weekly presentations at pre-award conferences. Printed materials will be translated into the nine most commonly used languages in New York City.

EXHIBIT B

BUDGET FOR FY 2017

Deliverables	Allocated Amount
Education and Outreach Materials	\$15,000.00
Fair Housing Testing	\$55,000.00
TOTAL	\$70,000.00