



City of New York

MEMORANDUM OF UNDERSTANDING ("MOU") made this 20<sup>th</sup> day of August, 2013, 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, the City has developed a Community Development Program funded by Community Development Block Grants ("CDBG") made by the Federal Government pursuant to Title I of the Housing and Community Development Act of 1974, as amended, and administered by the United States Department of Housing and Urban Development; and

WHEREAS, HPD desires to make \$63,900.00 of its allocation of CDBG funds 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 shall designate \$63,900.00 from its CDBG 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 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 Funds.
3. Expenditures shall not exceed \$63,900.00. NYCCHR may apply the Funds to activities set forth in Exhibit A commencing on or after July 1, 2013.
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.
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 Funds by NYCCHR, as of the date of any such request.
6. Upon request, NYCCHR will submit to HPD, within thirty (30) of such request, a program report. No more than four (4) such reports will be requested during the period of this agreement. This report shall include the progress made towards implementing the services as defined in Exhibit A, Scope of Work.
7. All services must be rendered and goods delivered by June 30, 2014. No later than August 30, 2014, NYCCHR will provide to HPD a final report of its usage of all such monies.
8. NYCCHR shall return any unutilized Fair Housing Funds to HPD.

9. Any agreements with vendors that NYCCHR enters into in furtherance of activities performed pursuant this MOU, must contain the City's Appendix B provisions prepared by the New York City Law Department for inclusion with City contracts funded in whole or in part with CDBG funds.

10. 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: Cliff Mulqueen, Deputy Commissioner/General Counsel  
40 Rector St., 10th Floor  
New York, NY 10006  
Facsimile: 646- 500-5684

To HPD:

New York City Department of Housing Preservation and Development  
Attn: Kimberly Hardy, Special Counsel  
Office of Regulatory Compliance  
100 Gold Street, Rm. 5-Z7  
New York, New York 10038  
Facsimile: 212-863-7905

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

12. 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:

  
\_\_\_\_\_  
Kimberly Hardy  
Special Counsel for Regulatory Compliance

NEW YORK CITY COMMISSION ON HUMAN RIGHTS

By:

  
\_\_\_\_\_  
Cliff Mulqueen  
Deputy Commissioner/General Counsel

## EXHIBIT A

### FAIR HOUSING PROGRAM SCOPE OF SERVICES

Affixed to Intergovernmental MOU for FY2014 between the New York City Department of Housing Preservation & Development and the New York City Commission on Human Rights.

#### 1) *Goals and Objectives*

- a) Raise awareness of building owners and project sponsors receiving financial assistance from the Agency of their duty to comply with the federal Fair Housing Act and NYC Human Rights Law.
- b) Prevent the unwarranted displacement of individuals and families by referring the public to the education, counseling and enforcement services offered by the New York City Commission on Human Rights (NYCCHR).
- c) Evaluate the effectiveness of targeted message-based campaigns to landlords that promote anti-discriminatory changes in behavior.

#### 2) *Description of Compensated Work*

##### a) *Housing Discrimination Research Project*

Partnership: CCHR, HPD, Center for the Study of Development Strategies, Columbia University

- i) CCHR with the Columbia University Center for the Study of Development Strategies will continue to conduct a research investigation utilizing matched groups of testers responding to on-line and other advertisements for housing accommodations within the city. Study will assess the level of housing discrimination and the most effective types of messaging campaigns to deliver to landlords and brokers to avert it.
- ii) **Deliverable:** Report of study findings.

##### b) *Publications*

- i) CCHR will provide printed infocards, posters, and booklets for weekly Pre-award Conferences, Owners' Night presentations and other joint events. Materials will include translation into the five most widely used languages in New York City: Spanish, Korean, Haitian Creole, Russian and Mandarin.
- ii) **Deliverable:** Printing of booklets, infocards and Symposium poster

##### c) *HPD/NYCCHR Fair Housing Symposium Event*

- i) The HPD and NYCCHR will co-sponsor an annual Fair Housing Symposium to provide information on housing rights, housing opportunities and housing trends to enable social service providers to better serve their clients. The Symposium will empower representatives of social service organizations to make sound and prompt referrals of

instances involving possible discrimination while also expanding their awareness of housing rights and opportunities. The Symposium will serve an audience of at least 100 social service professionals and will feature representatives of other local governmental entities and nonprofit entities.

- ii) **Deliverable:** 1 Symposium

*d) Owners Night Presentations*

- i) The NYCCHR will endeavor to participate in community forums sponsored by the HPD to inform the public of housing opportunities, regulations and to answer questions. These presentations are usually held at night; approximately 30 are hosted by HPD in partnership with local political and community leaders each year.

***Additional Uncompensated Work***

*e) Conduct Fair Housing Training Sessions for Agency Sponsors and Owners*

- i) The NYCCHR will develop a curriculum and conduct quarterly fair housing training sessions for Agency staff and the staff of Owners and Sponsors under contract with the Agency. The session will focus on compliance with Federal, State and City fair housing mandates, tenant/homebuyer selection (including interviews and associated forms), unlawful inquiries and available resources. The session will be held each quarter at Agency headquarters.
- ii) **Deliverable:** The NYCCHR will conduct three training sessions at the request of the Agency, at a date and time agreeable to both Agencies. The NYCCHR will provide attendance sheets to document attendance at each session.

*f) Counseling Services*

- i) The NYCCHR will counsel individuals on discrimination matters. The NYCCHR will provide counseling services via personal meetings, phone contacts, and the website. The NYCCHR will document all counseling services provided.
- ii) HPD Staff will train NYCCHR on matters referred to above that are within HPD's purview.
- ii) **Deliverable:** The NYCCHR will document client contact.

*g) Housing Discrimination Complaints*

- i) HPD will refer to NYCCHR complaints of possible housing discrimination. The NYCCHR will advise complainants whose cases the Commission has no jurisdiction over regarding state and federal protections.
- ii) **Deliverable:** Documentation of complaints and the services offered by the NYCCHR.

*h) Promote HPD Services and Programs*

- i) HPD will train NYCCHR staff regarding HPD programs and services. The NYCCHR will acquire the knowledge to, for instance, refer property owners to the HPD borough offices for assistance in correcting Housing Maintenance Code violations; to raise awareness of Agency sponsored home improvement loans; to refer first time homebuyers to the HomeFirst Assistance Program and apartment seekers to HPD's housing lottery webpages.
- ii) The NYCCHR will, subject to Agency approval, incorporate Agency materials into the curriculum of presentations and make materials available to the public and via the website. The NYCCHR will note referrals made to HPD programs and services.

*i) Pre-Award Conferences*

- i) The NYCCHR will endeavor to provide staff and materials for a brief presentation to be conducted weekly at HPD's pre-award conferences.
- ii) The conferences are conducted before an audience of owner and sponsor representatives. The conferences are held during normal business hours.

HPD CCHR MOU BUDGET FY 2014

<b>Deliverable</b>	<b>Quantity</b>	<b>Unit</b>	<b>Unit Price</b>	<b>Total Spent</b>
Housing Discrimination Research Project	28 Testers 1 Director	each	\$50,000	\$50,000.00
Fair Housing Symposium	1	each	\$8,000	\$8,000.00
Publications	5,000	each	\$5,000	\$5,000.00
Owners Night Presentation	30	Hours	\$30.00	\$900.00
			TOTAL	\$63,900