

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

1. Do you live in New York City?
2. Do you receive cash benefits, or are you eligible to receive cash benefits, through the Family Assistance Program?

If you answered yes to Questions 1 AND 2, a proposed class action settlement may affect you. Please read this entire notice for details.

What Is This Case About?

A settlement has been reached in a class action lawsuit against the Commissioner of the New York State Office of Temporary and Disability Assistance (“**OTDA**”). The lawsuit alleges that OTDA violated New York Social Services Law by failing to provide rental assistance to families living in New York City that is adequate to cover the reasonable cost of rent in New York City. The lawsuit is called *Daniela Tejada et al. v. Samuel Roberts*, Index No. 453245/2015. The case is pending in the Supreme Court of the State of New York. The parties have submitted the settlement agreement to the Court for its approval.

Who Is Affected By The Settlement?

The Court has conditionally certified a class of “all individuals residing in New York City who receive or are eligible to receive benefits through the Family Assistance program” (“**Class Members**”).

Hughes Hubbard & Reed LLP and The Legal Aid Society represent the Class Members.

What Are The Terms Of The Settlement?

The settlement will last for five years, beginning after the Court approves the settlement. The key terms of the proposed settlement are as follows:

1. The amounts of the rent supplements available to prevent eviction or homelessness will go up.
2. The maximum monthly rent that a Class Member can have to be eligible for the rent supplement to prevent eviction or homelessness will also go up.
3. Class Members without income who receive rent supplements to prevent eviction or homelessness will not have to pay extra money towards rent. Class Members with income who receive these rent supplements may still have to contribute some portion of their income (up to 30% of their income in some cases).
4. The amounts of the rent supplements to prevent eviction or homelessness and the maximum monthly rents that Class Members can have and still receive those supplements may increase in the future.

5. Class Members who are survivors of domestic violence and who need to find new apartments may receive rent supplements to help them do so.
6. Class Members whose names are not on the lease for their apartments and who are in eviction proceedings may receive help to pay rent arrears.
7. The amount of rent arrears that Class Members can receive to prevent eviction will increase.
8. All Class Members will release all of their claims in this lawsuit, and any similar claims against the New York City Human Resources Administration, for five years. This means that no Class Member can bring another lawsuit challenging the “adequacy” of the amount of rental assistance available to them for five years.

How to Object to the Settlement

This settlement is not yet final. If the Court approves it, all members of the Class will be bound by the terms of the settlement. If you are a Class Member, you can object to the settlement if you feel that it is not fair, reasonable, or adequate.

To object to the settlement, you must send to the Court and to counsel for the Class a letter containing: (i) your name, address, and telephone number; (ii) a statement of your objections to the settlement, and (iii) any documents or other evidence you want the Court to consider. **The letter must be postmarked no later than August 11, 2017 and sent to both of the addresses below:**

The Clerk of the Court
New York County
Attn: *Daniela Tejada et al. v. Samuel Roberts*
60 Centre Street, Room 161
New York, NY 10007

Theodore V.H. Mayer
Fara Tabatabai
Hughes Hubbard & Reed LLP
One Battery Park Plaza
New York, NY 10004

The Court will hold a hearing on September 8, 2017 at 10:30 a.m. to decide whether the settlement is fair. The hearing will take place before the Honorable Justice Jennifer G. Schechter at the following address:

Supreme Court of the State of New York
111 Centre Street, Room 623
New York, NY 10013

How to Get Additional Information

For a copy of the proposed settlement agreement or to get additional information about the settlement, please visit <http://bit.do/fepssettlement> or call the attorneys for the Class Members at (844)400-4538.