

**42108**

DATE September 9, 2014

TO: Board of Acquisition and Contract

FROM: Edward Buroughs  
Commissioner of Planning

SUBJECT: Resolution authorizing an agreement between the County of Westchester and Legal Services of the Hudson Valley to provide legal services that will prevent loss of affordable rental units through changes via renovations, demolitions, revitalizations and relocations or any other relevant building development actions that affect a sustained housing supply, standards of habitability, affordability or rent-setting practices

The attached resolution authorizes the County of Westchester to enter into an agreement with Legal Services of the Hudson Valley (LSHV) to provide legal services to prevent the loss of affordable housing rental units in multi-family dwellings. Legal Services of the Hudson Valley will work to prevent loss of affordable rental units where landlords/owners seek to opt out of affordable housing programs and to provide legal representation to tenants in subsidized housing complexes whose rights have been violated. The not-to-exceed amount is \$103,000.00, to be paid pursuant to an approved budget, and the term of the agreement is January 1, 2014 to December 31, 2014.

LSHV helps the most vulnerable members of our communities - the poor and low income individuals and families - with free non-criminal legal counsel and representation to protect their basic necessities of life. These necessities include shelter, freedom from physical abuse, medical care and access to legal protections and supports that are guaranteed by law, but not always provided. For several years the County has retained LSHV to provide legal representation to eligible families to assist with housing resettlement and eviction prevention as well as to provide an attorney to advocate for preserving affordable housing within Westchester County. LSHV's housing representation and housing funding has been largely limited to cases where individuals or families are in imminent risk of losing housing.

In completing last year's agreement, LSHV met most of their goals of preserving affordable housing within Westchester County. They were unable to reach one goal as extensive research and writing to produce motions and memoranda of law was needed in a federal litigation case; 85% of this goal was reached. We anticipate LSHV will succeed in accomplishing the goals established for 2014. The 2014 agreement will include, but is not limited to: assisting approximately 50 cases with housing issues in five to ten building complexes, attending five to ten negotiation sessions on significant issues, making 60 court appearances or administrative appearances, providing outreach services by attending two to four meetings per building complex and circulating written materials to 150 tenants advising them of the services. The primary focus will be to provide assistance to tenants who reside in buildings with 30 to 50 units. These buildings will be comprised of low income tax credit units, Section 8 Housing, ETPA protected buildings and single room occupancy buildings. The program will be monitored by the Department of Planning staff, who will review the payment requests to make sure all contractual requirements are met.

Authority to exempt this agreement from the procedures of the Westchester County Procurement Policy, pursuant to Section 3(a)(xxi) thereof, has been submitted to your Honorable Board in accordance with a separate resolution of even date herewith.

I recommend approval of this agreement.

EB/cp  
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 10/02/2014 - JOMARY VIEIRA, SECRETARY

R E S O L U T I O N

UPON A COMMUNICATION FROM THE COMMISSIONER OF PLANNING, BE IT HEREBY

RESOLVED: that the County of Westchester is hereby authorized to enter into an agreement with Legal Services of the Hudson Valley, in the not-to-exceed amount of \$103,000.00, to be paid pursuant to an approved budget, for a term beginning January 1, 2014, and ending December 31, 2014, to provide legal services that will prevent loss of affordable rental units through changes via renovations, demolitions, revitalizations and relocations or any other relevant building developments that affect a sustained housing supply or standards of habitability, affordability or rent-setting practices, and be it further

RESOLVED: that this Agreement is subject to County appropriations, and be it further

RESOLVED, that this Agreement is also subject to further financial analysis of the impact of any New York State Budget (the "State Budget") proposed and adopted during the term of this Agreement. The County shall retain the right, upon the occurrence of any release by the Governor of a proposed State Budget and/or the adoption of a State Budget or any amendments thereto, and for a reasonable period of time after such release(s) or adoption(s), to conduct an analysis of the impacts of any such State Budget on County finances. After such analysis, the County shall retain the right to either terminate the Agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Contractor, then the Contractor shall have the right to terminate this Agreement upon reasonable prior written notice; and be it further

RESOLVED: that the County Executive or his duly authorized designee is authorized to execute any documents and take any actions necessary to effectuate purposes hereof.

Account to be Charged/Credited

		Major Program, Program & Phase	Object/ Sub Object	Trust Account	Dollars
Fund	Dept	Or Unit			
101	19	0100	4380	N/A	\$103,000.00

Budget Funding Year(s) (must match resolution)      FY 2014    Start Date      January 1, 2014    End Date      December 31, 2014

Funding Source      Tax Dollars \$103,000.00

State Aid \_\_\_\_\_

**\$103,000.00**      Federal Aid \_\_\_\_\_

(must match resolution)      Other \_\_\_\_\_