

54439

DATE January 10, 2017

TO: Board of Acquisition and Contract

FROM: Edward Buroughs
Commissioner of Planning

SUBJECT: Resolution authorizing 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 and to provide legal representation to tenants in subsidized housing complexes whose rights have been violated

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 and to provide legal representation to tenants in subsidized housing complexes whose rights may have been violated. The not-to-exceed amount of \$106,090.00 is to be paid pursuant to an approved budget; the term of the agreement is January 1, 2017 to December 31, 2017.

LSHV helps the most vulnerable members of Westchester communities - 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.

LSHV has not submitted their final report of program activity for 2016 therefore an assessment of achievement of their goals cannot be made at this time. Based on previous years, we anticipate LSHV will continue to meet or exceed all of their goals in 2017.

We anticipate LSHV will continue to succeed in accomplishing their goals established for 2017. The 2017 agreement will include but is not limited to: provide legal assistances to a minimum of 50 new legal matters, attend a minimum of 10 negotiation sessions between Management and/or landlords and tenants, making a minimum of 50 court appearances or administrative appearances, defend/respond to a minimum of 20 filings in court on behalf of tenants, a minimum of 10 building complexes will benefit from LSHV services, hold a minimum of 30 tenant meetings, and distribute a minimum of 150 informational brochures and fliers. The

primary focus will be on buildings with the regulatory statuses of: Low Income Housing Tax Credits, HUD Funded Buildings, ETPA, and Single Room Occupancy structures. These buildings generally are comprised of 30-50 units and organized through associations, although representation is not dependent on tenants' membership to the associations. 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 - 02/02/2017 - LISA M. IAJ, SECRETARY

RESOLUTION

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 \$106,090.00, to be paid pursuant to an approved budget for a term beginning January 1, 2017, and ending December 31, 2017, 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 to provide legal representation to tenants in subsidized housing complexes whose rights may have been violated; 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

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
101	19	0100	4380	N/A	\$106,090.00

Budget Funding Year(s) (must match resolution) FY 2017 Start Date January 1, 2017 End Date December 31, 2017

Funding Source Tax Dollars \$106,090.00

State Aid _____

\$106,090.00 Federal Aid _____

(must match resolution) Other _____