Westchester gov.com

Robert P. Astorino
County Executive

Kevin J. Plunkett
Deputy County Executive

Sent via Electronic Mail

April 26, 2012

Mr. Vincent Hom, Director
Community Planning and Development
U.S. Department of Housing and Urban Development
25 Federal Plaza
New York, New York 10278-0068

Dear Mr. Hom:

Westchester County is in receipt of your letter regarding HUD's Notice of Intent to Reject the County's FY 2012 Action Plan Certification sent by e-mail and received at 7:12 p.m. on Friday, April 20. The County respectfully disagrees with HUD's determination that the FY 2012 certification should be rejected. The County believes that its last submission of the Analysis of Impediments, dated July 2011, is complete and includes all required HUD components. The March 16 decision of Honorable Gorenstein supports the County's position that the County Executive was not required to approve the Source of Income Discrimination legislation that the County Board of Legislators adopted.

The County has also received by e-mail on Friday evening, April 20, a 12-page letter by Glenda Fussa, HUD Deputy Regional Counsel for New York/New Jersey, commenting on the County's "Review and Analysis of Municipal Zoning Ordinances in Westchester County" (dated February 29, 2012). This County report was submitted to the federal Monitor pursuant to the direction given in the Monitor's Report and Recommendation Regarding Dispute Resolution (Amended) issued on November 17, 2011 ("Report and Recommendation").

It seems to us that HUD is basing its decision to give notice of intent to reject the FY2012 Action Plan and to continue to hold back the FY2011 block grant funding based on its view that the County's February 29th submission is not in accordance with the Monitor's Report and Recommendation. The County disagrees.

Office of the County Executive

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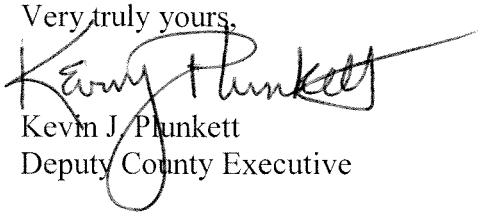
In any event, it is respectfully requested that the County have additional time to review, analyze and respond to Regional Counsel Glenda Fussa's letter of April 20. To provide the County four business days to respond to Ms. Fussa's 12-page letter is not adequate.

Accordingly, the County will respond to Ms. Fussa, and will do so within thirty days.

Very truly yours,



Kevin J. Plunkett
Deputy County Executive

Cc: Robert P. Astorino, County Executive
Robert Meehan, Esq., County Attorney
Mary Mahon, Esq., Senior Assistant to the County Executive
Glenda L. Fussa, Esq., Deputy Regional Counsel, HUD
James E. Johnson, Esq., Debevoise & Plimpton, LLP
Eric Grosz, Esq., Debevoise & Plimpton, LLP
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