



U.S. Department of Housing and Urban Development
New York State Office
Jacob K. Javits Federal Building
26 Federal Plaza
New York, New York 10278-0068
<http://www.hud.gov/local/nyn/>

July 13, 2011

Honorable Robert P. Astorino
County Executive
Westchester County
148 Martine Avenue
White Plains, New York 10601

Subject: *Notice of Rejection of Fiscal Year 2011 Certification
Disapproval of FY 2011 Action Plan*

Dear Mr. Astorino:

The United States Department of Housing and Urban Development has reviewed Westchester County's (the "County's") revised Analysis of Impediments to Fair Housing Choice ("AI") submitted in response to HUD's May 13, 2011 letter (the "May 13 Letter"). In that letter, HUD set forth the reasons for disapproving the County's FY 2011 Annual Action Plan based on HUD's rejection of the County's certification that it will affirmatively further fair housing ("AFFH"). The County's response provides insufficient evidence to support the accuracy of its AFFH certification.

Pursuant to Paragraph 32 of the Stipulation and Order of Settlement and Dismissal entered in *United States ex rel. Anti Discrimination Center of Metro New York v. Westchester County* (the "Settlement"), the County agreed to complete an AI acceptable to HUD. The May 13 Letter provided the County with detailed comments and corrective actions that needed to be addressed in the AI before it could be deemed acceptable pursuant to Paragraph 32 of the Settlement. Additionally, HUD provided the County with technical assistance over three days – June 2, 3 and 29, 2011 – to aid the County in revising its AI to comply with the May 13 Letter.

The revised AI, including subsequent revisions submitted on July 11, 2011, does not meet the Settlement's requirements for an acceptable AI, as set forth in the May 13 Letter. Specifically, the revised AI did not incorporate the Corrective Actions identified to address deficiencies regarding promotion of source-of-income legislation or plans to overcome exclusionary zoning practices. See May 13 Letter at pp. 3, 5-6. Therefore, HUD is rejecting the County's certification and, in accordance with 24 CFR 91.500, is disapproving the County's FY 2011 Action Plan as substantially incomplete.

This notice applies to all Community Planning and Development ("CPD") formula programs covered by the County's FY 2011 Action Plan submission.

If you have any questions on this matter please have the appropriate person contact me at (212) 542-7428.

Sincerely,

A handwritten signature in black ink that reads "Vincent Hom". The signature is written in a cursive style with a long horizontal stroke at the end.

Vincent Hom
Director
Community Planning and Development