

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

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In The Matter of the Application of

MARIA HIDALGO, ANA LIRIANO, AMELIA
CAMACHO, and SERGIO DE JESUS, on behalf
of themselves and all others similarly
situated, and HOUSING COURT ANSWERS and
the COALITION FOR THE HOMELESS,

Petitioners-Plaintiffs,

INDEX NO.

For a Judgment Pursuant to Articles 30 and 78 of
the Civil Practice Law and Rules,

VERIFIED PETITION-
COMPLAINT

-against-

NEW YORK STATE OFFICE OF TEMPORARY AND
DISABILITY ASSISTANCE,

Respondent-Defendant.

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PRELIMINARY STATEMENT

1. Petitioners seek an injunction barring Respondent, the NYS Office of Temporary and Disability Assistance (OTDA), from refusing to accept new applications for the State’s Emergency Rental Assistance Program (ERAP).

2. Since its creation in June 2021, ERAP has paid \$1.13 billion in rent arrears for 90,375 families and approved an additional \$924 million to pay the arrears of an additional 73,884 families whose landlords have not yet completed paperwork needed for release of the

payments. However, 591,000 New York families remain in rent arrears¹ and threatened with eviction when the State's moratorium expires on January 15, 2022.

3. Although New York State is likely to receive an additional \$960 million from the federal government, and is eligible to request even more, Respondent prematurely and abruptly stopped accepting new ERAP applications on November 15, 2022. As explained below, closing ERAP to new applicants before all potential sources of funds are exhausted violated Respondent's duties under the ERAP statute and exceeded its lawful authority. Respondent's actions, moreover, violated the Legislature's clearly expressed intent of protecting eligible families from being evicted while they are waiting for federal funds to be fully distributed.

4. Pursuant to statute, eviction proceedings against applicants for ERAP are stayed pending a decision on their application. When the State eviction moratorium expires by its own terms on January 15, 2022, tenants with pending ERAP applications will still be protected. However, due to Respondent's unlawful action, families who otherwise could have applied for ERAP will be vulnerable to eviction as of January 15, even though federal funds may not yet have been fully allocated, much less distributed.

5. Petitioners therefore request a permanent injunction staying Respondent from continuing to refuse new ERAP applications. Petitioners also request a preliminary injunction staying Respondent from refusing new applications during the pendency of this proceeding.

¹ Rent Debt in America: Stabilizing Renters is Key to Equitable Recovery, National Equity Atlas, New York. <https://public.tableau.com/shared/J7T99PTN9?:showVizHome=no> (last accessed December 10, 2021).

PARTIES

6. Petitioner MARIA HIDALGO resides at 1765 Townsend Ave., Apt 6C, Bronx, New York. She is categorically eligible to apply for ERAP funds, but has been barred from doing so by Respondent's closure of applications effective November 15, 2021.

7. Petitioner ANA LIRIANO resides at 711C Seagirt Ave, Apt. 6K, Rockaway, New York. She is categorically eligible to apply for ERAP funds, but has been barred from doing so by Respondent's closure of applications effective November 15, 2021.

8. Petitioner AMELIA CAMACHO resides at 140 Kingsland Ave., Apt. 1-L, Brooklyn, New York. She is categorically eligible to apply for ERAP funds, but has been barred from doing so by Respondent's closure of applications effective November 15, 2021.

9. Petitioner SERGIO DE JESUS resides at 140 Kingsland Ave., Apt. 1-L, Brooklyn, New York. New York. He is categorically eligible to apply for ERAP funds, but has been barred from doing so by Respondent's closure of applications effective November 15, 2021.

10. Petitioner-plaintiff HOUSING COURT ANSWERS ("HCA") was founded in 1981 to provide legal information to *pro se* litigants in New York City's Housing Courts. HCA staffs tables at of New York City's Housing Courts, providing information, answers to questions and advice to unrepresented litigants. Additionally, HCA operates a Hotline to explain housing court procedures to *pro se* litigants and to provide information about rent arrears assistance. It maintains its offices at 50 Broad Street, New York, NY.

11. Petitioner-plaintiff COALITION FOR THE HOMELESS, is a not-for-profit advocacy and direct services organization that assists thousands of homeless and at-risk New Yorkers each day. It maintains its offices at 129 Fulton St, New York, NY.

12. Respondent New York State Office of Temporary and Disability Assistance (OTDA) is responsible for the administration of funds under the Emergency Rental Assistance Program established in June 2021. It maintains an office at 316 Malcolm X Boulevard, New York, NY.

VENUE

13. Pursuant to Sections 503(a), 506(b), 509 and 7804(b) of the Civil Practice Law and Rules (hereinafter “CPLR”), venue is properly in New York County.

STATUTORY AND REGULATORY FRAMEWORK

9. On December 27, 2020, The Consolidated Appropriations Act 2021 was signed into law. Public Law 116-260. Section 501 of Division N of the Act created an Emergency Rental Assistance program (“ERA 1”) and appropriated 25 billion dollars to be distributed to grantees throughout the country. Public Law 116-260 Section 501. ERA 1 set deadlines for the use of these funds and required that the United States Treasury Department begin on September 30, 2021, to recapture excess funds from grantees that had not used their funds and to reallocate those funds to the grantees that had used the funds. Public Law 116-260 Section 501§ d.

10. On March 11, 2021, Congress enacted The American Rescue Plan Act of 2021, which provided an additional 21.55 billion dollars to the Emergency Rental Assistance program. (“ERA 2”) Public Law 117-2 section 3201. ERA 2 also set a deadline for grantees to use the allocated funds and required that the Treasury Department recapture excess funds from grantees and reallocate them. This reallocation process can begin after March 31, 2022.

11. On October 4, 2021, Treasury published a guidance on ERA 1 reallocation. <https://home.treasury.gov/system/files/136/ERA-Reallocation-Guidance.pdf>. According to this

guidance, all grantees that have not spent 30 percent of their allocations have excess funds.

Grantees may submit a performance improvement plan to avoid recapture of funds. Those plans were due on November 15, 2021. Grantees that disbursed more than 65 percent of their ERA 1 funds are eligible for new funds.

12. On October 15, 2021, Treasury released the application form for grantees to request additional funds. <https://home.treasury.gov/policy-issues/coronavirus/assistance-for-state-local-and-tribal-governments/emergency-rental-assistance-program>

13. On April 16, 2021, the New York State enacted its COVID-19 Emergency Rental Assistance Program (“ERAP”), codified at 2021 N.Y. Laws Ch. 56, part BB, amended by 2021 N.Y. Laws Ch. 417, Part A. See Exhibit A. The ERAP program was designed to be funded by “(a) emergency rental assistance funds received by the state from the Federal Emergency Rental Assistance Program and any other federal funds made available for that purpose; and (b) any state funds appropriated for such program.” 2021 N.Y. Laws Ch. 56, part BB, § 3 para. (2).

14. Section 8 of ERAP provides:

§ 8. Restrictions on eviction. Eviction proceedings for a holdover or expired lease, or non-payment of rent or utilities that would be eligible for coverage under this program shall not be commenced against a household who has applied for this program unless or until a determination of ineligibility is made. If such eviction proceedings are commenced against a household who subsequently applies for benefits under this program, all proceedings shall be stayed pending a determination of eligibility. Evidence of a payment received pursuant to this act may be presented in such proceeding and create a presumption that the tenant's or occupant's rent or utility obligation for the time period covered by the payment has been fully satisfied.

2021 N.Y Laws Ch. 56, part BB, § 8.

FACTS

15. The COVID-19 pandemic is an ongoing public health emergency that has inflicted widespread harm on New York and has greatly disrupted all aspects of civic life. As of December 10, 2021, over 2.8 million New Yorkers had tested positive for COVID-10 and over 57,000 have died from the disease.² The number of cases in New York has continued to rise despite six months of general vaccine eligibility to all adults living or working in New York.

16. On March 20, 2020, then-New York Governor Andrew Cuomo issued Executive Order 202.8 which, among other things, stayed execution of all warrants of eviction in New York State for 30 days. N.Y. Exec. Order No. 202.8. This stay was subsequently extended twice, ultimately running until June 13, 2020. N.Y. Exec. 202.31. Executive Order No. 202.28, issued on May 7, 2020, barred the commencement, filing, or service of any legal action for nonpayment of rent against someone that is eligible for unemployment insurance or otherwise facing financial hardship during the COVID-19 pandemic. N.Y. Exec. Order No. 202.28.

17. In December 2020, the New York State Legislature further responded to the surging pandemic by enacting the COVID-19 Emergency Eviction and Foreclosure Prevention Act (“CEEPPA”), which stayed most eviction proceedings through May 1, 2021, upon the submission of a hardship declaration. 2020 N.Y. Laws Ch 381, Part A (“Part A”) §§ 4, 6. A hardship declaration would also stay any previously issued warrants of eviction. *Id.* at § 8. On April 23, 2021, during the first weeks of general eligibility for the vaccine for all adults in New York, the Legislature extended CEEPPA’s eviction moratorium for four more months, to August 31, 2021.

² *Coronavirus in the U.S.: Latest Map and Case Count*, The N.Y. Times, <https://www.nytimes.com/interactive/2021/us/new-york-covid-cases.html> (last visited December 10, 2021).

18. On August 31, 2021, Part A expired by its terms. 2020 N.Y. Laws Ch. 381, Part A § 13. On September 1, 2021, the New York State Legislature enacted a new eviction moratorium, which is Subpart A of Part C of 2021 N.Y. Laws Ch. 417, which extended protections for tenants who file hardship declarations through January 15, 2022.

19. During the pendency of the CEEFPA moratorium, in April 2021, the Legislature created the “COVID-19 emergency rental assistance program of 2021”, or ERAP. 2021 N.Y. Laws, Ch 56. See Exhibit A. The statute authorizes disbursement of federal emergency funds to individuals who experienced a reduction in household income or other financial hardship due to COVID-19, and who demonstrate a risk of experiencing homelessness or housing instability. Section 3 of the Act states that the program will be funded with “(a) emergency rental assistance funds received by the state from the Federal Emergency Rental Assistance Program *and any other federal funds made available for that purpose*; and (b) any state funds appropriated for such program.” [emphasis added].

20. Section 8 of the statute bars the commencement or continued prosecution of eviction proceedings against ERAP applicants pending a determination of eligibility. The Legislature thus sought to ensure that eligible tenants would not face eviction while federal funds remained available for payment of their arrears.

21. Section 9 of the statute provides that where a tenant has been found eligible for the program, but the landlord has not completed its portion of the application, the tenant will be provisionally approved. The landlord then has 180 days to accept payment. After that time period, the approved rent arrears become available to assist a different applicant. Currently there is \$924 million in the separate account for provisional approvals.

22. Following the creation of the ERAP program, Respondent processed over 164,000

applications. Of that, Respondent has disbursed 1.13 billion dollars covering 90,375 families.

Respondent has found another 73,884 families to be provisionally approved in the amount of 924 million dollars.

23. On or about November 12, 2021, Respondent announced that it was closing the ERAP program to new applicants, effective November 14 at 10 p.m. At the same time, Respondent announced that it had requested an additional \$996 billion from the Treasury Department as part of the reallocation process.

24. Over 430,000 potential applicants remain in rent arrears. Upon the expiration of the CEEFPA moratorium on January 15, 2022, all of these tenants will become vulnerable to losing their homes, while New York State may still be eligible to receive additional federal funds that could prevent their eviction.

25. The federal government created the Emergency Rental Assistance program as part of the Consolidated Appropriations Act of 2021. Public Law 116-260. Section 501 of Division N of the Act created an Emergency Rental Assistance program (“ERA 1”) and appropriated 25 billion dollars to be distributed to grantees throughout the country. Public Law 116-260 Section 501. ERA 1 set deadlines for the use of these funds and required that the United States Treasury Department begin on September 30, 2021, to recapture excess funds from grantees that had not used their funds and to reallocate those funds to the grantees that had used the funds. Public Law 116-260 Section 501§ d.

26. As part of the ERA 1 funds, New York State and local jurisdictions received 1.28 billion dollars. All but eight jurisdictions in New York State provided their individual grants to the state to run the ERAP program. The New York State ERAP program received 1.18 billion dollars.

27. In March 2021, as part of the American Rescue Plan Act, Congress appropriated an additional 21.5 billion dollars for the rent relief program. Public Law 117-2 section 3201. Out of those funds, ERA 2, New York State was allocated 2.6 billion, 2.4 billion went into the ERAP program.

28. According to the United State Treasury's most recent reporting, through October 2021, grantees have spent 12.6 billion of the 25 billion ERA 1 funds. There was only a small number of ERA 2 funds that have been disbursed thus far.

29. In October 2021, the Treasury Department invited states who had exhausted their ERA 1 allocations to apply for additional ERA 1 funds that had not been obligated by other states.

30. On November 12, 2021, OTDA requested an additional \$996 million from the federal government. That application remains pending.

31. In addition, New York will likely be eligible to apply for reallocation of unspent ERA 2 funds in March 2022. Potentially hundreds of millions of dollars may also be reallocated from the funds provisionally approved, but not yet accepted by landlords.

32. However, despite these potential sources of additional funding, Respondent prematurely and abruptly stopped accepting new ERAP applications on November 14, 2021.

33. As a result, tenants who would be eligible to receive assistance from the additional federal funding will be unable to obtain a stay of their evictions under the ERAP statute, and will be vulnerable to eviction as of January 15, 2022 when the CEEFPA moratorium expires. Such tenants may well be evicted, only to learn later that the federal government allocated money to New York State that could have kept them in their homes.

Individual Plaintiff Facts

Maria Hidalgo

34. Petitioner Maria Hidalgo has resided at 1765 Townsend Avenue, Bronx, New York, Apartment 6C, since 2009.

35. Ms. Hidalgo has a preferential rent stabilized rent of approximately \$1856 that she pays with the help of a Section 8 subsidy.

36. In the Spring of 2020, Ms. Hidalgo lost a job as a home health aide when her client died. She had also been working as a cook at a local church, but stopped working there because of the COVID-19 epidemic.

37. Ms. Hidalgo received unemployment insurance from July 2020 to August 2021. However, during that time, Ms. Hidalgo had difficulty paying her rent because she needed to support her adult daughter who had moved in with her, and to help her daughter keep up with her student loan bills. She also had to send money to her father in the Dominican Republic for his medications and medical care.

38. When her unemployment ended, Ms. Hidalgo had no income other than food stamps, but she did not realize she could request a reduction in her Section 8 rent share. As a result, she accrued additional arrears for September through December 2021.

39. Due to language barriers and lack of technology, Ms. Hidalgo did not learn about the ERAP program until November 2021.

40. She called Bronxworks, a community group that contracts to process ERAP applications, on November 15, the day after the ERAP portal closed.

41. Ms. Hidalgo currently owes \$8844 in rental arrears through December 2021. Her landlord has sent her a rent demand notice, but has not yet commenced summary eviction

proceedings. Ms. Hidalgo is free to start a nonpayment proceeding at any time, even during the State moratorium.

42. If OTDA does not reopen the ERAP portal, Ms. Hidalgo will likely face eviction soon after the State moratorium expires on January 15, 2022.

Ana Liriano

43. Petitioner Ana Liriano has resided at 711C Seagirt Ave, Apt. 6K, Rockaway, New York, for approximately 5 years. Her monthly rent is \$1,326.76.

44. Both Ms. Liriano and her adult daughter with whom she resides are disabled, and receive a total of about \$1400 in disability benefits.

45. Prior to March 2020, Ms. Liriano worked part time as a child caretaker to supplement her income and afford her rent, but lost her job due to COVID.

46. Ms. Liriano currently owes approximately \$18,574.64 in arrears dating from October 2020.

47. In or about November 2020, Ms. Liriano obtained about \$5700 from the NYC Department of Social Services that partially paid her rental arrears. She also began receiving a monthly subsidy of \$807. However, the rent arrears grant still left her with a balance of over \$7000, and arrears have continued to accrue since that time.

48. In June 2021, Ms. Liriano's landlord commenced a nonpayment eviction proceeding seeking \$11,735 in arrears.

49. Ms. Liriano was unable to complete an ERAP application prior to November 15, 2021 due to lack of technology. Her inability to apply was also due to her physical and mental disabilities.

50. Ms. Liriano's landlord commenced a nonpayment case against her in June 2021, claiming \$11,735 in arrears. See Exhibit B. Ms. Liriano appeared and filed a hardship declaration in July.

51. In October, Ms. Liriano's landlord submitted a motion to challenge the validity of her hardship declaration, which was calendared for November 9. Her case is now calendared for January 12, 2022.

52. Ms. Liriano retained the Legal Aid Society in November 2021 after the ERAP portal had closed.

53. If OTDA does not reopen the ERAP portal, Ms. Liriano will be subject to eviction soon after the State moratorium expires on January 15, 2022.

Amelia Camacho and Sergio De Jesus

54. Petitioners Amelia Camacho and Sergio De Jesus have resided with their minor son at 140 Kingsland Ave., Apt. 1-L, Brooklyn, New York, since 1997. Their monthly rent is \$1102.

55. Ms. Camacho and Mr. De Jesus both lost their jobs in the Spring of 2020 due to the COVID-19 pandemic and were unable to pay their rent.

56. In September 2020, their landlord commenced a nonpayment eviction proceeding seeking \$18,000 in rental arrears. See Exhibit C.

57. In August 2021, the landlord filed a motion seeking a default judgment, claiming that \$23,000 was then outstanding.

58. Ms. Camacho and Mr. De Jesus did not apply for ERAP prior to the closure of the portal due to language barriers arising from their status as monolingual Spanish-speakers, and

unfamiliarity with technology.

59. By the time Ms. Camacho and Mr. De Jesus were able to retain counsel who could assist them with ERAP at the beginning of December, the portal had closed.

60. If OTDA does not reopen the ERAP portal, Ms. Camacho and Mr. De Jesus will be subject to eviction soon after the State moratorium expires on January 15, 2022.

Class Action Allegations

61. Article 9 of the N.Y. Civil Practice Law and Rules (C.P.L.R.) authorizes certification of a class consisting of all tenants in New York State who owe arrears to their landlords and are categorically eligible for ERAP but for Respondent's closing of the program to new applicants on November 15, 2021.

62. Common questions of law and fact predominate, namely, whether Respondent exceeded its lawful powers and acted contrary to law when it closed the ERAP program to new applicants.

63. Over 591,000 tenants in New York State currently owe rent to their landlords, are eligible for ERAP, but cannot now apply due to Respondent's closure of the program. Thus, the class is too numerous to permit joinder of each individual member.

64. The named individual Petitioners are typical of individuals who are in need of ERAP funds, eligible for ERAP, but barred from applying by Respondent.

65. Counsel for Petitioners is experienced in representing clients in complex class action litigation and therefore will be able to provide adequate representation to the class in this litigation.

Organizational Plaintiff Facts

Housing Court Answers

66. Petitioner-plaintiff HOUSING COURT ANSWERS (“HCA”) was founded in 1981 to provide legal information to *pro se* litigants in New York City’s Housing Courts. HCA staffs tables at all of New York City’s Housing Courts, providing information, answers to questions and advice to unrepresented litigants. Additionally, HCA operates a Hotline to explain housing court procedures to *pro se* litigants and to provide information about rent arrears assistance.

67. If the ERAP portal is not reopened, potentially hundreds of thousands of tenants will be threatened with eviction and homelessness after the expiration of the State eviction moratorium on January 15, 2022. Many of these tenants will seek advice and assistance from HCA, placing an enormous strain its programs and services.

Coalition for the Homeless

68. The Coalition for the Homeless, founded in 1981, is a not-for-profit advocacy and direct services organization that assists more than 3,500 homeless and at-risk New Yorkers each day. The Coalition advocates for proven, cost-effective solutions to address the crisis of modern homelessness, which is now in its fifth decade. The Coalition also protects the rights of homeless people through litigation involving the right to emergency shelter, the right to vote, the right to reasonable accommodations for those with disabilities, and life-saving housing and services for homeless people living with mental illnesses and HIV/AIDS.

69. The Coalition operates 11 direct-services programs that offer vital services to homeless, at-risk, and low-income New Yorkers. These programs include: permanent housing

for formerly homeless families and individuals living with HIV/AIDS; job-training for homeless and low-income women; and permanent housing for formerly homeless families and individuals. The Coalition's mobile soup kitchen, which usually distributes 800 to 1,000 nutritious hot meals each night to homeless and hungry New Yorkers on the streets of Manhattan and the Bronx, had to increase our meal production and distribution by as much as 40 percent and has distributed PPE and emergency supplies during the COVID-19 pandemic. Finally, the Coalition's Crisis Services Department assists more than 1,000 homeless and at-risk households each month with eviction prevention, individual advocacy, referrals for shelter and emergency food programs, and assistance with public benefits as well as basic necessities such as diapers, formula, work uniforms, and money for medications and groceries. In response to the pandemic, the Coalition opened a special Crisis Hotline for homeless individuals who need immediate help finding shelter or meeting other critical needs.

70. If the ERAP portal is not reopened, potentially hundreds of thousands of tenants will become subject to eviction and homelessness after the expiration of the State eviction moratorium on January 15, 2022. Such a surge in the number of homeless individuals and families would put an enormous strain on all of the Coalition's programs and services.

CLAIMS

FIRST CAUSE OF ACTION

71. Petitioners repeat and re-allege each and every allegation set forth above.

72. Respondent's closure of the ERAP program to new applicants, effective November 15, 2022, was arbitrary and capricious, in excess of Respondent's legal authority, and contrary to law.

73. Petitioners are entitled to an Order directing Respondent to reverse its determination and reopen the program to new applicants.

WHEREFORE, Petitioners requests that this court issue a Judgment:

1. Certifying a class of all tenants in New York State, who, like the named individual Petitioners, owe rent to their landlords, are categorically eligible for ERAP, but who are now barred from applying for ERAP relief due to Respondent's closure of the program to new applicants;
2. Declaring that Respondent's refusal as of November 15, 2021, to accept further ERAP applications despite a pending request to the federal government for additional funds, is arbitrary, capricious, beyond the scope of Respondent's authority under the ERAP statute;
3. Granting Petitioners a preliminary and permanent injunction staying Respondent from refusing to accept applications for the Emergency Rental Assistance Program (ERAP) pending the ultimate disposition of this case;
4. Directing Respondent to recommence acceptance of ERAP applications, including by reopening its web portal, and to contact potential applicants whose attempts to apply were rejected due to Respondent's unlawful policy;
5. Awarding Petitioners attorneys' fees, costs and disbursements incurred in prosecuting this proceeding, in an amount to be determined by this Court; and
6. Granting such other and further relief as this Court deems just and proper.

Respectfully submitted,

s/ Edward Josephson

Judith Goldiner, Attorney-in-Charge, Civil Law Reform
Edward Josephson, Supervising Attorney
Ellen Davidson, Of Counsel
Alex MacDougall, Of Counsel

THE LEGAL AID SOCIETY
199 Water Street
New York, NY. 10038
Attorneys for Petitioners
(212) 577-3332

To:

LETITIA JAMES
Attorney General of the State of New York
28 Liberty Street
New York, NY 10005

VERIFICATION

STATE OF NEW YORK)
 :
 ss.:
COUNTY OF KINGS)

EDWARD JOSEPHSON, an attorney licensed to practice law in the State of New York, hereby affirms:

- 1. I am the attorney for Petitioners-plaintiffs in the above-entitled proceeding.
- 2. I have read the contents of the foregoing Petition.
- 3. I submit this verification because Petitioners-plaintiffs are not in the county in

which I maintain my office. The information stated therein is true to my own knowledge, or based upon conversations with the Petitioners-plaintiffs and review of relevant documents.

Dated: December 10, 2021

New York, NY

s/ Edward Josephson

EDWARD JOSEPHSON

VERIFICATION

STATE OF NEW YORK)

: ss.:

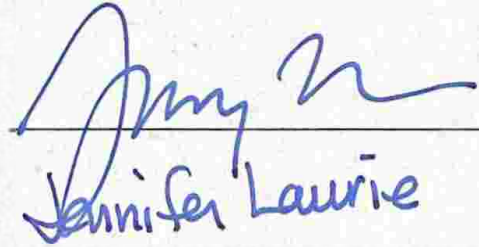
COUNTY OF KINGS)

Jennifer Laurie

, being duly sworn, deposes and says:

1. I am the Executive Director of Petitioner-plaintiff Housing Court Answers in the above-entitled proceeding.
2. I have read the contents of the foregoing Petition that pertain to my organization.
3. The information stated therein is true to my own knowledge except as to those matters therein stated to be alleged upon information and belief, and as to those matters I believe the information to be true.

Dated: December 10, 2021
New York, NY


Jennifer Laurie

Sworn to before me this 10th day
of December, 2021

Kenneth D. Schaeffer
NOTARY PUBLIC

KENNETH D. SCHAEFFER
Notary Public, State of New York
No. 02506257330
Qualified in New York County
Commission Expires March 12, 2024

VERIFICATION

STATE OF NEW YORK)


: ss.:

COUNTY OF NEW YORK)

Deborah Diamant, an attorney duly admitted to practice in the Courts of the State of New York, affirms under the penalties of perjury as follows:

1. I am the Director of Government Relations and Legal Affairs for Petitioner-plaintiff Coalition for the Homeless in the above-entitled proceeding.
2. I have read the contents of the foregoing Petition that pertain to my organization.
3. The information stated therein is true to my own knowledge except as to those matters therein stated to be alleged upon information and belief, and as to those matters I believe the information to be true.

Dated: December 10, 2021
New York, NY



Deborah Diamant, Esq.