

# Long Island Housing Services, Inc.

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July 10, 2017

John Sarcone, Director  
Nassau County Office of Community Development  
40 Main Street, 1<sup>st</sup> Floor  
Hempstead NY 11550

Attention: Kevin Crean by Email: [Kcrean@nassaucountyny.gov](mailto:Kcrean@nassaucountyny.gov)

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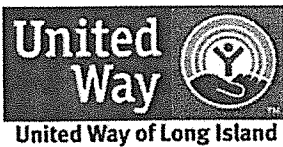
### Comments on the Draft Nassau County FY 2017 Annual Action Plan

Dear Mr. Sarcone:

We appreciate the opportunity to offer a few comments on the FY 2017 Annual Action Plan (Action Plan). As a private fair housing advocacy and enforcement agency, Long Island Housing Services, Inc. (LIHS) provides a full spectrum of services related to real estate transactions which have been made available to Nassau County residents since 1991. LIHS provides education, counseling and advocacy services concerning fair housing, unlawful discrimination, landlord tenant rights and obligations, and mortgage issues from a consumer protection prospective. A primary service is the investigation of housing discrimination complaints in the context of rentals, sales, lending, advertising and insurance. As resources allow, LIHS assists with investigations, formal administrative and judicial complaint filing, victim advocacy and resolution of unlawful housing discrimination complaints and enforcement of federal state and local fair housing laws.

As Executive Director I would like to express my gratitude to Nassau County for its commitment to Fair Housing and to support provided to LIHS. The funding provided by the Community Development Block Grant program (CDBG) has supported our agency's ability to compete and receive United States Department of Housing and Urban Development (HUD) Fair Housing and Private Enforcement Initiative (FHIP) funding. CDBG and HUD funding allows LIHS to maintain well trained experienced staff and continue counseling and educating Nassau County residents, service and housing providers, realtors and agents on issues relating to housing discrimination on the federal state and municipal levels. We seek to improve housing conditions and equality of access to housing for all residents of Nassau County.

We have worked cooperatively with Nassau County through the support of either HOME or CDBG funds since the mid 1990's. We appreciate the increase in funding in this year's allocation, despite the decrease in federal allocations.



**A 501 (c) (3),  
not-for-profit,  
Fair Housing  
agency serving  
Long Islanders  
since 1969.**

*Our mission is the elimination of unlawful housing discrimination  
and promotion of decent and affordable housing through advocacy and education.*

We remain committed to working closely with Nassau County agencies and not for profits to promote decent and affordable housing and to enhance local administrative response to challenge discrimination.

LIHS will work with Nassau County to ensure that alleged violations of these laws are effectively investigated and appropriate administrative and judicial complaints are filed. Our bilingual Housing Counseling staff can assist Nassau County in meeting this objective by outreaching to Latino (and all) home owners who are facing foreclosure due to mortgages that are not affordable. Our staff will assist Nassau County residents with foreclosure issues either by negotiating with lenders or educating homeowners about their options such as short sale or deed in lieu of foreclosure. By offering homeowners options we can minimize economic loss and prevent family disruptions in these highly impacted areas. Since 2010, we are offering free legal services to provide representation and related services for homeowners at risk of foreclosure, as well as expert counseling services.

After reviewing the 2017 Annual Action Plan, LIHS has determined that it contains the same areas requiring improvement that were addressed in LIHS' 2016 comment letter on that year's Annual Action Plan. None of LIHS' 2016 comments on that year's Annual Action Plan are addressed in the 2017 Annual Action Plan. The 2016 comments letter is included herein for reference.

**The objectives of the plan do not adequately address the obligation to Affirmatively Further Fair Housing (AFFH), clarified by HUD in its most recent guidance and regulation.** The duty to AFFH needs to be addressed throughout all of the programs and funding in the Annual Plan, not simply as a component of funding LIHS. Most noticeably, the Annual Plan does not address any of the recent Housing Discrimination cases taking place in Nassau County, much less raise them as harbingers of Fair Housing issues that need to be addressed in the county. Furthermore, the plan continues to avoid focusing on providing affordable housing in high opportunity areas in order to support a diverse community. The plan also needs to construct a cross-departmental education program within the county to educate County employees as to the various protections and prohibitions under Federal, State and local Fair Housing laws and the enforcement resources for these rights.

**There needs to be greater outreach for community participation under the Plan.** Further, there are no apparent accommodations in how the plan is advertised or the hearing is held that would encourage participation from underserved communities. The majority of the outreach appears to be to governmental agencies and nonprofits funded through HUD funds, and even at that there appears to be minimal response to the annual plan.

The Nassau County Legislature need to be able to review all public comments before approving the Annual Action Plan. It appears from the Annual Action Plan that the Nassau County Legislature is reviewing and approving the 2017 Annual Action Plan on June 26, 2017 and July 10, 2017, which precedes the July 11, 2017 public hearing on the plan and the July 19, 2017 close of the comment period! To provide the Action Plan to the Legislature before the public has completed its ability to give feedback undermines the public's ability to affect the terms of the Action Plan.

**Conducting a needs assessment of communities' lending needs** and compare to current lending practices/patterns in those communities (CRA lenders) to make sure banks are meeting needs of the communities is an area of concern that the Action Plan might address. LIHS has been actively involved in advocating for more robust Community Benefits from lending institutions both under CRA review and under the administrative review of financial institution mergers. Nassau County lending its voice to reinforce the obligations of the financial institutions to serve the needs of the community would substantially further the fair housing rights of its underserved residents.

**The Plan could also include greater community input**, for example, to enhance access for related Section 8 Administrative plan; ensure that local residency preferences in Section 8 and all affordable housing programs and opportunities do not conflict with HUD's Regulation concerning obligations to AFFH which require promotion of racial and economic integration to eliminate segregation.

LIHS regularly has screened, assessed, investigated and resolved claims of discrimination from Nassau County residents based on familial status, disability, marital status source of income, race, age and military status. Our Housing Counseling staff has provided services to hundreds of residents related to rental issues and foreclosure prevention, along with seminars in English and Spanish on Fair Housing and renter's rights mortgage foreclosure and avoiding mortgage rescue scams. We have developed numerous outreach pieces available in English and Spanish, have enhanced the resources available through our website and have contracted to provide services to those that may require assistance, but lack English proficiency.

We urge that the Action Plan include allowance of adequate resources to provide the critically needed counseling, investigations and testing for discrimination, as well as to pursue enforcement and compliance with local, state and federal Fair Housing/Fair Lending laws and regulations. **We also request Nassau County to return the grant to LIHS to the 2016 level of \$120,000.00 from the proposed 2017 level of funding at \$100,000.00.**

The challenges we face to promote integration and eliminate discrimination are great and we thank you for your support and consideration of LIHS' comments. We look forward to continuing our work in the coming year so that we may deliver critically needed fair housing and housing counseling services to Nassau County residents.

Sincerely,

  
Michelle Santantonio  
Executive Director

Encl.