

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

SHAUNA NOEL and EMMANUELLA SENAT,

Plaintiffs,

-against-

15-CV-5236 (LTS) (KHP)

CITY OF NEW YORK,

Defendant.

-----X

EXPERT REPORT OF PROFESSOR ANDREW A. BEVERIDGE

Sources and Methodology Appendix

April 1, 2019

I. Introduction

Except for the limited circumstances delineated herein, all of the data relied on in my report were defendant's data produced to plaintiffs in the course of discovery (anything not produced by defendant is publicly available to defendant).

In the course of discovery, I attended informal discussions with defendant's personnel (in the presence of counsel from both sides), attended some of the data depositions, and also attended the deposition of the director of the population division of the Department of City Planning. I had available defendant's written answers or representations in relation to the lottery process made to plaintiffs over the course of discovery, and defendant's schema, tables, and fields list for its Housing Connect and Access data.

This appendix is intended to be read in conjunction with the report itself and is not intended to reprise each point made in the report proper.

II. Principal sources of information

1. Data on the characteristics of applicant households (HHs) and their members and the lotteries to which they applied from the version of the Housing Connect (HC) database produced to plaintiffs on or about March 29, 2017. The file was provided as a DMP file from the Oracle system that is used to organize data in Housing Connect.
2. The version of the tables from defendant's Access database that was produced to plaintiffs in August 2018.
3. The lottery advertisements that are listed by Bates number in Exhibit 1 hereto.¹
4. Status sheets (showing awarded units) that are listed in Exhibit 2 hereto (the equivalent information for awards in connection with some lotteries was available in the Access database).
5. The lists of awarded units provided by defendant, as confirmed by the reconciliation process and as corrected in isolated cases by defendant.
6. Defendant's reconciliation materials that enabled corrections to status sheets and/or the Access database. Note: regardless of whether the source information for awards was a status sheet or the Access table of applications, the information was corrected to reflect the reconciliation results.
7. Defendant's initial logs that are listed in Exhibit 3 hereto.
8. Defendant's final (or most-final) logs that are listed in Exhibit 4 hereto.

¹ I used the advertisement for Housing Connect Project No. 317 that is available at defendant's Housing Connect website: <https://a806-housingconnect.nyc.gov/nyclottery/AdvertisementPdf/317.pdf>.

9. Subsidy-related standards provided by or referenced by defendant.
10. 2013-2017 5-year American Community Survey data.
11. Income AMI data available from the HUD website. *See* Section XI.
12. Material from “Bytes of the Big Apple,” available on the website of defendant’s Department of City Planning

Note: some additional sources are referenced in the body of this appendix.

III. Determining applicant HH residence in the CD preference area

To be treated as a resident of the CD preference area for a given lottery, an applicant HH had to be listed in Housing Connect with both a borough and CD that corresponded to the borough and CD (or CDs) that comprised the CD preference area (as set out in the lottery advertisement).²

IV. Race and ethnicity

I used the race and ethnicity data provided by applicant HHs and recorded in HC. Defendant advised that other documents referencing race and ethnicity should not be used because they were either incomplete or unreliable.

V. Linking information

I was able to link information about lottery applicant HHs between and among defendant’s lottery data sources by translating between and among the following fields in defendant’s Housing Connect data: LTTRY_PRJ_APP_SBMTD_HST_SEQ_NO (unique for each application); LTTY PROJ_APP_RANDOM_SEQ_NO (an applicant HH’s lottery number in each lottery); and LTTRY_APPLNT_SEQ_NO, a/k/a SEC_SRV_USER_SEQ_NO (a number unique to an applicant HH across all the lotteries that the HH enters). Similar linking was available following defendant’s Access schema.

² *See*, however, Section XIV below, regarding the primacy of status sheet information in respect to which of the preferences and set-asides, if any, defendant designated for applicant HHs who were awarded units.

VI. Apparent eligibility

Defendant agreed that the only available data that exist for and across all applicant HHs and that allow for a determination of one or more elements of applicant HH eligibility are self-reported income, self-reported HH size, self-reported subsidy status, and self-reported relationship status.³

Except to the extent discussed below in connection with applicant HHs who self-reported a subsidy, *see* Section X, I determined apparent eligibility for each unit type by examining whether the applicant HH's HH size as reported in defendant's Housing Connect was within the HH size eligibility requirements⁴ for the unit type listed in defendant's advertisement and, if it did, whether the applicant HH's self-reported income as reported in Housing Connect⁵ was within the minimum and maximum permissible income listed in defendant's advertisement.⁶

There were a small number of lotteries with atypical requirements or preferences. HC Project No. 96 had a general preference for artists. While the lottery was nominally open to non-artists, I used the Occupation Type Lookup in the Lottery Applicant HH Member Occupation History table of defendant's Housing Connect data to determine artist status for apparent eligibility purposes. HC Project No. 171 had a requirement that at least one member of each applicant HH be 55 years of age or older at the time of application. For determining this aspect of apparent eligibility, I used the age field in defendant's initial log for this project (Bates No. 16253). HC Project No. 88 gave a general preference for veterans to one of the project's unit types (a studio renting for \$494). For apparent eligibility purposes for that unit type, I approximated eligibility as a veteran by using the veteran flag in the Lottery Applicant HH Member History table of defendant's Housing Connect data. There were some lotteries that gave preference for some units to victims of Hurricane Sandy, a preference I am advised was applied subsequent to community preference. "Sandy status" information was not available in defendant's Housing Connect data and was not relevant for apparent eligibility analysis in any event.

³ Moreover, final log data varied considerably between and among lotteries. This was true, among other things, in terms of comprehensiveness, definitions used, and following of lottery sequencing procedures. In addition, there were concerns expressed by HPD personnel about variability in the reliability of the work of marketing agents responsible for different lotteries in preparing final logs (both at an informal meeting I attended with representatives of HPD and counsel for both sides, and as conveyed to me by plaintiffs' counsel).

⁴ *See* Section VII, below, for the adjustments made for applicant HHs containing a "couple."

⁵ Annual gross earnings aggregated for all HH members from Lottery Applicant HH Member Income History, where available, and HH annual income from Lottery Applicant History where not.

⁶ In three lotteries, there were one or two unit-types awarded that had not been advertised; in one lottery there were 19 unit-types awarded that had not been advertised. For these unit types, the eligibility parameters needed to be derived. *See* Section VIII, below.

VII. Lottery occupancy standards as adjusted by “couple” status

As confirmed by defendant, lottery rules require that, when an applicant HH contains a married couple or the equivalent, the minimum HH size must be adjusted.

Per information and representations provided by defendant, these were the relevant relationships, the presence of any one of them in a household resulting in the household being treated as containing a “couple” for the purposes of HH size treatment: Husband, Wife, Common Law Husband, Common Law Wife, Domestic Partner, Spouse, Significant Other, or Fiancé.

The existence of the relationships, if any, were determined by consulting Housing Connect data.

In the presence of a “couple” relationship, and notwithstanding the stated minimum on the lottery advertisement, the minimum HH size, per information and/or representations made by defendant, is as follows:

2-bedroom	ineligible for a 2BR unit if a 2-person HH
3-bedroom	ineligible for a 3BR unit if a 3-person HH
4-bedroom	ineligible for a 4BR unit if a 4-person HH

In testing each applicant HH to determine whether it met the minimum and maximum HH-size requirements for each type of unit in a lottery, I adjusted for the presence of a “couple,” as described above.

VIII. Determining unit types

A unit type for a lottery is characterized by a unique combination of number of bedrooms, a monthly rent, a minimum income, and a range of permissible HH sizes, with the maximum permissible HH income generally varying by each permissible HH size.

The overwhelming number of the 903 unit types are found in and are described by lottery advertisements. For 11 of these unit types, there are no applicant HHs on the awarded-housing list who were awarded those types of units.

These 11 unit-types are set forth on the next page.

<u>HC Project No.</u>	<u>Number of advertised unit types not resulting in any units being awarded through the lottery</u>	<u>Reason(s) for no lottery awards (if known)</u>
121	1	All 2BR, \$2,165 units went open market (OM)
137	3	All Studio, \$1,456 units and all 2BR, \$1,883 units went OM; all 2BR, \$2,464 units were not lotteried for unknown reasons
182	1	All Studio, \$1,909 units went OM
192	1	All 3BR, \$1,357 units were not lotteried for unknown reasons
220	1	All Studio, \$2,455 units went OM
234	1	All 2BR, \$2,165 units went OM
260	1	All 2BR, \$1,883 units went OM
298	1	All 3BR, \$1,359 units went to 421-a referrals
301	1	All Studio, \$856 units went to 421-a referrals

In a few lotteries, it became apparent from the characteristics of units that were awarded (as reflected on defendant's awarded lists and defendant's status sheets) that awards were made in a limited number of cases for unit types that did not appear in the lottery's advertisement. Specifically:

<u>HC Project No.</u>	<u>Number of non-advertisement unit types</u>
105	2
210	1
222	1
247	19

Unlike the unit types set out in lottery advertisements, these unit types had to be defined by what defendant stated about specific awarded units in reconciled status sheets. For HC Projects 210 and 247, unit types were able to be defined by project number, bedroom size, rent (where necessary, consulting defendant's Access table of units), and minimum and maximum income (where necessary, consulting defendant's Access table of unit sizes and table of household income limits). Permissible HH sizes were determined by applying the standard minimum and maximum for the relevant bedroom sizes. For one unit-type (a 2 BR) in HC Project No. 247, there was an awarded unit given to an applicant HH with an ostensible HH size of one. That unit type was nevertheless treated as having a 2-4 person HH size range.

For the added unit type for HC Project 222, defendant's status sheet provided bedroom size, rent, and income. The unit type (same bedroom size and rent combination) could be matched to

identical unit types in other lotteries in the same fiscal year (*e.g.*, HC Project No. 269). As such, the minimum and maximum incomes for the unit type (for which the awarded applicant HH did qualify) were able to be established. The most common HH size range for a 3BR (3-6 persons) was applied. This same process worked for one of the two new unit types for HC Project No. 105 (matching it to HC Project No. 199), with the maximum permissible income for a 3-person HH derived from the unit type being a 60 percent AMI unit type.

The final new unit type for HC Project No. 105 is a 4BR (one awardee is a 4-person HH; the other a 5-person HH). As the project was an all 60 percent AMI project, it was able to be compared to other similar projects (*e.g.*, HC Project No. 212). Permissible HH sizes and minimum and maximum incomes were determined accordingly.

IX. Determining an awarded unit's unit type in a lottery

This process involved matching sufficient relevant status sheet information from among bedroom size, rent, household size, and maximum income to be able to match a unit type. In some cases, there was an apparent error in the stated status sheet information. A list of such errors and the corrections made is annexed hereto as Exhibit 5.

X. Determining apparent eligibility for applicant HHs claiming a housing subsidy

The only subset of applicant HHs claiming a housing subsidy for whom a subsidy needed to be considered in determining apparent eligibility were those for whom applicant-provided HH income was below the minimum for all of the unit types for which they were eligible by applicant-provided HH size. (If the applicant's HH size was not one for whom a unit type existed, then the applicant HH was not apparently eligible in any event. If the applicant HH had an HH income above the maximum for a unit type for which that HH would have been apparently eligible by HH size, then the applicant HH was not apparently eligible in any event. If the applicant HH had an HH income within the range specified for the applicant HH's HH size by the lottery advertisement for one or more unit-types, then the applicant HH was apparently eligible independent of subsidy.)

As with other applicant HHs, I applied the "couples' rule" to see if an applicant HH was too small by lottery rules for particular unit types (*see* discussion of couples' rule, Section VII, above).

Defendant provided codes to distinguish between applicant HHs reporting HPD Section 8 subsidy, NYCHA section 8 subsidy, and a third category of "other" subsidies (a category that included many subsidy programs). That third category will be discussed later in this section.

a. HPD Section 8 and NYCHA Section 8

In respect to HPD Section 8 and NYCHA Section 8, defendant provided sufficient information to determine payment standards and utility allowances that were based on the number of bedrooms these agencies would pay to subsidize, along with the dates of applicability for those standards and

allowances. Defendant was also required to produce Administrative Plans for both agencies' programs.

Payment standards are based on a subsidy recipient contributing 30 percent of monthly HH income, and HHs are permitted to use up to 40 percent of monthly HH income (*i.e.*, an additional 10 percent) to make up a difference between the payment standard and the gross rent (advertised rent plus any utilities for which the HH would be responsible, the amount of the utilities corresponding to the utility standards – *see* discussion in Section X(c), below). This information was confirmed either by the applicable Administrative Plan, defendant representation, or both.

A review of the HPD and NYCHA section 8 “occupancy standards” shows that the lottery occupancy standards listed in the advertisements provided by defendant are a reasonable proxy for subsidy occupancy standards and provide a reasonable estimate of the amount of subsidy that would be available.

The applicable date by which I determined which payment standards and utility allowances were in effect was the last date permitted for applications to be submitted for a lottery, as shown in the lottery advertisement, an approach that, I am advised, defendant agreed was reasonable.

For each unit type for which an applicant HH could, by HH size, be apparently eligible in the relevant lottery, I took the payment standard for the unit type's bedroom size and adjusted it to account for adding in 10 percent of monthly household income and for deducting the utilities for which the applicant HH would be responsible, to determine whether sufficient funds were available to meet the stated rent for the unit. Where sufficient funds were available for a unit type where the applicant HH met the HH-size requirements of the lottery, I considered the applicant HH to be apparently eligible.

b. “Other subsidies”

For “other subsidies,” I used two different maximum rents for which subsidy would be provided depending on the portion of the relevant time period involved. For applications related to lotteries where the last date for applications was on or after Nov. 7, 2014, I used the “enhanced” LINC rent levels that corresponded to a chart that defendant provided (and also corresponded to a fact sheet for which defendant provided a link). I am given to understand that defendant agreed that enhanced LINC was a reasonable standard for use for other subsidies. Since that program's enhanced rent level did not exist prior to Nov. 7, 2014, for the period prior to that, I used the “FEPS” maximum apartment rent,⁷ which plaintiffs' counsel advised me was a not infrequent payment standard during that period.

Unlike NYCHA Section 8 or HPD Section 8:

- (1) these permitted rent levels were based directly on HH size;

⁷ See <http://archive.advocate.nyc.gov/housing-guide/a/2>.

- (2) the programs apparently did not have associated utility allowances, and explicitly required participating landlords not to pass-through to tenants the costs of heating or hot water; and
- (3) the programs did not have a provision to allow for supplemental payments from the subsidy recipient's own funds.

As such, after using the same initial approach as with HPD and NYCHA Section 8 subsidies in terms of when subsidy would have to be checked, I determined the equivalent of apparent income eligibility by finding the permitted apartment rent for the applicant HH's HH size and comparing that amount to the advertised rent for the unit types for which the applicant HH was apparently eligible by HH size. If the permitted apartment rent equaled or exceeded the rent stated in the lottery advertisement for a type of unit, I deemed the applicant HH apparently income-eligible. If the permitted apartment rent did not equal or exceed the rent stated in the lottery advertisement for a type of unit, I deemed the applicant HH to be NOT apparently income-eligible.

c. Determining utilities for which an applicant HH would be responsible

I also approximated the utilities for which a tenant would be responsible, based on the lottery advertisements.⁸ As concerns electric and gas for cooking, if an advertisement specified that the tenant would pay one, I made the assumption that the landlord would be paying the other. If the advertisement specified that the landlord would pay one, I made the assumption that the tenant would be paying the other.⁹

In terms of heat and hot water, I made the assumption that these would not be tenant-paid unless there was a clear indication to the contrary. Where heat and/or hot water was determined to be the responsibility of the tenant, where there was not a clear and unambiguous statement of which type of fuel was used, I made the assumption of gas fuel.

(Using tables provided by defendant as to utility allowances, I determined the applicable tenant-paid utilities for each type of unit, again using in all cases the last day to apply to a lottery as the applicable date to determine which utility standards were in effect at that time.)

Having the tenant-paid utility information enabled me to determine gross rent for each type of unit for each building.

⁸ I am advised the defendant did not answer plaintiffs' questions about how to interpret the different ways that utility information is presented on various lottery advertisements.

⁹ For the awarded unit types that were not advertised in HC Project Nos. 105, 210, and 222, I applied the same tenant utility obligations as I did for all the other unit types in the advertisement. For the awarded unit types that were not advertised in HC Project No. 247, where tenant utility obligations differed as between unit types, I assumed tenants only paid for electricity, not gas for cooking or for heat and hot water.

XI. Determining a unit type's income AMI

In general, the income AMI was determined by taking the maximum HH income for each permitted HH size for the unit type and dividing by 100 percent AMI for the fiscal year during which the lottery application period ended.¹⁰ The sources for income AMI were tables published by HUD. This information is publicly available at <https://www.huduser.gov/portal/datasets/il.html>.

In two cases (HC Project Nos. 147 and 198), the AMI percentage that characterizes the unit type by maximum HH income (e.g., 60 or 80 percent AMI) is met by the *smallest* HH size for a particular unit type. *Larger* HH sizes for the particular unit type are *required* to have a maximum HH income that translates to a *lower* AMI percentage (“AMI step-down from smallest to largest HH size.”)

In 13 other cases, the AMI percentage that characterizes the unit type by maximum HH income (e.g., 60 or 80 percent AMI) is met by the *largest* HH size for a particular unit type. *Smaller* HH sizes for the particular unit type are *permitted* to have a maximum income that translates to a *higher* AMI percentage. These are Housing Connect Project Nos. 4, 23, 25, 79, 83, 86, 87, 92, 94, 95, 102, and 117. (“AMI step-up from largest to smallest HH size.”). In one other lottery (Housing Connect Project No. 247), the unit types added subsequent to the advertised units fall into this category, as well.

Finally, in two cases (HC Project Nos. 85 and 91), some unit types are AMI step-up and others are AMI step-down.

XII. Nesting and sequencing

I understand “nesting” to be the practice by which an applicant HH that has multiple characteristics that would qualify it for more than one set-aside or preference is treated as counting towards “filling the bucket” of each set-aside or preference for which it qualifies, provided that: (a) the bucket has not yet been filled; and (b) one applicant HH is not supposed to be permitted to satisfy both a set-aside for an HH with a member who has a mobility disability *and* a set-aside for an HH with a member who has a visual or hearing disability.

I also understand that, in terms of the sequence in which applicant HHs are supposed to be considered by developers, no preference comes before either of the disability set-asides; that the consideration of applicant HHs who are eligible for community preference comes before the consideration of applicant HHs who are not eligible for community preference; that the consideration of applicant HHs who are eligible for a preference as municipal employees comes before the consideration of applicant HHs who are not eligible for municipal employee preference; and that applicant HHs who are New York City residents receive a general preference over applicant HHs who are not New York City residents.

¹⁰ In some cases, a comparison between maximum income permitted by the lottery for the unit type and annual AMIs for the period during which defendant ran Housing Connect lotteries showed that the AMI for the unit type was pegged to an AMI standard for a year preceding or following the fiscal year during which the lottery application period ended.

I observed that, in practice, the consideration of applicant HHs with a NYCHA preference was most frequently intermingled with the consideration of applicant HHs with a community preference. Two NYCHA sub-preferences required residency in the community district: one sub-preference specifying community district residence; the other specifying particular buildings within the community district.

XIII. Awarded units and reconciliation

In all cases, I accepted defendant's view of the units awarded through the lottery. That is, I accepted the units so listed on the status sheets or in Access, as adjusted by reconciliation (or, in a limited number of cases, by clarifications of reconciliation made by defendant).

These units matched the units set out in defendant's lists of awarded units, as defendant may have modified them in subsequent communications with plaintiffs' counsel.

Defendant's letter of Feb. 1, 2019 describes defendant's view of the reconciliation process. While it states that for the purposes of the reconciliation process, "an applicant is considered to have been awarded a unit if HPD or HDC deemed the application approved," plaintiffs' counsel advises me that HPD's Dr. Marek, who was in charge of overseeing defendant's reconciliation process both in its 2017 phase and in its 2018 phase, specified that the idea was to treat as the awardee for a unit the *first* applicant HH that the relevant agency approved, if possible.

XIV. Treatment of which awarded units received what set-asides or preferences

In all cases, I treated the set-aside(s) or preference(s) listed by HPD or HDC in the status sheets and Access as definitive, independent of what had been listed in Housing Connect and regardless of whether the number of preference or set-aside awards exceeded the number corresponding to the percentage listed in the lottery advertisement.¹¹

XV. Analysis procedures for data

All analyses of defendant's data, whether of entrants, apparently eligible applicants, or awarded units, were carried out using SAS – a well-known statistical analysis and data management software system. It includes a large suite of features that makes handling data sets of the scale analyzed here possible. The various procedures described above were done using a variety of programs using SAS. The merging, matching, and sorting of data was done using SAS. The various operations to characterize an HH as an entrant, apparently eligible or awarded were carried out in SAS, as was all of the classifications of the HH's race, the typology of CD preference areas, and the characteristics of the awarded units and the various unit types that were offered.

¹¹ Awards did not always correspond to the number to be expected for the lotteries that were supposed to be using nesting or for the lotteries that were not supposed to be using nesting.

In addition, EXCEL, a well-known spreadsheet and reporting system, was used for many of the interchanges and coding of defendant's data. Many of the processes needed to keep track of the various elements of the analysis were assisted by Excel, to which and from which SAS can read and write files.

To conduct the mapping and create the appropriate map of CDs, Maptitude was used, and it was used to create the maps overlaying tract composition with CDs.

Ex. 1 - Lottery Advertisements

HC Proj No.	Bates No. of Document Containing Lottery Advertisement	Specific Bates No. of Lottery Advertisement in Multi-Advertisement Document
1	NYC_0010053	
2	NYC_0033625	
4	NYC_0009970	
5	NYC_0010048	
7	NYC_0009973	
8	NYC_0010002	
9	NYC_0009995	
10	NYC_0010034	
11	NYC_0010010	
12	NYC_0011050	NYC_0011074
13	NYC_0010099	
14	NYC_0034498	
16	NYC_0010037	
17	NYC_0039625	
18	NYC_0010038	
19	NYC_0036421	
20	NYC_0010101	
21	NYC_0010024	
22	NYC_0010027	
23	NYC_0009987	
24	NYC_0033662	
25	NYC_0033765	
27	NYC_0018284	
28	NYC_0039627	
29	NYC_0039622	
75	NYC_0011087	NYC_0011132
80	NYC_0011087	NYC_0011130
82	NYC_0062170	
83	NYC_0010044	
84	NYC_0011087	NYC_0011129
85	NYC_0010040	
86	NYC_0011087	NYC_0011128
87	NYC_0033751	
88	NYC_0010080	
89	NYC_0011087	NYC_0011119
90	NYC_0011087	NYC_0011123
91	NYC_0011087	NYC_0011117

HC Proj No.	Bates No. of Document Containing Lottery Advertisement	Specific Bates No. of Lottery Advertisement in Multi-Advertisement Document
92	NYC_0045710	
93	NYC_0011087	NYC_0011120
94	NYC_0028844	
95	NYC_0044509	
96	NYC_0011087	NYC_0011110
98	NYC_0011087	NYC_0011113
99	NYC_0011087	NYC_0011111
100	NYC_0011087	NYC_0011108
102	NYC_0011087	NYC_0011105
105	NYC_0011087	NYC_0011104
106	NYC_0018505	
107	NYC_0011087	NYC_0011099
108	NYC_0011087	NYC_0011095
109	NYC_0011087	NYC_0011098
110	NYC_0011087	NYC_0011094
111	NYC_0011087	NYC_0011091
114	NYC_0011087	NYC_0011100
115	NYC_0011087	
116	NYC_0011087	NYC_0011097
117	NYC_0011087	NYC_0011096
118	NYC_0011136	NYC_0011246
120	NYC_0011136	NYC_0011244
121	NYC_0011087	NYC_0011090
124	NYC_0011136	NYC_0011236
125	NYC_0011136	NYC_0011242
126	NYC_0011136	NYC_0011240
131	NYC_0011136	NYC_0011250
132	NYC_0011136	NYC_0011248
133	NYC_0011136	NYC_0011232
135	NYC_0011136	NYC_0011234
136	NYC_0011136	NYC_0011228
137	NYC_0011136	NYC_0011226
138	NYC_0011136	NYC_0011216
140	NYC_0011136	NYC_0011210
141	NYC_0011136	NYC_0011206
142	NYC_0011136	NYC_0011208
145	NYC_0011136	NYC_0011224
146	NYC_0011136	NYC_0011220

HC Proj No.	Bates No. of Document Containing Lottery Advertisement	Specific Bates No. of Lottery Advertisement in Multi-Advertisement Document
147	NYC_0009968	
148	NYC_0011136	NYC_0011218
149	NYC_0011136	NYC_0011200
150	NYC_0011136	NYC_0011214
170	NYC_0010035	
171	NYC_0011136	NYC_0011198
172	NYC_0011136	NYC_0011190
173	NYC_0011136	NYC_0011186
175	NYC_0011136	NYC_0011196
176	NYC_0034286	
179	NYC_0011136	NYC_0011182
180	NYC_0011136	NYC_0011188
181	NYC_0009983	
182	NYC_0011136	NYC_0011176
183	NYC_0011136	NYC_0011174
185	NYC_0011136	NYC_0011170
186	NYC_0011136	NYC_0011168
188	NYC_0042766	
189	NYC_0011136	NYC_0011162
192	NYC_0011136	NYC_0011158
193	NYC_0011136	NYC_0011156
194	NYC_0011136	NYC_0011154
195	NYC_0011136	NYC_0011166
196	NYC_0009994	
198	NYC_0010056	
199	NYC_0011136	NYC_0011142
201	NYC_0011136	NYC_0011138
202	NYC_0009989	
206	NYC_0010107	
208	NYC_0011324	NYC_0011363
210	NYC_0011324	NYC_0011360
211	NYC_0009972	
212	NYC_0011324	NYC_0011371
215	NYC_0011324	NYC_0011367
216	NYC_0011324	NYC_0011366
218	NYC_0011324	NYC_0011364
219	NYC_0011324	NYC_0011362
220	NYC_0011324	NYC_0011352

HC Proj No.	Bates No. of Document Containing Lottery Advertisement	Specific Bates No. of Lottery Advertisement in Multi-Advertisement Document
222	NYC_0011324	NYC_0011359
223	NYC_0011324	NYC_0011356
224	NYC_0011324	NYC_0011353
225	NYC_0011324	NYC_0011354
226	NYC_0011324	NYC_0011351
229	NYC_0011324	NYC_0011350
230	NYC_0011324	NYC_0011345
231	NYC_0010021	
232	NYC_0009975	
234	NYC_0011324	NYC_0011347
236	NYC_0011324	NYC_0011346
237	NYC_0010045	
247	NYC_0011324	NYC_0011336
248	NYC_0011324	NYC_0011341
250	NYC_0010006	
251	NYC_0011324	NYC_0011332
253	NYC_0010039	
255	NYC_0011324	NYC_0011327
256	NYC_0011324	NYC_0011338
257	NYC_0011324	NYC_0011325
258	NYC_0011324	
260	NYC_0011252	NYC_0011320
261	NYC_0011252	NYC_0011318
262	NYC_0011324	NYC_0011334
263	NYC_0010083	
267	NYC_0011324	NYC_0011329
268	NYC_0011324	NYC_0011328
269	NYC_0032099	
270	NYC_0011252	NYC_0011310
271	NYC_0011324	NYC_0011326
272	NYC_0010019	
275	NYC_0009974	
276	NYC_0009977	
277	NYC_0011252	NYC_0011294
278	NYC_0011252	NYC_0011292
279	NYC_0010066	
281	NYC_0011252	NYC_0011314
284	NYC_0011252	NYC_0011282

HC Proj No.	Bates No. of Document Containing Lottery Advertisement	Specific Bates No. of Lottery Advertisement in Multi-Advertisement Document
285	NYC_0011252	NYC_0011286
286	NYC_0011252	NYC_0011284
287	NYC_0011252	NYC_0011280
289	NYC_0011252	NYC_0011304
290	NYC_0011252	NYC_0011302
298	NYC_0048731	
299	NYC_0011252	NYC_0011268
300	NYC_0017933	
301	NYC_0017483	
304	NYC_0011252	NYC_0011260
310	NYC_0011252	
311	NYC_0009982	
313	NYC_0050606	
315	NYC_0029680	
316	NYC_0029652	
317	Not Available	
320	NYC_0050656	

Ex. 2 - Status Sheets

HC Proj No.	Status Sheet (If Available)
1	NYC_0013539
2	NYC_0071310
4	NYC_0013567
5	NYC_0013537
7	NYC_0013559
8	NYC_0013514
9	NYC_0013510
10	NYC_0013530
11	NYC_0013518
12	NYC_0016196
13	NYC_0013522
14	NYC_0028247
16	NYC_0013532
17	NYC_0013995
18	NYC_0013533
19	NYC_0014005
20	NYC_0013529
21	NYC_0013523
22	NYC_0013525
23	NYC_0013573
24	NYC_0013994
25	NYC_0071304
27	NYC_0028246
28	NYC_0014012
29	NYC_0014007
75	NYC_0014011
80	NYC_0014010
82	NYC_0014006
83	NYC_0013561
84	NYC_0013971
85	NYC_0013568
86	NYC_0014013
87	NYC_0014002
88	NYC_0013549
89	NYC_0014016
90	NYC_0016197
91	NYC_0013557
92	NYC_0014017
93	NYC_0016193
94	NYC_0013566
95	NYC_0013586
96	NYC_0016194
98	NYC_0013993

HC Proj No.	Status Sheet (If Available)
99	NYC_0014003
100	NYC_0014020
102	NYC_0014009
105	NYC_0013989
106	NYC_0163716
107	NYC_0014015
108	NYC_0013553
109	NYC_0013988
110	NYC_0013980
111	NYC_0013562, NYC_0013563
114	NYC_0013975
115	NYC_0013982
116	NYC_0013974
117	NYC_0013978
118	NYC_0013536
120	NYC_0013534
121	NYC_0071338
124	NYC_0013550
125	NYC_0013520
126	NYC_0013552
131	NYC_0013990
132	Access Only
133	NYC_0013970
135	NYC_0013985
136	NYC_0071335
137	NYC_0071334
138	NYC_0014004
140	NYC_0013986
141	NYC_0013545
142	Access Only
145	NYC_0013969
146	NYC_0013972
147	NYC_0013501
148	NYC_0013981
149	NYC_0071321
150	NYC_0014001
170	NYC_0013531
171	NYC_0014008
172	Access Only
173	NYC_0013967
175	NYC_0013976
176	Access Only

HC Proj No.	Status Sheet (If Available)
179	NYC_0013996
180	NYC_0016201
181	NYC_0013589
182	NYC_0071318
183	NYC_0122166
185	Access Only
186	NYC_0013987
188	Access Only
189	NYC_0013999
192	NYC_0071333
193	Access Only
194	Access Only
195	Access Only
196	NYC_0013585
198	NYC_0013542
199	NYC_0071329
201	NYC_0013570
202	NYC_0013556
206	NYC_0122157
208	NYC_0071426
210	Access Only
211	NYC_0013503
212	NYC_0013983
215	NYC_0013968
216	NYC_0014018
218	NYC_0071302
219	NYC_0071311
220	NYC_0122164
222	NYC_0071331
223	NYC_0071330
224	NYC_0071497
225	NYC_0071314
226	NYC_0071305
229	Access Only
230	NYC_0122176
231	NYC_0071290
232	NYC_0071283
234	NYC_0071322
236	Access Only
237	NYC_0071293
247	Access Only
248	Access Only

HC Proj No.	Status Sheet (If Available)
250	NYC_0071286
251	Access Only
253	NYC_0122171
255	Access Only
256	Access Only
257	NYC_0122168
258	Access Only
260	Access Only
261	Access Only
262	Access Only
263	NYC_0013551
267	Access Only
268	Access Only
269	Access Only
270	NYC_0115393
271	NYC_0071297
272	NYC_0071287
275	NYC_0122159
276	NYC_0122162
277	Access Only
278	NYC_0122173
279	NYC_0122172
281	Access Only
284	NYC_0122174
285	Access Only
286	Access Only
287	Access Only
289	Access Only
290	NYC_0071299
298	Access Only
299	Access Only
300	Access Only
301	Access Only
304	Access Only
310	NYC_0122169
311	NYC_0122163
313	NYC_0071316
315	Access Only
316	NYC_0122167
317	NYC_0122165
320	NYC_0071465

Ex. 3 - Initial Logs

HC Proj No.	Initial Log
1	NYC_0016417
2	NYC_0016418
4	NYC_0016391
5	NYC_0016419
7	NYC_0016392
8	NYC_0016396
9	NYC_0016406
10	NYC_0016202
11	NYC_0016210
12	NYC_0016220
13	NYC_0016228
14	NYC_0016238
16	NYC_0016250
17	NYC_0016251
18	NYC_0016261
19	NYC_0016271
20	NYC_0016279
21	NYC_0016290
22	NYC_0016300
23	NYC_0016309
24	NYC_0016319
25	NYC_0016323
27	NYC_0016344
28	NYC_0016354
29	NYC_0016365
75	NYC_0016393
80	NYC_0016397
82	NYC_0016398
83	NYC_0016399
84	NYC_0016400
85	NYC_0016401
86	NYC_0016402
87	NYC_0016403
88	NYC_0016404
89	NYC_0016405
90	NYC_0016407
91	NYC_0016408
92	NYC_0016409
93	NYC_0016410
94	NYC_0016411
95	NYC_0016412

HC Proj No.	Initial Log
96	NYC_0016413
98	NYC_0016415
99	NYC_0016416
100	NYC_0016203
102	NYC_0016204
105	NYC_0016205
106	NYC_0016206
107	NYC_0016207
108	NYC_0016208
109	NYC_0016209
110	NYC_0016211
111	NYC_0010264
114	NYC_0016214
115	NYC_0016215
116	NYC_0016216
117	NYC_0016217
118	NYC_0016218
120	NYC_0016221
121	NYC_0016222
124	NYC_0016225
125	NYC_0016226
126	NYC_0016227
131	NYC_0016229
132	NYC_0016230
133	NYC_0016231
135	NYC_0016233
136	NYC_0016234
137	NYC_0016235
138	NYC_0016236
140	NYC_0016239
141	NYC_0016240
142	NYC_0016241
145	NYC_0016243
146	NYC_0016244
147	NYC_0016245
148	NYC_0016246
149	NYC_0016247
150	NYC_0016249
170	NYC_0016252
171	NYC_0016253
172	NYC_0016254

HC Proj No.	Initial Log
173	NYC_0016255
175	NYC_0016257
176	NYC_0016258
179	NYC_0016260
180	NYC_0016262
181	NYC_0016263
182	NYC_0016264
183	NYC_0016265
185	NYC_0016266
186	NYC_0016267
188	NYC_0016269
189	NYC_0016270
192	NYC_0016272
193	NYC_0016273
194	NYC_0016274
195	NYC_0016275
196	NYC_0016276
198	NYC_0016277
199	NYC_0016278
201	NYC_0016281
202	NYC_0016282
206	NYC_0198793
208	NYC_0016289
210	NYC_0016291
211	NYC_0016292
212	NYC_0016293
215	NYC_0016295
216	NYC_0016296
218	NYC_0016298
219	NYC_0016299
220	NYC_0016301
222	NYC_0016302
223	NYC_0016303
224	NYC_0016304
225	NYC_0016305
226	NYC_0016306
229	NYC_0016308
230	NYC_0016310
231	NYC_0016311
232	NYC_0016312
234	NYC_0016314

HC Proj No.	Initial Log
236	NYC_0016316
237	NYC_0016317
247	NYC_0016320
248	NYC_0016321
250	NYC_0016324
251	NYC_0016325
253	NYC_0016326
255	NYC_0016328
256	NYC_0016329
257	NYC_0016330
258	NYC_0016331
260	NYC_0016335
261	NYC_0016336
262	NYC_0016337
263	NYC_0016338
267	NYC_0016341
268	NYC_0016342
269	NYC_0016343
270	NYC_0016345
271	NYC_0016346
272	NYC_0016347
275	NYC_0016349
276	NYC_0016350
277	NYC_0016351
278	NYC_0016352
279	NYC_0016353
281	NYC_0016356
284	NYC_0010284
285	NYC_0016360
286	NYC_0016361
287	NYC_0016362
289	NYC_0016364
290	NYC_0016366
298	NYC_0016374
299	NYC_0016375
300	NYC_0016377
301	NYC_0016378
304	NYC_0016380
310	NYC_0016385
311	NYC_0016386
313	NYC_0016388

HC Proj No.	Initial Log
315	NYC_0016390
316	NYC_0071463
317	NYC_0071468
320	NYC_0199340

Ex. 4 - Final Logs

HC Proj No.	Final Log
1	NYC_0003198
2	NYC_0071309
4	NYC_0002971
5	NYC_0003194
7	NYC_0002974
8	NYC_0002988
9	NYC_0002986
10	NYC_0003185
11	NYC_0002993
12	NYC_0013913
13	NYC_0003176
14	NYC_0000272
16	NYC_0028108
17	NYC_0000584
18	NYC_0003187
19	NYC_0000258
20	NYC_0003184
21	NYC_0003177
22	NYC_0003179
23	NYC_0002981
24	NYC_0000271
25	NYC_0000618
27	NYC_0000268
28	NYC_0013914
29	NYC_0028240
75	NYC_0028251
80	NYC_0000600
82	NYC_0000615
83	NYC_0003192
84	NYC_0000589
85	NYC_0003188
86	NYC_0000610
87	NYC_0000597
88	NYC_0003210
89	NYC_0028252
90	NYC_0000607
91	NYC_0002989
92	NYC_0000611
93	NYC_0013908
94	NYC_0002972
95	NYC_0002995
96	NYC_0000583

HC Proj No.	Final Log
98	NYC_0000605
99	NYC_0000608
100	NYC_0000613
102	NYC_0000585
105	NYC_0071475
106	NYC_0118897
107	NYC_0028253
108	NYC_0003215
109	NYC_0000581
110	NYC_0000265
111	NYC_0003180
114	NYC_0000593
115	NYC_0000262
116	NYC_0000616; NYC_0000617
117	NYC_0013910
118	NYC_0028111
120	NYC_0003189
121	NYC_0071328
124	NYC_0003213
125	NYC_0003174
126	NYC_0028117
131	NYC_0000270
132	NYC_0122104
133	NYC_0000602
135	NYC_0000598
136	NYC_0118893
137	NYC_0071313
138	NYC_0000609
140	NYC_0000267
141	NYC_0003204
142	NYC_0115377
145	NYC_0000260
146	NYC_0000590
147	NYC_0002970
148	NYC_0000596
149	NYC_0071320
150	NYC_0000614
170	NYC_0003186
171	NYC_0000599
172	NYC_0165120
173	NYC_0013911

HC Proj No.	Final Log
175	NYC_0013909
176	NYC_0122117
179	NYC_0000606
180	NYC_0000261
181	NYC_0028099
182	NYC_0071396
183	NYC_0118932
185	NYC_0115379
186	NYC_0000594
188	NYC_0165133
189	NYC_0000586; NYC_0000587
192	NYC_0071332
193	NYC_0165142
194	NYC_0097883
195	NYC_0097887
196	NYC_0002985
198	NYC_0028112
199	NYC_0071325
201	NYC_0003196
202	NYC_0002982
206	NYC_0003195
208	NYC_0028241
210	NYC_0165125
211	NYC_0002973
212	NYC_0000263
215	NYC_0000588
216	NYC_0013912
218	NYC_0000269
219	NYC_0071345
220	NYC_0122177
222	NYC_0071474
223	NYC_0071326
224	NYC_0071487
225	NYC_0071315
226	NYC_0028235
229	NYC_0132004
230	NYC_0122150
231	NYC_0071291
232	NYC_0071282
234	NYC_0071337
236	NYC_0122195

HC Proj No.	Final Log
237	NYC_0071295
247	NYC_0163733
248	NYC_0115378
250	NYC_0071284
251	NYC_0118896
253	NYC_0164572
255	NYC_0118924
256	NYC_0122108
257	NYC_0118935
258	NYC_0118895
260	NYC_0097884
261	NYC_0097893
262	NYC_0122120
263	NYC_0003214
267	NYC_0122106
268	NYC_0122116
269	NYC_0165122
270	NYC_0115391
271	NYC_0028238
272	NYC_0071288
275	NYC_0118929
276	NYC_0122181
277	NYC_0122113
278	NYC_0122182
279	NYC_0118936
281	NYC_0118925
284	NYC_0118938
285	NYC_0165138
286	NYC_0164573
287	NYC_0165129
289	NYC_0118927
290	NYC_0028250
298	NYC_0118894
299	NYC_0097886
300	NYC_0118900
301	NYC_0115382
304	NYC_0122118
310	NYC_0122180
311	NYC_0118930
313	NYC_0071317
315	NYC_0122105

HC Proj No.	Final Log
316	NYC_0118933
317	NYC_0118931
320	NYC_0071477

Exhibit 5

Corrections to Status Sheet BR Size and Rent Erroneous Entries (Conformed to Advertised Unit-Type Data)				
HC Project No.	Original Status Sheet BR Size	Original Status Sheet Rent	Corrected BR Size (If Blank, No Correction)	Corrected Rent (If Blank, No Correction)
2	0	\$637	1	
4	1	\$1,887		\$1,877
5	2	\$976		\$979
9	0	\$248.56		\$751
12	1	\$1,022	2	
16	2	\$538		\$655
19	0	\$712	1	
19	0	\$866		\$847
19	1	\$847	0	
19	1	\$1,049	2	
75	1	\$1,125		\$900
80	1	\$847	0	
82	1	\$659	0	
82	2	\$709	1	
85	1	\$140		\$844
85	1	\$143		\$844
85	1	\$167		\$844
85	1	\$176		\$844
85	1	\$190.40		\$844
85	1	\$229		\$844
85	2	\$844		\$1,022
85	2	\$846		\$1,022
85	3	\$982		\$1,175
89	2	\$1,001		\$1,011
91	1	\$196.73		\$844
91	1	\$745.65		\$844
95	1	\$453		\$689
97	2	\$891	1	
108	1	\$785		\$844
109	1	\$1,022		\$844
111	1	\$608		\$533
115	2	\$1,063		\$1,022
116	2	\$1,435		\$1,434
118	0	\$158.73		\$801
118	0	\$177.55		\$801
118	0	\$218		\$801
118	0	\$267		\$801
118	0	\$291		\$801

**Corrections to Status Sheet BR Size and Rent Erroneous Entries
(Conformed to Advertised Unit-Type Data)**

HC Project No.	Original Status Sheet BR Size	Original Status Sheet Rent	Corrected BR Size (If Blank, No Correction)	Corrected Rent (If Blank, No Correction)
118	0	\$356.37		\$801
118	1	\$730.52		\$861
118	2	\$184		\$1,042
118	2	\$226.80		\$1,042
118	2	\$263		\$1,042
118	2	\$447.38		\$1,042
118	2	\$467		\$1,042
118	2	\$555		\$1,042
118	2	\$586		\$1,042
118	2	\$614		\$1,042
118	2	\$816.85		\$1,042
120	2	\$191.89		\$1,042
120	2	\$214.35		\$1,042
120	2	\$219		\$1,042
120	2	\$261.90		\$1,042
120	2	\$592.90		\$1,042
120	2	\$861		\$1,042
120	3	\$813.49		\$1,196
124	1	\$417.63		\$845
124	1	\$564.87		\$845
124	3	\$1,470		\$1,692
125	2	\$835		\$853
136	2	\$632		\$1,082
136	2	\$895		\$1,082
137	1	\$2,045		\$2,046
141	1	\$159.43		\$861
141	1	\$280.20		\$861
141	2	\$193		\$1,042
141	2	\$208.24		\$1,042
141	2	\$314.75		\$1,042
141	2	\$357.93		\$1,042
141	2	\$367.75		\$1,042
141	2	\$431		\$1,042
141	2	\$503.67		\$1,042
141	2	\$520		\$1,042
141	2	\$632		\$1,042
141	3	\$772.10		\$1,196
141	3	\$1,023.01		\$1,196

**Corrections to Status Sheet BR Size and Rent Erroneous Entries
(Conformed to Advertised Unit-Type Data)**

HC Project No.	Original Status Sheet BR Size	Original Status Sheet Rent	Corrected BR Size (If Blank, No Correction)	Corrected Rent (If Blank, No Correction)
142	0	\$600	1	
147	1	\$177		\$812
147	2	\$363		\$988
147	3	\$591		\$1,134
176	1	\$1,323		\$1,232
176	2	\$1,692		\$1,682
186	2	\$689		\$835
196	1	\$399		\$861
196	1	\$410.75		\$861
196	1	\$477.72		\$1,200
196	2	\$525.75		\$1,042
196	2	\$761.24		\$1,486
196	2	\$870.36		\$1,486
196	3	\$629		\$1,196
199	2	\$1,224		\$1,124
199	3	\$1,124		\$1,292
201	0	\$75		\$788
206	1	\$246		\$847
206	1	\$485		\$847
206	2	\$175		\$1,025
206	2	\$232		\$1,025
206	2	\$266		\$1,025
206	2	\$273		\$1,025
206	2	\$283		\$1,025
206	2	\$634.84		\$1,025
206	2	\$751		\$1,025
206	2	\$955		\$1,025
206	3	\$716.01		\$1,182
206	3	\$789.44		\$1,182
211	1	\$874		\$847
220	1	\$801		\$861
222	1	\$849		\$700
222	1	\$980		\$700
222	2	\$849		\$2,175
223	0	\$1,980		\$2,312
223	1	\$574		\$547
223	2	\$802		\$1,042
231	2	\$847		\$1,025

**Corrections to Status Sheet BR Size and Rent Erroneous Entries
(Conformed to Advertised Unit-Type Data)**

HC Project No.	Original Status Sheet BR Size	Original Status Sheet Rent	Corrected BR Size (If Blank, No Correction)	Corrected Rent (If Blank, No Correction)
250	2	\$1,468		\$1,486
253	0	\$1,094		\$788
253	1	\$817		\$847
260	0	\$1,155		\$1,156
263	0	\$913		\$865
272	4	\$834		\$835
275	2	\$705		\$647
276	1	\$248.40		\$929
276	1	\$278.70		\$929
276	1	\$319		\$929
276	1	\$353		\$929
276	2	\$560		\$1,121
310	1	\$822		\$882
317	0	\$214		\$653
317	2	\$150		\$852
317	3	\$400		\$1,206