



MEMO ENDORSED

George Latimer
County Executive

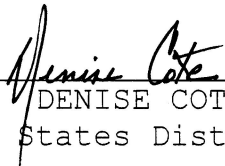
Office of the County Attorney

John M. Nonna
County Attorney

April 30, 2021

An update regarding the status of the
AFFH units is due by June 30, 2021.
5.3.21.

Hon. Denise Cote
United States District Court
Southern District of New York
500 Pearl Street, Courtroom 18B
New York, NY 10007
Via ECF


DENISE COTE
United States District Judge

**Re: United States *ex rel.* Anti-Discrimination Center of Metro New York, Inc. v.
Westchester County, New York (No. 06 Civ. 2860 (DLC))**

Dear Judge Cote:

This letter is respectfully submitted on behalf of Westchester County to follow up on the County's April 26, 2021 letter (Doc. 739) regarding the status of the completion of the 750 AFFH units.

As the County noted in its last letter, the County was expecting to receive 28 temporary certificates of occupancy ("TCO") today, to complete the 750 AFFH units. These TCOs were subject to passage of a final inspection that occurred yesterday afternoon. Unfortunately, the development did not pass that inspection and the TCOs were not issued. There were several items identified by the building inspector which the developer has or is in the process of remediating. However, there were also issues identified relating to the functionality and design of a fire escape, which require further investigation to determine how to appropriately remediate.

We have been in contact with both the town and the developer regarding this matter. The developer is bringing in its engineering consultant on Monday, May 3rd, to review the issues and help figure out a path forward. Because the path forward might require a redesign of the fire escape, and/or fabrication work, it is difficult at this juncture to identify a date by which it will be remediated. The County thus respectfully recommends that it have weekly communication with the Government regarding the progress on completion of the units, and that the parties update the Court no later than June 30, 2021. The Government consents to this schedule.

Respectfully submitted,

/s/Justin R. Adin
DEPUTY COUNTY ATTORNEY
Tel: (914) 995-2893