



NEW YORK CITY HOUSING AUTHORITY
LAW DEPARTMENT
250 BROADWAY • NEW YORK, NY 10007
<http://nyc.gov/nycha>

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NOTICE

871468-AN-2017

██████████
CLINTON HOUSES
1505 PARK AVENUE, APT. #14A
NEW YORK, NY 10029

PLEASE TAKE NOTICE, that a recommendation has been made that your tenancy in the above apartment be terminated because of the following circumstances:

SEE ATTACHED SPECIFICATION OF CHARGES

A hearing on these charges will be held before a Hearing Officer designated by the New York City Housing Authority ("Authority") for that purpose at 250 Broadway, 2nd floor, Borough of Manhattan, New York City, on **OCTOBER ██████████ at 9:30 A.M.**

You are requested to answer these charges, and to signify your intention to appear at the hearing, by a reply in writing addressed to New York City Housing Authority - Law Department, 7th Floor, ██████████, 250 Broadway, New York, N.Y. 10007. If you have any questions, please call ██████████, 212-776-5094.

At the hearing you may appear in person with such witnesses as you may desire, AND BE REPRESENTED BY COUNSEL OR OTHER REPRESENTATIVES OF YOUR CHOICE. If you desire legal representation and cannot afford a lawyer, it is suggested that you contact one of the agencies which provide free legal services. A copy of the procedures covering these proceedings is enclosed for your information.

IT IS IMPORTANT THAT YOU REALIZE THAT THIS HEARING WILL BE THE ONLY OPPORTUNITY TO BE HEARD, THAT THE DETERMINATION BASED THEREON MAY RESULT IN YOUR EVICTION, AND THAT SUCH DETERMINATION MAY NOT BE CHALLENGED IN THE LANDLORD-TENANT COURT. ACCORDINGLY, IF YOU DESIRE TO CONTEST THE ABOVE CHARGES, YOU MAY REPLY TO THIS NOTICE AND APPEAR AT THE HEARING. OTHERWISE, YOU WILL BE DEEMED TO HAVE WAIVED YOUR RIGHT TO SUCH HEARING.

In order to enter the building you will be required to present a government issued photo ID and will be subjected to a security screening process. You and your belongings will be required to pass through a metal detector and you may be subjected to further searches prior to being granted entry to the building. No unauthorized weapons will be permitted in the facility. You must bring this Notice with you on the day of your appointment. Please arrive at least thirty (30) minutes prior to your scheduled hearing time in order to complete the building security screening process.

NEW YORK CITY HOUSING AUTHORITY

Dated: SEPTEMBER ██████████
zrh

By: Jerome McCoullough
Interim Director of Property Management

(2)

AVISO A LOS INQUILINOS

Si usted ha sido acusado de ser persona indeseable (Non-Desirability) basado en los hechos, la conducta o el comportamiento de otra persona, y de acuerdo con la Autoridad de la Vivienda esta persona ocupa su apartamento, entonces los párrafos 6(d), 13, y 14 de los Procedimientos de Terminación de Inquilinato aplican a su caso. El párrafo 6(d) provee que, bajo determinadas circunstancias, usted puede evitar que lo penalicen con perder su apartamento.

Para su conocimiento, el texto de dicho párrafo 6(d) lee como sigue:

"Si los cargos formulados en contra del inquilino están basados en los actos, la conducta o el comportamiento indeseable de otra persona (el "ofensor") que no sea el inquilino, será responsabilidad de la Autoridad de la Vivienda el comprobar que el ofensor ocupaba el apartamento al momento de la ofensa. Sin embargo, aún cuando la Autoridad de la Vivienda compruebe ésto, el inquilino podrá demostrar que el ofensor se ha mudado permanentemente para la fecha que se celebre la vista."

El inquilino tal vez pueda evitar la penalidad de perder su apartamento si:

- (i) en la vista donde se ventilan los cargos, el inquilino alega que el ofensor se ha mudado permanentemente; y
- (ii) el inquilino presenta evidencia al Oficial Examinador para sostener dicha alegación.

La evidencia que presente el inquilino para sostener su alegación (de que el ofensor no ocupaba el apartamento cuando ocurrió la ofensa, o que desde entonces éste -el ofensor- se mudó permanentemente), como por ejemplo, un contrato de arrendamiento firmado y/o recibos de renta de otra dirección, o una carta del Bienestar Social (Welfare) o Seguro Social mostrando la nueva dirección del ofensor, servirá como prueba de que el ofensor no ocupaba ni ocupa al presente el apartamento del inquilino, excepto que la Autoridad podrá objetar dicha evidencia ante el Oficial Examinador. Nada de lo contenido en este párrafo 6(d) tiene la intención de limitar el derecho del inquilino de ofrecer cualquier evidencia al Oficial Examinador de que el ofensor ya no está ocupando el apartment del inquilino, incluyendo cualquier declaración verbal o escrita por el inquilino u otras personas.

Si usted quiere demostrar que el ofensor se ha mudado permanentemente de su apartamento, es importante que usted venga a la vista con la mayor evidencia posible. Además, si el ofensor está confinado en la cárcel, está ausente en las Fuerzas Armadas, o está participando en un programa residencial para el abuso de drogas, traiga consigo una carta u otro documento de la institución que verifique ese hecho.

LID #871468

[REDACTED]

CLINTON HOUSES

[REDACTED] PARK AVENUE, APT. # [REDACTED]

NEW YORK, NY 10029

NON-DESIRABILITY IN THAT:

1. On or about May 13, 2017, or at some time prior thereto, in the New York City Housing Authority ("Authority") apartment leased to you and under your control, you, [REDACTED] tenant of record, alone or in concert with [REDACTED] unauthorized occupant or guest of your Authority apartment, did unlawfully [REDACTED].

2. At the same time and place referenced in Specification No. 1, above, you, [REDACTED] tenant of record, alone or in concert with said [REDACTED] did unlawfully possess [REDACTED] [REDACTED] reflecting [REDACTED].

BREACH OF RULES AND REGULATIONS IN THAT:

3. In violation of Paragraphs 5, 12(b) or 12(c) of your Authority Resident Lease Agreement ("Lease"), you, [REDACTED] tenant of record, have permitted unauthorized occupant, [REDACTED] to take up residence in your Authority apartment without obtaining prior written consent of your Development's Housing Manager, as required.

4. You, [REDACTED] tenant of record, failed to refrain from or failed to cause the individuals on the premises with your consent, to refrain from [REDACTED] referred to in Paragraph [REDACTED] or [REDACTED] of your Lease, as referenced above.

THAT AT ALL TIMES SET FORTH IN THESE CHARGES, [REDACTED] WAS A RESIDENT, AND [REDACTED] WAS AN UNAUTHORIZED OCCUPANT OR GUEST OF THE PREMISES WHICH IS THE SUBJECT OF THIS PROCEEDING.

BY VIRTUE OF THE ABOVE, YOUR CONTINUED OCCUPANCY CONSTITUTES:

- A danger to the health and safety of the tenant's neighbors;
- Conduct on or in the vicinity of the Authority premises which is in the nature of a sex or morals offense;
- A source of danger or a cause of damage to the employees, premises, or property of the Authority;
- A source of danger to the peaceful occupation of the other tenants; or
- A common law nuisance.