

**RESOLUTION
of the
HOUSING AUTHORITY OF THE
CITY OF LINDEN**

Resolution No. 2017-19

**RESOLUTION APPROVING AND AUTHORIZING THE HOUSING AUTHORITY TO
JOIN LITIGATION REGARDING THE 2012 OPERATING RESERVE OFFSET**

Board Meeting Date: June 14, 2017

Date Adopted: June 14, 2017

WHEREAS, the Housing Authority of the City of Linden (“Housing Authority”), a public entity organized and existing pursuant to Title 24 of the Code of Federal Regulations, the Department of Housing and Urban Development (“HUD”), and the laws of the State of New Jersey, has determined that it is in need of joining litigation regarding the 2012 operating reserve offset; and

WHEREAS, specifically, the United States Congress and HUD imposed an operating reserve offset against the 2012 operating subsidies provided to public housing authorities; and

WHEREAS, the Public Housing Authorities Directors Association (“PHADA”) and the National Association of Housing and Redevelopment Officials (“NAHRO”) administered a lawsuit challenging the 2012 operating reserve offset; and

WHEREAS, in the above referenced-litigation, 309 public housing authorities were awarded a total of over \$135 million by the United States Court of Federal Claims; and

WHEREAS, PHADA and NAHRO are seeking to administer a second lawsuit challenging the 2012 operating reserve offset for public housing authorities that did not participate in the first lawsuit; and

WHEREAS, the Housing Authority wishes to join the second lawsuit challenging the 2012 operating reserve offset; and

WHEREAS, the legal fee for joining the second lawsuit challenging the 2012 operating reserve offset is \$3,000.00; and

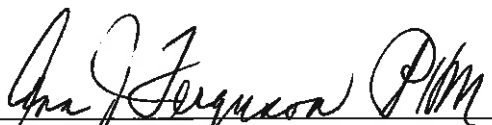
WHEREAS, the Housing Authority has certified that sufficient non-federal funds are available to pay the legal fee for joining the second lawsuit challenging the 2012 operating reserve offset; and

WHEREAS, the Board of Commissioners has determined that approving and authorizing the Housing Authority to join litigation regarding the 2012 operating reserve offset is in the best interest of the Housing Authority and its overall goal of providing quality, affordable housing to low-income seniors;

NOW THEREFORE,

BE IT RESOLVED, that the Board of Commissioners of the Housing Authority of the City of Linden hereby approves and authorizes the Housing Authority to join litigation regarding the 2012 operating reserve offset; and

BE IT FURTHER RESOLVED, that the Board hereby directs the Executive Director of the Housing Authority to take any and all necessary administrative actions to implement this resolution.



Ann J. Ferguson, Secretary
Housing Authority of the City of Linden