



New York City Comptroller  
John C. Liu

STATEMENT

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## LIU ON WESTCHESTER SQUARE SHELTER SUIT

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NEW YORK, N.Y. – City Comptroller John C. Liu stated the following on the Westchester Square shelter suit:

“We are gratified that the State Supreme Court, Bronx County ruled in favor of the Comptroller’s office in our suit challenging the Mayor’s practice of establishing shelters and paying for those services without going through required public procurement processes. The practice of cutting backroom deals with shelter operators cannot and should not be tolerated. The administration should have put more effort into planning for housing for the homeless.”

“Special thanks go to outside counsel Gibson Dunn, which worked on the case pro bono for the good of New Yorkers.”

### **Background:**

A court has sided with the Comptroller’s office in a suit questioning the legality of the City’s providing homeless shelter at Westchester Square in The Bronx via a “per diem” agreement instead of Procurement Policy Board Rules.

State Supreme Court Judge Geoffrey D. Wright wrote: “I find the attempts at hair splitting by the Respondents to be unpersuasive. To accept their arguments would be to vitiate, if not annul the City Charter. The motion for a declaration that the procedure followed in this instance is contrary to statute is granted. ... In sum, then, the Dept. Of Homeless Services circumvented established rules for the funding of its activities without an acceptable excuse. I therefore declare that the practice of entering into housing/service agreements for clientele is contrary to law, and not excused by allegedly exigent circumstances.”

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