



CITY OF DETROIT
LAW DEPARTMENT

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October 25, 2018

Detroit City Council
1340 Coleman A. Young Municipal Center
Detroit, Michigan 48226

**Re: Proposed Amendment of Chapter 26 of the 1984 Detroit City Code, *Housing*,
by adding Article V, *Fair Chance Access to Rental Housing*.**

Honorable City Council:

At the request of Council Member Ayers, the Law Department has prepared and approved as to form the above-referenced ordinance for your consideration. The proposed ordinance will add an Article to Chapter 26 to provide citizens with criminal records a fair opportunity to secure housing by regulating the use of criminal background checks as part of the tenant screening process.

Respectfully submitted,

Julianne V. Pastula
Senior Assistant Corporation Counsel
City of Detroit Law Department
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S U M M A R Y

AN ORDINANCE to amend Chapter 26 of the 1984 Detroit City Code, *Housing*, by adding Article V, *Fair Chance Access to Rental Housing*, consisting of Sections 26-5-1 through 26-5-20, to provide for the maintenance and protection of the health, safety and general welfare of the public and to provide citizens with criminal records a fair opportunity to secure housing by regulating the use of criminal background checks as part of the tenant screening process, thereby facilitating re-integration into society and reducing the likelihood those citizens will reoffend; to establish that the City undertaking is limited to promotion of the general welfare; to set forth definitions and applicability of the article; to regulate the use and inquiry of criminal convictions by housing providers; to establish standards for adverse action; to set forth exceptions to this article; to establish procedures for the use of evidence of rehabilitation or other mitigating factors in housing decisions; to require individualized assessments in certain circumstances; to set forth notice and posting requirements for housing providers; to establish guidelines for maintenance of records by housing providers; to protect the exercise of rights and prohibit retaliation; to require community outreach; to set forth confidentiality provisions; to establish implementation and enforcement provisions, including penalties for violations; and to establish administrative rules and annual reporting requirements.

1 **BY COUNCIL MEMBER _____:**

2 **AN ORDINANCE** to amend Chapter 26 of the 1984 Detroit City Code, *Housing*, by
3 adding Article V, *Fair Chance Access to Rental Housing*, consisting of Sections 26-5-1 through
4 26-5-20, to provide for the maintenance and protection of the health, safety and general welfare of
5 the public and to provide citizens with criminal records a fair opportunity to secure housing by
6 regulating the use of criminal background checks as part of the tenant screening process, thereby
7 facilitating re-integration into society and reducing the likelihood those citizens will reoffend; to
8 establish that the City undertaking is limited to promotion of the general welfare; to set forth
9 definitions and applicability of the article; to regulate the use and inquiry of criminal convictions
10 by housing providers; to establish standards for adverse action; to set forth exceptions to this
11 article; to establish procedures for the use of evidence of rehabilitation or other mitigating factors
12 in housing decisions; to require individualized assessments in certain circumstances; to set forth
13 notice and posting requirements for housing providers; to establish guidelines for maintenance of
14 records by housing providers; to protect the exercise of rights and prohibit retaliation; to require
15 community outreach; to set forth confidentiality provisions; to establish implementation and
16 enforcement provisions, including penalties for violations; and to establish administrative rules
17 and annual reporting requirements.

18 **IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT THAT:**

19 **Section 1.** Chapter 26 of the 1984 Detroit City Code, *Housing*, be amended by adding
20 Article V, *Fair Chance Access to Rental Housing*, consisting of Sections 26-5-1 through 26-5-20,
21 to read as follows:
22

1 Chapter 26. HOUSING

2 Article V. Fair Chance Access to Rental Housing

3 Sec. 26-5-1. Purpose.

4 The purpose of this article is to enhance the health, safety and general welfare of the public
5 by ensuring citizens with arrest and conviction records have a fair opportunity to secure housing
6 by regulating the use of criminal background checks as part of the tenant screening process, thereby
7 facilitating re-integration into society, reducing recidivism and its associated criminal justice and
8 societal costs. Barriers to opportunities for people with arrest or conviction records increase
9 recidivism and jeopardize the safety of the public, disrupt the financial and overall stability of
10 affected families and communities, and impede the City from achieving its maximum potential of
11 economic growth.

12 Sec. 26-5-2. City undertaking limited to promotion of general welfare.

13 (a) This article does not intend, and shall not be construed, to require a housing
14 provider to give preference to anyone or to rent to an unqualified tenant with an arrest or conviction
15 record. Moreover, this article shall not be construed to limit a housing provider's ability to choose
16 the most qualified and appropriate candidate from applicants for housing.

17 (b) This article does not intend, and shall not be construed, to create or impose a duty
18 or create a private cause of action against the City, its elected officials, appointees, officers, agents,
19 or employees.

20 Sec. 26-5-3. Definitions.

21 For the purposes of this article, the following words and phrases shall have the meaning
22 respectively ascribed to them by this section:

23 Administering agency means the City's Department of Civil Rights, Inclusion and

1 Opportunity or CRIO.

2 Adverse action means to evict an individual, fail or refuse to rent or lease real property to an
3 individual, or fail or refuse to continue to rent or lease real property to an individual, or fail or
4 refuse to add a household member to an existing lease, or to reduce any tenant subsidy. The adverse
5 action must relate to real property located in the City of Detroit.

6 Applicant means an individual applying to rent or lease eligible housing. It also includes an
7 individual applying to be added to an existing lease for eligible housing.

8 Arrest means a record from any jurisdiction that does not result in a conviction and includes
9 information indicating that a person has been questioned, apprehended, taken into custody or
10 detained, or held for investigation by a law enforcement, police, or prosecutorial agency or charged
11 with, indicted, or tried and acquitted for any felony, misdemeanor, or other criminal offense.
12 Arrest is a term that is separate and distinct from, and that does not include, unresolved arrest.

13 Background check report means any criminal history report, including but not limited to those
14 produced by the Michigan State Police, the Federal Bureau of Investigation, other law enforcement
15 or police agencies, courts, or by any consumer reporting, or tenant screening, agency or business.

16 Conviction means a record from any jurisdiction that includes information indicating that a
17 person has been convicted of a felony or misdemeanor, provided that the conviction is one for
18 which the person has been placed on probation, fined, imprisoned or paroled. Those matters
19 identified in Section 26-5-5 about which a housing provider may not inquire and as to which they
20 may not base an adverse action, are not considered convictions for purposes of this article.

21 Conviction history means information regarding one or more convictions or unresolved
22 arrests, transmitted orally or in writing or by any other means, and obtained from any source,
23 including but not limited to the individual to whom the information pertains or a background check

1 report.

2 *Directly-related conviction* means that the conduct for which the person was convicted or that
3 is the subject of an unresolved arrest that has a direct and specific negative bearing on the health,
4 safety, or right to peaceful enjoyment of the premises by persons and includes one or more of the
5 offenses listed in Section 26-5-6(b).

6 *Eligible housing* means any property in the City of Detroit available for rent or lease where a
7 single structure contains more than four (4) dwelling units.

8 *Enforcing agency* means the Detroit Police Department or DPD.

9 *Evidence of rehabilitation or other mitigating factors* means, but shall not be limited to, a
10 person's satisfactory compliance with all terms and conditions of parole or probation (however,
11 inability to pay fines, fees, and restitution due to indigence shall not be considered noncompliance
12 with terms and conditions of parole or probation or both); employer recommendations, especially
13 concerning a person's post-conviction employment; educational attainment or vocational or
14 professional training since the conviction, including training received while incarcerated;
15 completion or active participation in rehabilitative treatment e.g., alcohol or drug treatment; letters
16 of recommendation from community organizations, counselors or case managers, teachers,
17 community leaders or probation or parole officers who have observed the applicant since his or
18 her conviction(s); and the age of the person at the time of the conviction. Successful completion
19 of parole, probation, mandatory supervision, or post release community supervision shall create a
20 presumption of rehabilitation. Examples of mitigating factors that are offered voluntarily by the
21 person may include, but are not limited to, explanation of the precedent coercive conditions,
22 intimate physical or emotional abuse, or untreated substance abuse or mental illness that
23 contributed to the conviction.

1 Housing provider means any entity that owns, master leases, manages, or rents eligible
2 housing in the City of Detroit. Any agent, such as a property management company, that makes
3 tenancy decisions on behalf of the aforementioned entities shall also be considered a housing
4 provider.

5 Inquire means any direct or indirect conduct intended to gather information from or about an
6 applicant, potential applicant or candidate, using any mode of communication, including but not
7 limited to application forms, interviews, and background check reports.

8 Person means any individual, partnership, firm, company, corporation, association, sole
9 proprietorship, limited liability company, joint venture, estate, trust, or any other legal entity.

10 Unresolved arrest means an arrest that is undergoing an active pending criminal investigation
11 or trial that has not yet been resolved. An arrest has been resolved if the arrestee was released and
12 no accusatory pleading was filed charging him or her with an offense, or if the charges have been
13 dismissed or discharged by the prosecuting attorney or the court.

14 **Sec. 26-5-4. Applicability; eligible housing.**

15 This article shall apply to all housing providers with eligible housing as defined in this article
16 available for rent or lease located in the City of Detroit.

17 **Sec. 26-5-5. Prohibition on housing provider to inquire into criminal convictions of**
18 **applicants and their household members until being interviewed or qualified; basis for**
19 **adverse action.**

20 (a) Except as provided in Section 26-5-6, housing providers shall not:

21 (1) Inquire about or require applicants to disclose conviction history as part of tenant
22 screening process until the housing provider has first:

23 (i) Determined the applicant is qualified to rent the housing unit under all of the

1 housing provider's criteria not related to potential past criminal convictions or
2 an unresolved arrest; and

3 (ii) Provided to the applicant a conditional lease agreement that commits the unit to
4 the applicant as long as the applicant passes the conviction history review.

5 (2) Base an adverse action in whole or in part on:

6 (i) An unresolved arrest or an arrest not leading to a conviction;

7 (ii) Participation in or completion of a diversion or a deferral of judgment program;

8 (iii) A conviction that has been judicially dismissed, expunged, voided, invalidated
9 or otherwise rendered inoperative by a court of law or by executive pardon.

10 (iv) A conviction or any other determination or adjudication in the juvenile justice
11 system, or information regarding a matter considered in or processed through
12 the juvenile justice system;

13 (v) A misdemeanor conviction that is more than 5 years old, measured from the date
14 of sentencing; or

15 (vi) Information pertaining to an offense or violation other than a felony or
16 misdemeanor, such as a civil infraction.

17 (3) A housing provider shall not include questions regarding or require applicants to
18 disclose on any housing application the facts or details of any conviction history or
19 any matter identified in Subsection (2) of this Section.

20 (b) It is the responsibility of a housing provider to ensure that its employees and agents
21 comply with this article.

22 **Sec. 26-5-6. Exceptions to prohibition.**

23 (a) This article does not limit the right of a housing provider to take any of the

1 following actions:

2 (1) Conduct conviction history or obtain background check reports on applicants where
3 there is a statutory duty to do so; or

4 (2) Notify applicants that applicable laws, including those set forth in Subsection (b) of
5 this Section will disqualify an individual with a particular conviction history from
6 eligibility for tenancy.

7 (b) Regarding applicants and their household members, a housing provider may base
8 an adverse action in whole or in part on directly-related convictions that have a direct and specific
9 negative bearing on the safety of persons or real property, given the nature of the housing, and
10 includes one or more of the following:

11 (1) Any conviction where state or federal law prohibits the applicant from being eligible
12 for public housing; or

13 (2) Any conviction that leads to the applicant becoming a lifetime registered sex
14 offender; or

15 (3) Any conviction for violent or drug-related felonies; or

16 (4) Conviction for felonies committed within the last 10 years or imprisonment for
17 felonies within the last 5 years; or

18 (5) Any conviction for crimes against landlords, management agents, their employees or
19 agents, or other tenants or real property; or

20 (6) Any conviction or plea to any crime involving arson; or

21 (7) Any conviction or plea to any crime involving metal theft, vandalizing or otherwise
22 damaging real property.

1 **Sec. 26-5-7. Procedures for use of evidence of rehabilitation or other mitigating factors in**
2 **housing decisions; requirement for individualized assessment.**

3 (a) Consistent with the procedures in this section and subject to state and federal law,
4 a housing provider shall offer the applicant a reasonable opportunity to present evidence of
5 rehabilitation or other mitigating factors related to convictions within the previous 5 years.

6 (b) In reviewing an applicant's criminal history and making a decision related to
7 eligible housing based on such history, a housing provider shall conduct an individualized
8 assessment, considering only:

9 (1) Convictions that warrant denial based on local, state or federal law; and

10 (2) Time that has elapsed since the conviction; and

11 (3) Whether it is a directly-related conviction that has direct and specific negative
12 bearing on the safety of persons or real property; and

13 (4) Any evidence of inaccuracy or evidence of rehabilitation or other mitigating factors
14 presented by the applicant.

15 (c) If a housing provider intends to base an adverse action related to eligible housing
16 on an item or items in the applicant's conviction history, prior to taking any adverse action the
17 housing provider shall provide the applicant with a copy of the background check report, and shall
18 notify the applicant of the prospective adverse action and the items forming the basis for the
19 prospective adverse action.

20 (d) If, within 14 calendar days of the date that the notice described in Subsection (c) of
21 this Section is provided by the housing provider to the applicant, the applicant gives the housing
22 provider notice in writing of evidence of the inaccuracy of the item or items of conviction history
23 or evidence of rehabilitation or other mitigating factors set forth in this Section, the housing

1 provider shall delay any adverse action for a reasonable period of not less than 5 calendar days
2 after receipt of the information. During that time the housing provider shall reconsider the
3 prospective adverse action in light of the information provided by the applicant or potential
4 applicant.

5 (e) The housing provider shall promptly notify the applicant of any final adverse action
6 based upon their conviction history or contents of the criminal background check.

7 (f) It shall be unlawful for any housing provider to engage in any communication,
8 including the production or dissemination of advertisements, related to eligible housing that
9 expresses, directly or indirectly, that any person with an arrest or conviction record will not be
10 considered for the rental or lease of real property or may not apply for the rental or lease of real
11 property, except as required by local, state, or federal law. For purposes of this Subsection,
12 engaging in a communication includes, but is not limited to, making a verbal statement or
13 producing or disseminating any solicitation, advertisement, or signage.

14 **Sec. 26-5-8. Notice and posting requirements for housing providers.**

15 (a) A housing provider shall state in all solicitations or advertisements for the rental or
16 lease of eligible housing, or made on their behalf, that the housing provider shall consider qualified
17 applicants consistent with this article. This language shall include, at minimum, the following
18 statement:

19 “The rental or lease of this property must comply with the City of Detroit ordinance
20 regulating the use of criminal background checks as part of the tenant screening
21 process to provide citizens with criminal backgrounds a fair opportunity. For
22 additional information, please contact the City of Detroit Office of Civil Rights,
23 Inclusion and Opportunity.”

1 **(b) The administering agency shall publish and make available to housing providers,**
2 **in all languages spoken by more than 5% of the city population, a notice suitable for posting that**
3 **informs applicants for eligible housing of their rights under this article. This notice shall be updated**
4 **on or before December 1st of any year in which there is a change in the languages spoken by more**
5 **than 5% of the city population.**

6 **(c) In addition to the requirements for solicitations or advertisements in Subsection (a)**
7 **of the Section, housing providers shall post a notice prominently on their website and at any**
8 **location under their control that is frequently visited by applicants or potential applicants for the**
9 **rental or lease of eligible housing in the City. This notice shall also be available to applicants in**
10 **hard copy and provided with an application. The notice requirements in this Section shall contain**
11 **the following additional information which may be summarized by the housing provider or**
12 **available from the administering agency pursuant to 26-5-14(a)(1):**

13 **(1) A description of those matters identified in Section 26-5-5 that may not be considered**
14 **by the housing provider;**

15 **(2) A description of the restrictions and requirements that Section 26-5-5 imposes on**
16 **housing providers when inquiring about conviction history in connection with an**
17 **application for the rental or lease of eligible housing in the City;**

18 **(3) The circumstances and timeline under which the applicant or potential applicant has**
19 **a right to provide evidence of rehabilitation and other mitigating factors as provided**
20 **in Section 26-5-7; and**

21 **(4) The telephone number, email address, and mailing address of the administering**
22 **agency that the applicant or potential applicant may use to make a report if he or she**
23 **believes the housing provider has violated this article in their interactions with the**

1 applicant or potential applicant.

2 **Sec. 26-5-9. Housing Provider records.**

3 (a) Unless prohibited by federal or state law, a housing provider shall maintain and
4 retain records of tenant application forms, and other pertinent data and records required under this
5 article, for a minimum of one year from the date of application, and shall allow the administering
6 or enforcing agencies access to such records, with appropriate notice and at a mutually agreeable
7 time, to monitor or verify compliance with the requirements of this article.

8 (b) At no time shall the administering or enforcing agencies require a housing provider
9 to provide any information or documents the disclosure of which would violate local, state or
10 federal law.

11 (c) Where a housing provider does not maintain or provide adequate records
12 documenting compliance with this article or does not allow reasonable access to such records, the
13 Office of the Chief Financial Officer or other city department or agency shall have the authority
14 to provide all nonfinancial information necessary to fulfill the administering or enforcing agencies
15 responsibilities under this article subject to confidentiality provisions of this article and all
16 applicable laws.

17 **Sec. 26-5-10. Exercise of rights protected; retaliation prohibited.**

18 (a) It shall be unlawful for a housing provider or any other person to interfere with,
19 restrain, or deny the exercise of, or the attempt to exercise, any right provided under this article.

20 (b) It shall be unlawful for a housing provider to interrupt, terminate, or fail or refuse
21 to initiate or conduct a transaction involving the rental or lease of eligible housing, including
22 falsely representing that such property is not available for rental or lease, or otherwise take adverse
23 action against a person in retaliation for exercising rights protected under this article. Such rights

1 include but are not limited to:

2 (1) The right to file a complaint or inform any person about a housing provider's alleged
3 violation of this article;

4 (2) The right to inform the administering agency about a housing provider's alleged
5 violation of this article;

6 (3) The right to cooperate with the administering or enforcing agencies or other persons
7 in the investigation or prosecution of any alleged violation of this article; or

8 (4) The right to inform any person of his or her rights under this article.

9 (c) Protections of this Section shall apply to any person who mistakenly but in good
10 faith alleges violations of this article.

11 (d) Taking adverse action against a person within 90 calendar days of the exercise of
12 one or more of the rights described in this Section shall create a rebuttable presumption in the
13 administering agency's investigation that such adverse action was taken in retaliation for the
14 exercise of those rights.

15 **Sec. 26-5-11. Community Outreach.**

16 (a) The administering agency, in consultation with the Mayor's Office, may establish
17 a community-based outreach program to conduct education and outreach to applicants and
18 potential applicants for housing regarding rights and procedures under this article. The program
19 may be targeted at individuals or communities where, in the judgment of the administering agency,
20 the need for education and outreach is greatest.

21 (b) In establishing an outreach program pursuant to Subsection (a) of this Section, the
22 administering agency may partner with community-based organizations. Nothing in this Section
23 shall preclude the administering agency, by contract or grant, and consistent with other provisions

1 of local laws, from engaging the services of such organizations in establishing such community-
2 based outreach programs, participating in such programs, or developing materials for such
3 programs. Nothing in this Section shall preclude the administering agency from combining the
4 outreach programs required by Subsection (a) of this Section with other related community
5 outreach programs.

6 **Sec. 26-5-12. Confidentiality.**

7 The City shall keep confidential, to the extent permitted by applicable laws, any identifying
8 information or other data pertaining to an applicant's criminal history.

9 **Sec. 26-5-13. Implementation and enforcement; penalties.**

10 (a) The administering agency shall investigate complaints regarding a housing
11 provider's alleged violation of this article. The administrative agency may engage third party
12 assistance to conduct its investigation.

13 (1) Where the Director of the administering agency determines that a violation has not
14 occurred, he or she shall issue a determination that a housing provider is not in
15 violation of this article. This determination shall be provided to the housing provider
16 and the complainant.

17 (2) Where the Director of the administering agency determines that a violation has
18 occurred, he or she shall issue a determination that a housing provider is in violation
19 of this article; provided, however, for a first violation, or for any violation during the
20 first twelve months following the operative date of this article, the Director must
21 issue warnings and notices to correct, and offer the housing provider technical
22 assistance on how to comply with the requirements of this article. For a second
23 violation, the administering agency shall refer its determination for each applicant as

1 to whom the violation occurred or is continuing to the enforcing agency for action,
2 to the housing provider and the complainant.

3 (3) Where the Director of the administering agency determines that a violation has
4 occurred, he or she shall forward a copy of the determination to the State of Michigan
5 Department of Civil Rights for consideration.

6 (b) The administering agency, in consultation with the Mayor's Office, is authorized
7 to take appropriate steps to assist in the enforcement of this article, including the investigation of
8 any possible violations of this article. The administering or enforcing agencies shall not find a
9 violation based on a housing provider's decision that an applicant's conviction history is directly
10 related unless the housing provider failed to conduct the individualized assessment as required
11 under Section 26-5-7.

12 (c) If multiple applicants are impacted by the same violation at the same time e.g. all
13 applicants for a certain housing unit are asked for their conviction history on the initial application,
14 each violation shall be treated as a separate violation.

15 (d) In accordance with Section 4i(k) of the Michigan Home Rule Cities Act, being
16 MCL 117.4i(k), the penalty upon conviction for violation of this article shall be imprisonment for
17 not more than 90 days or a fine of not more than \$500.00, or both, for each such violation, in the
18 discretion of the court.

19 (e) An applicant or potential applicant may report to the administering agency any
20 suspected violation of this article within 60 calendar days of the date the suspected violation
21 occurred. The City shall encourage reporting pursuant to this Subsection by keeping confidential,
22 to the maximum extent permitted by applicable laws, the name and other identifying information
23 of the applicant or potential applicant reporting the violation; provided, however, that with the

1 authorization of such person, the City may disclose his or her name and identifying information as
2 necessary to enforce this article or for other appropriate purposes, which shall include enabling the
3 housing provider to respond to the alleged violation as part of an investigation by the administering
4 agency.

5 **Sec. 26-5-14. Implementation and enforcement; administrative rules and annual reporting**
6 **requirements.**

7 (a) Within 120 calendar days after the effective date of the ordinance that added this
8 article, the administering agency shall promulgate administrative rules pursuant to Section 2-111
9 of the Charter. These rules shall include, at minimum, procedures for the following:

10 (1) Preparing standardized language for the notice in Sec. 26-5-8(c) that housing
11 providers may use to satisfy the requirements of that Subsection.

12 (2) Timeframe and process, including notification, for the following:

13 (i) To housing providers that a complaint has been filed alleging violation of
14 this article and that an investigation will occur;

15 (ii) Provide the housing provider a right to respond to the allegations in the
16 complaint;

17 (iii) Receipt and consideration by the administering agency of any response and
18 supporting information from a housing provider regarding the alleged violation; and

19 (iv) Dissemination of the administering agency's determination of whether an
20 alleged violation in the complaint was substantiated to the housing provider and
21 complainant. If a violation is substantiated, dissemination to the enforcing agency
22 and State of Michigan Department of Civil Rights.

23 (b) The administering and enforcing agencies shall prepare and jointly submit an

1 annual report to the Mayor and City Council that includes, at a minimum, the following
2 information for the preceding year:

3 (1) The number and types of complaints it received alleging violations of this article;

4 (2) The number and types of violations of this article represented by the number of
5 determinations issued by the Director of the administering agency substantiating the
6 alleged violations;

7 (3) The number and types of violations of this article represented by the number of
8 determinations issued by the Director of the administering agency where the
9 allegations of violations of this article were unsubstantiated;

10 (4) The number and types of determinations forwarded to the State of Michigan
11 Department of Civil Rights;

12 (5) The number and types of tickets issued by the enforcing agency;

13 (6) Data regarding the outcome of tickets issued in court itemizing the number of
14 dismissals, convictions or plea arrangements, including the penalties assessed; and

15 (7) The costs associated with the implementation and administration of this article.

16 **Sec. 26-5-15 – 26-5-20. Reserved.**

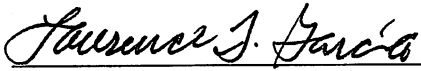
Section 2. This ordinance is hereby declared necessary to preserve the public peace, health, safety, and welfare of the People of the City of Detroit.

Section 3. All ordinances, or parts of ordinances, that conflict with this ordinance are repealed.

Section 4. In the event this ordinance is passed by two-thirds (2/3) majority of City Council Member serving, it shall be given immediate effect and become effective upon publication in accordance with Section 4-118 of the 2012 Detroit City Charter. Where this ordinance is passed by less than a two-thirds (2/3) majority of City Council Members serving, it shall become effective

on the thirtieth (30) day after enactment, or on the first business day thereafter, in accordance with
Section 4-118 of the 2012 Detroit City Charter.

Approved as to form:



Lawrence T. García
Corporation Counsel