



George E. Pataki
Governor

NEW YORK STATE
OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE
40 NORTH PEARL STREET
ALBANY, NEW YORK 12243-0001

Dorian J. Wing
Commissioner

February 20, 1998

Ian F. Feldman, Esq.,
The Legal Aid Society
953 Southern Boulevard
Bronx, NY 10459

Re: Rodriguez v. Blum
Annunziata v. Blum

Dear Mr. Feldman:

This is in response to your letter of February 9, 1998, to Commissioner Wing, in which you expressed your concern that the Office of Temporary Assistance (OTDA) and the New York City Human Resources Administration have been in violation of the stipulations and judgments in the above-referenced cases.

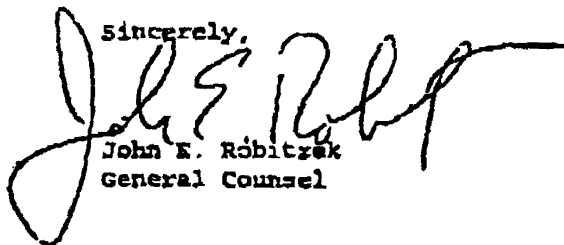
Please be advised that the OTDA takes seriously its responsibility to comply with the directives in these cases, and hearing officers in the Office of Administrative Hearings are reminded periodically of the requirements concerning the production of the case record at fair hearings. A copy of the most recent memorandum, which was distributed on August 23, 1996, is attached for your information.

It is my understanding that these practices are being followed. In 1997, for example, 62,851 notices were withdrawn because of HRA's failure to produce the relevant case record, and 20,253 reversals were issued on the same basis.

Since your letter did not provide any examples of the reported violations, it would be helpful if you would advise us of any specific cases in which you believe such violations have occurred, so that appropriate corrective action can be taken as soon as possible. To ensure that any problem is expeditiously addressed, please bring this information to the attention of Russell J. Hanks, Deputy General Counsel for the Office of Administrative Hearings with a copy to me.

I trust that this adequately addresses your concerns. If you would like to discuss this matter further, please feel free to give me a call at 518-474-9502.

Sincerely,

A handwritten signature in black ink, appearing to read "John E. Róbitzek". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

John E. Róbitzek
General Counsel

Attachment

cc: Russell J. Hanks
Sebastian Addamo
Henry Pedicone