



Division of Human Rights

KATHY HOCHUL
Governor

DENISE M. MIRANDA, ESQ.
Commissioner

June 4, 2025

Andrea C. Miller
Executive Deputy Comptroller
Office of the State Comptroller
Division of State Government Accountability
110 State St – 11th Floor
Albany, NY 12236-0001

Re: Required 180-day response to OSC report 2023-S-26 Investigation of Housing Discrimination Complaints

Dear Andrea C. Miller:

In compliance with the required 180-day response to the State Comptroller's October 2024 final audit report on the Division of Human Rights' investigation of housing discrimination complaints, I am pleased to provide the following updates reflecting key milestones in our continued efforts to address and build on the recommendations identified in your office's audit report.

The Division of Human Rights is dedicated to eliminating discrimination, remedying injustice, and promoting equal opportunity, access, and dignity. Our Housing Investigations Unit (HIU) investigates complaints of housing and housing-related credit discrimination. We appreciate your office's efforts to review HIU's work and identify important opportunities to improve the Unit's operations, and we remain confident that the resulting reforms will significantly improve the agency's efforts to protect all New Yorkers from unlawful discrimination.

As described in greater detail below, the Division has undertaken major efforts to improve all aspects of the agency's operations—both within HIU and across other units—from complaint intake through final adjudication. This includes major changes and additions to the agency's executive leadership team; establishing an internal audit unit, a training unit, and a solutions development unit; launching a complete overhaul of the agency's complaint intake process; preparing to completely replace and significantly upgrade the agency's outdated Case Management System; hiring new investigators and support staff to address complaints expeditiously; and much more.

I remain excited about the Division's future and look forward to continuing the transformative work underway at this agency. Our team is more dedicated than ever to ensuring the Division of Human Rights provides the fair, timely, and reliable support that all New Yorkers deserve.

Below you will find a summary of major actions underway within the Division as they relate to each of the recommendations identified in your office's final audit report:

Recommendation 1: Establish adequate internal controls over the handling, processing, and investigations of all complaints—including those deemed defective—and ensure that all complaints are handled on time and appropriately, including:

- Developing and implementing comprehensive written procedures that include a streamlined process for handling and tracking all incoming housing discrimination complaints in a timely and consistent manner.
- Monitoring and segmenting the duties of the staff responsible for logging, tracking, and completing the initial review of complaints.
- Conducting ongoing reconciliations of DHR's various intake logs with CMS records.
- Providing adequate training for all staff involved in the complaint intake, processing, and investigation process.
- Actively monitoring DHR's intake and investigation procedures to ensure that complaints—including those marked as defective and as non-federal cases—are handled on time and appropriately.

Division Response: *The Division continues to engage in extensive efforts to streamline and significantly improve oversight of the complaint process from intake through adjudication.*

Since the issuance of the Office of the State Comptroller's final audit report in October 2024, the Division has implemented major improvements to our intake process—not just within HIU but across the entire agency. In April 2025, the Division launched the first of four planned phases to streamline the Division's intake process and place it under the supervision of an Associate Deputy Commissioner, who is an attorney, to ensure a consistent approach for handling all complaints of discrimination submitted to HIU or to any other unit within the Division. As noted in the final audit report, the agency's complaint intake process was previously decentralized. Under the newly-launched centralized intake process, a dedicated Intake Unit, supervised by the Associate Deputy Commissioner of Intake, will receive every report of discrimination submitted to the agency and will follow a standardized process to determine whether a complaint is within the agency's jurisdiction and whether the complaint form has been fully and properly completed. In circumstances where additional information is needed from a complainant, Intake Unit staff will work directly with complainants to gather additional information and ensure that their complaints are complete before being served on respondents and assigned to an investigator. The Associate Deputy Commissioner of Intake is a newly created position in the Division. Any claim of discrimination that is determined to be outside the Division's jurisdiction or otherwise defective will have that determination reviewed and confirmed by at least two staff members in the Intake Unit and finally, approved by the Unit's principal. The Associate Deputy Commissioner will consult with the Division's Office of General Counsel for input, where necessary, and will serve as the final authority in the intake process.

The Division has also taken critical steps to ensure that all complaints submitted to HIU or any other unit within the agency are properly logged and tracked. As noted above, all claims of discrimination submitted to the Division are now routed to the centralized Intake Unit for initial processing, which includes promptly logging new complaints into the Division's Case Management System. To ensure that all complaints received are properly logged and entered into the system, the Division's Solutions Development Team conducts routine reconciliations between complaint submission logs and the records in the Case Management System. This work is further

checked through a combination of routine reconciliations and periodic audits conducted by the Division's Internal Audit Unit.

The next major phase of the Division's intake process overhaul is scheduled for early Summer 2025, at which point the Division anticipates migrating to an agent-facilitated method to receive reports of discrimination through the Human Services Call Center, which is overseen by the Office of Children and Family Services and utilized by numerous state agencies for similar standardized human services functions. This will coincide with the launch of an improved online form, which is being built in partnership with the Office of Information Technology Services. Once launched, information received either through the call center or the publicly available online form will be automatically uploaded into the Division's Case Management System, vastly improving intake efficiency and reducing opportunities for human error in the process of logging and tracking complaints into agency records.

Staff within the dedicated Intake Unit will be assigned to promptly review reports of discrimination and work directly with complainants to resolve defects in their filing and ensure a properly completed complaint can be transmitted to the investigations team. By building this process into the agency's intake procedures, the Intake Unit will ensure that all complaints are complete and properly filed before being served on respondents and assigned to an investigator. This will, in turn, allow the investigation to proceed with greater efficiency, increase the timeline for resolution of complaints, and improve the experience of interacting with the Division for everyone involved.

In addition to these critical intake process improvements, the Division has also taken steps to significantly enhance internal trainings, controls, and case management technology that will further benefit intake and investigations processes within HIU and across the entire agency:

- The Division's new Internal Audit Unit is now fully staffed, has engaged in two audits to date, and is actively developing an upcoming annual audit plan with input from Executive Leadership.*
- In 2024, the Division hired a new Director of Training to help ensure a robust, regular, and consistent training schedule on all of the agency's policies and procedures. Since then, the Division's Training Unit has developed a comprehensive training curriculum for all new and existing staff involved in the complaint process from intake through adjudication. The Division also holds periodic all-staff meetings to communicate vital information, which will include ongoing education for existing staff about the different units within the Division. Since the Unit's inception, staff have received training on a myriad of topics including Fundamentals of Investigations, Standards for Probable Cause, Understanding Due Process, Jurisdiction Under the Human Rights Law, and Case Management Principles.*
- The Division's Solutions Development team has been actively engaged in continuous improvement activities throughout the entire agency, with a special focus on intake, hearings, prosecutions, investigations, and other core mission work.*

- *The Division continues to evaluate existing policies for clarity while instituting new and improved policies and procedures on a regular basis. For example, the Housing Investigations Unit has recently issued several new policies, procedures, and directives, including, but not limited to, implementing a fully paperless process, requiring that responses and rebuttals (or at least two attempts to obtain such) are present in cases before assigning them to investigators, and sending a new and improved Request for Information to respondents at the same time the Division serves the complaint. These new initiatives help HIU streamline their investigation process and will ultimately lead to improvements in the timeframes to resolve cases.*
- *The Division continues to work to procure a new Case Management System to replace the current system, which will allow the agency to process and manage complaints more efficiently and effectively. The Division's substantial work to streamline existing processes across units involved in intake and complaint adjudication has been critical to identifying the necessary components and capabilities that our new Case Management System must include. We are confident we have laid the groundwork for a successful procurement to build a system that will benefit the agency for years to come.*

Recommendation 2: Improve oversight of the investigation process to identify reasons for delays in case processing times and ensure case determinations are consistent and accurate.

Division Response: *Since 2024, in addition to hiring and promoting staff into key leadership positions, HIU hired 11 investigators and 3 administrative staff (increasing the unit by approximately 30% in size) to resolve fair housing complaints quicker. The Division has also made key leadership appointments to provide enhanced oversight of investigative staff within the HIU and across the entire agency, including the appointment of a new Deputy Commissioner for Investigations, an Acting Assistant Deputy Commissioner for Investigations, an Assistant Director for Housing Investigations, a Director of Internal Audit, a Director of Training, and more. Additionally, Governor Hochul has provided significant resources to the Division to support the agency's efforts to improve case management processes and reduce delays in case processing times. This includes the allocation of dozens of new staff to the agency (increasing the agency fill by 52%), as well as an \$11 million increase in agency appropriations in the FY2025-26 Enacted Budget. This resource expansion is critical and will help the Division continue to hire staff and procure the tools necessary to promptly, consistently, and accurately investigate complaints filed with our agency.*

To improve data-driven investigations oversight and management, the Division's Solutions Development Unit continues to work closely with the Office of Information Technology Services to utilize the data in our Case Management System to build metrics and dashboards to enhance case monitoring and help identify issues that may contribute to delays or other challenges in case processing times. This will improve the Division's ability to readily identify issues that require escalation and attention for resolution and will facilitate improved consistency and accuracy in case determinations across the agency.

To further ensure accurate and consistent case determinations, HIU, under the direction of the Unit's Assistant Director, is engaged in a process of reviewing each complaint of housing

discrimination received between October 2022 and December 2024 to confirm the accuracy of each case determination. Where a determination was made in error, the Division will adjust the determination and proceed accordingly, including providing complainants the opportunity to pursue their claims in the event a prior determination incorrectly resulted in the dismissal of their complaint. This will ensure that the Division's efforts to guarantee consistency in the review and determination procedures do not only benefit future complainants, but also those who have filed in the past several years.

In addition to these measures, the Division is also engaged in a complete review of investigatory processes with the goal of identifying and remediating duplicative or otherwise unnecessary administrative case management procedures and resolving cases in a timely manner. This review and any subsequent case management improvements are focused on increasing efficiency and revising or eliminating current processes that slow down investigations or create increased opportunities for administrative errors. Early successes in HIU from this effort include transitioning to a paperless case management process and initiating complaint conciliation efforts earlier in the investigation, where possible, to bring more immediate relief to complainants. Any additional changes as a result of this ongoing evaluation will be assessed to ensure they have no adverse impact on existing or prospective complainants or the quality of Division investigations.

Recommendation 3: Develop a mechanism to promptly assign investigators to housing discrimination complaints and ensure all complaints are investigated as required by law.

Division Response: *The Division's new centralized Intake Unit, described in more detail in our response to Recommendation 1 above, will allow the Division to serve complaints and transfer them for investigation in a timely manner—both for housing discrimination complaints and any other type of discrimination complaint filed with our agency. The Intake Unit will accomplish this by applying a consistent, standardized review of all complaints and working promptly and directly with complainants to ensure that all necessary information is included in the complaint before it is served and assigned to an investigator. The Division is also implementing an initiative to resolve the oldest cases in our inventory, which will ultimately enable investigators to begin new investigations timelier. The Director and Assistant Director in the HIU, along with Regional Directors across the agency, will continue to provide oversight and direction to ensure all complaints are investigated properly and following the correct procedures. The Division is also developing standardized processes for naming complaints based upon their status in the investigation lifecycle. This will ensure that reports from the Case Management System accurately reflect the disposition of cases, including those ready for assignment to an investigator.*

Recommendation 4: Investigate complaints in the order in which they were filed, regardless of federal status, to ensure all investigations are initiated within 30 days.

Division Response: *The Division has directed HIU staff to investigate complaints in the order in which they were filed; however, management may identify extraordinary circumstances that warrant investigating certain complaints in an expedited timeframe and this direction has been overseen and monitored by the Deputy Commissioner of Investigations. Management has*

reminded staff of their obligation to initiate investigations within 30 days and will continue to monitor caseload and progress to ensure timely investigations occur.

Thank you, again, for your examiners' insights and professionalism throughout your office's audit of our agency's Housing Investigations Unit. The resulting final audit report has been the catalyst for many of the positive changes outlined in this update, and we look forward to our continued improvement in the months to come. While this report focuses on the 180 days following the issuance of your office's final audit report, the Division remains committed to long-term improvements that will not only address the recommendations identified by your office, but build on them to ensure that every aspect of the Division's operations are strengthened in a manner that will have lasting impact on New Yorkers. We are confident that our efforts will accomplish this goal, and we remain grateful for the opportunity to continue serving the people of this great state.

Please do not hesitate to contact us should you have any questions or concerns or if you need additional information.

Respectfully,

A handwritten signature in dark ink, appearing to read 'DMiranda', with a long horizontal flourish extending to the right.

Denise M. Miranda, Esq.
Commissioner

cc. Governor Kathy Hochul
Senator Andrea Stewart-Cousins, NY State Senate President Pro Tempore and Majority Leader
Senator Carl E. Heastie, NY State Assembly Speaker
Assembly Member Crystal D. Peoples-Stokes, NY State Assembly Majority Leader
Senator Liz Kruger, Chair and Ranking Majority Member of the NY State Senate Finance Committee
Assembly Member J. Gary Pretlow, Chair of the NY State Assembly Ways and Means Committee