



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
Fort Worth Satellite Office, CVS6
Fritz G. Lanham Federal Building, Suite 13A47
819 Taylor Street, Fort Worth, TX 76102
TELEPHONE: (817) 978-9500; FAX (817) 978-9504

OFFICE OF GENERAL COUNSEL
DEPARTMENTAL ENFORCEMENT CENTER

MAY 9 2018

CERTIFIED MAIL- RETURN RECEIPT REQUESTED

Barbour Garden, LLC
ATTN: Getzel Fish
1123 40th Street
Brooklyn, NY 11218

SUBJECT: Notice of Default of Housing Assistance Payments Contract

Project Name:	Infill I Apartments
Project Location:	Hartford, CT
HAP Contract Number:	CT26E000015
iREMS Number:	800028345

Dear Mr. Fish:

This letter constitutes formal notice by the Secretary of the U.S. Department of Housing and Urban Development (“HUD”) that Barbour Garden, LLC (“Owner”), owner of Infill I Apartments (“Project”), is in default of the Housing Assistance Payments (“HAP”) Contract originally entered into as of September 30, 1982 (“Original HAP”) and most recently renewed with a Basic Renewal Contract effective July 6, 2017 (“HAP Renewal”). In Paragraph 2.5 (a) of the Original HAP, the Owner contracted to maintain and operate the contract units, unassisted units, if any, and related facilities to provide decent, safe, and sanitary housing. In Paragraph 6(b) of the HAP Renewal, the Owner warrants that the rental units to be leased under the HAP Renewal are in decent, safe and sanitary condition, as defined by HUD, and shall be maintained in such condition during the term of the HAP Renewal. This standard is set forth in HUD regulation 24 C.F.R. § 5.703.

On February 1, 2018, the Real Estate Assessment Center (“REAC”) inspected the Project and the Project received a score of 27c* (out of a possible score of 100). This is a failing score. The inspection report identified serious deficiencies that demonstrate the Owner is in default of the Original HAP and the HAP Renewal. Some of the deficiencies cited in the REAC report are: overgrown/penetrating vegetation (grounds); holes/missing sections/damaged/falling/leaning (security/safety) (fencing and gates); tripping (hazards); damaged soffits/fascia (roofs); missing breakers/fuses (electrical system); exposed wires/open panels (electrical hazards); emergency/fire exits blocked/unusable (emergency/fire exits); missing pieces/holes/spalling (walls); rats/mice/vermin (infestation); missing drain/cleanout/manhole covers (sanitary system); broken/leaking/clogged pipes or drains; water closet/toilet – damaged/clogged/missing (bathroom) holes/ missing sections/damaged/failing/leaning (security/safety)(fencing and Gates); outdoors (garbage and debris); damaged hardware/locks (doors); missing pieces/holes/spalling (walls); missing/damaged caulking/mortar (walls); exposed wires/open panels (electrical hazards); missing sprinkler hear (fire protection); and holes/missing tiles/panels/cracks (ceiling).

Accordingly, the Owner shall take the following corrective action within 60 days of the date of receipt of this Notice:

- (1) Conduct a survey of 100% of the Project, identifying all physical deficiencies;
- (2) Correct all physical deficiencies identified at the Project from the survey and the REAC inspection;
- (3) Provide a copy of this Notice of Default to each of the Project's residents;
- (4) Execute the enclosed certification that the Project is in compliance with HUD's physical condition standards of 24 C.F.R. § 5.703, all HUD contracts, and state and local codes; and
- (5) Submit the certification and a copy of the survey within 60 days of receipt of this Notice to:

U. S. Department of Housing and Urban Development
Multifamily Asset Management Division
ATTN: Diana Huot, Resolution Specialist
Multifamily Northeast Region – Manchester Field Office
275 Chestnut Street
Manchester, NH 03101-2487

and

HUD Departmental Enforcement Center
ATTN: Jerry Creamer, Enforcement Analyst
819 Taylor Street, Room 13A47
Fort Worth, TX 76102

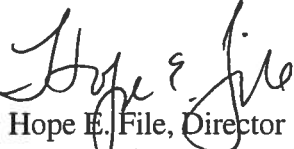
HUD will re-inspect the Project to confirm that the Owner is in compliance with its agreements with HUD. If the Owner fails to take the necessary corrective action, then HUD may, without further notice, seek any and all available remedies in accordance with the parties' business agreements and applicable laws.

For the reasons described in this Notice, HUD may flag the Owner in HUD's Active Partners Performance System ("APPS"). This flag may adversely affect the Owner's eligibility for participation in HUD programs, under HUD's Previous Participation Certification procedure, by constituting a standard for disapproval.

HUD may continue its review of any other contractual agreements between the Owner and HUD beyond the matters identified in this Notice. If HUD determines there are additional contractual violations or defaults, HUD's subsequent declaration of any such violations or defaults will not affect the requirements set out in this Notice.

If you have any questions, please contact Jerry Cremer, Enforcement Analyst at (817) 978-9553 or jerry.a.creamer@hud.gov.

Sincerely,



Hope E. File, Director
Fort Worth Satellite Office

Enclosure (Certification)

cc:

Diana Huot, Resolution Specialist, Office of Multifamily Housing
Maurice Barry, Branch Chief, Office of Multifamily Housing
Mayor Luke Bronin, City of Hartford, Connecticut

PROJECT OWNER’S CERTIFICATION THAT THE PHYSICAL CONDITION OF
Infill I Apartments 800028345
IS IN COMPLIANCE WITH HUD CONTRACTS, THE PHYSICAL CONDITION
STANDARDS OF 24 C.F.R. § 5.703, AND STATE AND LOCAL CODES

Barbour Garden, LLC (the “Project Owner”), the owner of Infill I Apartments, Hartford, Connecticut, iREMS Number 800028345 (the “Project”), by and through its duly authorized representative identified below, hereby certifies that:

1. All physical deficiencies of the Project identified in the HUD inspection(s) of the Project performed on February 1, 2018 and the attached Project Owner’s survey of the Project performed on _____, _____ have been corrected, and the Project is in compliance with the physical condition requirements of all HUD contracts pertaining to the Project and the physical condition standards of 24 C.F.R. § 5.703. The term “Project” includes all units, common areas, building(s), grounds, and systems.
2. To the best of the Project Owner’s knowledge, the Project is in compliance with all state and local codes.
3. All tenants residing at the Project have received a copy of the HUD “Notice of Default” relating to these physical deficiencies.
4. This certification is made by the Project Owner and is signed by a duly authorized representative of the Project Owner, who is so authorized by reason of his/her position as the *[State the full relationship between the signer of certification and Project Owner]*:

_____.

All of the foregoing statements, as well as the date, signature, and identifying information of the Project Owner and the signer that follows, are HEREBY CERTIFIED as true and accurate this ____ day of _____, 2018.

Project Owner: Barbour Garden, LLC

By: Signature: _____

Print Name: _____

Title: _____

WARNING: Federal statutes and regulations, including but not limited to 18 U.S.C. §§ 287, 1001, 1010 and 1012; 31 U.S.C. §§ 3729 and 3802; and 24 C.F.R Parts 24, 28 and 30, provide for criminal, civil or administrative penalties, sanctions or other regulatory actions with respect to false, fictitious, or fraudulent statements or claims presented in a matter within the jurisdiction of the U.S. Department of Housing and Urban Development.

Attachment: Project Owner’s Survey (see ¶ 1)