

ERIE COUNTY FAIR HOUSING
BOARD OF DIRECTORS QUARTERLY MEETING

AGENDA

Tuesday, May 12, 2026; 10am

Erie County Rath Building – Department of Environment & Planning
95 Franklin Street, Buffalo NY 14202

Board Invitees:

Dan Szewc – ECDSS (Chair)

Dawn Brown – BNAR

Karen King – Public Advocacy

Terri Flaherty – Belmont

Nico Soria – Western New York Law Center

Other Invitees:

Paul D’Orlando – DEP

Jean Bennett – DEP

Richard E. Stanton – Erie County Attorney’s Office

Dan Corbitt – HOME

1. Welcome

2. Approval of Minutes – February 10, 2026

- Terri Flaherty moves to approve, seconded by Dan Szewc. Passed unanimously.

3. Discussion on court ruling

➤ Paul D’Orlando:

- Ruling on March 5th from downstate dealing with entry into homeowners home in order to complete Sec. 8 inspection for voucher utilization. Court found that the entry requirement is unconstitutional, unanimously.

Next Meeting: August 11, 2026

- County law department believes there's a responsibility to take note of the decision that has been made. State AG's Office is in process of appealing the decision.
- Asks whether Sec. 8 is still proceeding with inspection requirements. Maybe HUD can change the requirement for inspections to be made?
- Terri Flaherty:
 - Belmont is carrying on business as usual without much pushback from landlords.
 - Until directive is received from HUD, they have an obligation to conduct an inspection.
- Dan Corbitt:
 - Decision has thrown things into disarray with people confused as to what their rights are. Misconception that the court struck down the Human Rights Law.
 - Some believing that municipal inspections may also come under threat.
 - Decision is limited to only SOI discrimination pertaining to Sec. 8 HCV's and the requirement of the Sec. 8 program to conduct inspections. 4th amendment concern that the inspection is an unreasonable search.
 - Other SOI claims are preserved and untouched by the decision. Only deals with the Sec. 8 HCV program.
 - Dismissed 2015 decision that the program should pass constitutional scrutiny.
 - Believes that AG is going to appeal to Court of Appeals.

Next Meeting: August 11, 2026

- NYSDHR has paused their work on Sec. 8 SOI discrimination investigation/rulings until appeal is concluded, but still accepting complaints.

4. Case Updates

- No news from County Attorney's Office.
- Have made multiple attempts to reach County Attorney's Office without any response.
- Dan Corbitt:
 - Has prior referral calling his office inquiring about progress with County Attorney. Feels as though she has had her hearing, doesn't understand the delay, and is now threatening litigation against HOME because of the delays.
 - Complainants are feeling frustrated with lack of communication and progress once referred to County Attorney's Office.
- Paul D'Orlando:
 - Need to work with Commissioner to try and find solution.

5. Hearing Update

- Need to alert parties that due to the 3rd Dept. ruling we're going to need to stay proceedings until we're able to resolve whether that leg of the SOI discrimination law is constitutional.

6. New Cases

- Possible disability and family status cases coming.

7. Adjourn

- Motion to adjourn made at 10:29 by Terri Flaherty and seconded by Karen King. Passed unanimously.

Next Meeting: August 11, 2026