

3:03cv968-MS-5

Skakel v. Murphy

Doc. 742 Att. 3

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1 A. It's basically the same thing. The only
2 thing is that whomever inputted these codes in the
3 system duplicated them.

4 Q. So it's a programming bug, as it were?

5 A. Yeah.

6 Q. And so the same thing happens when you
7 input any of those four codes, 26, 30, 36 or 40?

8 A. Yes.

9 Q. And what is that that happens?

10 A. It's just a code showing you that the
11 actual applicant is ineligible, but in the body of
12 your information it will tell you why they are
13 ineligible.

14 Q. So when you're actually looking on the
15 system, you can see why the person was ineligible?

16 A. If you are going to the note files, yes.

17 Q. And do those codes generate any letter?

18 A. A letter is generated, yes.

19 Q. And what is the letter?

20 A. The letter should go -- for example, this
21 one, number 24, says judgment. It would say on top
22 of the letter that you are ineligible based on you
23 having a judgment against you, or judgments. So we
24 would change it accordingly to mean one, two, three
25 or four judgments.

1 Q. Depending on how many judgments the person
2 has?

3 A. Yes.

4 Q. And then the next one, 30, what does that
5 generate?

6 A. It would be the same letter. Like I said,
7 it's a duplication. Whomever put these in the
8 system duplicated the numbers.

9 Q. So all of those ineligible codes simply
10 generate a letter that refers to the number of
11 judgments the person has against them? Is that what
12 you mean?

13 A. No.

14 Q. What do you mean?

15 A. It's just an ineligible code, but you
16 would have to actually go into that form letter,
17 number 30 or number 26, and you actually have to
18 formulate why. I usually explain to them why they
19 are ineligible, but the letter on the system is just
20 saying ineligible, because it doesn't get into the
21 reasons.

22 Q. So all of the reasoning is supplied by the
23 person sending the letter?

24 A. Exactly.

25 Q. And is it supplied, typed in brand new

1 each time, or are there different forms?

2 A. It is formulated. It's there, so you have
3 to go in and you have to adjust it accordingly to
4 each withdraws that you are doing.

5 Q. Are there different kinds of paragraphs
6 that you can insert?

7 A. Yes.

8 Q. Or is it just -- what are the different
9 kind of paragraphs?

10 A. It is a whole letter, a full scale letter,
11 and you can go in and do paragraph one, two, three
12 and four, and there are some of them we just have
13 numbers or alphas at the site, saying you're
14 ineligible because of this, and then you can take
15 out B if B doesn't go with that withdrawal, and
16 insert whichever one is suitable.

17 Q. And is there any paragraph among those
18 ones that you can choose from in the system that has
19 to do with people being disabled?

20 A. Oh, no.

21 Q. And there's no paragraph that has to do
22 with people being too young?

23 A. Too young, yes, we do have one, because
24 they have choices. If you are young and you want to
25 live in housing on your own, you have choices. We

6

1 Q. That's your recollection, it's to make it
2 for both elderly and disabled?

3 MR. MAHAR: Don't guess.

4 A. Okay.

5 Q. The answer is you don't know?

6 A. Not right now.

7 Q. Are there any other units or complexes for
8 which plans of intent to change the designation have
9 been submitted to HUD?

10 A. Yes.

11 Q. And which complexes or units are those?

12 A. Fireside is one, Harborview Towers is
13 another, and Park City Manor when that project is
14 complete, there's an intent there, Boston Commons is
15 another. I think that's -- Boston Commons, I won't
16 guess. It's not in the picture.

17 Q. You're not sure of Boston Commons?

18 A. I know that there's an intent to designate
19 that. I just don't remember right now whether it's
20 just for elderly only or elderly and disabled.

21 Q. And the intent, the plan of intent to
22 change designation for Fireside was to change it to
23 elderly only; is that correct?

24 A. Correct.

25 Q. And for Harborview was the plan of intent