

A BRIEF DESCRIPTION OF THE COURT'S MEMORANDUM OF  
DECISION AND ORDER DATED DECEMBER 6, 2013

In the action entitled *MHANY Management, Inc. v. Incorporated Village of Garden City, et al.*, Case Number: 05-cv-2301(ADS), United States District Court Judge Arthur D. Spatt of the Eastern District of New York, in a Decision dated December 6, 2013, ruled against the Village in this federal Fair Housing Act case by finding the Village intentionally discriminated against minorities when it rezoned a parcel of property in the Village. The Court focused on three points in finding intentional discrimination: (1) Comments made by the public at Village Property Owners Association meetings and at Village Board meetings; (2) the Board of Trustees' effective rejection of their zoning consultant's original proposed zoning scheme and a Board of Trustees subcommittee's original recommendation to allow for zoning that permitted a mix of residential and office use; and (3) the relatively short period of time the Village considered the ultimately adopted R-T zoning proposal, which eliminated office use in favor of townhomes and allowed for multifamily housing on a portion of the site.

In his decision, Judge Spatt noted that no affordable housing exists in the Village, resulting in a slight minority population, and the development of multifamily housing would encourage minorities to reside in the Village.

As to a remedy, the Court set forth various forms of possible relief which are mentioned at the end of the decision. Thereafter, the Court prepared and entered a Judgment on April 22, 2014.