

WESTCHESTER COUNTY FAIR HOUSING LAW RULES AND REGULATIONS

CHAPTER I

SUBCHAPTER A

General

§ 1-01 Scope of Rules. These rules are intended to carry out the provisions of Westchester County Local Law No. 4-2008, and the policies and procedures of the Fair Housing Board in connection therewith, as authorized by Westchester County Local Law 4 -2008 § 700.28(F)(7). These rules may be amended by the Westchester County Human Rights Commission at any time pursuant to Westchester County Local Law 4-2008 § 700.26(B).

§ 1-02 Definitions and Construction. For purposes of this chapter,

Application of Local Law. The Westchester County Local Law 4-2008 shall apply to all discriminatory practices as defined therein except that no complaint shall be filed with respect to an unlawful discriminatory real estate practice unless such practice occurred on or after March 24, 2007. These rules shall not modify or abridge any provisions of Westchester County Human Rights Law.

Calculation of dates. A number of days specified in these rules means calendar days exclusive of the calendar day from which the calculation is made. All other rules of construction shall be governed by New York law.

Commission. Commission shall mean the office of the Westchester County Human Rights Commission.

Complainant. Complainant shall include any person who claims to have been injured by an unlawful discriminatory real estate practice or believes that such person will be injured by an unlawful discriminatory real estate practice that is about to occur.

Fair Housing Board. The Fair Housing Board shall be comprised of five (5) members of the Westchester County Human Rights Commission. The Executive Director of the Commission shall serve as the Executive Director of the Fair Housing Board.

Filing and proof of service. Wherever these rules require that a paper be filed, the Fair Housing Board shall retain proof of service of each paper served under these rules.

Office of the Human Rights Commission. Office of the Human Rights Commission shall mean the administrative office of the Westchester County Human Rights Commission including the Executive Director, Deputy Director, the Investigator, and any staff, paid or volunteer, working in that office.

Respondent. Respondent shall mean a person or entity who has been charged in a complaint filed pursuant to these rules with having committed, or being about to commit an unlawful discriminatory real estate practice pursuant to Westchester County Local Law 4-2008.

Rules. Rules shall mean the provisions of the Rules and Regulations adopted by the Commission.

SUBCHAPTER B

Complaints, Answers and Notifications

§1-03 Complaints generally.

(a) *Who may File.*

- (1) Any person claiming to be aggrieved by an unlawful discriminatory real estate practice may proceed in person, or by his or her attorney or legal guardian, and file a complaint.
- (2) The Executive Director of the Fair Housing Board may initiate a complaint alleging that a respondent has engaged in a pattern or series of unlawful discriminatory real estate practices affecting the civil rights of more than one person.

(b) *Form of complaints.*

- (1) All complaints shall be written, and must be signed under oath or affirmation or under penalty of perjury by the person making the complaint. Complaints may be taken in another form when a request for an accommodation is received from a person who is unable to meet the requirements of this rule because of a disability.
- (2) Each complaint shall recite the name of each complainant and respondent in a caption in a form provided by the Fair Housing Board.

- (c) *Contents of complaint.* A complaint shall contain the following:
- (1) The full name and address of the person(s) making the complaint or such other designation as appropriate. Each person shall be designated a complainant. If an attorney prepares a complaint on behalf of a complainant, the attorney's name, address and telephone number shall also appear on the complaint.
 - (2) The full name and address of the person, persons, or entity alleged to have committed an unlawful discriminatory real estate practice. Said person, persons, or entity shall be designated a respondent.
 - (3) A general statement of the facts constituting the alleged unlawful discriminatory real estate practice. The statement shall contain, to the extent known to the complainant, the date or dates of the alleged discriminatory practice or practices and, if the alleged discriminatory practices are of a continuing nature, the dates between which those continuing acts of discrimination are alleged to have occurred.
 - (4) A statement verifying whether the complainant has previously filed any other civil or administrative action alleging an unlawful discriminatory real estate practice with respect to the allegations of discrimination that are the subject of the complaint. In the event of a prior filing, a statement of the title, docket or identifying number of that claim as well as the forum before which such other action or proceeding was commenced shall be made.
- (d) *What constitutes filing of a document.* A document, including complaints or answers, is filed when it is received for filing by the Fair Housing Board at the Office of the Human Rights Commission.
- (e) *Procedure upon receipt of a complaint or answer.* The Fair Housing Board shall accept complaints for filing, note the date of filing on the complaint, and assign a complaint number to the complaint. The Fair Housing Board shall serve notice upon the complainant acknowledging such filing and advising the aggrieved person of the time limits and choice of. The Fair Housing Board shall, within ten (10) days of the proper filing of a complaint, serve each respondent. Upon the filing of a complaint, the Fair Housing Board shall promptly serve notice on the respondent or person charged with the commission of an unlawful discriminatory real estate practice advising of his or her procedural rights and obligations under the statute or ordinance,

together with a copy of the complaint. Within 30 days from the filing of the complaint, the Board shall determine whether it has jurisdiction.

- (f) The Fair Housing Board may allow for joinder and consolidation of complaints with cases involving common respondents and substantially similar issues.

§1-04 Executive Director-initiated complaints.

The Executive Director may initiate the filing of a complaint. Such complaint is subject to an investigation for the determination of probable cause.

§1-05 Amendments to complaint.

- (a) A complaint may be amended as of right at any time before it is referred to an Administrative Law Judge for a hearing.
- (b) In the event that a complainant amends his/her complaint, the 100-day statutory probable cause determination time set forth in § 700.28(F) (2) of the Laws of Westchester County shall be extended..
- (c) After a complaint has been referred for a hearing, it may be amended only by application to the presiding Administrative Law Judge.

§1-06 Answer.

- (a) *Time for filing.* The respondent may file an answer with the Fair Housing Board. Answers should be received by the Fair Housing Board within ten (10) days of service of the complaint or the amended complaint when the complaint is served by mail pursuant to CPLR §312-a.
- (b) *Form and content of answer.* Where a respondent files an answer, any allegation of the complaint that is not answered shall be deemed admitted, any allegation upon which the respondent alleges insufficient information shall be deemed denied.
- (c) *Counterclaims and cross-claims.* The respondent shall not be permitted to interpose either a counterclaim or a cross-claim in the answer.
- (d) *Extension of time to answer.* A respondent may apply to the Fair Housing Board for additional time to file an answer. Such a request shall be granted for good cause shown.

- (e) *Amendment of answer.* An answer may be amended at any time before it is referred to an Administrative Law Judge for a hearing. After an answer has been referred for a hearing, it may be amended by application to the presiding Administrative Law Judge.
- (f) Any amendment of the answer, or extension of time to answer made prior to a filing of a Determination and Order finding probable cause, shall extend the 100-day statutory probable cause determination time set forth in §700.28(F)(2) of the Laws of Westchester County.

§1-07 Who shall present case in support of complaint. The Fair Housing Board's agent or attorney, representing the people of Westchester County, shall present the case on behalf of the complainant. However, such agent or attorney shall not have an attorney-client relationship with the complainant.

§1-08 Representation. Complainants and respondents may be represented by counsel. Counsel shall file with the Fair Housing Board a Notice of Appearance which shall contain the person or persons for whom the attorney appears and the attorney's name, address and telephone numbers. Any complainant or aggrieved person, whether represented by counsel or not, shall have the right to intervene. Corporations shall appear by counsel or by an officer demonstrating authority to act on behalf of the corporation.

§1-09 Change of address. Complainants, respondents and their legal representatives are under a continuing obligation to notify the Fair Housing Board of any change in their addresses.

SUBCHAPTER C

Withdrawals and Dismissals

§1-10 Withdrawal and Dismissal of Cases.

(a) *Withdrawal of complaints.*

- (1) When a complainant requests withdrawal of his or her complaint prior to the service of an answer by the respondent, the Fair Housing Board shall dismiss the complaint as a result of the withdrawal.
- (2) When a complainant requests withdrawal of his or her complaint subsequent to the service of an answer by the respondent, the Fair Housing Board may dismiss the complaint as a result of the withdrawal. Upon

application by the respondent, the Fair Housing Board may preclude the complainant from subsequently filing any complaint with the Fair Housing Board based upon the same transaction or occurrences or series of transactions or occurrences as the complaint, which was withdrawn.

(3) Nothing in this section shall diminish the Fair Housing Board's authority to bring or continue a complaint pursuant to §1-03(a)(2) of these rules.

(b) *Dismissal because the cause of action is not within the jurisdiction of the Fair Housing Board.* The Fair Housing Board shall dismiss a complaint in whole or in part where it concludes that the complaint or a portion thereof is not within its jurisdiction.

(c) *Dismissal for lack of probable cause.* If, after investigation, the Fair Housing Board determines that probable cause does not exist to support the claim that a respondent has engaged, is engaging, or will engage in an unlawful discriminatory real estate practice, the Fair Housing Board shall dismiss the claim or complaint in whole or in part as to such respondent. At the end of each investigation, the Fair Housing Board shall prepare a final investigative report detailing:

(1) The names and dates of contacts with witnesses, except that the report will not disclose the names of witnesses that request anonymity. The Fair Housing Board, however, may be required to disclose the names of such witnesses in the course of an administrative hearing or a civil action;

(2) A summary and dates of correspondence and other contacts with the complainant and respondent;

(3) A summary description of other pertinent records;

(4) A summary of witness statements;

(5) Answers to interrogatories;

A final investigative report may be amended at any time, if additional evidence is discovered. The Fair Housing Board will make information derived from an investigation, including the final investigative report, available to the complainant and the respondent. Following the completion of investigation, the Fair Housing Board shall notify the complainant and respondent that the final investigative report is complete and will be provided upon request. The Fair Housing Board shall make public disclosure of each such dismissal.

(d) *Administrative dismissals.* The Executive Director may, in his or her discretion, dismiss a complaint for administrative purposes at any time prior to

the taking of testimony at a hearing. Administrative purposes shall include, but not be limited to:

- (1) Commission personnel have been unable to locate the complainant after reasonable efforts to do so.
- (2) The complainant has on at least 2 occasions failed to:
 - (i) Appear at mutually agreed-upon appointments with the Fair Housing Board; or
 - (ii) Appear at an assigned mediation and conflict resolution conference.
- (3) The complainant is unwilling to:
 - (i) Meet with the Fair Housing Board; or
 - (ii) Meet with an assigned mediation and conflict resolution person; or
 - (iii) Provide requested documentation; or
 - (iv) Attend a hearing.

The complainant has repeatedly engaged in conduct that is disruptive to the orderly functioning of the Fair Housing Board, which shall be documented by the Executive Director.

- (e) *Notification of dismissal.* When the Fair Housing Board makes a determination pursuant to this section, it shall promptly serve each complainant, respondent, and any necessary party:
 - (1) When such determination is made prior to the filing of a formal complaint or a formal order, the Fair Housing Board shall notify the parties in writing of the dismissal.
 - (2) When the formal complaint has been filed, the Fair Housing Board shall serve an Order of Dismissal upon the parties.
- (f) *Review of order of dismissal.* A complainant aggrieved by an order of dismissal made pursuant to this section may apply to the Fair Housing Board for review of such order within thirty (30) days of the service of such order by filing such notice with the Fair Housing Board. After reviewing the application, the Fair Housing Board shall appoint an Administrative Law Judge to review and issue an order affirming or reversing the order of dismissal.

(g) Election of Civil Action

Subsequent to a Notice of Referral and Notice of Hearing, a complainant or a respondent may elect to have the claims on which probable cause was found decided in a civil action in lieu of an administrative hearing. In such an event:

- (1) such election must be made not later than ten (10) days after service of the Notice of Referral and Notice of Hearing;
- (2) the person making such election shall give written notice of doing so to all necessary parties and the Board; and
- (3) if such an election is made, and the Complainant is unable to retain an attorney, the Board shall refer the Complainant to a legal service organization or a private attorney to commence an action on behalf of the Complainant in a court of competent jurisdiction not later than 30 days after the election.
- (4) If the Complainant is unable to retain an attorney after the Board's referral, the court may appoint an attorney for the aggrieved person or authorize the continuation of the civil action without the payment of costs if it finds such person is unable to bear those costs.

SUBCHAPTER D

Investigative Procedures

§1-11 Policy.

The procedures to be followed in investigative proceedings shall be those, which in the discretion of the Fair Housing Board will best facilitate accurate, orderly and thorough fact-finding.

§1-12 Pre-complaint investigations.

In addition to conducting investigations of allegations contained in complaints filed pursuant to §1-03 and §1-04 of this chapter, the Fair Housing Board may investigate on its own initiative possible violations of Westchester County Local Law 4-2008.

§1-13 Preservation and Production of Records.

- (a) The Fair Housing Board shall have the authority to make demands for the preservation and production of records. The demand shall require that such

records be made available for inspection by the Fair Housing Board and/or be filed with the Fair Housing Board.

- (b) Any person upon whom a demand has been made may assert an objection to the demand within ten (10) days after service of the demand by serving such objection upon the Fair Housing Board. The objection shall state the reasons for each objection with reasonable particularity. The Fair Housing Board shall have ten (10) days from service of the objection to respond.

SUBCHAPTER E

Determination of Probable Cause

§1-14 Basis of determination.

The Fair Housing Board shall find probable cause exists that an unlawful discriminatory real estate practice has been, is being, or is about to be committed by a respondent where a reasonable person, looking at the evidence as a whole, could reach the conclusion that it is more likely than not that the unlawful discriminatory real estate practice was committed.

§1-15 Notice of determination.

- (a) Within one hundred (100) days of the complaint filing date, the Fair Housing Board shall serve a written notice of determination upon the complainant and the respondent, unless impracticable to do so.
- (b) When an amended complaint is filed, the service of the written notice of determination shall be extended pursuant to §1-05 (b) of this Chapter.
- (c) A determination of no probable cause or a determination dismissing the complaint shall state the reasons for the Fair Housing Board's conclusions.
- (d) If the Fair Housing Board is unable to provide the notice of determination within the 100-day period, it shall provide written notification to the complainant and respondent of the reasons for delay.

§1-16 Review of determination.

- (a) A determination that probable cause does not exist is reviewable upon written application of the complainant to the Fair Housing Board for review in accordance with § 1-10(f) of this Chapter.

- (b) The Fair Housing Board shall appoint an Administrative Law Judge to either affirm or reverse such determination within 30 days of such application.

SUBCHAPTER F

Conciliation

§1-17 Settlement agreement.

The Executive Director, complainant and respondent may at any time after the filing of a complaint enter into a settlement agreement of a complaint.

- (a) Form and Content. A settlement agreement shall contain an acknowledgment of the execution of the agreement by both the complainant and respondent. The provisions of the settlement agreement may be such as are agreed to by the Executive Director, the complainant and the respondent.
- (b) Acknowledgment and approval of the Fair Housing Board. The Executive Director shall acknowledge and approve the settlement agreement once the settlement agreement has been executed by the complainants and respondents.
- (c) Effective date. A settlement agreement shall be deemed binding at the time such agreement is executed by the Executive Director, all complainants and the respondents.

§1-18 Mediation agreement.

The Executive Director, complainant and respondent may at any time after the filing of a complaint enter into a mediation agreement of a complaint by filing Consent to Mediation Form with the Fair Housing Board.

- (a) Form and content. A mediation agreement shall contain an acknowledgment of the execution of the agreement by both the complainant and respondent. The provisions of the mediation agreement may be such as are agreed to by the Executive Director of the Fair Housing Board, the complainant and the respondent.
- (b) Acknowledgment and approval of the Fair Housing Board. The Executive Director shall acknowledge and approve the mediation agreement once the mediation agreement has been executed by the complainants and respondents.
- (c) Effective date. A mediation agreement shall be deemed binding at the time such agreement is executed by the Executive Director, all complainants and the respondents.

CHAPTER II

SUBCHAPTER A

Discovery

§2-01 Generally

Although compliance with the provisions of article 31 of the Civil Practice Laws and Rules shall not be required, the principles of that article may be applied, at the discretion of the Administrative Law Judge, to ensure orderly and expeditious preparation of cases for trial.

- (a) The availability of Board files shall be subject to the confidentiality provisions of the New York Public Officers Law and other applicable laws.
- (b) In the absence of an agreement by the parties, the extent and methods of discovery shall be in the discretion of the Administrative Law Judge.

§2-02 Noncompliance with Discovery Order.

- (a) Discovery Request. Any party can file a discovery request with the Administrative Law Judge. Upon the receipt of the request, the Administrative Law Judge shall send the copy of the request to the party upon whom the request has been made.
- (b) Objection to discovery request. Any person who believes he or she should not have to comply with a discovery request shall present that objection in writing to the Administrative Law Judge.
- (c) Orders. Whenever a party fails to comply with a discovery request, any other party may make a written application to the Administrative Law Judge for an order of compliance with the discovery request or may order such other relief as may be deemed just and proper.
- (d) Noncompliance with orders. In the event that a party has failed to comply with such an order compelling discovery, the Administrative Law Judge may take further actions, including, but not limited to issuing an order:
 - 1. Prohibiting the non-complying party from introducing evidence or testimony, cross-examining witnesses or otherwise supporting or opposing designated claims or defenses related to the required records or other evidence;

2. Striking out pleadings or parts thereof when it is determined that said party is in willful noncompliance with the discovery order;
3. Mandating that the non-complying party may not be heard to object to the introduction and use of secondary evidence to show what the withheld testimony, documents, records or other evidence or records would have shown; and
4. Inferring that the material or testimony is withheld or records not preserved, made, kept, produced or made available for inspection because such testimony, documents, records or other evidence or records would prove to be unfavorable to the non-complying party and use such inferences to establish facts in support of a final determination made by an Administrative Law Judge.

§2-03 Applications for subpoenas.

Applications requesting that a subpoena be issued requiring the attendance of a person to give testimony at a hearing or the production of books, papers, records and other items at a hearing may be made by a party to the Administrative Law Judge. That application shall require the requesting party to make a showing as to why that person or records are necessary and relevant to the issue being heard. The application shall be made no later than ten (10) days prior to the hearing date. Applications must be made to the Board at the Commission Office.

§2-04 Subpoenas and Subpoenas duces tecum.

- (a) The Administrative Law Judge may issue and serve subpoenas or subpoena duces tecum compelling the attendance of witnesses, or requiring the production of any evidence material or relevant to any matter within the jurisdiction of the Fair Housing Board, upon any person as that term is defined in §700.20 Westchester County Law -.
- (b) Prior to the notice of hearing, a request to withdraw or modify a subpoena shall be made to the Administrative Law Judge.
- (c) After the notice of hearing, motions to quash, fix conditions or modify the subpoenas may be made to the presiding Administrative Law Judge.

SUBCHAPTER B

Pre-Hearing Procedure

§2-05 Generally.

The procedures to be followed in the pre-hearing proceedings shall be such as in the discretion of the Administrative Law Judge will best facilitate the orderly and necessary preparation of cases for hearing.

§2-06 Assignment of Administrative Law Judge.

The Fair Housing Board shall assign an Administrative Law Judge to conduct the hearing.

§2-07 Notice of Referral and Notice of Hearing.

The Fair Housing Board shall serve the Notice of Referral and the Notice of Hearing upon the complainant, the respondent and any necessary party.

- (a) Notice of Referral. The notice shall include the last known address of the complainant, respondent and any necessary party. No material relating to the investigation, the finding of probable cause, or the substance of the conciliation efforts shall be filed with the presiding Administrative Law Judge.
- (b) Notice of Hearing. The Fair Housing Board shall, at least thirty (30) days prior to the scheduled hearing date, serve the Notice of Hearing upon the complainant, the respondent and all necessary parties.

§2-08 Ex parte Communications.

Except for ministerial matters, and except on consent or during settlement conferences, communications with an Administrative Law Judge or Fair Housing Board members concerning a case shall occur only with all parties present. Where an ex parte communication is received, it shall be reduced to writing in a memorandum to the file and all parties.

SUBCHAPTER C

Hearings

§2-09 Powers of the Administrative Law Judge, generally.

Subject to the provisions set forth in the remainder of these rules, the Administrative Law Judge shall have full power and authority necessary to conduct the hearing, including, but not limited to, the following:

- (a) To schedule and hold hearings;
- (b) To schedule and hold pre-hearing conferences;
- (c) To set submission dates for all applications and memoranda of law;
- (d) To consider and rule on such motions and applications as would facilitate the resolution of the complaint or pre-hearing proceedings;
- (e) To entertain such issues relating to the pre-hearing and hearing process as the Administrative Law Judge deems appropriate;
- (f) To supervise disclosure in all cases and to allow, deny, limit, condition or regulate the use of any discovery process by a party as to facilitate the presentation of evidence necessary to resolve the complaint or pre-hearing matters;
- (g) To administer oaths and affirmations at the hearing;
- (h) To grant adjournments and continuances;
- (i) To regulate the course of the hearing and conduct of the parties and their counsel;
- (j) To consider and rule upon all motions and objections made at the hearing;
- (k) To limit, admit, or exclude testimony or other evidence offered at the hearing;
- (l) To call and question witnesses;
- (m) To stay or expedite proceedings;
- (n) To order mediation or settlement conferences; and
- (o) To issue decisions and recommendations.

§2-10 Record. The record in a hearing conducted by an Administrative Law Judge shall include:

- (a) All notices, pleadings, motions and intermediate rulings;
- (b) Evidence presented;
- (c) A statement of matters officially noticed;
- (d) Questions and offers of proof, objections thereto and rulings thereon;
- (e) Any findings of fact, conclusions of law or other recommendations made by the Administrative Law Judge or the Fair Housing Board as a whole; and
- (f) Any decision, determination, opinion, order or report rendered.

§2-11 Making of Record.

A complete record of all hearing or pre-hearing proceedings conducted before an Administrative Law Judge shall be made by whatever means the Fair Housing Board deems appropriate, including, but not limited to the use of stenographic transcriptions, electronic recording devices or written notes of the Administrative Law Judge.

§2-12 Burden of Proof.

The burden of proof shall be on the complainant to establish his or her case by a preponderance of the credible evidence. All decisions, determinations, orders and final recommendations shall be made by the Administrative Law Judge upon consideration of the record as a whole.

§2-13 Hearings. Generally.

- (a) Hearing shall be held at the Human Rights Commission Office or such other place as may be designated by the Fair Housing Board. Notice of the date, time and place of any such hearing shall be served upon the complaint and respondent and all necessary parties, at least thirty (30) days prior to the scheduled hearing date.
- (b) The testimony taken at the hearing shall be under oath and a record of the testimony made, pursuant to § 2-11 of this Subchapter.

§2-14 Evidence.

- (a) At the Administrative Law Judge's discretion, the Federal Rules of Evidence shall apply to the presentation of evidence in a hearing. Objections to evidentiary offers may be made and shall be noted in the record. The ultimate admission of evidence, however, will be in the discretion of the Administrative Law Judge. The Administrative Law Judge may for the purpose of expediting hearings, and when, in the discretion of the Administrative Law Judge, it is determined that the interests of the parties shall not be substantially prejudiced thereby, require portions of the evidence to be submitted in written form or by other alternative means as determined on a case by case basis by the Administrative Law Judge.
- (b) All evidence, including records and documents, shall be offered and made part of the record, and all such documentary evidence may be received in the form of copies of excerpts, or by incorporation by reference. In case of incorporation by reference, the materials so incorporated shall be available for examination by parties before being received in evidence.
- (c) A party shall have the right of cross-examination.
- (d) Official notice may be taken of all facts of which judicial notice could be taken.
- (e) Evidence relating to attempts at mediation or conciliation by, between or among the Executive Director, the complainant and the respondent shall not be admissible.

SUBCHAPTER D

Decisions and Orders

§2-15 Decisions, determinations, recommendations and orders

- (a) A final decision, determination, recommendation or order in an adjudicatory proceeding shall be in writing or stated in the record and shall include findings of fact and conclusions of law or reasons for the decision, determination, recommendation or order. Findings of fact, if set forth in statutory language, shall be accompanied by a concise and explicit statement of the underlying facts supporting the findings. A copy of the decision, determination, recommendation or order shall be delivered or mailed forthwith to each party and his attorney of record. Any decision, determination, recommendation, or order shall be rendered within 30 days of the hearing.
- (b) The Westchester County Human Rights Commission shall maintain all written final decisions, determinations, recommendations and orders rendered by the Fair Housing Board in adjudicatory proceedings. Such written final decision,

determination, recommendation or order shall be available for public inspection and copying.

§2-16 Fair Housing Board review of Administrative Law Judge's recommendation and issuance of order.

After an Administrative Law Judge has heard a case, he or she shall submit findings of fact and recommendations to the full Fair Housing Board for review and approval. The Fair Housing Board shall, within 30 days, issue an order adopting, modifying or rejecting, in whole or in part, the findings of fact and recommendations of the Administrative Law Judge, which shall become the Fair Housing Board's final determination.

§2-17 Delegation of Fair Housing Board Authority

Unless otherwise prohibited by Westchester County Law - or other provisions of these rules and regulations, whenever authority or responsibility in these rules and regulations is placed with the Fair Housing Board, such authority or responsibility may be delegated by the Fair Housing Board:

- (a) To three members panels of Fair Housing Board members, who in turn may designate a member of the panel to execute documents on its behalf or,
- (b) To the Executive Director.

