

SUCCESSFUL REPRESENTATION OF CITY HOUSING AUTHORITY IN EMPLOYMENT LAWSUIT

Client Type: Government Entity

Hodgson Russ attorneys led by Michael B. Risman represented a city housing authority in a New York State Supreme Court case in which two petitioners asked to be reinstated to the board of commissioners of the housing authority and one petitioner asked to be reinstated as executive director. Two of the petitioners had been elected to the board of commissioners but failed to take the oath of office within thirty days, as required by the Public Officers Law. This resulted in their board positions being vacant. Despite having been informed of this, the two petitioners participated in a board meeting after the 30-day period. At this meeting, the hiring of the third petitioner as executive director of the housing authority was voted on and passed by a vote of four to three, with the two petitioners voting in favor of the hiring. The judge ruled in favor of the housing authority, stating that the two petitioners' offices were officially vacant due to their failure to file oaths of office and therefore their votes at the meeting, necessary to hire the third petitioner, were not legitimate. None of the petitioners were reinstated to the disputed positions.

Practices & Industries

Municipal