

FL-202594

ASSOCIATES

INCORPORATED

To: Pat Morgan

Date: 9/10/97

From: David Ervin

Pages: 3

Phone #: 301/469-3422

(includes this cover page)

COMMENTS:

Enclosed is one new FOIA request

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September 9, 1997

Ms. Pat Morgan
Director, Office of the Executive Secretariat
U.S. Department of HUD
451 Seventh Street, SW, Room 10246
Washington, D.C. 20410-0500

Via Facsimile to (202) 619-8365

Ms. Patricia Jameson, Director
U.S. Department of HUD
Administrative Service Center 3
633 17th Street
Denver, CO 80202-3607

Via Facsimile to (303) 672-5062

Re: Freedom of Information Act Request
Physical Inspection Contracts Partial Termination

Dear Ms. Morgan:

As part of HUD's mission to ensure decent, safe and sanitary multifamily housing, HUD has conducted annual physical inspections of the portfolio. In 1996, HUD entered into four national physical inspection contracts under a highly suspect procurement. Subsequently, Secretary Cuomo temporarily stayed performance under these contracts and has recently partially terminated them.

Under the provisions of the Freedom of Information Act, please provide us with the following:

- All correspondence to the contractors terminating the contracts;
- All documentation of the rationale for the decision to terminate such contracts;
- All documentation evaluating how HUD's mission to provide decent, safe and sanitary housing will be complied with in light of such terminations; and
- All documentation instructing Field Office personnel how they should monitor the physical condition of their multifamily portfolios in light of the decision to partially terminate these contracts.

The United States Attorney's Office and the HUD Inspector General are currently

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conducting a fifteen month long criminal investigation into allegations that were brought to light by Ervin. Additionally, the U.S. District Court for the District of Columbia has held that "the government and plaintiffs [Ervin] share an interest in pinpointing and eliminating corrupt practices at HUD." Through this FOIA request, we are exercising our right as citizens and taxpayers to pinpoint and eliminate "corrupt practices at HUD," and the request is not for profit making activities.

Considering this, for the purposes of this request, Ervin should be treated as a non-commercial requester and any applicable fees should be subject to the restrictions placed on non-commercial requesters. Ervin agrees to pay up to \$50 for the processing of this request. If the anticipated fees are to exceed \$50, please call me at (301) 469-3422 so I may have an opportunity to reformulate the request.

Very truly yours,

ERVIN and ASSOCIATES, INCORPORATED



David J. Ervin