

CITY COUNCIL  
CITY OF NEW YORK

----- X

TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON PUBLIC HOUSING, JOINTLY WITH THE  
COMMITTEE ON AGING

----- X

October 24, 2017  
Start: 10:18 a.m.  
Recess: 1:09 p.m.

HELD AT: 250 Broadway - Committee Rm,  
16th Fl.

B E F O R E: RITCHIE J. TORRES  
Chairperson  
MARGARET S. CHIN  
Co-Chairperson

COUNCIL MEMBERS: Rosie Mendez  
James G. Van Bramer  
Vanessa L. Gibson  
Donovan J. Richards  
Laurie A. Cumbo  
Rafael Salamanca, Jr.  
Karen Koslowitz  
Deborah L. Rose  
Chaim M. Deutsch  
Mark Treyger  
Paul A. Vallone  
Public Advocate Letitia James

## A P P E A R A N C E S (CONTINUED)

Jonas Aponte  
NYCHA Resident

Michael Grinthal  
Community Development Project  
Urban Justice Center

Nora Moran  
Senior Policy Analyst  
United Neighborhood Houses of New York

Janna Levin  
Senior Staff Attorney  
Brooklyn Legal Services Corporation A

Guo Qiang He  
NYCHA Resident

Roxy Chang  
Translator

Sideya Sherman  
Executive Vice President  
Community Engagement and Partnerships  
New York City Housing Authority

Deborah Goddard  
Executive Vice President  
Capital Projects  
New York City Housing Authority

## A P P E A R A N C E S (CONTINUED)

Lillian Harris  
Vice President  
Tenancy Administration  
New York City Housing Authority

Caryn Resnick  
Deputy Commissioner  
External Affairs  
Department for the Aging

Karen Taylor  
Assistant Commissioner  
Community Services  
Department for the Aging

Brian Clark  
Senior Vice President  
Operations for Property Management  
New York City Housing Authority

Beatriz Encarnacion Badru  
Representative  
Housing Court Answers

Young Ae Kim  
NYCHA Resident

Seonae Byeon  
Translator  
CAAAY

## A P P E A R A N C E S (CONTINUED)

Andrea Tan  
Advocate  
Legal Services NYC

Sandy Myers  
Advocate  
Selfhelp Community Services

Cynthia Hill  
NYCHA Resident

Molly Krakowski  
Director of Legislative Affairs  
JASA

Madelyn Innocent  
NYCHA Resident

Runa Rajagopal  
Managing Director of  
Civil Action Practice  
The Bronx Defenders

Aida Reyes  
NYCHA Resident

1 COMMITTEE ON PUBLIC HOUSING, JOINTLY WITH THE  
2 COMMITTEE ON AGING

5

3 **TRANSCRIPTION NOTE:** Co-Chair Chin speaks

4 Mandarin Chinese at: [00:23:03];

5 Mr. He speaks Mandarin Chinese (with a  
6 translator), beginning at [00:23:47]. Ms. Young Ae  
7 Kim speaks Korean (with a translator) beginning at  
8 [02:06:06].

9 Unknown male speaker at [00:32:31].

10 [sound check]

11 [pause]

12 CO-CHAIRPERSON CHIN: Good morning.

13 [background comments] My name is Margaret Chin; I'm  
14 the Chair of the Committee on Aging and I would like  
15 to thank Chair Torres of the Committee on Public  
16 Housing for holding this hearing with us and those of  
17 you in attendance for being here with us today.

18 Today's hearing will provide the  
19 Committees with an opportunity to discuss and  
20 evaluate the services available for seniors living in  
21 New York City Housing Authority (NYCHA) developments,  
22 how NYCHA's policies affect seniors and their  
23 families, and how NYCHA and the Department for the  
24 Aging (DFTA) can work together to best serve NYCHA  
25 senior residents.

Approximately 20.5% of the NYCHA population is over 60 years old, a growing preference among older adults is to age in place; that is, remain in their residence or community as they grow older. In fact, 96% of older adults in New York City are currently aging in place; this poses challenges to NYCHA, as it can result in apartments being under-occupied; that is, the number of bedrooms exceeds the number of occupants in the household.

NYCHA's new Right-Sizing pilot program introduced last year which provides funding and support to aid families in under-occupied NYCHA apartments to transfer to apartments more suited for their family size is of particular interest to the Committee. As in the past, NYCHA's right-sizing policy has been insensitive to the needs of older adults who make up approximately half of all the under-occupied NYCHA apartments. NYCHA is also home to twelve naturally occurring retirement communities (NORCs), which provide seniors with a variety of services to help them age in place, including case management, health care assistance, information and referral services, transportation, and financial management. NORCs receive funding from the State,

the City or through Council discretionary funds or a combination of the three. This year the State issued a new RFP for NORCs and awarded new contracts. As a result of this process, three NYCHA NORCs were not awarded a new contract and will lose their State funding. The Committee will discuss what is being done to help close the funding gap that these NORCs now have in their operating budget so that services can be maintained.

There are also two types of senior centers located in NYCHA developments -- neighborhood senior centers operated by service providers through contracts with DFTA and smaller social clubs, seventeen of which are overseen by DFTA and fourteen of which NYCHA oversees. The Committee will discuss how DFTA and NYCHA work together to ensure that senior centers provide their services in a safe and habitable environment. Indeed, interagency coordination can be key to helping ensure that seniors' particular needs are met by the City.

This hearing will provide the Committees an opportunity to hear from both NYCHA and DFTA on other ways the agencies work together to serve the

1 COMMITTEE ON PUBLIC HOUSING, JOINTLY WITH THE  
2 COMMITTEE ON AGING

8

3 senior population and how such coordination can be  
4 improved.

5 I would like to thank the staff for the  
6 Committee on Aging for their assistance in putting  
7 together this joint hearing -- our Counsel, Caitlin  
8 Fahey; Policy Analyst, Emily Rooney; and Finance  
9 Analyst, Daniel Koo.

10 I also would like to thank the members of  
11 the Committee that have joined us here today and  
12 we're joined by Council Member Rose, from Staten  
13 Island.

14 And now we will hear from Council Member  
15 Torres, Chair of the Committee on Public Housing.  
16 Thank you.

17 CHAIRPERSON TORRES: Actually, in the  
18 interest of time, we should proceed with the first  
19 panel. Do we have... [pause]

20 CO-CHAIRPERSON CHIN: Okay, we have  
21 Patton Fisher from Brooklyn Law School; Jonas Aponte;  
22 Norma Blas -- somebody else taking her place?

23 [background comment] Oh, Michael... what's your last  
24 name? [background comment] Oh, Michael Grinthal.

25 Okay. Okay. And Nora Moran from United Neighborhood  
Houses; and Janna Levin from Brooklyn Legal Services.



Please join us, panel. We also have an overflow room  
next door. [pause] Okay, you may begin.

[pause]

JONAS APONTE: Good morning

Chairmanperson [sic] Torres, Council Member Chin and  
all other [sic] members of New York City Council. My  
name is Jonas Aponte; I live at the service house on  
West 174th Street in the Bronx. My mother, Victoria  
Aponte lived there from February 1992 until her death  
on July 17, 2012. I moved to her apartment in 2009  
to care for her after she was diagnosed with advanced  
dementia. I filled out the papers to change our  
family composition with my mother's apartment twice,  
but NYCHA refused. I'm here today to speak about my  
[inaudible] residency of my mother's apartment  
[inaudible] my home.

[inaudible] I spent every part of my days  
taking care of my mother; I took her to the bathroom,  
I showered her, I dressed her, and one night she  
managed to get out of the bed and walk around the  
apartment and she fell, hit her head and she needed  
five stitches. NYCHA claimed that living with my  
mother could create overcrowding, but I never felt  
crowded. She slept in her bedroom; I slept on the

couch. I always felt that there was plenty of room  
for the both of us.

In July 2012, I told NYCHA that my mother  
had died; they gave me a notice to leave; I went to  
court instead. They knew my mother had a disability;  
they knew I was living with her. I wish NYCHA could  
have told me from the beginning what I need to do.

NYCHA **[inaudible]** my mother's **[inaudible]** for the  
family composition. When she would not even remember  
her name, I hoped to stay in my home; I did  
everything to notify NYCHA when I move in; I hope  
that they change the policy so people like me do not  
have the same problem in the future. Thank you for  
the time; for listening to my story. Thank you.

MICHAEL GRINTHAL: My name is Michael  
Grinthal from the Community Development Project at  
the Urban Justice Center; I am actually reading the  
testimony of Norma Blas, who is a resident of  
Vandalia Houses. Ms. Blas is ill today and passed  
out waiting for the bus this morning, so called me  
and asked me to read her testimony for her.

"My name is Norma Blas. I am 62 years  
old; I live at 77 Vandalia Ave in the Vandalia Houses

in Brooklyn. My mother was Gilda Ramos and I lived  
with her for almost 13 years.

I moved into my mom's NYCHA apartment  
around 2000. I moved in with her because she was  
sick and the doctor ordered that she have someone  
there 24 hours a day. She only had home health care  
4 hours a day. She was 85 years old. She was blind  
and couldn't walk. She was bed-bound and needed help  
going to the bathroom. She weighed 220 pounds. She  
had kidney problems. She had 2 broken hips and she  
had Alzheimer's disease. She sometimes didn't  
recognize me or thought I was 8 years old, but she  
didn't trust anyone else.

I changed her diapers and bathed her. I  
changed her bedding. I fed her. I gave her  
medications. I slept on the couch or on a chair in  
her room. In the end, do you know how I fed her;  
with a bottle, like a baby.

After a month I asked management for  
permission for my mom to add me to the lease. I told  
them my mom was sick and needed me there 24 hours.  
They denied me; they told me, "put her in the  
hospital." They said that it would be overcrowding

for me to live with my mom in a one-bedroom  
apartment.

I went back to management at least two  
more times and they denied me every time. I stayed  
in the apartment because I didn't wanna leave my mom  
alone; if I would've left her alone, I don't know  
what would've happened to her; she could've died; she  
couldn't move.

After my mom did die in 2013, I had a  
nervous breakdown. My mother just passed away and  
NYCHA told me I couldn't stay in the apartment; they  
said it was because I was never added to the lease,  
but I asked at least three times after I moved in.

Since then, NYCHA has been trying to  
evict me and I have been in court trying to defend  
myself. There was a petition in the building for me  
to stay there; everyone in the building was saying  
let me sign, let me sign; 55 people signed. I pay  
the rent early every month; I've never missed a  
payment. I wish they would take pity on me and  
people who are seniors; I am 62 years old; we should  
be treated like people, not like nobody.

Thank you everybody for being here and  
listening.

[pause]

NORA MORAN: Thank you so much for  
convening this hearing this morning. My name is Nora  
Moran and I'm a Senior Policy Analyst at United  
Neighborhood Houses of New York (UNH). UNH is the  
federation of New York City's settlement houses; we  
have 38 members across the five boroughs serving over  
750,000 New Yorkers each year.

Our members provide a wide variety of  
services to over 80,000 older adults in New York  
City, doing everything from running senior centers,  
Naturally Occurring Retirement Communities, home  
delivered meal programs, etc. and our members also  
have a deep commitment to public housing and to a  
model of public housing that supports comprehensive  
community-based services for its residents. More  
than half of UNH member organizations operate  
programs in NYCHA spaces and there are a few that are  
located entirely within NYCHA developments.

So our testimony is going to focus on  
supportive services for older adults living in NYCHA  
housing as well as capital needs in NYCHA community  
spaces. Our written testimony goes through some more

information about supportive services within NYCHA,  
but we'll just raise a couple things.

We know that many NYCHA developments are  
home to senior centers and NORCs which predominantly  
serve older residents in those developments. We know  
that these services are utilized by older residents;  
there is a 2014 study that indicated that  
approximately one in three older NYCHA residents  
attend senior centers and one in five attends  
regularly. Research also has shown that older NYCHA  
residents who live alone and are at risk for  
depression are more likely to be senior center users,  
which shows that senior centers have been somewhat  
successful at reaching potentially isolated  
residents, so we know that these programs are an  
important lifeline for older residents in NYCHA.

Another area that's of particular concern  
to us that was raised earlier were recent results  
from the New York State (NYSOFA) RFA for the NORC  
program; as was mentioned, there were three programs  
that the State had previously supported that are  
located in public housing that were not awarded new  
contracts moving forward. So we know that DFTA has  
been working closely with these providers to

understand what the impact is and ensure continuity of services and we encourage them to continue to do that.

The other issue that we'd like to discuss is capital issues in NYCHA spaces. We all know that unmet capital needs are incredibly challenging for nonprofits who operate programming within NYCHA spaces and neither DFTA nor NYCHA is able to consistently provide the funding needed to maintain aging infrastructure in public housing, and as such, providers have waited more than a year for severe issues like leaking pipes, cracked ceilings and even open sewage to be addressed.

Last year UNH collected information about hundreds of open tickets for basic repairs at senior centers and other community spaces in NYCHA and NYCHA was unable to address many of the problems that providers identified. There is often confusion as to whether DFTA, NYCHA or another agency holds responsibility for these capital needs. These unmet capital needs uncomfortable and sometimes even unsafe conditions and can also raise challenges around compliance with the Americans with Disabilities Act (ADA) in terms of ADA accessible spaces. So we would

encourage the City and DFTA and NYCHA to work collaboratively to ensure that service providers in public housing spaces have safe and comfortable spaces for older adults that are kept in good repair. Thank you.

JANNA LEVIN: Good morning members of the City Council. I am Janna Levin, Senior Staff Attorney at Brooklyn Legal Services Corporation A, a legal aid nonprofit where I represent low-income families in housing matters.

NYCHA's current policy regarding family member caretakers does not serve seniors and people with disabilities. The ADA and New York State and New York City Human Rights Law requires NYCHA to engage in an interactive process with a disabled tenant to find out what kind of accommodation she needs and to grant it unless NYCHA can show undue hardship. Instead, as we've heard, NYCHA has a blanket policy that it will always deny family member caretakers permanent residency if adding them will overcrowd the apartment according to NYCHA's occupancy chart.

Our client's mother, a senior citizen with terminal gallbladder cancer, was living in a



one-bedroom apartment when NYCHA refused to add her adult son as a caretaker on the pretext that two people would overcrowd this apartment. NYCHA had the option to approve both to live in the apartment or to transfer them to a larger apartment, which is actually the accommodation that the senior tenant of record's doctor gave a letter requesting that he be added so that they could be moved to a two-bedroom apartment because she needed his care around the clock and NYCHA didn't do so.

Our client moved in anyway to care for his mother. When our client's mother eventually died, NYCHA tried to evict her son even though he had lived there for several years with NYCHA's knowledge and his mother had twice sought a reasonable accommodation to add him permanently to the family composition. NYCHA simply ignored his mother's reasonable accommodation request, though she was a disabled senior, and wrote simply that it was denied because the apartment was a one-bedroom and NYCHA considered it too small for the two of them.

New York State courts have recently ruled in two cases -- Aponte and Cintron [sp?] -- that NYCHA cannot have a blanket policy against adding

family member caretakers in small apartments like this. NYCHA must consider permanent permission for the family member to reside if the need for care will be ongoing.

I'd like to end by encouraging NYCHA to update its management manual, which is the book that NYCHA relies very heavily upon in citing the decisions that it's making regarding tenants; it should be updated to reflect ADA and New York State and City law; the manual should make it clear that a tenant with an ongoing or terminal disability, especially a senior, should be offered a reasonable accommodation to permanently add a family member caretaker and be offered a transfer to a larger apartment if needed. Thank you.

CHAIRPERSON TORRES: And I notice we've been joined by the Public Advocate, so I'd love to give the Public Advocate an opportunity to make a statement.

PUBLIC ADVOCATE JAMES: Thank you,  
Mr. Chair.

So first, my name is Letitia James, the Public Advocate of the City of New York and basically my role is to ensure that New Yorkers are receiving

the support they need, particularly when it comes to government entities and agencies that exist to serve them.

I wanna thank the chairs, Council Member Torres and Council Member Chin, and their staff for holding this hearing and I wanna thank all of the advocates who are here today.

New York City must stand up for the seniors and others with disabilities that live in public housing and demand that they be treated with dignity and respect by NYCHA. After a lifetime of hard work and contribution to the City as taxpayers and residents, our elders deserve to live out their gold years in their homes and with dignity, but it's unfortunate that NYCHA is denying aging seniors and other individuals with disabilities, grandmothers and grandfathers, aunts and uncles to have family members move in to care for them. This draconian approach violates federal and local disability discrimination laws, as was mentioned by my colleague in the struggle with Legal Aid Society and it flies in the face of the City's aging in place practices and hurts our seniors and other individuals with disabilities who are denied access to care by their loved ones

when they need it the most. It puts our families in an agonizing position -- watch helplessly as their beloved one suffers or defy NYCHA risk the consequences of eviction.

My office, along with 13 other elected officials and 15 advocacy groups, we filed an amicus brief in August in support of Jonas Aponte because he and his mother sought a reasonable accommodation of NYCHA's policy by requesting that as her caregiver he be added to her lease as a permanent household member; unfortunately, NYCHA failed to make the reasonable accommodation and my office has released a report about aging in place that calls on NYCHA to consider additional residents to tenant households and reasonable accommodations within the Fair Housing Act and the Americans with Disabilities Act. The agency must also review all of its policies and procedures to ensure that they are consistent with the City's age-friendly initiative which should and must apply to residents of public housing. We also seek opportunities to further improve upon its programs and services for older New Yorkers.

New York City is at the forefront of innovation when it comes to sustaining the lives of

COMMITTEE ON PUBLIC HOUSING, JOINTLY WITH THE  
COMMITTEE ON AGING

21

the aging population which makes NYCHA heavy-handed  
policies around aging even more disappointing. These  
policies impact thousands of low-income seniors and  
others with disabilities living in NYCHA developments  
and NYCHA, their current policy penalizes vulnerable  
elderly and disabled residents and that must change.

I thank you for inviting me here today  
and I thank you for allowing me to say a few words.

[pause]

CO-CHAIRPERSON CHIN: We have a couple  
more people in the first panel. [background  
comments] [pause]

Okay, we're gonna call up one more person  
for the first panel, Mr. Guo Qiang He. Did he show  
up? And Roxy Chang is gonna interpret for him. Guo  
Qiang He. **[00:23:03] Chinese.** [background comments]

GUO QIANG HE: **[00:23:47] Speaking**

**Mandarin Chinese**

ROXY CHANG: Council Members, hi.

GUO QIANG HE: **Speaking Mandarin Chinese**

ROXY CHANG: I am a tenant that lives in  
Queensbridge South Houses.

GUO QIANG HE: **Speaking Mandarin Chinese**

COMMITTEE ON PUBLIC HOUSING, JOINTLY WITH THE  
COMMITTEE ON AGING

22

ROXY CHANG: In 2015, I have requested  
the Queensbridge South management office, due to my  
disabilities, for a transfer.

GUO QIANG HE: **Speaking Mandarin Chinese**

ROXY CHANG: I asked for a transfer to  
Flushing because it is in closer proximity for my  
medical visits. My primary care physicians and  
facilities are in Flushing.

GUO QIANG HE: **Speaking Mandarin Chinese**

ROXY CHANG: The NYCHA Flushing office  
that I went to has also informed me that I fulfill  
the requirements for transfer.

GUO QIANG HE: **Speaking Mandarin Chinese**

ROXY CHANG: But the Queensbridge South  
office manager told me that I don't appear sick,  
severely sick.

GUO QIANG HE: **Speaking Mandarin Chinese**

ROXY CHANG: So they did not care for my  
request.

GUO QIANG HE: **Speaking Mandarin Chinese**

ROXY CHANG: So under these  
circumstances, in May 2015 I...

GUO QIANG HE: **Speaking Mandarin Chinese**

COMMITTEE ON PUBLIC HOUSING, JOINTLY WITH THE  
COMMITTEE ON AGING

23

ROXY CHANG: I submitted a new NYCHA  
application online.

GUO QIANG HE: **Speaking Mandarin Chinese**

ROXY CHANG: My application number was  
11289467.

GUO QIANG HE: **Speaking Mandarin Chinese**

ROXY CHANG: I was told by NYCHA that  
besides disabilities and domestic violence, that the  
application process would take a total of two years.

GUO QIANG HE: **Speaking Mandarin Chinese**

ROXY CHANG: In February this year, I  
have asked... called the NYCHA Customer Contact Center  
about the status of my application.

GUO QIANG HE: **Speaking Mandarin Chinese**

ROXY CHANG: I was told that I will have  
to wait for another two months in order to have a  
response.

GUO QIANG HE: **Speaking Mandarin Chinese**

ROXY CHANG: So in July, when I came out  
of the hospital and I asked again...

GUO QIANG HE: **Speaking Mandarin Chinese**

ROXY CHANG: I was informed that my case  
has expired and that I will need to start over in the  
process.

GUO QIANG HE: **Speaking Mandarin Chinese**

ROXY CHANG: In the present, my health  
has continued to deteriorate.

GUO QIANG HE: **Speaking Mandarin Chinese**

ROXY CHANG: My kidney disease is  
reaching an end stage.

GUO QIANG HE: **Speaking Mandarin Chinese**

ROXY CHANG: My doctor says I am in  
danger in terms of my life.

GUO QIANG HE: **Speaking Mandarin Chinese**

ROXY CHANG: I hope that related  
departments can offer their assistance and help me  
get through these times...

GUO QIANG HE: **Speaking Mandarin Chinese**

ROXY CHANG: and to handle these  
challenges. Thank you.

CO-CHAIRPERSON CHIN: Thank you. We've  
also been joined by Council Member Mendez, Council  
Member Vallone, Council Member Koslowitz; I saw  
Council Member Deutsch from the Committee on Aging  
and then Council Member and our Majority Leader,  
Council Member Van Bramer -- you're on the Public  
Housing Committee; you're not on aging. Okay, thank  
you.



CHAIRPERSON TORRES: You make it sound  
like a bad thing. [laughter] [background comments]  
My condolences to you.

I do have a few questions; first for  
Nora. So what exactly... you said that there have been  
work orders that have languished for months if not  
years, right; what prevents NYCHA from making these  
repairs; is it a question of who's responsible,  
whether it's DFTA or NYCHA? Can you just clarify  
what the situation?

NORA MORAN: Less of a concern of who's  
responsible, DFTA or NYCHA; our members have been  
sort of operating under, you know we're in a NYCHA  
space, the work order goes to NYCHA; you know they've  
languished and been lost due to, you know lack of  
funding to address the capital concerns and simply..  
and large backlogs of work orders.

CHAIRPERSON TORRES: What is NYCHA's  
response to you; does NYCHA take responsibility for  
those capital repairs or?

NORA MORAN: Sometimes and you know they  
were meeting with our members for a while, kind of  
being committed to trying to address them; we have  
stopped those meetings in the past couple months

because they have been concerned about other challenges, mainly from the federal level, but they have shown an interest in trying to streamline the process and figure out the best way to move forward, but it's been difficult -- it's senior centers and other things -- cornerstones, etc., aside from senior centers that are kind of in this boat.

CHAIRPERSON TORRES: And can you provide us with some examples of the challenges that residents are facing in senior centers?

NORA MORAN: Sure. You know I think some are around ADA compliance; to give one example, there is a senior center in the Amsterdam Houses operated by Lincoln Square Neighborhood Center and the bathrooms there are not ADA compliant because the building was built before the American's Disabilities Act was passed and they... you know Lincoln Square has not had capital funding to make the repairs; they have requested of NYCHA; NYCHA doesn't have the funding, and you know as a result, seniors who attend the senior center there just to use the bathroom need assistance of staff, because they physically can't get in with their wheelchairs. That's kind of one example of some of the other challenges. We've also

had members who have had challenges with things like open sewage. In the spring there was a senior center that had a standing puddle of water -- this was the Meltzer Center, run by University Settlement -- in the ceiling and there were whole nests of mosquitoes that sprouted as a result of the standing water. That one NYCHA did address and fix quickly because it was more of a health risk, but it's things like that that just come up and you know, it's hit or miss as to whether they're addressed quickly.

CHAIRPERSON TORRES: And when NYCHA claims there's a lack of funding for capital repairs, do you reach out to DFTA for funding and if so, what has been the response?

NORA MORAN: Our members haven't reached out to DFTA for funding, you know DFTA contracts typically tend to cover services and not capital repairs, so they haven't tried that previously.

CHAIRPERSON TORRES: But as far as you're concerned, DFTA's responsible for services; NYCHA's responsible for the infrastructure... [crosstalk]

NORA MORAN: That's... That's...

CHAIRPERSON TORRES: that would be as the landlord.

COMMITTEE ON PUBLIC HOUSING, JOINTLY WITH THE  
COMMITTEE ON AGING

28

NORA MORAN: That's often how our members  
have operated, yes.

CHAIRPERSON TORRES: And does both DFTA  
and NYCHA accept that basic division of  
responsibility or?

NORA MORAN: I'm not sure; I couldn't  
speak for either... [crosstalk]

CHAIRPERSON TORRES: Okay. We will ask  
them; stay tuned.

NORA MORAN: but that's how we've  
operated, so thank you.

[laughter]

CHAIRPERSON TORRES: I have a question  
for the Aponte attorney or... the attorney in the  
Aponte case -- and I'll try not to weigh in too  
heavily on the details of the case. [background  
comments] For the attorney in the Aponte case; is  
that... [background comments]

MALE: **[00:32:31]** I'm a legal intern for  
Mobilization for Justice and actually, the attorney  
on the case is Leah Goodridge, who's our supervising  
attorney.

CHAIRPERSON TORRES: Okay. Do you... just...  
identify yourself and... [background comments] 'Kay.  
[background comments]

So I anticipate that NYCHA is going to  
claim that providing temporary permission could  
qualify as a reasonable accommodation. Do you  
believe it could qualify as a reasonable  
accommodation; if it's in sufficient; why?

LEAH GOODRIDGE: In this particular case  
with Mr. Aponte, his mother had dementia and she  
applied for a permanent permission and the main point  
is that NYCHA actually just summarily denied two  
requests for permanent permission, so there was no  
action whatsoever. And the second issue is that the  
distinction between permanent and temporary  
permission is that for permanent permission, once  
you're on you're on; the other distinction obviously  
is you don't get succession rights. But for  
temporary you have to reapply every year, even though  
you might be living there long-term. For someone who  
has dementia, that particular disability really isn't  
suitable to reapply every year.

The main overall issue in the case really  
is just NYCHA's failure to respond and treat the

issue appropriately. This was a 90-year-old woman who was monolingual and needed help, needed her son to live with her, so there was just a denial, two denials.

CHAIRPERSON TORRES: So you know I understand your position correctly, once NYCHA is aware that a resident has a disability that would require a reasonable accommodation, it's not enough for NYCHA to wait passively for a request for permission and then deny summarily; there has to be some proactive effort [background comment] to see to it that that resident receives reasonable accommodation; is that your understanding of NYCHA's obligation under city, state and federal law?

LEAH GOODRIDGE: NYCHA's own understanding is that, but practice and policy unfortunately don't really mingle very well. For example, NYCHA has a general memoranda about how to treat senior residents and how to make social service referrals, so in this case of someone who is nearly 90 years old and who they've listed on their annual recertification that they do suffer from a disability, that would certainly merit a case where you refer for social services because perhaps they

might not be able to pay their rent on time; perhaps they might not be able to get down to the management office to hand in certain forms, so even before, right, there was a permanent permission issue, there might've been other issues that might've come about and it would've merited a social service referral.

So in those cases, definitely yes, and in this particular case, what happened here was egregious because someone is putting a landlord on notice that they have a disability, asking for a reasonable accommodation and it's not being treated as such.

CHAIRPERSON TORRES: So there was a denial but no social service referral?

LEAH GOODRIDGE: There was no social... there was just a... The first denial was on the basis of overcrowding, which again, the reasonable accommodation would've been an exception to any overcrowding... [interpose]

CHAIRPERSON TORRES: It seems like the very notion of making a reasonable accommodation means you're making an exception to **[inaudible]**, right?

LEAH GOODRIDGE: That's actually  
literally how federal... federal, city and state laws,  
disability and human rights laws interpret it, but  
that's now how it was treated here, so it would have  
been an exception. The second denial was based on --  
NYCHA said that Mr. Aponte signed on behalf of his  
mother who had dementia and that they wouldn't  
approve the application for a permanent permission  
because they said he signed for his mother, even  
though they knew she had dementia.

CHAIRPERSON TORRES: So there were  
denials, no social service referrals... [crosstalk]

LEAH GOODRIDGE: Denials [inaudible]...

CHAIRPERSON TORRES: and no apparent  
attempt at finding some reasonable accommodation for...

LEAH GOODRIDGE: None.

CHAIRPERSON TORRES: for Miss Aponte.

Okay. Does anyone have any questions or?

[background comments]

COUNCIL MEMBER VALLONE: Just quick.

Following that line of thought -- and thank you --

Margaret Chin and I had a hearing with these types of  
issues with DFTA and APS, so Adult Protective  
Services has a responsibility to get involved with



seniors in need with a disability on their own and when you referred the 90-year-old case with that someone to have assistance, in your practice, have you seen APS involvement in these types of cases?

LEAH GOODRIDGE: You know I think the issue here is that there wasn't a court case at this time; it was just a 90-year-old woman living in her apartment, so there wasn't a court... I've seen APS obviously get involved where there's a court case, but there was no court case at this time; we're talking about someone who wants to add her son to a reasonable accommodation. But even before APS gets involved, normally there is at least some sort of social service referral just on NYCHA's part; they do have a general memoranda for that.

COUNCIL MEMBER VALLONE: So on that point, have you seen a percentage of NYCHA referrals for social services, then leading to APS? I'm trying to see the interagency action together with most of our hearings to make sure our seniors in need, our persons with disabilities and caretakers have the resource to not have to continually go through the wheel of services every time they deal with a different agency, and I'd like to see the

coordination and the referral between the agencies when a case is opened so that it is then shared with their sister agencies so that the caretakers don't have to spend weeks explaining to the next person on the phone what the his... has there been any interaction in your eyes?

LEAH GOODRIDGE: No. No, I haven't seen much interaction. What I have seen are at termination hearings, where there's a social service referral for mental health, for potential mental health issues and then the referral comes back and approves the need for a guardian ad litem and a garden ad litem is appointed, but I really haven't seen a lot of interaction between APS and NYCHA residents, particularly pre-court, pre-litigation.

COUNCIL MEMBER VALLONE: So I think there's an opportunity there chairs for us to have that coordination there and some legal services with simple documents, like power of attorneys and health care proxies to help folks who find themselves in the upper echelon of age and need and fighting these situations without some legal assistance. Thank you.

CHAIRPERSON TORRES: Thank you, Council  
Member Vallone. I know the Public Advocate had a few  
questions as well.

PUBLIC ADVOCATE JAMES: Yeah. So how  
could NYCHA arbitrarily and capriciously deny someone  
reasonable accommodation in the face of written  
evidence indicating that that individual is disabled?  
I mean the workers who deny these requests, are they...  
do they have medical degrees?

LEAH GOODRIDGE: I think that part -- I'm  
not NYCHA, but I can speak as a legal services  
attorney who's represented tons of NYCHA residents  
and much of that has been advocacy in the  
development. I think that part of the issue is that  
there is a little bit of a disjuncture between the  
staff in the development and then perhaps -- there is  
an EEO office that handles in part some reasonable  
accommodation matters and there is a little bit of a  
disjuncture. So for example, someone who... maybe a  
project manager who works in the development itself  
and not at the headquarters at 250 Broadway might  
have seen this and said this is not -- yes, you're  
telling us you have a disability; yes, you're telling  
us you need reasonable accommodation, but we still

can deny this and not really understanding that that's illegal. I do think that that's a possibility, but at the end of the day, obviously, whether... that's the reason, but at the end of the day clients and tenants are still being hurt by these actions.

PUBLIC ADVOCATE JAMES: Yeah. So I'm sorry, Council Member Chin, I didn't get the gentleman's name who's from Queensbridge. [background comment] Mr. He. [background comment] Could you please tell me the status of Mr. He's case; that obviously has touched all of us in this room?

[background comment]

ROXY CHANG: So I've asked Mr. He if he wanted me to help explain the situation and he said yes. So his application was basically cancelled, as spoken in the testimony, so we just started a new application again, but Mr. He... I submitted his medical records and a doctor's letter along with the testimony, because he is in a really severe situation and... [interpose]

PUBLIC ADVOCATE JAMES: He's at the end stage of...

ROXY CHANG: Kidney failure.

PUBLIC ADVOCATE JAMES: kidney failure,  
renal failure. Are you represented by counsel? Do  
you have a lawyer?

ROXY CHANG: He does not have a lawyer.

PUBLIC ADVOCATE JAMES: Okay.

ROXY CHANG: [background comment] But  
we've been also... we have also gotten help from  
Council Member Jimmy Van Bramer's office, so you know  
we appreciate that.

PUBLIC ADVOCATE JAMES: And the great  
Council Member Jimmy Van Bramer is here and I'm sure  
he'll speak. But let me just say, for all of my  
friends and advocates in the room and all of the  
attorneys who are here, particularly [background  
comment] my former employer, Legal Aid and Legal  
Services, I would urge all of you to reach out to  
Mr. He, but more importantly, I would hope that NYCHA  
would immediately address the needs of Mr. He and do  
that today. This man is in the end stages of renal  
failure and it's just really unacceptable and  
unconscionable that he is not receiving reasonable  
accommodation. It's just obvious as the day is light  
that this gentleman needs services at home and so I

would hope that we can resolve that today. Thank  
you.

CHAIRPERSON TORRES: We've been joined by  
Council Member Mark Treyger and Council Member Mendez  
joined us earlier. If there are no further  
questions, we'll proceed to the New York City Housing  
Authority. Thank you. [background comments] Thank  
you so much for your testimony.

[background comments]

So we're joined by the Executive Vice  
President for Capital at the New York City Housing  
Authority, Deborah Goddard, Lillian Harris, who is  
the Vice President for Tenancy Administration, Sideya  
Sherman, who is the Executive Vice President for  
Community Engagement and Partnerships at the New York  
City Housing Authority, and [background comment]  
Carolyn [sic] Resnick, who is the Deputy Commissioner  
for External Affairs at DFTA and Karen Taylor, who is  
the Assistant Commissioner for Community Services at  
DFTA.

Can you please raise your right hand? Do  
you swear to tell the truth, the whole truth and  
nothing but the truth in your testimony before  
today's committee? Okay, you may proceed.

SIDEYA SHERMAN: Chairs Ritchie Torres, Margaret Chin, members of the Committees on Public Housing and Aging, and other distinguished members of the City Council, good morning. I am Sideya Sherman, NYCHA's Executive Vice President (EVP) for Community Engagement and Partnerships. Joining me today are Deborah Goddard, EVP for Capital Projects and Acting EVP for Real Estate, Lillian Harris, Vice President for Tenancy Administration; as well as our partners at the Department for the Aging (DFTA). Thank you for this opportunity to discuss the Authority's work to provide nearly 80,000 seniors living in our developments across the city with safe, supportive communities and access to quality services.

The challenges confronting public housing in America today are serious and significant, from aging infrastructure to the growing deficits brought on by decades of insufficient federal funding. Mayor de Blasio and Chair Olatoye developed a long-term strategic plan, NextGeneration NYCHA, out of the unwavering belief that this precious affordable housing resource for 1 in 14 New Yorkers must be preserved. With NextGen as our guide, we are providing safe, clean and connected communities for

all of our residents, including seniors who are aging  
in place.

NYCHA is firmly committed to our seniors  
and believes that all New Yorkers deserve to age in  
place with dignity in their homes. As anchors of  
their communities, seniors contribute to the strength  
and vitality of their neighborhoods. But due to a  
loss of \$3 billion in federal operating and capital  
funding over the last 15 years and a \$17 billion  
capital need, we must rethink the way we do our work  
and focus on our core responsibility to be a better  
landlord. As part of that focus, we've moved away  
from directly providing social services to connecting  
residents to best-in-class services from the vast  
network of social service providers throughout the  
city.

NYCHA helps our seniors thrive in a  
number of ways, from initiatives that positively  
impact all 80,000 seniors living in our developments  
to those that serve only our neediest residents. If  
you are a senior at NYCHA, you can benefit from  
physical improvements to our buildings, on-site  
services, connections to services, and age-friendly  
policies.



As a landlord, NYCHA continues to focus on improving our buildings to enhance residents' quality of life. As part of NextGen, we updated the architectural design guidelines for the rehabilitation of our buildings, taking into account age-friendly and accessible design, as well as DFTA's Age-Friendly NYC report and HPD's guidelines for senior housing. Whenever the funding is available to upgrade our buildings, these standards will better support the safety, health and comfort of residents, including their ability to age in place gracefully.

Guided by the new architectural standards, we are investing about \$4 million to make accessibility and age-friendly improvements at 89 developments, such as more comfortable seating areas on the grounds for seniors. The new LED exterior lighting that we're installing across the city makes it easier for everyone, including our seniors, to see. We are eager to get the funding necessary to complete more of these projects in the future.

These standards apply not only to rehabilitation projects but also the development and preservation work we're doing. The new 100% affordable housing we're building for seniors, which

I'll discuss later in my testimony, also incorporates age-friendly designs, such as handrails throughout corridors, grab bars and emergency pull-cords in bathrooms, and accessible apartment designs.

All the building improvements and rehabilitation we're accomplishing through the Rental Assistance Demonstration program complies with federal and local requirements that make it easier and safer for seniors to age in place.

Thanks in part to Council Member James Vacca's commonsense suggestion, we are piloting a live-in caretaker program at Boston Road Plaza, Middletown Plaza and Twin Parks East. This means that someone is available around the clock to assist residents. This past week we showed off this initiative at Boston Road Plaza.

NYCHA's newly reorganized Community Engagement and Partnerships department fulfills the NextGen goal of engaging residents and connecting them to best-in-class services. By engaging key populations, including seniors, and connecting them to critical health and social services from community-based organizations and other City agencies, seniors are supported as they age in place

at NYCHA. We know we cannot do this alone -- this is why we streamlined the ways that we partner with local providers, through our new Zone Model. And this fall we are surveying seniors to further identify the programs and services that they seek.

At our 78 senior-only buildings and 12 NORCs (which are naturally retirement communities), seniors and their caregivers are supported with on-site and nearby assistance. This includes one-on-one counseling as well as recreational and cultural opportunities from DFTA and many other providers. At the 10 NORC programs sponsored by DFTA, homebound and non-homebound seniors are connected to services and get help with accessing public benefits and improving their health.

For instance, the HUD-funded Senior Resident Advisor and Service Coordination Program provides on-site assistance to seniors in need to help them live safely and independently within their homes. Under the supervision of licensed social workers, Senior Resident Advisors organize volunteer floor captains who make daily contact with other seniors on their floor.

Partnership is key to serving our seniors. NYCHA works with dedicated providers across the city to meet their needs. For example, socially isolated or homebound seniors in all five boroughs receive regular home visits through Henry Street Settlement's Senior Companion Program. Senior Companions are healthy, older adults who help their fellow seniors live independently, by helping them go shopping, go to doctors' appointments or other activities, and obtain services such as Access-A-Ride or Meals on Wheels. Most important, perhaps, is the friendship the companions provide.

DFTA's Grandparent Resource Center provides assistance, resources and supportive services to seniors who are raising young relatives at the 15 NYCHA developments that are the focus of the Mayor's Action Plan for Neighborhood Safety. Nearly 1,000 seniors and their caregivers have attended workshops on community safety, mental health awareness, senior scams, nutrition, falls prevention, and child and elder abuse.

We partner with an innovative organization, Older Adults Technology Services (known as OATS), which is helping seniors to use and make

the most out of the latest technology. Through this partnership, seniors at Queensbridge Houses take classes on computer literacy, digital photography, financial management, social media, and health and fitness. Participants use technology not only to learn and grow but also to communicate and socialize with friends and family. This fall, we expanded the partnership to four new sites: the Jefferson, Melrose Mott Haven, Red Hook, and Stapleton senior centers. Three sites offer classes in multiple languages to meet the needs of NYCHA's diverse population of seniors.

The 111 senior centers at NYCHA, including 96 senior centers and senior social clubs sponsored by DFTA, provide a range of recreational, health and cultural activities, services and resources that enhance the lives of NYCHA residents and other seniors in the community. On any given day, seniors participate in free exercise classes, discussion groups or blood pressure screenings. At DFTA-funded senior centers, older New Yorkers can get free meals, counseling on social services or assistance with benefits. Regardless of where they

live, every NYCHA senior has access to a program on-site or within their community.

Last week we launched new services for seniors at our UPACA development. Presbyterian Senior Services' (PSS) Circle of Care program provides seniors a helping hand, whether it's assistance with transportation, buying and preparing food, paying bills, getting vital benefits and entitlements, doing household chores, or other daily needs. Circle of Care also provides caregivers with guidance, training resources and interpretation services. PSS will talk more about the good work they're doing in their testimony today.

This month we're conducting resource fairs for seniors and hosting Domestic Violence Awareness Month events for seniors in every borough. We organize the domestic violence awareness conferences every year to inform seniors about the signs of abuse and where they can get help.

Additionally, we're providing new ways for residents to access health services. In collaboration with Harlem Health Advocacy Partners, we launched the largest-ever NYCHA community-based health worker initiative, which helps residents in

five East and Central Harlem developments improve their health through health coaching and healthcare navigation services. In the past three years, nearly 400 seniors established specific health goals and received individual and group services. The program is led by the City's Department of Health and Mental Hygiene in partnership with NYCHA, the Community Service Society and NYU-CUNY Prevention Research Center.

We want to make sure that seniors have all the support they need from medical professionals and caregivers. For that reason, we will grant temporary permission for caregivers to join a household or other reasonable accommodations, based on the circumstances. Providing a transfer to a larger apartment with an extra bedroom for a caregiver can be a challenge, however, because of the limited number of vacant apartments available. The turnover rate at NYCHA is less than 2.7% and the vacancy rate is even lower, at 0.6%. Today there are only about 1,100 vacant apartments available for occupancy throughout the entire Authority, including about 430 two-bedrooms and 380 one-bedrooms -- our most sought-after apartment sizes.

Through NYCHA's reasonable accommodation policy, seniors with disabilities can request an accommodation that will make it easier for them to age in place in their apartment. That could include a move to a lower floor or an accessible apartment or an apartment modification such as the installation of a grab bar or a roll-in shower.

There is not enough affordable housing for seniors in our city. We are using our land to build more. The 100% affordable housing we're creating for seniors across the city will include senior centers and dedicated programming for seniors. Four projects are in progress that will provide more than 650 new affordable homes for seniors, at Ingersoll, Mill Brook, Betances V, and Sumner Houses. The new development at Ingersoll will feature a senior center offering a range of services from our partner Services and Advocacy for GLBT Elders (known as SAGE), to support residents and the larger community. We look forward to partnering with stakeholders on more of these vital projects, for the benefit of New Yorkers today and tomorrow.

The stories of our seniors speak for themselves. Ms. Smith, a retired home health aide,



1 moved into Glenmore Plaza when it first opened in  
2 1968. After her husband passed away in 1972, she  
3 continued to raise her children at Glenmore Plaza,  
4 until they married and moved out. Now retired from  
5 careers in law, city government and the like, her  
6 children gifted her with 21 grandchildren, 31 great-  
7 grandchildren, and five great-great-grandchildren.

8 [background comments] Ms. Smith lost both of her  
9 legs due to diabetes, limiting her ability to do the  
10 things she once enjoyed, but socializing with other  
11 seniors at the Glenmore Plaza Senior Center and  
12 participating in its programs and events lifts her  
13 spirits and keeps her engaged.

14  
15 Mr. Williams has been a resident of  
16 Brownsville Houses for 45 years. A proud father, he  
17 raised five children there, three of whom, along with  
18 a grandchild, are now working in law enforcement.  
19 Mr. Williams has been going to the Brownsville Senior  
20 Center every day for over 35 years. He likes to keep  
21 his mind and body active through pool and table games  
22 with friends, health, exercise and nutrition classes,  
23 and socializing over lunch.

24 NYCHA supports seniors in a variety of  
25 ways -- from senior center programming to the

dedicated services available at our senior-only buildings, from the new housing we're creating exclusively for seniors to our policies that facilitate assistance for caregivers. That said, with more funding we could do more. We are eager to work with the Council and other partners to identify funding for building improvements, as well as additional programs and services that will support seniors as they age in place at NYCHA.

Thank you for the opportunity to begin this dialogue. We are happy to answer any questions you may have.

CHAIRPERSON TORRES: Thank you for your testimony. I will start with the remaining family member policy and what NYCHA understands to be its obligation to provide reasonable accommodations.

Once you know that a tenant has a disability need for reasonable accommodation, do you believe that it's incumbent on NYCHA to be proactive in seeing to it that that resident receives reasonable accommodation?

LILLIAN HARRIS: Can you clarify your question?

CHAIRPERSON TORRES: So once NYCHA establishes that a tenant has Alzheimer's, dementia; requires reasonable accommodation -- caregiving -- do you believe that NYCHA has an obligation to be proactive in ensuring that that resident receives reasonable accommodation?

LILLIAN HARRIS: Well property management staff are proactive in terms of submitting a referral. In a lot of cases where a tenant has dementia, they need additional supportive services; an APS referral may be required; a guardian at litem may be required to take care of their personal and financial business, so there needs to be a step we take to make those referrals.

CHAIRPERSON TORRES: So you agree that NYCHA should be proactive and taking some action...? [crosstalk]

LILLIAN HARRIS: Proactive and... Proactive and taking some action in terms of making an appropriate referral... [crosstalk]

CHAIRPERSON TORRES: And if you fail to be proactive, does that mean you're denying a resident reasonable accommodation?

LILLIAN HARRIS: In some cases we won't know that a resident needs a reasonable accommodation... [crosstalk]

CHAIRPERSON TORRES: I'm only speaking about the cases where you know that a resident needs reasonable accommodation.

LILLIAN HARRIS: Yeah, I'm not sure if I can fully answer that, because I'm not sure how they would know that a tenant needs a reasonable accommodation unless the tenant states that they do.

CHAIRPERSON TORRES: Well if you receive a medical note confirming that a tenant has a disability that would require reasonable accommodation, at that point you do know...

LILLIAN HARRIS: At that point it's a different scenario. Obviously if someone submitted a note on behalf of a tenant, staff should take appropriate steps to complete the reasonable accommodation. A reasonable accommodation can be made verbally or it could be made in writing. So if we receive medical documentation stating that the tenant is disabled and needs to be on a lower floor, then staff would take appropriate action to complete the reasonable accommodation request.

CHAIRPERSON TORRES: And the failure to  
take action would constitute a denial of reasonable  
accommodation?

LILLIAN HARRIS: It wouldn't be a denial.

CHAIRPERSON TORRES: So if I'm...  
[interpose]

LILLIAN HARRIS: I'm sorry; I'm just not  
clear on your question.

CHAIRPERSON TORRES: Yeah; I'll clarify.

LILLIAN HARRIS: Okay.

CHAIRPERSON TORRES: If a tenant is shown  
to have a disability need and I as that tenant -- say  
I'm a close relative who requests permanent  
permission in order to seek a reasonable  
accommodation, you cannot simply say no, right?

LILLIAN HARRIS: Just to clarify -- I'm  
sorry; I just wanna make sure... [crosstalk]

CHAIRPERSON TORRES: Yeah.

LILLIAN HARRIS: I'm answering your  
question fully. In a situation where a live-in aide  
is required, the tenant could request a live-in aide  
and we would process that request accordingly. It  
wouldn't necessarily be a reasonable accommodation if  
they want to request temporary or permanent

permission. In some cases they'll submit a  
reasonable accommodation request for a live-in aide;  
it depends on which track it takes, but once we have  
the request and the supporting documentation, we'll  
[inaudible]... [crosstalk]

CHAIRPERSON TORRES: But specifically on  
the hypothetical; if I'm a close relative who wishes  
to serve as a caretaker for a tenant who has a  
serious disability and I request permanent  
permission, NYCHA cannot simply say no to me; you  
have to take some action to ensure that that resident  
has a reasonable accommodation... [crosstalk]

LILLIAN HARRIS: If the resident requests  
a family member to move in to serve as a live-in  
aide, of course we would evaluate it and make a  
determination based on the supporting documentation  
that was submitted.

CHAIRPERSON TORRES: So you simply would  
not say no?

LILLIAN HARRIS: We would evaluate it  
based on its merits.

CHAIRPERSON TORRES: Okay. Now my  
understanding is that... and what happens if you say  
no; then what happens?

LILLIAN HARRIS: If property management denies the request, there is a process where they get escalated to the Public Housing Reasonable Accommodation Coordinator, for short it's PHRAC, which is a lot easier to say. We received about 1,100 reasonable accommodation requests in the past 12 months of which 10% was for a live-in aide. We've only denied one of those requests; over 50 of them were approved; and 30 are in progress.

CHAIRPERSON TORRES: I'm sorry; you only denied what request?

LILLIAN HARRIS: We've only denied one live-in aide request in the past 12 months.

CHAIRPERSON TORRES: And describe what that request is.

LILLIAN HARRIS: I don't wanna go into the details of the specific case, but they did not provide any supporting documentation, so without supporting documentation, we were unable to make a determination. But the stats are... [interpose]

CHAIRPERSON TORRES: So there was no medical documentation?

LILLIAN HARRIS: No. And despite efforts to get that information, we weren't able to.

CHAIRPERSON TORRES: So you received no medical -- with respect to Miss Aponte, you received no medi... [crosstalk]

LILLIAN HARRIS: Oh, I'm not talking about the Aponte case... [crosstalk]

CHAIRPERSON TORRES: Okay.

LILLIAN HARRIS: I'm talking about in general. Out of the 1,100 reasonable accommodation requests that we received, about 10% (97) were for a live-in aide; of that 97, more than 50 were approved, one was denied, and 30 are currently in the process of being evaluated. In terms of the Aponte case, I'm unable to speak about it because of ongoing litigation, but I'm more than happy to answer questions about our general policy.

CHAIRPERSON TORRES: I wanna go back to the original hypothetical. If I'm a close relative and I request reasonable accommodation through permanent permission, NYCHA could reject me based on occupancy grounds?

LILLIAN HARRIS: So to clarify, if you were to be added as a permanent household member, it would not be a reasonable accommodation request; it's



1 simply a change in family composition to add you as a  
2 permanent household member.

3  
4 CHAIRPERSON TORRES: If I'm moving in  
5 with my mother...

6 LILLIAN HARRIS: Yes.

7 CHAIRPERSON TORRES: for the purpose of  
8 providing caretaking, how is that not a reasonable  
9 accommodation?

10 LILLIAN HARRIS: So I just wanna clarify  
11 and make the distinction. There's two tracks; one is  
12 temporary; you're moving in temporarily to serve as a  
13 caregiver; the other is, you're moving in permanently  
14 as part of that household; your income, your...  
15 [interpose]

16 CHAIRPERSON TORRES: So that's a  
17 bureaucratic distinction... [crosstalk]

18 LILLIAN HARRIS: It...

19 CHAIRPERSON TORRES: but in the real  
20 world, if I'm moving in with my mother who has  
21 dementia for the purpose of caregiving, common sense  
22 dictates that that is a reasonable accommodation.

23 LILLIAN HARRIS: It would be if you're  
24 moving in temporarily... [crosstalk]

CHAIRPERSON TORRES: So if it's permanently, then I'm not serving as a caretaker? It's the caretaking that makes it qualify as reasonable accommodation.

LILLIAN HARRIS: We do have reasonable accommodation requests for a live-in aide, so it would depend on the situation; your mother would make the request that she wanted to add you as part of the family composition and we would process it from there and evaluate it.

CHAIRPERSON TORRES: But in your mind, if I'm moving in permanently -- I just want to understand NYCHA's position -- if I'm moving in permanently for the purpose of functioning as a caretaker for my mother who has dementia, in your opinion, that is not a reasonable accommodation; that's simply a change in the family composition; is that...

LILLIAN HARRIS: If you're moving in as a permanent household member and you're gonna have caregiver responsibilities; that's not a reasonable accommodation.

CHAIRPERSON TORRES: So that's NYCHA's position. Okay, I just want to understand what your position is.

What about situations where a tenant is rendered incapable by the disability of requesting permission; how do you handle those situations...?  
[crosstalk]

LILLIAN HARRIS: Can you please repeat the...

CHAIRPERSON TORRES: If a tenant has Alzheimer's or is in no position to provide medical documentation demonstrating a disability need, how do you handle those situations?

LILLIAN HARRIS: In most of those situations the tenant is already receiving services, either they have a case manager, they have a guardian, they have a family member with power of attorney who would be able to make those decisions on behalf of the tenant.

CHAIRPERSON TORRES: And what if the tenant is not receiving those services; then what action would NYCHA take?

LILLIAN HARRIS: We would make the action of making a referral as necessary.

CHAIRPERSON TORRES: You have written procedures specifically for caretakers that document how caretakers can provide reasonable accommodations to residents of public housing who need it...?

[crosstalk]

LILLIAN HARRIS: Absolutely. We have internal policies and procedures and we also have this information available online on NYCHA's website, if you click on resources.

CHAIRPERSON TORRES: Specifically for caretakers?

LILLIAN HARRIS: It's specifically on reasonable accommodations; we also have the tenant handbook which speaks about caretakers. We are in the process of updating it to provide more information on temporary, permanent permissions, reasonable accommodations, and other topics that we've received feedback from tenants that they would like to see more information on, so we do have that information available.

CHAIRPERSON TORRES: So what if I'm living -- say I'm a low-income New Yorkers who's living in an affordable housing unit and in order for me to remain eligible for that unit, I have to live

there permanently, but then I have a mother who lives in public housing who has dementia and I have to be with my mother 24/7, I have to monitor my mother 24/7, but that would require me giving up my apartment because I'm no longer primarily residing there; I'm no longer there on a primary basis; what if under those circumstances I was looking to obtain permanent permission so that I could have succession rights so that I'm not giving up my affordable housing apartment in order to provide caretaking to my mother; I'd have the security of a home and I'm able to provide caretaking for my mother; would you deny me permanent permission under those circumstances?

LILLIAN HARRIS: It's hard for me to respond to that question because there is criteria -- for example, if you wanted to be added as a permanent household member, you would have to -- if you are over the age of 16, would have to pass a criminal background and sex offender check. So there's criteria that we would need to evaluate... [interpose]

CHAIRPERSON TORRES: I'm not asking about those criteria, yet... [crosstalk]

LILLIAN HARRIS: But...

CHAIRPERSON TORRES: you can assume for a moment I'm not a sex offender; I'm not a criminal offender, right?

LILLIAN HARRIS: Again, we would need to evaluate the criteria and make that determination. If you meet the criteria, then... [crosstalk]

CHAIRPERSON TORRES: And so what would prevent you from -- if I have to give up my apartment in order to provide my mother with 24/7 caregiving, what would prevent you from granting me permanent permission as a form of reasonable accommodation?

LILLIAN HARRIS: Yeah, as long as you meet the criteria and it doesn't cause... [interpose]

CHAIRPERSON TORRES: Suppose that I overcrowd the apartment just by one person, just a technical violation of the occupancy rules...

LILLIAN HARRIS: So in those situations we work with the families case by case; in some instances... [interpose]

CHAIRPERSON TORRES: Do you work with the families in cases like this or?

LILLIAN HARRIS: We review each case individually.

CHAIRPERSON TORRES: So you've made exceptions to your occupancy rules to provide permanent permission?

LILLIAN HARRIS: I know that in situations where it would cause extreme overcrowding. For example, four people... [crosstalk]

CHAIRPERSON TORRES: I'm not talking about extreme overcrowding, I'm talking about overcrowding by one person.

LILLIAN HARRIS: So overcrowding by one person, I believe that we would agree to it, because it doesn't cause an extremely overcrowded situation.

CHAIRPERSON TORRES: So you would make exceptions to your occupancy rules as long as it's not extreme and as long as it does not result in extreme overcrowding...? [crosstalk]

LILLIAN HARRIS: As long as it does not result in an extremely overcrowded situation... [crosstalk]

CHAIRPERSON TORRES: Okay, 'cause that...

LILLIAN HARRIS: it would be approved.

CHAIRPERSON TORRES: that is not what happened with Mr. Aponte.

LILLIAN HARRIS: So with Mr. Aponte,  
again, I can't speak to the... [crosstalk]

CHAIRPERSON TORRES: Yeah.

LILLIAN HARRIS: specifics of that, but  
if there are any cases, you know definitely bring  
them to me and we'll review them.

CHAIRPERSON TORRES: But it's worth the  
record... let the record reflect that the inclusion of  
Mr. Aponte on a permanent basis would not have  
resulted in extreme overcrowding, only in moderate  
overcrowding or tactical overcrowding, so that seems  
to flatly contradict what you just told me.

I want to address the community centers.  
NYCHA transferred most of its senior centers to DFTA  
[background comment] a few years ago; is that correct  
or? You've been in a years-long process of  
privatizing the operation of your senior centers; is  
that a correct...

SIDEYA SHERMAN: Yes. So we've been  
transitioning senior centers to DFTA; that process  
started in 2014; we've transitioned a few in  
different ways, so at this point we have 14 senior  
centers, which are primarily the smaller centers,  
that are being operated by NYCHA.



CHAIRPERSON TORRES: And so when there's a need for repair, right; suppose the oven breaks down [background comment] and you're no longer able to provide seniors with hot meals, who's responsible for repairing the oven; who's responsible for paying for it?

SIDEYA SHERMAN: Sure. So we can both speak to this. So in general, NYCHA you know has taken ownership and responsibility over the capital, the big building envelope and roof and structural issues and we work with DFTA, to the extent that they have expense money available, to address repairs inside. I can have Caryn speak to that further.

CARYN RESNICK: Yes, this is an ongoing and continued partnership and when there are interior repairs such as an oven, then the sponsor would come to us through Karen Taylor and the Bureau of Community Services and generally we can accommodate those within the bottom line, and if it's something that requires roof repair or HVAC, some very large capital expenditures, then we would talk to NYCHA about making that repair.

CHAIRPERSON TORRES: But if there's a need for repair, the correct thing for a service

provider to do is not to go to NYCHA, but to go to  
DFTA?

CARYN RESNICK: Yes, they should come to  
DFTA...

CHAIRPERSON TORRES: And then you would  
go...

CARYN RESNICK: and we can help walk them  
through the process, yes.

CHAIRPERSON TORRES: And do you have a  
dedicated cap... because I know... my understanding is  
that DYCD has a dedicated capital fund...

CARYN RESNICK: Yes.

CHAIRPERSON TORRES: for repairs in  
community centers; does DFTA have a capital fund for  
repairs in senior centers...? [crosstalk]

CARYN RESNICK: No. No, we do not.

CHAIRPERSON TORRES: So how do you  
address those needs without a capital fund?

CARYN RESNICK: One at a time and  
generally we're able to meet that need with expense  
dollars and when it becomes too large a number or  
outside of our scope, then we talk to NYCHA.

CHAIRPERSON TORRES: So I guess my  
criticism here would be that NYCHA and DFTA have been

working for years on privatizing the operation of senior centers but there is no mechanism by which to fund capital repairs in these senior centers; after three years we're no closer to identifying a mechanism for funding these repairs and that... I just find that troubling. So that... do you wanna comment on that or other...

SIDEYA SHERMAN: Yeah, I mean I can just add that you know we certainly understand those concerns and you know we've been working together to... and our first priority getting centers up and running and the operating dollars in place for those programs; we're working to really, you know, lay out rules and responsibilities to make sure that's clear for our sponsors and identify the funding needed to deal with these day to day repairs.

CHAIRPERSON TORRES: I guess by what logic is it sensible to have a capital fund for DYCD but not for DFTA, for community centers but not for senior centers? Like I don't understand the discrepancy there. [background comment] Please.

CO-CHAIRPERSON CHIN: Can I follow up with that? You guys, there was a report by the New York City Comptroller and the issue was raised that

there's no memorandum of understanding between DFTA and NYCHA in terms of the structural deficiency repairs, so is DFTA working with NYCHA to develop a memorandum of understanding, like who's responsible; who's supposed to do what?

CARYN RESNICK: Yes, we are in those discussions, they are ongoing and we are looking forward to having a memorandum of understanding. It requires some investment, so OMB is involved in those discussions and we hope to get there soon.

CO-CHAIRPERSON CHIN: Is there an MOU between DYCD and NYCHA?

SIDEYA SHERMAN: So we have an initial MOU from our early partnership and we're actually updating that agreement as well as working on the DFTA agreement.

CO-CHAIRPERSON CHIN: Yeah, I mean like if you have it with one agency, it doesn't make sense you don't have it with DFTA, 'cause you all operate in NYCHA buildings and most of the senior centers in NYCHA buildings need some upgrade and repair, especially in the bathroom -- I have one in my district; the bathroom is a children's toilet seat, [background comment] you know it's not accessible and

we wanna help and advocate for a capital budget line for DFTA because these are the centers that really need some repair and for NYCHA, I think you would definitely love to support us on that, because [inaudible] revenue for you to fix up the buildings. So we've gotta really work together on those, because the seniors still go to the NYCHA centers, especially the NORC programs. So have there been any discussions about the three NORC programs that did not get the state RFP; how are we gonna be able to maintain and continue them? Karen, are you gonna answer that?

KAREN TAYLOR: Gonna try. Yeah, there were three programs, two of which were funded by both DFTA and New York State Office for the Aging for NORC services and a third, Grand Street Settlement, which was funded through Council funding and the state. Those three programs responded to a state RFP recently and were not re-awarded. It resulted in some significant loss of funds, but all three -- well all two of the permanently-funded DFTA programs of course still have their DFTA funds as well, and we've been talking pretty extensively with each program to try to identify what this would mean in terms of loss

-- would it mean a staff person; would it mean certain types of services, you know that would problematic. What the state requires is that each program also provide matching funds, either in-kind or in cash, so we've been talking to the programs about whether they would still be able to provide what they had previously provided to the state in terms of matching funds, which sort of helps allay some of the problem as well. But again, it's ongoing discussions and I'm sure many of them have already come to the Council to discuss this as well.

CARYN RESNICK: And if I might add to that, there is advocacy from the community and directly from DFTA to NYSOFA about the impact of the result of this RFP; I don't think they quite understood what the impact could be, so there may be some movement on the state level.

CO-CHAIRPERSON CHIN: Do you know when? I mean this is already October.

CARYN RESNICK: I can't respond to that, but the grave concern has been brought to the attention of the State Office for the Aging.

CO-CHAIRPERSON CHIN: Okay; I mean we've gotta have a backup plan, because they are coming to

the City Council and I think OMB also really needs to look at this, 'cause we cannot allow these programs to shut down. I mean I think that's really something that we wanna make sure we prevent.

We were joined earlier by Council Member Salamanca. [background comment] Oh, Council Member Vallone.

COUNCIL MEMBER VALLONE: Thank you, Chairs. There's larger macro issues and there's smaller micro issues going on in this hearing, which is why this is so important.

Caryn, with the transfer from NYCHA to DFTA, has DFTA been given any additional capabilities -- staffing, resources or funding -- to handle the new responsibility now for these structural repairs to the NYCHA buildings?

CARYN RESNICK: Repairs or operations?

COUNCIL MEMBER VALLONE: Well repairs first, 'cause we just went through the process of them now calling you and you not having that additional...

CARYN RESNICK: So we do not have additional resources for repairs; we did get funding for operations and food and staffing, etc., and the

repairs, as I mentioned, if we have accruals or additional expense dollars in our budget, then we're able to make the more minor repairs and when it becomes a large capital expense, then we go to NYCHA.

COUNCIL MEMBER VALLONE: So then a dedicated program for that would be something that should all support. I think at this point, giving you the ability to have a team, the staff and the resources to deal with this growing concern and problem throughout the city, instead of just dealing with the expense side on your internal budget is a difficult way to handle capital repairs on NYCHA [inaudible]. I'm trying to think of a solution going forward with budget so we can all coordinate our committees on to target, especially since we have our Public Advocate here, taking notes at the back.

So with NYCHA... Going back to the very, very, very first step, you had said that when there's a power of attorney or a guardian or an APS file on place that you can coordinate with that and there's already steps for social care in place; my concern always becomes when someone doesn't have that you said we make the determination to the referral for social services. How is that done? How is that



1  
2 initial -- when we find a senior in need or a person  
3 with a disability living alone -- this is my question  
4 for whatever committee we're on, whether it's APS,  
5 Aging; DFTA -- my concern is the very first contact  
6 with who the employee from the City of New York is  
7 sending into an apartment or making the phone call to  
8 decide if somebody needs critical care or additional  
9 care; how is that process determined?

10 LILLIAN HARRIS: So we had APS actually  
11 conduct a webinar for us in -- I believe it was in  
12 August, for all the property management staff, just  
13 to talk about the services that they offer and how to  
14 make a referral and what things to look for and we're  
15 gonna continue to do this on probably a quarterly or  
16 every six month basis, because I think it's very  
17 important information for them to know, and then we  
18 also have an in-house system which, you know Sideya  
19 could elaborate more on.

20 COUNCIL MEMBER VALLONE: That was my  
21 bill, by the way; they didn't do that because they  
22 just wanted to; that was 'cause at previous hearings  
23 we found out this wasn't happening, so we had to put  
24 that in.

1  
2                   SIDEYA SHERMAN: Sure. So to Lillian's  
3 point, you know the first point of contact for most  
4 of our residents are their frontline staff who are in  
5 property management and you know as she's mentioned,  
6 they've been trained; they understand the policies  
7 and procedures with respect to APS. If a property  
8 manager is not able to connect a resident to an  
9 external service or there's a need for a touch point  
10 before that, they would typically refer to our  
11 office; we have a family partnership team, which is a  
12 team of community coordinators as well as some  
13 license social workers who are able to then follow up  
14 on that referral. So they would reach out to the  
15 tenant, make that initial point of contact and then  
16 be able to then make that handoff to APS or another  
17 external agency. You know, as I... [interpose]

18                   COUNCIL MEMBER VALLONE: So those  
19 property managers, those are the folks?

20                   SIDEYA SHERMAN: So the property managers  
21 are the first point of... [crosstalk]

22                   COUNCIL MEMBER VALLONE: That's the  
23 frontline of defense?

24                   SIDEYA SHERMAN: So typically that's the  
25 first point of contact; not necessarily, but almost

1 always, right, that would be the first point of  
2 contact and if a property manager is not able to  
3 engage; for instance, maybe they are not able to get  
4 the tenant to open the door or engage with them; they  
5 would reach out to our team for that assistance. You  
6 know, as I mentioned before, NYCHA obviously is  
7 really focused on being a landlord and we've moved  
8 away from direct service, so our goal is to make sure  
9 that we're able to get into the apartment, make an  
10 assessment and then get someone to the right  
11 provider. More often than not, that is APS...  
12 [crosstalk]  
13

14 COUNCIL MEMBER VALLONE: And when you get  
15 into the apartment to make that decision, is that  
16 when it's referred to APS or an additional service  
17 provider...? [crosstalk]

18 SIDEYA SHERMAN: So it can be referred  
19 directly to APS from you know, anybody, any NYCHA  
20 staff person; if the NYCHA staff member is having  
21 difficulty engaging the tenant, typically they would  
22 call our team so that they have a -- you know, that  
23 sort of sensitivity in engaging the resident and  
24 being able to connect them with the service that they  
25 need.

1 COMMITTEE ON PUBLIC HOUSING, JOINTLY WITH THE  
2 COMMITTEE ON AGING

76

3 COUNCIL MEMBER VALLONE: And how would we  
4 find if they had a guardian power of attorney or a  
5 guardian ad litem appointed?

6 SIDEYA SHERMAN: So sometimes that  
7 information is known; it's in the tenant folder...

8 LILLIAN HARRIS: It's in the tenant  
9 folder and usually power of attorney; guardian ad  
10 litem will contact property management to let them  
11 know and provide them with paperwork so that we're  
12 aware that they have these resources.

13 COUNCIL MEMBER VALLONE: And does that  
14 tenant folder then include the referral to APS and  
15 whatever case management file is then opened; are  
16 they coordinated together?

17 LILLIAN HARRIS: Well the referral is  
18 actually done online to APS, but there are notes  
19 indicating that a referral was made on this date and  
20 usually a little bit more detail on that **[inaudible]**...  
21 **[crosstalk]**

22 COUNCIL MEMBER VALLONE: Is there any  
23 coordination back and forth as to the determination  
24 if APS decides additional services are needed, that  
25 the tenant folder is marked with that additional  
service?

LILLIAN HARRIS: It depends; I know if there is an active case manager it will be noted; if there is light touch services, I'm not sure how that's handled.

COUNCIL MEMBER VALLONE: I'm looking for a global case management type of process; we do it with Corrections, you know when a detainee is discharged with services and then medical care and healthcare and tenant service is provided; if there's recidivism and they're brought back in, there's a folder then and we don't have to reinvent the wheel, and I'm seeing there would be it seems better coordination between the agencies dealing with this one person who may have to open four different files, and there's such a backlog, as Caryn has gone over for years with APS and case management; I can only imagine with a referral from NYCHA that this backlog is only gonna grow.

LILLIAN HARRIS: Yeah, your feedback is very valid and actually very timely; we're in the process of digitizing our files; the challenge is; everything is kept in paper and some of the files are literally as big as a ream of paper... [interpose]

COUNCIL MEMBER VALLONE: I can imagine.

LILLIAN HARRIS: so we're in the process of digitizing files so that we can connect all of those pieces of information, so this is something that we're working on in the near future and we're very excited about.

COUNCIL MEMBER VALLONE: That would be a perfect update for a hearing, for just to get that... and whatever resources you need, we wanna help in that process; we wanna streamline that so that it's quickly at your information, and I think Chair Chin with Aging has been advocating to lower case management time and staffing and who's making those decisions. So I just bring that to the table and I thank you for your response. Thank you.

LILLIAN HARRIS: And thank you for your support.

CHAIRPERSON TORRES: Yeah. I just want a few more questions and then I want to proceed to the Public Advocate, because I have some confusion about NYCHA's policies regarding remaining family members, right. I have been led to believe by some officials in NYCHA that NYCHA will decline to provide permanent permission when there is any level of overcrowding;

you've told me now that only in circumstances when  
there is extreme overcrowding, so which is it?

LILLIAN HARRIS: But Chair Torres, I'll  
follow up with you to get clarification because I  
don't wanna provide any misinformation.

CHAIRPERSON TORRES: Is the answer in  
your procedures, because it see...

LILLIAN HARRIS: The answer is in our  
procedures and again, I will definitely close the  
loop with you on that.

CHAIRPERSON TORRES: But you oversee the  
process that governs remaining family member status...

LILLIAN HARRIS: Right. So for  
remaining...

CHAIRPERSON TORRES: so if you're  
confused, I'm concerned that the lack of clarity  
invites capricious and arbitrary decision-making.

LILLIAN HARRIS: No, absolutely not; it's  
very clear cut and dry and as a matter of fact, in  
order to standardize and improve the process, we're  
bringing it completely online, so that when a NYCHA  
resident requests temporary/permanent permission  
there's gonna be smart flows [sic] and guidance that

COMMITTEE ON PUBLIC HOUSING, JOINTLY WITH THE  
COMMITTEE ON AGING

80

will help them make that determination, so there'll  
be less discretionary **[inaudible]**... [crosstalk]

CHAIRPERSON TORRES: Yeah, I'm just  
concerned about the conflicting information about  
your own policies, but I wanna proceed to the Public  
Advocate.

PUBLIC ADVOCATE JAMES: So when will this  
information be online; do you have a...

LILLIAN HARRIS: For temporary and  
permanent permission?

PUBLIC ADVOCATE JAMES: Yeah.

LILLIAN HARRIS: By the end of the year,  
which means by first quarter, annual, residents will  
have the ability to request temporary and permanent  
permission or either remove family members, which is  
huge and we're very excited about that.

PUBLIC ADVOCATE JAMES: And will there be  
training for staff?

LILLIAN HARRIS: Absolutely, there'll be  
training and community also to residents so that they  
know they can access this functionality through our  
self-service portal.



PUBLIC ADVOCATE JAMES: Can you  
articulate the criteria necessary to establish  
reasonable accommodation?

LILLIAN HARRIS: It's a need, so if a  
tenant feels that -- for example, they're disabled,  
they need to be on a lower floor; they can submit a  
reasonable accommodation. Some reasonable  
accommodations -- they're broken out two categories,  
basically, [background comment] a transfer and an  
apartment modification [background comment] -- so a  
reasonable accommodation could be as simple as a grab  
bar being installed in the shower or it could be a  
transfer to be closer to a medical care provider or  
to a lower floor.

PUBLIC ADVOCATE JAMES: And for a family  
member to reside in the residence, can you articulate  
the criteria for that reasonable accommodation...?

(CROSSTALK)

LILLIAN HARRIS: Yeah, if... Sure, if a  
tenant is requesting a live-in aide...

PUBLIC ADVOCATE JAMES: Yeah.

LILLIAN HARRIS: on a temporary basis,  
they can go to property management and make that  
request; they'll need to fill out a form, a

temporary/permanent permission form and provide supporting documentation and that gets evaluated by the housing manager. For a reasonable accommodation, the process is pretty much the same; they fill out a reasonable accommodation form, along with supporting documentation. If for some reason property management feels that they cannot approve the request, it gets escalated to the PHRAC and the PHRAC will do a review; in some cases they'll reach out to the tenant to get additional information so that the appropriate determination is made.

PUBLIC ADVOCATE JAMES: And that live-in aide includes family members?

LILLIAN HARRIS: It can include family members, yes.

PUBLIC ADVOCATE JAMES: And so is there any documentation that one would need, such as a medical documentation?

LILLIAN HARRIS: Yeah, usually the primary care provider would submit documentation stating that the tenant requires 24-hour assistance or whatever it is that they need and they'll submit that as part of the request.

PUBLIC ADVOCATE JAMES: So you were here  
during the testimony of Mr. He; right?

LILLIAN HARRIS: Yes.

PUBLIC ADVOCATE JAMES: And you heard  
that the -- allegedly -- someone at Queensbridge said  
he didn't look sick enough.

LILLIAN HARRIS: That to me, honestly, is  
disappointing and... [interpose]

PUBLIC ADVOCATE JAMES: You would agree  
that that's inappropriate, right?

LILLIAN HARRIS: Absolutely. Absolutely.  
And I will follow up on that case; I actually have a  
note to get his information and I'm gonna look at the  
details on that... [crosstalk]

PUBLIC ADVOCATE JAMES: I would  
appreciate that.

LILLIAN HARRIS: Absolutely.

PUBLIC ADVOCATE JAMES: And I thank you  
for that. And how does NYCHA proactively inform  
seniors and/or disabled residents of the services and  
caregiving options available to them?

LILLIAN HARRIS: Usually it happens at  
the property management level, [background comment]  
but as I stated earlier, we're making changes to the

tenant handbook so that we can add additional information. We also have certain articles, like in the NYCHA Journal on different topics; we had one on temporary/permanent permission succession policy, so we'll do more work in terms of advocating and letting them know what services are available.

PUBLIC ADVOCATE JAMES: So you know as I've traveled throughout the City of New York and visit NYCHA developments, some property managers -- there's not consistent answers with respect to all of the information that we just discussed. How do you ensure that there's consistent information throughout NYCHA?

LILLIAN HARRIS: Yeah, I mean that's very concerning to hear. What we're working on -- and, of course, training is part of the day to day in terms of ensuring consistency and standardization, but we're working on a lot of automation [background comment] so if there's a reasonable accommodation request, having smart flow [sic] so that there's not that much discretion; same thing with temporary and permanent permission, and we're hoping through automating our process and increasing visibility, in

terms of reporting, that we would tighten up the  
standardization.

PUBLIC ADVOCATE JAMES: And will that  
also be -- I'm sort of old school; I like technology,  
but a number of seniors in NYCHA facilities, or  
seniors in general, they like paper, so is it going  
to be written in materials?

LILLIAN HARRIS: There'll always be an  
option for paper, so yes.

PUBLIC ADVOCATE JAMES: And is there a  
requirement -- correct me if I'm wrong; I thought  
earlier, during the exchange with Council Member  
Torres -- is there a requirement that one be referred  
to APS or have a guardian ad litem before a  
reasonable accommodation is made?

LILLIAN HARRIS: No, there's not a  
requirement, but his question is; if you could tell  
someone, as I mentioned, they need services, what's  
our responsibility, so I was just elaborating on  
that.

PUBLIC ADVOCATE JAMES: Okay. And  
lastly, you would agree that there is a general cost-  
saving to NYCHA and to the City of New York and to  
taxpayers to provide reasonable accommodation to

family members who request it, as opposed to them  
living in a nursing home and/or having a professional  
live-in aide?

LILLIAN HARRIS: Yeah, absolutely. And  
on a personal note, that issue is near and dear to my  
heart; my great-grandmother is 103... [crosstalk]

PUBLIC ADVOCATE JAMES: God bless you.

LILLIAN HARRIS: and she has a live-in  
aide and we would never consider moving her, so from  
that perspective, whenever I deal with reasonable  
accommodation requests or think about the tenant, I  
always put myself in their feet.

PUBLIC ADVOCATE JAMES: I thank you for  
that, and I too can relate to that as someone who  
took care of her mother until she was 97; she didn't  
want a live-in aide; she wanted Tish James and nobody  
else. So obviously a family member is someone who is  
close and someone who they can relate to, and so I  
hope that we can make sure that these reasonable  
accommodations for family members are resolved and  
taken into consideration. And I thank all of you for  
your service.

CO-CHAIRPERSON CHIN: Thank you, Public  
Advocate. I just wanna follow up with a couple more

questions, but first, a comment. 'Cause NYCHA, I keep hearing that NYCHA just wants to be a landlord, a good landlord, I hope, and it bothers me because I think public housing, to a lot of families, you know low-income families, immigrant families, something like, if you got into public housing, it just meant that you had an opportunity to really do better, and public housing always provided more than just housing; it provided support and social service, so I just wanna make sure that we don't lose sight of that to just become a landlord and really don't take into consideration the families, the seniors, the people who live in public housing, right; that they do need support and the social service part is still vital, so that we don't just... you know when they go to the management office to ask for help or whatever, that there is a mechanism there and they can get the social service help before we have to refer them to APS, a social worker that can really help them navigate and just kinda build that comfort level for them, and I just really want NYCHA to have the compassion and not be so cold [sic] as a landlord, you know, that... when you hear just landlord, you

don't have that compassion and I hope that NYCHA will  
forever have that compassion for the residents.

Now there is about 18 senior social clubs  
that were transferred over to DFTA from NYCHA, so  
NYCHA is not running these centers anymore, so can  
you give us an update in the progress of these; are  
they turning into regular senior centers; are you  
providing similar oversight to these social clubs as  
you do to DFTA centers? Because I know that the  
budget that's been allocated, it's not baselined, so  
it's like year after year, like when are these social  
clubs or these NYCHA centers gonna be incorporated so  
that they could have the regular funding to keep  
going?

[background comment]

KAREN TAYLOR: My understanding is the  
funding is baselined in the DFTA budget; the fun...  
[background comments] for the 17 social clubs that  
funding was made permanently a part of DFTA's budget  
and this for operations. And if I can remember all  
of your questions -- How are they doing? It's a  
mixture; they're all still alive and well and serving  
the communities; some have grown -- I think the  
probably largest average daily attendance we have at



some of them is around 40 per day; there are some that are still serving only in the teens every day. The variety of services -- most of them have, through -- even though originally this was not part of the plan -- but through the dedication of many of our wonderful providers, are now receiving meals, mostly prepared at other DFTA sites, and services have grown -- health promotion activities are provided at all of these programs, as is case assistance and assistance with benefits and entitlements, education recreation -- and for the most part they're thriving. I think we do have... you know some are in very small spaces, a couple are actually in apartments, which have some limitations on expansion, but they're doing okay.

CO-CHAIRPERSON CHIN: But those are what you call the social clubs; right...? [crosstalk]

KAREN TAYLOR: Right. [background comment]

CO-CHAIRPERSON CHIN: So NYCHA still oversees about 14 of them?

KAREN TAYLOR: Oh, you're talking about the NYCHA centers?

CO-CHAIRPERSON CHIN: That's [inaudible]... [crosstalk]

KAREN TAYLOR: Oh, sorry; I was talking  
about the ones that were transferred to DFTA.

CO-CHAIRPERSON CHIN: No, no, I...

KAREN TAYLOR: Okay.

CO-CHAIRPERSON CHIN: I just realized  
NYCHA still has some and that was the \$3 million  
[background comment] I think that was... [background  
comment] allocated, so are there any plans to  
transfer the rest over to DFTA?

SIDEYA SHERMAN: Sure. So we're in  
constant conversation with DFTA, you know this has  
been incremental; we would continue to survey those  
locations and see if they reach the point where they  
could be transitioned, but at this point they're  
being funded by the City, you know, both NYCHA and  
DFTA are committed to making sure that all the  
seniors who are being served today continue to have  
services.

CO-CHAIRPERSON CHIN: So are there any  
kind of deadlines in terms of evaluation; is NYCHA  
gonna continue them or are you gonna transfer over to  
DFTA?

[background comment]

CARYN RESNICK: At the moment we don't have plans to transfer them over to DFTA; we have surveyed, if you recall, initially -- and I remember sharing that data with you -- we had surveyed all of the NYCHA centers and the 17 that we took over met at least a minimum threshold to operate as a social club and the remaining 14 are either very small or similar to the ones that are in apartments; the site is very small, so they don't make it to a threshold to operate as a DFTA center or actually, either as a social club. So we continue to talk; we have not really resolved moving forward, but another option which we always make available is to keep seniors apprised of all of the other neighborhood services in their communities and generally -- and we've done some mapping to show that we have nearby, you know, neighborhood centers or even innovative centers and we... [crosstalk]

CO-CHAIRPERSON CHIN: Well what about turning them...

CARYN RESNICK: could have transition plans.

CO-CHAIRPERSON CHIN: turning them into  
like a NORC model; is there any consideration for  
that?

CARYN RESNICK: Karen... [crosstalk]

CO-CHAIRPERSON CHIN: 'Cause as the  
senior population grows, I mean there are probably  
residents in the building [background comment] that  
are seniors that are not going [background comment]  
to the social clubs; they could **[inaudible]** more...  
[crosstalk]

KAREN TAYLOR: Yeah, that has been  
discussed. I think that the NORC model hasn't been  
-- because they are really center-based; the NORC  
model, as you probably well know, involves really  
engagement of partnerships in the community and  
residents and NYCHA; NYCHA's been a great partner in  
the NORC programs that do fund, but the model is a  
little bit more complicated and more restrictive in a  
way, because there are like multiple partnerships  
that are involved in that. When we do have another  
NORC RFP, we will certainly be open to looking at  
that again and as NYCHA mentioned, I think in your  
testimony, I know there are a number of other  
developments within the NYCHA portfolio that would

probably qualify, in terms of density, as a NORC  
program.

CO-CHAIRPERSON CHIN: Yeah, I think going  
forward we've gotta figure out what's the best way of  
utilizing the resources that we have. I mean, we've  
gotta make some decision with those programs, so if  
they're only serving a few seniors, how do we  
maximize the resources so that more people can be  
served.

CARYN RESNICK: I also just wanted to add  
that DFTA services in general are offered and  
available to NYCHA residents, so other than attending  
a senior center, of course, if the senior is eligible  
for case management services or home-delivered meals,  
or EISEP home care, funding, benefits, and  
entitlements, that is all available to any senior  
that is living in a NYCHA facility.

CO-CHAIRPERSON CHIN: Alright, I'm just  
gonna move to another question for NYCHA about your  
right-sizing reasonable accommodation initiative that  
went into effect in 2016. So can you give us a  
little update and how that's been going and how many  
seniors have moved to a different apartment under  
this program?

LILLIAN HARRIS: Sure. I think you're referring to the right-sizing pilot program.

CO-CHAIRPERSON CHIN: The pilot program, yeah.

LILLIAN HARRIS: Yes. If it's okay, I wanted to provide some background information to the members of the public that are here. So just to be clear, I wanted to state up front that we're not evicting anyone over right-sizing. HUD requires public housing authorities to ensure that tenants are living in the right size unit and I understand that this could be very challenging for seniors who have resided in their units for many years, but at the same time, it's a balancing act in trying to balance all these considerations because we have families that are in overcrowded situations and also a lot of families on the wait list waiting for a larger apartment.

So our policy requires tenants who are living in a unit that has two rooms more than what they need to right-size and at the time of the annual recertification they're notified that they need to right-size, and at that time we expect for them to take action by signing up for their development wait

list or a borough-wide wait list. The biggest challenge with right-size that we currently have is that there's not enough inventory to move families to, so if they're in a larger unit, we need to move them to a smaller unit. And just to put it into perspective, the move popular size unit is two-bedrooms and there's less than 400 units currently available today and there's a lot of competition for those units, from victims of domestic violence to emergency transfers, to uninhabitable. So with the right-sizing pilot, we wanted to test ways to expedite right-sizing; we offered a cash incentive and fully paid moving expenses; we started in April of 2016 and we ended the program the end of May of this year. Over 520 people signed up for the program; ultimately, 171 people ended up right-sizing. The vast majority dropped, for various reasons, including their reluctance to right-size; of the ones that did right-size, more than a third were seniors, so we're really excited about that. In fact, the first family to right-size was a senior couple and we featured their story in our NYCHA employee paper just to talk about their experience. And again, the lessons learned is that families are

reluctant to downsize and the other piece is that there's really not enough inventory to expedite right-sizing; it took us over a year to move 171 families.

CO-CHAIRPERSON CHIN: So are you gonna continue the pilot?

LILLIAN HARRIS: No, the pilot was discontinued May 31st; based on lessons learned, there was no way to expeditiously right-size families.

CO-CHAIRPERSON CHIN: So you spent \$8.4 million on the pilot?

LILLIAN HARRIS: That was the budget, but we didn't spend that much because we didn't right-size 400 families; we only right-sized 171 families.

CO-CHAIRPERSON CHIN: So how much did you actually spend?

LILLIAN HARRIS: Probably half the budget or less than half the budget.

CO-CHAIRPERSON CHIN: Uh-huh. So from the lesson learned, are you gonna continue implementing the positive experience that you have learned from this?



LILLIAN HARRIS: Well we currently have our regular right-sizing policy. From the lessons learned, we did find opportunities to improve our right-sizing program, mainly just by automating it, so if a tenant needs to right-size, they'll get notification of their options and then you know, we can help facilitate them getting on the wait list of their choice.

CO-CHAIRPERSON CHIN: But are you gonna still provide, you know like services for especially seniors when they do get an apartment that they can downsize, to help them with moving expenses or?

LILLIAN HARRIS: Right now there's no funding to assist with moving expenses for right-sizing.

CO-CHAIRPERSON CHIN: Take some of the money out of the \$8.4 million. [background comment] Right? I mean that's one of the issues to really help especially seniors, help with the moving costs and help with actually packing and moving, especially if they don't have families and whatever. I mean that's the compassion that was missing in the beginning and why the pilot came in, so I think that should be some of the lessons learned, that we've

gotta help people, I mean especially seniors, so that they can feel comfortable moving into a new apartment. So I think we should definitely fight for some resources to be dedicated to do that.

LILLIAN HARRIS: Yeah and we're looking at ways to make it easier for families, including seniors to right-size.

CO-CHAIRPERSON CHIN: Alright, we'll keep an eye on that... [crosstalk]

LILLIAN HARRIS: Thank you.

CO-CHAIRPERSON CHIN: Thank you. Back to a question about capital repairs; this senior center is in Council Member Mendez' district, so it's the University Settlement's Neighborhood Center and it took NYCHA six months to fix a large hole in their ceiling because DFTA and NYCHA were shifting back and forth, like who's responsible and now there's a large hole in front of their women's rest room; this is in the Meltzer Center, and so they're still waiting for the repair, so when can we expect that to be done? A big hole in front of the women's bathroom...

[crosstalk]

KAREN TAYLOR: Actually, I should... before I let NYCHA respond to this, I just wanted to say; it

1  
2 didn't... the problem was repaired many, many times; I  
3 think one of the... this was probably due to a leak and  
4 it was repaired many, many times, but there were  
5 other extenuating circumstances that perhaps NYCHA  
6 can address this one.

7 [background comments]

8 BRIAN CLARKE: Good morning. I'm Brian  
9 Clarke, Senior Vice President of Operations for  
10 Property Management. Yeah, I'm familiar with the  
11 issue over at Meltzer, I mean it's in a... you know  
12 it's the first floor in a building with multiple  
13 floors up top and there were a series of multiple  
14 leaks; the plumbing infrastructure there very old,  
15 needs to be replaced, you know it's part of our  
16 capital challenge, and when these issues do come up  
17 we go out, we repair it, and then unfortunately at  
18 times it will reoccur in a different spot. The  
19 current situation I'll have staff take a look at you  
20 know today to figure out what the issue is and we'll  
21 get it fixed right away.

22 CO-CHAIRPERSON CHIN: Because that is  
23 itself is a senior building.

24 BRIAN CLARKE: Yes.  
25

CO-CHAIRPERSON CHIN: Yeah, so I think if there's other issues relating to the leak that's coming from upstairs... [interpose]

BRIAN CLARKE: Yes. Yeah, no I know absolutely, I mean we... you know we believe everybody deserves to have a safe, clean apartment; building, but this is part of our challenge with when you know that our last capital needs figure was \$17 billion in unmet capital costs; the plumbing there does need to be upgraded; we don't presently have the funding to do it, so what we have to do now is we pretty much on an as-needed basis will respond to leaks and make repairs accordingly.

CO-CHAIRPERSON CHIN: Now so that's... I guess that's where DFTA comes in and NYCHA to kind of get some kind of agreement so that you can streamline and we will be advocating for DFTA to have a capital budget line, because we will never have enough money, but we've gotta find a way, I mean this is a senior center, right, so and DFTA oversees senior centers, so DFTA needs to have a capital budget that can help NYCHA get it done and get it fixed.

BRIAN CLARKE: Absolutely. We fully support any way to get more resources into the

agency; in this particular case, because it's in a first floor in a multifamily building, you know with apartments above it, you know the capital need really is from -- we'd love to get it from the City; we'd love to get it from the federal, but from a DFTA perspective, you know the funding is more targeted towards center improvements, when it's complicated by the existing infrastructure of the building, that's really a NYCHA issue to resolve.

CO-CHAIRPERSON CHIN: But I think that... Council Member Mendez is not here, but I know that as a council members, we're more than willing to help and to work with you to advocate for the resources, because if the repair is not done quickly, then it's gonna get worse and it's gonna cost more money.

BRIAN CLARKE: What we'll do is, we'll prepare an estimate and we'll see what we can do in working with you.

CO-CHAIRPERSON CHIN: Alright. Thank you.

CHAIRPERSON TORRES: I have a few more questions, although is there a plan to create a capital fund for DFTA? [background comments]

CARYN RESNICK: There isn't, but we  
certainly would welcome that.

CHAIRPERSON TORRES: Okay. Okay. So in  
the absence of a plan to create a capital fund, like  
how do we solve this problem? Because we're gonna be  
in a never-ending cycle of disrepair for NYCHA senior  
centers, constant finger pointing; no clarity about  
who's responsible for what, like it... [crosstalk]

CARYN RESNICK: Well I don't think it's  
fair to say finger pointing and I... you know we just  
reviewed this particular case. We do go in and make  
repairs as we can make them and when there is a  
larger infrastructure problem, then we turn to NYCHA  
for their support.

CHAIRPERSON TORRES: Do you believe DFTA  
should have a capital fund?

CARYN RESNICK: It's a bigger issue; I  
mean we have CDBG funds that have very strict  
regulations around how we can use them; we have a  
very small capital budget in general, so it's an  
ongoing larger issue, not just for NYCHA, but for the  
entire agency.

COMMITTEE ON PUBLIC HOUSING, JOINTLY WITH THE  
COMMITTEE ON AGING

103

CO-CHAIRPERSON CHIN: Well we're gonna  
make sure DFTA gets a capital fund, okay; that's  
gonna be part of our advocacy... [crosstalk]

CARYN RESNICK: Okay.

CO-CHAIRPERSON CHIN: for the seniors'  
budget.

CARYN RESNICK: Good.

CO-CHAIRPERSON CHIN: Like it's about  
time; it should be the year of the senior... the decade  
of the senior; we're gonna get it done.

CHAIRPERSON TORRES: I have a few  
questions about right-sizing. What is the number of  
underoccupied units in public housing; do we know  
what percentage of the public housing stock is  
underoccupied?

LILLIAN HARRIS: In terms of  
underoccupied units, I believe it's about 33,000, of  
which 11,000 are extremely underoccupied. And I  
believe more than half are senior households.

CHAIRPERSON TORRES: For both categories?

LILLIAN HARRIS: I'm not sure about both  
categories; combined it's about half.

CHAIRPERSON TORRES: Okay. So we don't know if the extremely underoccupied units, if that's primarily seniors or non-seniors?

LILLIAN HARRIS: I just don't have that stat with me... [interpose]

CHAIRPERSON TORRES: Okay.

LILLIAN HARRIS: but I can provide it to you.

CHAIRPERSON TORRES: And how many people have been right-sized like... [interpose]

LILLIAN HARRIS: So in the past year we completed 2,100 right-size transfers.

CHAIRPERSON TORRES: And how does that compare to years past?

LILLIAN HARRIS: It's usually about consistent, and of last year's numbers, 65 were senior households out of the 2,100.

CHAIRPERSON TORRES: So the vast majority are non-seniors?

LILLIAN HARRIS: Correct.

CHAIRPERSON TORRES: 'Kay. So 2,100 tends to be the average number...? [crosstalk]



COMMITTEE ON PUBLIC HOUSING, JOINTLY WITH THE  
COMMITTEE ON AGING

105

LILLIAN HARRIS: It's usually based on  
our turnover rate, but usually it's pretty steady  
pace [sic].

CHAIRPERSON TORRES: But your turnover  
rate is essentially the same every year [inaudible]...  
[crosstalk]

LILLIAN HARRIS: Exactly; that's the  
point.

CHAIRPERSON TORRES: so it's essentially  
2,100 every year?

LILLIAN HARRIS: But I can confirm the  
numbers of past years with you, but in general,  
that's what it is.

CHAIRPERSON TORRES: And you said among  
the actions that you've taken to encourage right-  
sizing has included a cash incentive?

LILLIAN HARRIS: Yes.

CHAIRPERSON TORRES: Was that  
specifically targeting the extremely underoccupied  
units?

LILLIAN HARRIS: It was targeting the  
extremely underoccupied that opted for a borough-wide  
transfer.

CHAIRPERSON TORRES: How much were you  
offering?

LILLIAN HARRIS: \$5,000.

CHAIRPERSON TORRES: And how many tenants  
said yes?

LILLIAN HARRIS: Ultimately, at the end  
of the program, only 171.

CHAIRPERSON TORRES: 171 out of?

LILLIAN HARRIS: Out of the thousands  
that we did outreach to.

CHAIRPERSON TORRES: Was some thought  
given to increasing the cash incentive?

LILLIAN HARRIS: Some thought was given  
to increasing the cash incentive midway towards the  
program, but in evaluating our turnover numbers and  
available units, it would take us a very long time to  
right-size families, so what would end up happening  
is that we would offer more cash; we would have a  
longer wait list or a bigger pool of people  
interested, but it would take us just as long to  
right-size these families.

CHAIRPERSON TORRES: So what's your  
capacity; what's the maximum number of people you  
could right-size consistent with turnover?

LILLIAN HARRIS: That I would have to get back to on, 'cause it's based on a projection; I don't know that offhand.

CHAIRPERSON TORRES: Because it seems to me there are families that are languishing in the shelters that have no home and the best units for those families are extremely underoccupied units in the public housing stock, and so we should be making every conceivable effort to transition those families out of the underoccupied units and free up those units for families who need it in the shelters.

LILLIAN HARRIS: And I believe we're in agreement, but the issue is, as I stated earlier, like the two-bedroom units, there's only less than you know 400 and that's citywide and there are so many different competing priorities. So from a technical standpoint, it's very difficult for us to free up units.

CHAIRPERSON TORRES: Well I mean we don't know, right; I'm assuming if we were to offer more, more generous cash incentives, we don't know how tenants would respond to those incentives, right? We've only experimented with a \$5,000 cash incentive;

we don't know how people would respond to a \$10,000  
or \$20,000 cash incentive... [crosstalk]

LILLIAN HARRIS: Well the main issue with  
right-sizing, again, wasn't necessarily the cash  
incentive; it would've been great to have more people  
excited and interested, but at the end of the day, it  
took us over a year to right-size 171 families,  
primarily because of our available inventory. So  
even if we offered a larger cash incentive, we would  
have more people signed up but we would have limited  
availability, based on our housing stock, to move  
those families into right-sized units; that was our  
biggest challenge.

CHAIRPERSON TORRES: And so how do you  
expedite? So what you're telling me is that even if  
every tenant were willing to right-size, you simply  
lack the capacity to transition those families?

LILLIAN HARRIS: Yes, it's very  
difficult.

CHAIRPERSON TORRES: Okay. And... wow...  
[background comment] like what are the strategies for  
addressing that capacity issue? [background  
comments] If there are any. I don't know, do you  
have any ideas about how to dramatically... [crosstalk]

LILLIAN HARRIS: I mean the only way, off  
the top of my head is to... [crosstalk]

CHAIRPERSON TORRES: No, not off the top  
of the head; I'm assuming some... I imagine...

LILLIAN HARRIS: increase housing stock;  
I mean that's the only way.

CO-CHAIRPERSON CHIN: But you've done  
some... you've done some projects where you've built  
some senior housing, right, you were able to transfer  
seniors out of some of the, you know, oversized units  
into a senior building and you freed up units, so  
there's gotta be some plan to maybe build more senior  
housing so that you could free up those underoccupied  
units.

[background comment]

DEBORAH GODDARD: Yeah, we are building;  
we've got four projects in the works right now, but  
again, you know the timeline on something like that  
from start to finish, it's not an overnight either;  
it's about a five-year cycle, but yes, we've got four  
projects for seniors only.

CHAIRPERSON TORRES: But are you gonna  
closely coordinate the two, like is... how do I word  
this... the effort to right-size is gonna be closely

COMMITTEE ON PUBLIC HOUSING, JOINTLY WITH THE  
COMMITTEE ON AGING

110

coordinated with the effort to create senior housing  
on... or are those two separate initiatives...?

[crosstalk]

DEBORAH GODDARD: Those really are... they  
really are two separate issues.

CHAIRPERSON TORRES: So I guess that's  
our criticism is...

DEBORAH GODDARD: Yeah.

CHAIRPERSON TORRES: maybe it should not  
be two separate initiatives.

DEBORAH GODDARD: Well these are... they're  
not public housing; they have a preference, but we  
can't force them to move into this new housing and  
**[inaudible]**... [crosstalk]

CHAIRPERSON TORRES: But stipulate... No,  
but stipulate that the residents are willing to move...

DEBORAH GODDARD: Uhm-hm.

CHAIRPERSON TORRES: the issue then  
becomes NYCHA's capacity and you address the capacity  
constraints by creating more housing on public  
housing land, right? So it would seem to me the  
right-sizing team should be speaking to the senior  
housing development team at NYCHA; that they should  
not be siloed, because if we free up... if we're able

1 to move a senior citizen from an extremely  
2 underoccupied unit to a new senior housing unit,  
3 you're killing two birds with one stone; not only are  
4 you providing the senior with brand new housing;  
5 you're providing a family in the shelter with an  
6 apartment in public housing. It would seem to me  
7 that those two initiatives should be closely  
8 coordinated.  
9

10 DEBORAH GODDARD: I take your point; I  
11 think it's a matter of making sure that the seniors  
12 who are severely... whatever... I'm not good at that  
13 phrase... know **[inaudible]** opportunities; I take your  
14 point.

15 CHAIRPERSON TORRES: Yeah, so I guess  
16 that's one request that we will have is; if you can  
17 just give some thought to how you can coordinate  
18 those initiatives, because this is an issue of  
19 ongoing concern to the Public Housing Committee, to  
20 the Aging Committee; I know there was a protest  
21 recently by, what is it, Metro IAF, [background  
22 comment] requesting senior housing on public housing  
23 land to address precisely this issue, so I'm looking  
24 forward to a plan of action, both on the need for a  
25 capital fund for NYCHA senior centers and the need

COMMITTEE ON PUBLIC HOUSING, JOINTLY WITH THE  
COMMITTEE ON AGING

112

for greater coordination of right-sizing in senior  
housing developments. With that said, that's the  
extent of my questions or pontification. Thank you.  
[background comments]

CO-CHAIRPERSON CHIN: So we're gonna call  
up the next panel -- Young Ae Kim; [background  
comments] Sandy Myers from Selfhelp; Beatriz  
Encarnacion Badru from Housing Court Answers; and  
Andrea Tan from Legal Services. [background  
comments] From Housing Court Answers, Beatriz  
Encarnacion. [background comment] Oh okay, you're  
there. Sandy Myers from Selfhelp. [background  
comment] Can they hear us from next door? Yeah?  
Okay. Andrea Tan from Legal Services. Oh you're  
there. Okay. [background comments] [pause]  
[background comment] Cynthia Hill. Yes, please come  
forward. Thank you. [background comments] Okay,  
you... [crosstalk]

BEATRIZ ENCARNACION BADRU: Should we be  
first... Should I go first? I'm Beatriz... [crosstalk]

CO-CHAIRPERSON CHIN: Yeah. Yeah, start.

BEATRIZ ENCARNACION BADRU: Okay. Hi  
everyone, I'm Beatriz; I work with or for...  
[interpose]



CO-CHAIRPERSON CHIN: Will you put the  
mic closer to you?

BEATRIZ ENCARNACION BADRU: I work for  
Housing Court Answers as the Bronx NYCHA assistant  
[sic], so I'm in the Bronx NYCHA Court at 851 Grand  
Concourse and I work with NYCHA tenants on Mondays,  
Wednesdays and Thursdays, and every time I'm there I  
hear these stories from defendants and just a few of  
them that I wanna share.

I've been there for six months and in  
these past six months I have seen this one person  
five times, so she comes an average of... she probably  
comes to court every months; she's disabled, she  
lives at home with her adult son, and she's asked for  
a reasonable accommodation in terms of trying to get  
grab bars installed in and around her home, and just  
recently, I saw her last week and she suffered a  
fall, which is not the first fall that she suffered  
in her apartment; she now has her arm in a sling;  
she's in severe pain and it's because of the leaks  
that are in her apartment that haven't been addressed  
in the entirety of her tenancy there and because of  
the lack of grab bars in and around her apartment,

and I wanted to share her story because I think about her a lot.

There are also other families that I think about that I wanna share their story here today. There this one woman who lives in the Bronx; her daughter is paralyzed; she's in a wheelchair and she lives on a very high floor in her development and the elevator is constantly out of use, so the child misses many days from school because she can't get the help to transport her daughter from the very top floor to the bottom floor for her to go to school and she has repeatedly asked for a reasonable accommodation for a transfer to another development or to a lower floor and as of yet it still hasn't been honored. And I also talk to a lot of seniors whose reasonable accommodations have been denied for their caretakers to come live with them, and I also come into contact with lots of seniors who are living with repairs that are not addressed. So if there could be just some way to have the requests of seniors to be considered a high priority or streamlined in a way that it gets taken care of in a faster way so that these seniors aren't dealing with these kinds of issues this late in their life.

Our coordinator, who is on vacation, wanted me to bring up some of the issues that she sees and one of them is the lack of repairs that senior citizens are facing and that NYCHA should extend their reasonable accommodation policy to allow for senior citizens who live alone to allow their family members to live with them, which is what we've been hearing a lot this whole time. But yeah, that's all for me. Thank you.

CO-CHAIRPERSON CHIN: Do you know if the people that you met with; do they have legal representation?

BEATRIZ ENCARNACION BADRU: Some of them do; some of them don't and it's very hard to obtain legal representation; they have to be very aggressive in trying to get one. We do provide a legal handout to tenants with agencies that offer free legal representation; there must be I think 12 or 13 on the handout, and I do also refer tenants to Leah Goodridge that are in the Bronx, so some of them do; some of them don't; I wish all of them did have, but yeah... [crosstalk]

CO-CHAIRPERSON CHIN: Yeah, I... I... Okay, I mean I would recommend that they do get the referral,

COMMITTEE ON PUBLIC HOUSING, JOINTLY WITH THE  
COMMITTEE ON AGING

116

because we have put a lot more resources for legal  
services... [crosstalk]

BEATRIZ ENCARNACION BADRU: Yeah.

CO-CHAIRPERSON CHIN: and wanna make sure  
they get connected; the other... [crosstalk]

BEATRIZ ENCARNACION BADRU: Yeah, I  
provide referrals and so does the judge, Judge  
Sanchez... [crosstalk]

CO-CHAIRPERSON CHIN: Uhm-hm. Okay.

BEATRIZ ENCARNACION BADRU: But sometimes  
they can't get to the physical places where they  
should go to get referrals; you have to call the  
offices constantly and you have to call them on  
specific days and times; like you need a whole  
'nother... it's like a part-time job trying to find  
legal representation... [crosstalk]

CO-CHAIRPERSON CHIN: Yeah. And also, I  
think you should also make sure to refer them to  
their local council members... [crosstalk]

BEATRIZ ENCARNACION BADRU: Yeah, I do...

CO-CHAIRPERSON CHIN: because from the  
Council office, you know we can try to expedite and  
try to connect them to legal services... [crosstalk]

COMMITTEE ON PUBLIC HOUSING, JOINTLY WITH THE  
COMMITTEE ON AGING

117

BEATRIZ ENCARNACION BADRU: Yeah. A lot of the times they... we try to... when they've spoken to me, they've exhausted every possible... it's not all of them, but a lot of them, possible resources that they can go to and they're still... a lot of times I don't know what to tell them 'cause they've gone to their council members, they're requested for a reasonable accommodation, they've filed a grievance; they've spoken to me; I've referred them to the Leah; God knows how many referrals they get in a day, so if NYCHA could just do it.

CO-CHAIRPERSON CHIN: Well we'll follow up with you on that. Thank you.

BEATRIZ ENCARNACION BADRU: Okay.

CO-CHAIRPERSON CHIN: Next. Can you identify yourself?

SEONAE BYEON: Hi, I am from CAAAV; I am going to translate what Miss Kim, who is the resident at Queensbridge.

CO-CHAIRPERSON CHIN: Can you also identify yourself?

SEONAE BYEON: Seonae Byeon from CAAAV.

[background comments]

YOUNG AE KIM: **[02:06:06] speaking Korean**

COMMITTEE ON PUBLIC HOUSING, JOINTLY WITH THE  
COMMITTEE ON AGING

118

SEONAE BYEON: Hi. My name is Young Ae  
Kim; I am a resident at NYCHA Queensbridge House for  
about five years.

YOUNG AE KIM: **[02:06:20]**

SEONAE BYEON: I am also a member of  
CAAAV Organizing Asian Community.

YOUNG AE KIM: **[02:06:28]**

SEONAE BYEON: With CAAAV, I'm fighting  
to improve language access and to protect public  
housing in New York City.

YOUNG AE KIM: **[02:06:44]**

SEONAE BYEON: I have osteoporosis [sic]  
and I used to be on the wheelchair.

YOUNG AE KIM: **[02:06:55]**

SEONAE BYEON: And my husband walks with  
the aid of cane and he cannot see with his left eye.

YOUNG AE KIM: **[02:07:09]**

SEONAE BYEON: We live on the sixth floor  
where in our development the elevator goes up to only  
the fifth floor.

YOUNG AE KIM: **[02:07:25]**

SEONAE BYEON: Because I have back  
problems, going up and down the stairs from the fifth

COMMITTEE ON PUBLIC HOUSING, JOINTLY WITH THE  
COMMITTEE ON AGING

119

floor to sixth floor and sixth floor to fifth floor a  
few times a day is very painful.

YOUNG AE KIM: **[02:07:44]**

SEONAE BYEON: So my husband and I decide  
that we want to transfer to a different apartment, so  
in 2015 we visited a NYCHA **[inaudible]** center.

YOUNG AE KIM: **[02:08:02]**

SEONAE BYEON: Another difficulty was  
there; the management office and us were not able to  
communicate since there is no one to translate for  
me.

YOUNG AE KIM: **[02:08:30]** [background  
comment]

SEONAE BYEON: So my daughter, who lives  
far, asked the management office -- she has to come  
and she asked the management office if there were any  
apartment openings and the office said that they need  
doctor's proof of my medical condition, so I provided  
all of the necessary documents.

YOUNG AE KIM: **[02:08:53]**

SEONAE BYEON: The office also asked my  
daughter to call the office every Monday to check in  
about the apartment openings, so my daughter did it  
almost about a year, however, there has been no new

COMMITTEE ON PUBLIC HOUSING, JOINTLY WITH THE  
COMMITTEE ON AGING

120

openings and later the office asked us to bring a  
note from a **[inaudible]** doctor instead of our primary  
doctor, so we did it too.

YOUNG AE KIM: **[02:09:35]**

SEONAE BYEON: A few months later the  
management office has also said that they never  
received any doctor's proof from us, me and my  
husband, despite **[inaudible]**.

YOUNG AE KIM: **[02:09:56]**

SEONAE BYEON: While this process to  
transfer was going nowhere, my husband and I almost  
fell down the stairs many times. I fainted two times  
at home; when 911 came, they asked me to walk down  
the elevator on the fifth floor, which I could not do  
it, so they put my body on a chair and they carried  
me to the elevator on the fifth floor and I felt like  
my body was crunching.

YOUNG AE KIM: **[02:10:51]**

SEONAE BYEON: When I go to the office, I  
do not receive the service that I need because of the  
ignorance and they don't even try to provide any  
language access to us; when that happens, I feel very  
isolated.

YOUNG AE KIM: **[02:11:26]**



SEONAE BYEON: NYCHA's lack of  
accountability in communicating with tenants is  
putting the most vulnerable tenants in danger.

YOUNG AE KIM: **[02:11:40]**

SEONAE BYEON: I want to make it clear  
that this is NYCHA's job; it's supposed to be the job  
of NYCHA, our landlord, property manager, and super  
to manage this matter diligently. Hearing this  
testimony, I hope that elected officials would also  
help me in this case. Thank you.

YOUNG AE KIM: Thank you.

ANDREA TAN: Good afternoon, Council  
Members and esteemed colleagues. My name is Andrea  
Tan and I am an advocate at Legal Services NYC, a  
provider of legal assistance for low-income New  
Yorkers in all five boroughs. We welcome the  
opportunity to give testimony before the Committees.

Legal Services urges the City Council to  
inquire into NYCHA's policies and practices governing  
additions to tenant households and reasonable  
accommodations for tenants which fail to consider  
the needs of its senior and disabled residents and  
violate federal, state and local human rights law.

NYCHA's procedures stipulate that no one may be added to an existing tenant's household unless the tenants request permission in writing and the development management grants it. Tenants may either request to have an additional person join their household permanently or on a temporary basis. Permission to add a person permanently is only granted when there is a familial relationship between the tenant and the additional person and the proposed addition will not cause overcrowding under NYCHA's occupancy standard.

Unlike requests for personal additions, requests for temporary residents do not require a familial relationship and permission may be granted even if the addition results in overcrowding. However, tenants cannot request a transfer to a larger apartment to alleviate the consequent overcrowding. Therefore, senior tenants that reside in one-bedroom apartments and require the assistance of a live-in aide or a relative caregiver can only request temporary permission to add their caregivers to their households and if they're approved, they will be required to reside in conditions that NYCHA itself deems to be overcrowded. Since temporary

permission may be renewed every year, disabled tenants and their caregivers are expected to live in overcrowded conditions indefinitely.

Through its policies and practices, NYCHA violates the reasonable accommodation provision of the Fair Housing Act that requires landlords to waive or modify traditional rules or practices if necessary to permit a person with disabilities an equal opportunity to use and enjoy a dwelling. Moreover, NYCHA disregards its own reasonable accommodation policy and HUD's directives, which require landlords to engage in an interactive process to explore possible accommodations, because neither NYCHA's Procedures Manual nor its Management Manual include provisions for the approval of household additions as reasonable accommodations or for an interactive process.

NYCHA's failure to accommodate the needs of seniors requiring live-in caregiving has given rise to repeated litigation involving our organization. For instance, in July of this year, Legal Services NYC signed an amicus brief along with elected officials and other advocates that was filed with the Court of Appeals in support of the Petition

-Respondent in the matter of Jonas Aponte, who testified earlier today. In that grievance, again, NYCHA denied remaining family member status to Mr. Aponte because he had moved in with his mother, a senior that had dementia, without management's written authorization. NYCHA had previously denied Mr. Aponte's mother permission to add him to her household because of overcrowding concerns instead of exploring all their options that could have accommodated her disability, for example, transferring her and her son to a larger unit. Legal Services is also currently representing relatives of deceased NYCHA tenants in grievances where, as in Mr. Aponte's case, NYCHA violated disabilities law by denying tenants permission to add their family caregivers to their household. In one case, NYCHA did not allow the tenant's son to move in with her even though the tenant had dementia and would leave her apartment in the middle of the night and could not remember how to get back to her apartment on several occasions. The circumstances forced the tenant's son to move in with his mother and the family lived in overcrowded conditions for over seven years while facing the risk of eviction. In another

case, the tenant's caregiver son made several attempts on behalf of his mother to request permission to live with her but was denied permission several times because management required that the tenant request permission herself, despite knowing that she was disabled and needed her son to help her with that process. Her son, the caregiver, is now being evicted while suffering from terminal renal cancer.

NYCHA plays an important role in bridging the affordable housing gap for seniors because it provides housing to a significant low-income aging population, thus it is critical that NYCHA acts as a policy leader in this area instead of denying reasonable accommodation requests that would permit seniors to age in place with family caregivers. Furthermore, policies that allow seniors to age at home can result in financial savings to both individuals and the government programs that pay the cost of nursing facilities and other long-term care. For all the above reasons, we urge the Committees to inquire into NYCHA's practices and procedures involving reasonable accommodation of seniors before hundreds of other public housing seniors are denied

their rights and their remaining family members face homelessness. We thank the City Council for addressing this important issue.

[background comments]

SANDY MYERS: Hi, my name is Sandy Myers; I'm here from Selfhelp Community Services. I had a little printer glitch this morning, so I submitted my testimony electronically, so you should already have it there, and I'm just gonna highlight a few points about areas for improvement and streamlining some policies that will make our ability to serve older adults in New York a little bit more streamlined and easy, both in facilities and NYCHA developments and then with clients who reside in NYCHA properties.

So first, one minor change that was recently brought to our attention that's already placing an undue burden on our staff relates to one of our senior centers that is located in a NYCHA property in Flushing, the Latimer Gardens Senior Center, where the key that our staff uses to get into the development is battery operated and when the battery would stop working, my colleague would be able to get it fixed at another location in Flushing, and just a couple weeks ago that got moved, so she

needs to come into Manhattan to get the key battery for the key replaced and this takes up a lot of time of her staff where she's not able to serve her members and leaves her social worker to kind of hold down the fort at the senior center. So if we're able to look at that tweak, we would definitely appreciate NYCHA's flexibility on that.

A couple other things related to our clients who reside in NYCHA who are largely served in our case management program. So as we've heard throughout the morning, there is an ongoing issue with repairs, which is something that we're seeing as well, when a client has something from a leaky faucet to leaks in their roofs to issues with the toilet; it seems like they are handled as they come in; there's no real triaging that our clients are -- or at least that's their perception of it -- and then when our case worker will reach out to NYCHA to follow up, it seems like it's just in the queue. But the more significant issue is that if something was not addressed properly, the resident has to file another complaint and needs to wait for it to be addressed, so there's no real follow-up mechanism in place and we would really like to see that introduced.

We also have an issue with some of our case workers trying to get into NYCHA developments to do home visits, so as part of our case management program, the requirement from the DFTA is a certain number of home visits but sometimes the intercoms in certain NYCHA developments are not working, so that leaves our case worker waiting outside often for someone to come in or leave the development to be able to go in, and that's obviously not ideal, nor is it safe, so we wanna make sure that those are repaired, which would obviously serve the broader community but also our case workers who are trying to get into the building.

Another issue that's come up on a couple of occasions is with bed bugs where NYCHA will tell our residents that they have to first pre-treat their belongings, and this is cost prohibitive for many of our homebound, low-income older adults and can also be physically challenging for many of them, so unfortunately, because they can't always do that and they don't have the assistance to do so, bed bugs still often persist even if and when NYCHA does come in to actually treat it if the resident is not able



to take those precautions on their own first, it can be challenging.

And lastly, another thing that's been brought to our attention through case management is the issue of the mailboxes, so if a resident's mailbox is broken, and if we're talking about homebound seniors in this case, the resident needs to go down to the management office to present a photo I.D. to have the mailbox repaired, but we've been told that our case workers can't present the I.D. on behalf of the client and for those who are homebound, it's such a minor thing, but it means that their mailbox won't be replaced and same applies for actually home health aides too, so we've been seeing this issue, and again, it would be a small fix that would really improve the quality of life for our residents.

That being said, we know that while space is at a premium in New York City, the partnership that DFTA and NYCHA and the providers like Selfhelp have is critical; we wanna see it continue and we wanna be able to address these problems, but having a senior center or a NORC located in a NYCHA development is really core and such a critical

service for our residents. So with that I'll pass it  
off. Thank you.

CYNTHIA HILL: Good morning, my name is  
Cynthia Hill. This is my first time at a Council  
hearing with this; I'm so happy that you have them; I  
truly appreciate it, so good morning.

I don't have a prepared speech, but I do  
have something to say. I am an advocate for the  
seniors in my building. I am 62; I was a public  
employee, worker; worked for the City for 30 years  
and retired and I am living in an apartment that was  
previously private and NYCHA took it over. What a  
disaster, they took it over and it is horrible; some  
of the conditions in that building -- I live in  
Queens -- let me tell you where I live at, 89-09 162  
-- I live in Queens, a place called the Shelton  
Houses. I work for the resident association there,  
so I try my best to help the people as much as I can.  
However, we have engaged in so many problems there;  
there are water issues, there are elevator issues;  
I'm shocked that we're even having a conversation  
about people able to stay in the apartment with a  
person that has dementia. In my building, I've lived  
there for 45 years; they have never ever had anyone

1 stay with a senior, never; that is totally against  
2 their policy. So when you said that today, I'm like,  
3 really, there's a policy? I didn't even know there  
4 was a policy. There are so many people in that  
5 building that are sick and cannot get a person to  
6 come in to stay with them, not even temporarily,  
7 okay; that is something that is a no-no, that you  
8 cannot come down there and say, listen, I need my  
9 daughter to come stay with me because my mother has  
10 dementia or whatever; that does not exist, so that's  
11 nonexistent. When they were up her talking, I'm  
12 like, are we talking about the same place, NYCHA?  
13 It's nonexistent; they provide no temporary nor  
14 permanent condition for the seniors there. The  
15 seniors, as far as a social worker at one -- when  
16 NYCHA first took it over, yes, indeed they did have a  
17 social worker, somebody that was certified. The  
18 person that is in our building as a social worker is  
19 not a certified social worker. Most of the time the  
20 people that need APS and stuff anybody in my building  
21 can call, the social worker doesn't have to do it  
22 because she's not really a certified social worker.  
23 So I'm trying to kinda figure out what is NYCHA  
24  
25

1 talking about with their social... they don't have a  
2 social worker in my building.

3  
4 We have a senior center there; they had a  
5 leak there in DFTA center; that was closed for nine  
6 months waiting for the floor to be fixed; it was  
7 horrendous. So when I sit here and listen to NYCHA  
8 and say -- I just don't understand; what world am I  
9 living in, because I know that these things go on.  
10 Right now I am experiencing something; I was on  
11 vacation, I came back, there was a leak like six  
12 months ago on the ninth floor, 9L, they were supposed  
13 to fix it; they never fixed it; when I went away,  
14 there was a leak in my apartment -- in my apartment,  
15 as I told you before, that was privately owned, so  
16 they had wood floors there -- right now as I'm  
17 sitting here, there is a hump right by the door where  
18 I go in and out; I am waiting for NYCHA to do  
19 something about it and I'm waiting and I will be  
20 waiting because NYCHA does not do repairs.

21 So if there's anything that you're gonna  
22 do to help, I wish that you could help to change that  
23 because I feel that seniors are not getting anything  
24 in NYCHA. Thank you.

COMMITTEE ON PUBLIC HOUSING, JOINTLY WITH THE  
COMMITTEE ON AGING

133

CO-CHAIRPERSON CHIN: Excuse me. Is your  
building a senior building?

CYNTHIA HILL: Yes.

CO-CHAIRPERSON CHIN: So we should get  
the address and really track it down and see...

[interpose]

CYNTHIA HILL: Okay. It's 89-09 162  
Street; it's called the Shelton Houses, S-H-E-L-T-O-N  
Houses.

CO-CHAIRPERSON CHIN: Okay.

CYNTHIA HILL: Okay, thank you.

CO-CHAIRPERSON CHIN: But thank you,  
thank you all for being here today. Sandy, just a  
quick question about the capital budget for DFTA...

[crosstalk]

SANDY MYERS: Yeah.

[background comments]

CO-CHAIRPERSON CHIN: Were you surprised  
to hear that DFTA doesn't really have capital  
funding?

SANDY MYERS: A little bit, yeah. I mean  
it would definitely... [background comment] yeah, it  
would help I'm sure to address some of these  
concerns, but it was a little surprising to hear the

COMMITTEE ON PUBLIC HOUSING, JOINTLY WITH THE  
COMMITTEE ON AGING

134

difference between -- DYCD I guess I heard does have...

[crosstalk]

CO-CHAIRPERSON CHIN: Yeah, DYCD has  
capital funds...

SANDY MYERS: a capital budget and DFTA  
does not, and I would be curious if there are any  
other -- like a UPK program maybe, kind of how that  
works as well. So I would definitely recommend  
having a consistent policy so if one City agency or  
multiple City agencies have capital budgets, then...

[interpose]

CO-CHAIRPERSON CHIN: Yeah.

SANDY MYERS: it would be probably  
helpful for DFTA to have one.

CO-CHAIRPERSON CHIN: Yeah, we should  
look into that too; that's a good suggestion...

[crosstalk]

SANDY MYERS: Yeah.

CO-CHAIRPERSON CHIN: some of these --  
day care centers, whether they have [crosstalk]

SANDY MYERS: Right.

CO-CHAIRPERSON CHIN: it or not.

SANDY MYERS: Right.

CO-CHAIRPERSON CHIN: Great. Thank you.

SANDY MYERS: Sure.

CO-CHAIRPERSON CHIN: Thank you for being  
here today, the panel.

The next one -- Molly Krakowski from  
JASA; Madelyn [background comment] Innocent; Aida  
Reyes; Katherine Martinez; and Runa Rajagopal from  
The Bronx Defenders. [background comments]

MOLLY KRAKOWSKI: Okay, good morning,  
good afternoon. My name is Molly Krakowski; I'm  
Director of Legislative Affairs at JASA. I wanna  
thank Council Member Chin and Council Member Torres  
for convening today's hearing.

JASA's mission is to sustain and enrich  
the lives of aging New Yorkers in the community,  
enabling them to connect with people and places that  
give them meaning. Our varied programs provide a  
continuum of care to over 40,000 older adults in New  
York City.

We have a longstanding productive  
relationship (more than 30 years) with the New York  
City Housing Authority. We currently have five DFTA  
contracted senior centers located in NYCHA sites:  
Throggs Neck, Sue Ginsburg, Bay Eden, Williamsburg,  
and Cooper Park. In addition, JASA provides NORC

Supportive Service Programs at Bushwick/Hylan and  
Surfside/O'Dwyer Gardens developments (those are in  
Brooklyn). Many other NYCHA residents avail  
themselves of JASA case management, elder abuse  
prevention, caregiver support and other services.  
JASA is pleased to have the opportunity to speak to  
the positive relationship we have with NYCHA, as well  
as some of the challenges we face in housing programs  
in NYCHA developments as well as those that our  
clients experience as tenants.

Co-locating senior centers and programs  
within NYCHA housing makes sense and serves a great  
need within the community. Several NYCHA sites are  
NORCs, Naturally Occurring Retirement Communities  
where people moved in when they were young, raised  
their families and have now grown older. In 2013,  
NYCHA proactively sought out a proposer to develop a  
NORC program in Bushwick Hylan development and as  
part of the process of proposing a new program at  
that site at JASA's request, NYCHA facilitated  
engagement between JASA and resident leaders,  
promoted resident buy-in and enabled JASA to create a  
responsive application. And with NYCHA's support,



JASA successfully secured funding from DFTA for the program.

Most recently, NYCHA supported JASA's application to New York State Office for the Aging, during a competitive RFP process; we were able to secure new state funding for the program in Bushwick Hyman, which is, as you know, a big deal since so many of the current NORCs did not get re-funded. We were also able to secure ongoing NYSOFA funding for the Coney Island Active Aging NORC program, which serves the Surfside and O'Dwyer Gardens developments. NYCHA's Performance Tracking and Analytics Department was very helpful in providing information for these applications. It is clear that NYCHA recognizes the importance of enhancing services to its growing older adult tenant population. The elderly are among the most vulnerable of NYCHA's residents. Conversely, there are many older NYCHA tenants whose lifetime of experience may be supported and directed toward resolving community concerns.

I'm going to jump ahead. We've done a lot of fantastic programming within the NYCHA buildings; we've had a lot of support from NYCHA for

the programs that we've done with them and that have occurred in their programs and in their buildings.

Unfortunately, there are challenges that interfere with NYCHA's commitment to and efforts on behalf of its senior residents. Many relate to an aging infrastructure across the NYCHA housing portfolio and limited maintenance capacity. This negatively impacts program operations as well as individual tenants. Submitting tickets for building maintenance is route -- doors need fixing, heavy rains flood program space, lighting needs replacement, and other common issues. Additional concerns involve the lack of building security, poor or out of service elevators, and long wait times for tickets to be resolved. These are serious concerns that create significant obstacles for older adults to maintain safe and fulfilling aging in place. We would welcome an opportunity to participate in an advisory council type structure that engages NYCHA and its community partners or an ombudsman person at NYCHA in order to prioritize these issues and identify new strategies to maximize resources in correcting them.

JASA recognizes that with a limited budget NYCHA faces constraints. We are hopeful that the RFP initiative under NextGeneration NYCHA is a positive opportunity to improve the facilities at eight sites and enhance New York City's range of affordable housing as well as the community programs offered at these sites. New initiatives that identify new funding sources are always welcome. So thank you very much.

MADELYN INNOCENT: Good afternoon. My name is Madelyn Innocent and I am a long-time resident of Douglass Houses, but my full disclosure is; I am a member of Community Board 7 and Chair of Community Board 7 Task Force on Public Housing. However, I am here speaking on my own behalf and on the behalf of all the seniors in public housing, especially in Douglass Houses.

I am 61 years old, soon to become a full-fledged senior citizen. I am worried about housing for seniors and we will be pushed out of the neighborhood that we feel safe and cared for by our neighbors. I've been on physical disability since 2002. Sometimes my physical disabilities stop me in my tracks from doing the things that I did as an

1  
2 adolescent. Thank God my mind is still functioning  
3 so I am able to come to hearings like this one today  
4 and many in the past. It was difficult for me to  
5 come here today because of my physical pain and the  
6 older I'm getting my pains worsen, but I keep  
7 trucking along and I try not to complain too much.  
8 But I feel I am my best advocate as an upcoming  
9 senior to speak on my own behalf as well as others in  
10 my predicament that feel they don't have a voice.

11           Telling you this personal information is  
12 to tell you we in Douglass look out for the seniors,  
13 because maybe their families can't administer to all  
14 their needs during the day or at night or many  
15 seniors don't have any family of maybe they are  
16 estranged from their families, living alone. There  
17 are all sorts of reasons why we and you related to  
18 public housing should help our seniors and not  
19 threaten to downsize them or if they don't downsize  
20 they will be evicted -- that was told to me from a  
21 few seniors. How cruel and that is inhumane.

22           I want to tell you about a few seniors  
23 I've come in contact with every day. One senior told  
24 me that management sent him a letter that he would be  
25 downsized and if he didn't accept the apartment that

1 they showed him that they would evict him. Another  
2 senior roams the street at night with her scooter and  
3 we try to tell her she shouldn't be out certain hours  
4 of the night by herself and that she should run  
5 errands when her home attendant is with her, but we  
6 all make sure this senior gets home safely. Here is  
7 another senior who goes out early in the morning, but  
8 he can barely walk and his neighbors help him to the  
9 store to get a cup of coffee, and he's done this for  
10 years. There are many people who are in a  
11 neighborhood who care about them and will look out  
12 for them. Also, doctors are in the neighborhood and  
13 churches with people who will look out for them.  
14 These seniors who have had a routine life their  
15 entire time living in a particular development.

17 Lastly, it is time for NYCHA to step up  
18 and pay tribute to the seniors who paid their taxes,  
19 kept in compliance with NYCHA rules as well as  
20 regulations and have been able to have sustainability  
21 with furnishing NYCHA with steady and guaranteed  
22 income from Social Security and exceptions if they  
23 die. They have been in public housing as loyal  
24 residents by abiding by everything NYCHA has asked of  
25 them, including myself. Seniors are not throwaways,

but they are people who got older and not able to care for themselves and I want NYCHA to do the right thing and build senior housing or you will be doing an injustice to people who have worked for most of their lives and raised their children along with the responsibility of maintaining their apartments in public housing. NYCHA should commend and revere them and not throw them away like last year's garbage.

Do the right thing NYCHA and stop frightening our seniors. Community is important to the lives, health and safety of the seniors.

And I just wanna say one thing in listening to NYCHA; many of the things they say are not true. Their managers are not equipped or have the information to help seniors or to help any resident. We have had many managers in Douglass Houses; they don't even know... Douglass Houses, it has different factions; they don't even know that. They refuse to honor different requests by seniors; there are seniors who have holes in their roofs, but they don't wanna complain because they don't want housing to harass them. This is what seniors go through in Douglass Houses. I've sent them to Assemblyman O'Donnell's office, to Mark Levin's office; they are

1 looking into these issues, but these residents are  
2 frightened. One resident has cancer; her mother  
3 lives there, her grandmother just passed there; she  
4 was living with the grandmother, taking care of the  
5 grandmother; she put in for a transfer to live with  
6 her grandmother; they lost the paperwork; then they  
7 found the paperwork, but they closed the ticket. But  
8 what I'm trying to urge the residents to do; don't  
9 sit back and wait for NYCHA to take care of you; you  
10 have to keep on them, if you have to contact them  
11 every day. But now they're making her do a  
12 reapplication to move in so she can be next to her  
13 mother; she has breast cancer. NYCHA sat here and  
14 lied to everything they said and I think that should  
15 be investigated; they are able to tell tenants things  
16 that are not true, policies that they invent because  
17 people are seniors and not only just seniors, just  
18 regular residents. I live in an apartment by myself  
19 -- and forgive me if I get emotional -- my apartment  
20 is in a wreck; it hasn't been painted in about 15  
21 years; for this reason, because I'm outspoken,  
22 because I'm politically active, because I'm on a  
23 community board, I speak out for the residents; they  
24 tried to evict me with fraud and lies -- I won that  
25

1 case. So I played a low-key so they wouldn't harass  
2 me, but I can't do it anymore. After this election,  
3 this new administration, I can't sit back any more;  
4 I'm just gonna have to take the consequences of  
5 management harassing me. I need a paint job; I have  
6 repairs, but I'm afraid, but I'm out speaking for  
7 everybody else because it's more public, but when I  
8 speak out for myself, I'm harassed. So I hope you  
9 all can get NYCHA to do what they're supposed to do.  
10 And as I said, I'm on Community Board 7 and chair for  
11 the task force; we are doing things, but as a  
12 resident I have to do these things for myself; I  
13 can't depend on the community board to speak for me,  
14 so I'm here speaking for myself and the other  
15 residents who can't speak.

17 RUNA RAJAGOPAL: Good afternoon. My name  
18 is Runa Rajagopal; I'm the Managing Director of the  
19 Civil Action Practice at The Bronx Defenders. I want  
20 to introduce you to Aida Reyes, who is sitting to my  
21 left; she just turned 74; she's a grandmother, she's  
22 a cancer survivor; she has lived in the Bronx for  
23 over 40 years and in a matter of months, if NYCHA  
24 gets their way -- Is anyone from NYCHA here,  
25 [background comments] who represents NYCHA?



[background comments] Of course not -- Aida will be  
homeless.

Aida is a remaining family member who has  
been fighting for a lease in her name for over five  
years. When her mother turned 90 she was diagnosed  
with dementia; her medical and mental health were  
deteriorating, right; the themes are common, and even  
though her sister Alice -- Alice is here -- lives in  
the same building and was her mother's power of  
attorney, they needed more help. At first Aida would  
just stay over and help her mother with her daily  
activities; it was not long before her mother  
insisted that Aida live with her; she needed the help  
and wanted her daughters to be with her constantly,  
and the decision to move in with her mother was not  
an easy one for Aida; her mother was stubborn, they  
fought often, but ultimately Aida decided to give her  
place up and move in with her mother, who needed her.

Aida and her family faced so many  
obstacles and impediments to adding her to her  
mother's household; they didn't know what the rules  
were, and so Alice, as her mother's power of  
attorney, called the management office to get  
information about how to add Aida to her mother's

1 lease and was advised incorrectly to wait for the  
2 annual recertification and just add Aida and submit  
3 the necessary documentation. Alice relied on this  
4 misinformation and waited several months, right, and  
5 lost all of that time and they all worked together,  
6 Alice, her mother and Aida, to add her name to the  
7 recertification and they submitted it to the  
8 management office and thought that was it; the matter  
9 was settled. To their surprise, weeks later they  
10 were called in and told that actually, Aida's mother  
11 and Aida had to submit a different document and they  
12 were handed a NYCHA application. And so Alice took  
13 that NYCHA application and reviewed it and thought,  
14 this doesn't seem right; isn't there a separate  
15 process; why would my sister have to apply for a new  
16 NYCHA apartment when she is living with my mother?  
17 So she went back to the management office and asked  
18 the staff there and then they said oh you're right;  
19 it's not this application, actually you have to  
20 submit this form. As soon as they got the form they  
21 filled it out, got all the necessary documentation  
22 and immediately, immediately submitted it, as soon as  
23 they knew they had to submit that form.  
24 Unfortunately, just two weeks after Aida submitted  
25

1 that form, her mother died, just shy of 93 years old,  
2 and what happened is that during the grieving process  
3 when their mother died, Alice and Aida were actually  
4 called in and told: 1. there was a problem with the  
5 form, and 2. when they learned her mother had died  
6 they said, oh well, you can't stay in this apartment,  
7 right; you didn't have written permission to stay  
8 here, so you have to leave. And so they -- legally,  
9 right, the themes are the same -- tried to bully Aida  
10 and her family and said you actually have to  
11 surrender the keys by the end of the year, right,  
12 which is illegal; they are not allowed to do that.  
13 And so on and on the story goes; they brought a  
14 petition to evict Aida which was dismissed; they  
15 thwarted her attempts to avail herself of the  
16 administrative process and she wrote multiple  
17 letters; she waited for a hearing, and finally she  
18 started the NYCHA grievance, remaining family member  
19 grievance process, but the denial was issued at the  
20 management level and rubberstamped thereafter. So  
21 after the management office denied her remaining  
22 family member claim and the borough level  
23 rubberstamped that denial, she was again brought to  
24 Housing Court, and again, she was on her own and her  
25

1 family tried very hard to obtain legal assistance,  
2 even when her mother was alive and were unable to  
3 obtain assistance; she went also to elected office to  
4 elected office in various levels of government and  
5 was not able to get assistance before then, and so  
6 she was navigating the administrative process by  
7 herself; she was in Housing Court by herself, and  
8 experienced bullying and harassment, as we've heard,  
9 at every level. And it was not until -- actually,  
10 Aida was referred to us by her Council Member, Andy  
11 King's office actually just to give her advice and  
12 quite honestly -- for the legal services providers  
13 who are out there -- at this stage, these are very  
14 difficult issues for us to litigate in court, right,  
15 because everything that could've happened already  
16 happened before the tenant of record vacates or  
17 passed away. So I initially actually was just  
18 advising her family and as a courtesy went with her  
19 to court, but saw what I know to be true of NYCHA  
20 firsthand, again, NYCHA attorneys who refused to give  
21 her access to her mother's tenant file, refused to  
22 give her her third step grievance, refused to give  
23 her any accommodation, and so that is actually how I  
24 became Aida's attorney and so we fought, we were able  
25

1  
2 to fight for a grievance hearing, but again, the  
3 denial was rubberstamped and we have an appeal  
4 pending. But again, this is an uphill battle for us  
5 and the case law is such, has developed as such that  
6 there are only narrow exceptions that allow remaining  
7 family members at this stage to get a lease in their  
8 name.

9           And so this is just emblematic, and  
10 again, we've heard these stories over and over again  
11 of NYCHA's mantra, which is: do as we say and not as  
12 we do, and they hold NYCHA's tenants to this  
13 incredible -- and their family members -- to this  
14 incredible standard, right; if there's one misstep,  
15 one form that's missing, a failure to sign, the  
16 failure to document; that is it; they are not able to  
17 avail themselves of their rights or proceed, whereas  
18 when NYCHA does the same thing, they just proceed as  
19 business as usual and what's worse is courts rarely  
20 hold NYCHA accountable for this grossly unjust double  
21 standard which allows them to continue with this  
22 double standard without impunity.

23           And just -- I'll quickly wrap up -- which  
24 is that there are other facts to Aida's case which  
25 is; she formerly lived in public housing; she had her

own apartment for 15 years; she is otherwise eligible; she pays her rent on time, you know, she's 74 years old; she's disabled; she also lives in zip code 10467, which is a priority zip code under Universal Access to Counsel, right, because it has the highest rate of shelter entry in the Bronx. But none of these facts seem to matter because NYCHA refuses to allow her to stay. And so you know we echo a lot of the themes and statements by other tenants and advocates on various panels, but really, you know when we are engaging NYCHA, the conversation is always the assumption that tenants are aware of what their rights are, right; that they have access to the very form; that they know that they have to follow this process, which is not true and so it's wonderful to hear that NYCHA is gonna begin to put memoranda and other forms online and I look forward to that; their Management Manual should be online, but it also should be physically accessible and available in each of the management offices; staff should affirmatively explain rules and processes to tenants; they should make home visits where necessary and not just wait for people to come to them with questions. I echo the suggestions or the

recommendation about affirmatively providing reasonable accommodations when they know people are disabled and elderly, and really NYCHA should hold its own staff accountable for misconduct and misinformation, and take remedial steps where tenants and their family members do not meet the remaining family requirements due to their own actions or inactions. NYCHA must change its culture of bullying, harassment, misleading tenants; frontline staff have to be educated about their role and responsibility in supporting and uplifting tenants and not just to arbitrarily exert power and control.

And lastly, as Universal Access to Counsel rolls out, lawyers and advocates have to be appointed early in the administrative process, when a tenant seeks to add a family member and not just waiting until an eviction proceeding is filed and it's too late to actually help tenants and their family members avail themselves of their rights.

Thank you.

[cheer, clapping]

CO-CHAIRPERSON CHIN: Thank you. I mean thank you for your advocacy and we have a lot of work to continue to do to make sure that NYCHA is doing

1 the right thing. And I said earlier in the hearing  
2 that NYCHA cannot just be a landlord, right?  
3 Landlords, they just... I mean landlords do have  
4 responsibility of providing, you know repairs and  
5 conditions and they're not really doing such a job at  
6 it, but it's lacking the compassion and the  
7 assistance with their tenant, making sure they know  
8 their rights and making sure that, you know that  
9 they're taken care of and I think that we still have  
10 a lot of work to do to make sure that NYCHA does the  
11 right thing. Molly.

13 MOLLY KRAKOWSKI: I wanted to make one  
14 suggestion, which is that you've done a lot of work  
15 with educating older adults about SCRIE and you know  
16 trying to encourage when landlords send out  
17 information or when there are renewals that there  
18 should be additional information provided and I don't  
19 know within NYCHA what the procedure is, but if in  
20 fact they're going to update some of this information  
21 and it's gonna be more readily available, then maybe  
22 there's a way for them to communicate that in their  
23 communications to tenants so that they're aware of  
24 how to access the right information once they're  
25 already working on it...



COMMITTEE ON PUBLIC HOUSING, JOINTLY WITH THE  
COMMITTEE ON AGING

153

1

2

CO-CHAIRPERSON CHIN: Yeah, definitely..

3

[crosstalk]

4

MOLLY KRAKOWSKI: hold them accountable.

5

6

CO-CHAIRPERSON CHIN: Yeah, we have to  
make sure that that information does get out, so

7

people know, if they want to apply to include a

8

family member, what's the procedure, what they need

9

to do and.. Thank you. And thank you all for being

10

here today. [pause]

11

Our hearing is adjourned and thank you to

12

everyone again for being here.

13

14

15

16

17

18

19

20

21

22

23

24

25

C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date November 14, 2017