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District Council **37**

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Testimony of Cliff Koppelman
President of Local 1070 and
Secretary of District Council 37, AFSCME
Before the City Council Housing and Building Committee
March 27, 2008

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Good afternoon Chairman Dilan and members of the Housing and Buildings Committee. My name is Cliff Koppelman and I am the President of Local 1070, as well the Secretary of District Council 37. Local 1070 represents all the state court interpreters in New York City and interpreters in the Department of Probation and the District Attorneys offices.

I am here to discuss Int. 596, which pertains to language assistance services at the Department of Housing and Preservation Development (HPD). Although we believe the concept and purpose of the bill is made with good intentions, it doesn't fully serve the purposes the bill proposes. The way the bill is currently written does not achieve its goals and will not meet the needs of the population it is trying to assist.

Furthermore, Local 1549 of DC 37 also represents interpreters in the city agencies and has expressed some concerns over the bill.

We would be willing to sit down and work out amendments which would keep the goal of the bill, yet address some of the concerns we may have.

Thank you for the opportunity to testify before you today and I will take any questions you may have.



Asian Americans for Equality

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City Council Hearing on Equal Access to Housing Services Act

Thursday, March 27, 2008

Good Afternoon. My name is Margaret Chin and I am the deputy executive director of Asian Americans for Equality (AAFE). AAFE is a non-profit community-based development and immigrant empowerment organization working on behalf of immigrants, low-income and working families. I would like to thank the City Council for giving me the opportunity to express our support for Intro 596, Equal Access to Housing Services.

As you know, two-thirds of New York City residents and their families are immigrants. Nearly 25% of New Yorkers who speak limited or no English face difficulty accessing city services. For years, AAFE has served the community by acting as the intermediary between residents and various city agencies, including Housing Preservation and Development. Now, more than ever, amidst the growing affordable housing crisis, it is increasingly important that HPD raise the awareness of housing rights and protect families that have been unable to protect themselves due to language and cultural barriers.

Residents with limited English skills have been particularly vulnerable in the loss of affordable housing. Landowners are quick to convert affordable housing units into market rate units, and have been harassing and neglecting residents in order to force the families out of their affordable housing units. Tenants have been forced to endure hazardous, over-crowded and deplorable conditions as landlords refuse and neglect repairs. Raising awareness of housing rights will relieve many of these tactics that displace families out of their affordable housing units. Intro 596 greatly augments and ensures that all residents have access to HPD's full range of services.

We are greatly encouraged by Intro 596 as it presents the opportunity to inform and educate not only the limited English proficient residents, but also limited English proficient building managers and owners who may benefit from HPD's in-language services. By allowing the residents, building managers and owners to communicate directly with the agency in their native language, miscommunication and misinterpretation can be readily avoided.

The services provided by HPD are imperative and Intro 596 will be an invaluable asset for securing the rights of immigrant families. AAFE supports and urges for the passage of Intro 596. Thank you.

TENANTS & NEIGHBORS

THE STATEWIDE CENTER OF POWER FOR TENANTS

Testimony of Maggie Russell-Ciardi, Executive Director of Tenants & Neighbors
City Council Hearing on Intro 596, the Equal Access to Housing Services Act
March 27, 2008

My name is Maggie Russell-Ciardi. I'm the Executive Director of Tenants & Neighbors, a statewide organization that works to preserve affordable housing, diverse communities, and livable neighborhoods, and to strengthen tenant protections.

I am here today to express Tenants & Neighbors' strong support for Intro 596, the Equal Access to Housing Services Act.

New York is a city of immigrants. According to Legal Services for New York City, almost half of New York City residents speak a language other than English at home. One out of four New Yorkers are limited English proficient, meaning that they do not speak English, or do not speak English well. About 15% are linguistically isolated, meaning that no one in the household over the age of 14 speaks English well.

According to "Living in Isolation," a report issued in 2007, linguistically isolated communities and communities where there are high percentages of limited English proficient residents have higher levels of housing deficiencies, such as leaks, pest infestations, and cracks in the walls. The people in these communities also have more code enforcement problems; they are less likely to report their housing problems and less likely to access the services they need from HPD.

New York City has already set a precedent affirming the importance of language access. Local Law 73, which the City Council passed in 2003, stated that individuals should not face obstacles to receiving social services for which they may be eligible because they do not speak English. Part of the intent of that law was to ensure that New Yorkers would not face discrimination based upon the language they speak.

Now, New York City has the opportunity to build on the groundwork that was laid in 2003 and ensure that individuals will not face obstacles to receiving the housing assistance for which they are eligible because they do not speak English.

Intro 596 will help to ensure that "limited English proficient individuals are not deprived of the benefits, information and services they seek because of limited English proficiency and do not have to wait unreasonably longer to receive assistance than individuals who do not require language assistance services."

The legislation would require the department of Housing Preservation and Development to provide free language assistance services to limited English proficient tenants in, for each borough of New York City, the top nine languages other than English spoken by persons living in that borough. This would include translation of HPD documents; allowing tenants to complete



TENANTS & NEIGHBORS

THE STATEWIDE CENTER OF POWER FOR TENANTS

certain documents in their native language, providing interpretation services at certain meetings, trainings, and events; creating and posting notices in the top nine languages of each borough instructing limited English proficient tenants about how to access the services to which they are entitled; and ensuring that the HPD website includes information about this topic in the top nine languages of each borough.

This bill would also ensure that when limited English proficient tenants seek HPD services related to the enforcement of Housing Code, all communications between HPD or its contractors and the tenant would be in the tenants' native language, provided it is one of the top nine languages of the borough.

Tenants & Neighbors is deeply committed to ensuring all tenants have access to the protections they need, regardless of their country of origin or the language they speak. We believe there is a significant need for our city's housing enforcement services to be even more accessible to the many diverse communities who make up New York City. We know that HPD is aware of the barriers that limited English proficient tenants face, and is already taking steps to address this situation. We commend them on this and hope to collaborate with them on the implementation of this new legislation.

Tenants & Neighbors strongly supports Intro 596. We commend the New York Immigration Coalition as well as the Council Members who are supporting this legislation for their leadership on this issue, and look forward to working together to ensure that immigrants and other New Yorkers who are not yet fluent in English have access to the invaluable services that HPD provides.





**LEGAL
SERVICES**

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**City Council Committee on Housing and Buildings
March 27, 2008**

Equal Access to Housing Services Act

Testimony of
**Donna Chiu, Esq., Staff Attorney
Lower Manhattan Justice Project
MFY Legal Services, Inc.**

Good afternoon, members of the Committee. Thank you for inviting MFY to this hearing and giving us this opportunity to share with you our support for the Equal Access to Housing Services Act.

My name is Donna Chiu and I am a staff attorney for the Lower Manhattan Justice Project at MFY Legal Services. This project is made possible by a grant from the Lower Manhattan Development Corporation. MFY is a non-profit legal services organization that serves low income New Yorkers through advice, counsel and full representation. The Lower Manhattan Justice Project aims to save affordable housing and preserve the diversity of the neighborhoods south of Houston Street.

Part of the philosophy and practice at MFY Legal Services is to provide equal access to justice and the legal system here in the city. Thus, it is a priority at MFY to ensure that non-English speaking and limited-English proficient clients receive legal assistance in their native languages. Aside from the more frequently spoken languages such as Spanish and various dialects of Chinese, MFY has provided direct assistance to clients in Tagalog, Russian, Albanian, Haitian-Creole, and Hindi, just to name a few.

As a bilingual attorney at MFY, I have witnessed the overwhelming need for multilingual legal and administrative services. I have helped many non-English speaking tenants translate correspondence and fill out forms from HPD. Individuals would not need an attorney in these cases if they were provided with forms and correspondence in their native language. And legal services agencies with limited resources would not have to expend resources that could otherwise be used for more complicated legal interventions. With guaranteed multilingual outreach and services from HPD, tenants will be informed no matter what their language is. They will no longer feel discouraged from filing complaints because they do not speak English. They will be better informed about HPD hearings by having a translator present. And they will no longer have to worry about miscommunication with the HPD housing inspector or having a friend or family member present at the apartment to translate.

The language barriers that non-English speaking or limited-English proficient clients have experienced at HPD are a needless burden that can easily be eliminated by providing them with true equal access through the provision of language translation services. The Equal Access to Housing Services Act accomplishes this admirable goal.

On both a professional and personal level, I am excited about the positive change this new legislation will bring in improving people's lives. It's about time residents in immigrant communities who are often linguistically isolated and in need of housing maintenance services and protection are informed about HPD and provided with real access to its services. The city cannot honestly celebrate and boast its immigrant and multicultural characteristics without ensuring equal access to city services for all its residents.

**Testimony of Benjamin Dulchin of ANHD INC.
In Support of Intro 596**

My name is Benjamin Dulchin, and I am here representing ANHD INC.

ANHD INC. is a not-for-profit social welfare organization which advocates on behalf of over 90 New York City neighborhood-based housing groups- CDCs, affordable homeownership groups, supportive housing providers and community organizers. These groups directly own or manage over 30,000 units, providing safe, affordable housing for over 100,000 residents. ANHD INC. advocates for comprehensive, progressive housing polices and programs to support affordable, flourishing neighborhoods for all New Yorkers, especially our lower income residents.

I am here today to testify in support of Intro 596, the Equal Access to Housing Services Act.

The community-based groups that ANHD Inc. supports know how critical city services are to vulnerable community members, and how important it is that non-English speaking community members have equal access to those services.

The data is clear that immigrant communities are among those most effected by bad housing conditions, and that it is there status as immigrants and non-English speakers that makes them uniquely vulnerable. For this reason, immigrant are more likely to live with severe, health-impairing violations of the Housing Maintenance Code.

The Department of Housing Preservation and Development has an excellent team of inspectors who are highly dedicated, and very effective at identifying violations to be placed on the record. Once they are on the record, HPD can then issue a violation notice to pressure the landlord to make repairs, or HPD's excellent legal department can bring legal action if the violations are severe and the landlord fails to comply.

This system is complaint driven. If tenants do not make a complaint to the city, then HPD does not know to respond. Tenants need to be offered information that is comprehensive and multi-lingual so that immigrant communities have the information and are encouraged to participate.

Thank you.

TESTIMONY OF THE DEPARTMENT OF HOUSING PRESERVATION AND
DEVELOPMENT TO THE NEW YORK CITY COUNCIL'S HOUSING AND BUILDING
COMMITTEE – THURSDAY

March 27, 2008, 1PM

Good morning Chairman Dilan and the members of the Housing and Buildings committee. My name is John Warren and I am First Deputy Commissioner of the Department of Housing Preservation and Development. Sitting next to me is Carol Clark, Assistant Commissioner of Local Legislative Affairs.

I am pleased to be here today to discuss Intro 596, the Equal Access to Housing Services Act, and HPD's current Language Access Program. We have long viewed ourselves as being innovators in providing language access to the residents of the City of New York, who are limited English proficient. Before I specifically discuss Intro 596, I would like to provide you with some insight into our language access efforts.

HPD is strongly committed to providing our services to New York City residents, in need of them, regardless of their English proficiency, and we believe that an effective language access program must take into consideration the unique nature of the Agency's programs.

To this end, we established a Language Access Taskforce to assess community needs, to identify HPD operating areas with materials in need of translation into specific languages, and to develop Agency wide standards by which a policy and implementation plan could be instituted. Our Agency-wide policy and implementation plan is compliant with current HUD guidelines. That is, US Housing and Urban Development's Notice of

Guidance to Federal Assistance Recipients regarding Title VI prohibition against National Origin Discrimination Affecting Limited English Proficient Persons. HUD's guidance provides a flexible and fact-dependent standard to guide direct local agencies like HPD in taking reasonable steps to ensure access to programs by Limited English Proficient individuals.

Although HPD is working strenuously to provide and enhance language access services, Intro 596 would impede our ability to enact appropriate enhancements for a variety of reasons. Namely, Intro 596 is a mandate which precludes the Agency's flexibility to provide services in the most meaningful and cost effective way. HPD's interactions with the public vary depending on the service we are providing and a one size fits all approach will not allow us to offer tailored and measured solutions where applicable. Because of the dynamic nature of the Agency's service population, it is important that our plan have the flexibility to modify documents, provide both over-the-phone and on-site oral interpretation on an as needed basis, and to add and remove languages for written translation as the demand changes. Intro 596 simply does not allow for this.

We currently provide a number of Agency-wide language assistance programs; programs such as access to Language Line Services: a company that specializes in over-the-phone interpretation and written translation for 175 languages. While the Language Line contract guarantees over-the-phone interpretation services and written translation, immediate translation or on-site interpretation is not something the contract provides. If immediate translation or live interpretation is needed, HPD, in conjunction with the

Mayor's Office of Immigrant Affairs, offers a program comprised of 95 HPD employees that volunteer their language services to provide written translation or oral interpretation in 28 languages. Yet another example of our unique dealings with the public and the need to diversify our language access program is in instances where legal determinations occur. Both the Division of Tenant Resources and the Division of Housing Supervision hold legal hearings and, in these cases, HPD offers free oral interpretation on an as needed basis through contracts with 2 providers. Indeed, yet another program available to limited English speakers is the Affordable Housing Hotline, a listing of the City's affordable housing lotteries in Spanish, Mandarin, Cantonese, Korean, Haitian Creole and Russian. In addition the affordable housing hotline, pertinent website pages are accessible in Spanish, Chinese, Korean, Haitian Creole and Russian.

Furthermore, we currently translate brochures, informational materials and notices into multiple languages determined by data that we collect through 311, our Code Enforcement call centers, language line usage and on-site experience. For example, in recent months, we've seen an increase in language line usage for Bengali. To accommodate for this increased need, we are now translating more brochures and website pages into Bengali, and we shall continue to make similar adjustments to our language policy as the need arises. Under Intro 596, HPD would be required to translate all of our materials into the top 9 languages in each borough, which amounts to 17 different languages. While Bengali is listed as one of those languages, other languages, such as French, Italian, Greek and Yiddish are also included. However, based on the available data, we do not see a significant number of calls from individuals who speak French,

Italian, Greek and Yiddish. Taking resources away from HPD's mission driven activities to translate materials, provide oral translation and bilingual staff for these languages, which this bill is mandating, will most assuredly compromise HPD's mission to improve the availability, affordability and quality of housing in New York City.

In addition to these Agency wide services, our service driven divisions, such as the Code Enforcement, Tenant Resources which oversees our Section 8, Emergency Housing Services and Housing Supervision which oversees our Mitchell-Lama program, have language access liaisons to implement and monitor language assistance services. HPD staff use language cards that enable them to identify which language the tenant speaks and then access the language line to provide over-the-phone translation. Specifically, the Division of Code Enforcement—often times referred to as “the front line” or “the face” of HPD—employs a total of 183 multi-lingual or bi-lingual inspectors who collectively speak 26 languages. We provide all of the informational brochures in multiple languages and we even have refrigerator magnets to provide heat season requirements in multiple languages as a way to increase communication. Moreover, our Borough Code Enforcement offices attempt to match, where feasible, the language of the inspector with the primary language of the household to ensure that we are providing the best service possible to NYC tenants. The reality of our resources and staffing plan is that we cannot implement a bilingual inspector in every situation. Most recently, we've added a basic language course for our inspectors in Spanish. The class, mandatory for all inspectors across the Agency, provides training in basic Spanish housing vocabulary. We hope to

expand these classes to all HPD employees, as well as add additional languages to the program, as we are able to do so.

To expand our visibility in the community and better understand the city's ever changing neighborhoods, HPD works with the Mayor's Office of Immigrant Affairs, as well as community based organizations such as Communities for Housing Equity, the Chinese American Planning Council, the Urban League, Brooklyn Housing and Family Services, the South Bronx Action Group and the New York Immigration Coalition. Along these lines, our efforts with the Office of Community Partnership's "Taking it to the Streets" campaign—a program where HPD representatives visit low income and immigrant communities throughout the city—is helping to raise awareness of HPD's programs in many of the city's linguistically isolated immigrant areas. In addition, our Office of Communications' has done an extensive outreach campaign to ethnic media outlets, including briefings with the Commissioner to promote HPD's programs.

In closing, we believe that the establishment of a Language Access Taskforce and the implementations of strong, Agency-wide policy in conjunction with the development of long term assessment strategies will ensure that HPD will continue to provide our services to all city residents, regardless of primary language. It is our belief that Intro 596, while well intentioned, will actually hinder the agency's efforts in this respect. I would be happy to answer any questions you may have at this time.



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Testimony
of Brendan Cheney, Budget and Policy Analyst
Before the City Council Committee on Housing and Buildings
on the Equal Access to Housing Services Act

March 27, 2008

Good afternoon Chairman Dilan and members of the Housing and Buildings Committee. I am Brendan Cheney, budget and policy analyst covering housing and homelessness issues for the New York City Independent Budget Office. Thank you for the opportunity to testify regarding the Equal Access to Housing Services Act.

In April, 2007, the Independent Budget Office completed a cost estimate on an earlier version of the Equal Access to Housing Services Act. Based on our analysis, we projected the new law would cost the city \$7.0 million on an annual basis, with additional one-time costs of \$375,000 in the first year. The original letter with our cost estimate is attached. I will summarize our cost estimate in this testimony and then answer any questions you may have.

Intro 596 would require the Department of Housing Preservation and Development (HPD) to provide language assistance services to individuals with limited English proficiency, including translating documents and completed forms, providing bilingual housing inspectors, and publishing information in multiple languages.

The intro requires that HPD provide language assistance in the top nine most commonly spoken languages in each borough (referred to in the bill as "covered languages"). Based on census information provided by the City University of New York, IBO estimates the total number of covered languages to be 17.

Estimated Costs for Intro 596			
<i>Dollars in thousands</i>			
	Full-Time Positions	Annual Costs	One-Time Costs
Section 8 - 1103	29	\$ 1,752	-
Section 8 - 1104, 1105	-	-	\$ 375
Section 8 - 1106	88	\$ 5,256	-
Section 8 - 1107	-	-	-
Section 8 - 1108	-	-	-
Totals	117	\$ 7,008	\$ 375
SOURCES: IBO, DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT			

In our original estimate, IBO assumed that HPD would implement the bill by adding full-time bilingual housing inspectors in the covered languages in each borough to provide bilingual oral communication

during code enforcement services (**section 8 – 1106**). IBO assumed that HPD would need one housing inspector for each of the nine top languages in each borough available 24 hours a day, seven days a week, in order to be able to respond to emergency “class C” violations. Assuming four shifts per week, and subtracting current bilingual housing inspectors that could fill this need, IBO determined the new net need to be 79 new bilingual inspectors and nine support staff at a cost of \$5.3 million per year, including benefits.

Section 8 – 1103 requires HPD to offer language assistance when individuals seek benefits or information from the department, to provide translation services at meetings, trainings or events, and to allow individuals to fill out forms in their primary language. IBO estimates that HPD could meet this requirement with the addition of 24 full-time translators and five support staff at an annual cost of \$1.8 million. Translation of the Web site content, as required in **section 8-1107**, could be accomplished using these resources.

IBO also considered two alternatives for implementing Section 8 - 1103 using part-time staff and contracts. Both alternatives would cost roughly \$850,000 and are discussed in more detail in the attached letter. These two options are based on the assumption that some languages would have a low volume of translations, and therefore not necessitate full-time translators. To the extent that this is true, HPD could pursue one of these options and reduce costs.

Under **section 8-1104** HPD would be required to translate all documents into the covered languages, and **section 8-1105** requires HPD to post informational notices in the covered languages at HPD locations and requires landlords to post notices in the lobbies of apartment buildings. Some documents and other language content are already translated into Spanish, Korean, Chinese, Creole, and Russian through a three-year contract for \$100,000. IBO projected that translating into all covered languages will cost \$375,000, including \$250,000 to translate the remaining documents and other content, and \$125,000 to develop a poster and pamphlet and mail them to owners and managers of all multiple dwellings in the city.

One last thing to consider is the potential for an overall increase in demand for housing services at HPD. The intent of the legislation is to increase overall awareness of, and access to, housing services. To the extent that this is successful, demand and therefore costs for HPD services could increase, particularly in code enforcement and program applications. We are, however, unable to estimate the magnitude of any such increase.

Thank you again for the opportunity to testify and I would be happy to answer any questions that you have.



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April 24, 2007

Mr. Javier H. Valdés
Communities for Housing Equity Coalition
137-139 W. 25th Street, 12th Floor
New York, NY 10001

Subj: Fiscal Impact: "Equal Access to Housing Services Act"

Dear Mr. Valdés:

In response to your request, the Independent Budget Office (IBO) has estimated the cost of the proposed Equal Access to Housing Services Act. We estimate that enactment of the proposed legislation as currently drafted would cost \$7.0 million on an annual basis, with additional one-time costs of \$375,000 in the first year of enactment.

Cost Estimate for Proposed "Equal Access to Housing Services" Act		Full-Time Positions
Annual Costs		
Housing Inspectors	\$ 5,255,768	88
Translators	1,752,250	29
Total Annual Costs	\$ 7,008,018	117
One-Time Costs	\$ 375,000	
SOURCES: IBO; Department of Housing Preservation and Development.		
NOTE: Costs include housing department personal services and other-than-personal-services spending, and fringe benefits costs from city central accounts.		

The proposed legislation would require the Department of Housing Preservation and Development (HPD) to provide language assistance services to individuals with limited English proficiency. The draft legislation consists of four sections: language assistance services, translation of HPD documents, code enforcement, and reporting. Our estimate of the fiscal impact of the legislation is organized accordingly.

Covered Languages. The languages covered by the law would include the nine most commonly spoken languages other than English in each borough. We understand the law to require provision of language services only for the nine most common languages in that borough, not citywide. As a result, the total number of languages is greater than nine. Based on census

information provided by the City University of New York, the total number of covered languages would be 17 (see table on next page).

Top 9 Languages by Borough and Estimated Number of Speakers						
	Brooklyn	Bronx	Manhattan	Queens	Staten Island	TOTAL
Spanish	140,105	190,059	135,379	151,375	12,296	629,214
Russian	59,609	2,568	4,829	15,076	2,686	84,768
Chinese	24,975	1,638	21,709	34,111	1,529	83,962
Italian	23,181	9,404	8,424	20,501	8,255	69,765
French	14,038	3,682	18,118	10,188	-	46,026
Korean	-	-	4,244	20,356	1,187	25,787
Yiddish	22,169	1,434	-	-	-	23,603
Polish	13,553	-	-	8,806	1,022	23,381
French Creole	18,520	-	-	-	-	18,520
Greek	-	-	-	15,611	-	15,611
Hebrew	8,983	-	5,003	-	-	13,986
Tagalog	-	-	-	8,606	1,557	10,163
German	-	1,467	8,527	-	-	9,994
Japanese	-	-	7,248	-	-	7,248
Kru, Ibu, Yoruba	-	4,577	-	-	921	5,498
Arabic	-	-	-	-	1,477	1,477
Bengali	-	1,451	-	-	-	1,451
TOTAL	325,133	216,280	213,481	284,630	30,930	1,070,454

SOURCES: CUNY Center for Urban Research; New York Immigration Coalition.

Language Assistance Services. The draft legislation would require HPD to:

- Provide “prompt” language assistance services in all interactions between HPD and its contractors and HPD’s clients, including interpretation of forms (§ 8-1203.a-c);
- Permit clients to complete forms in their primary language (§ 8-1203.d);
- Provide translation services for covered languages at public meetings, trainings, or events (§ 8-1203.d).

IBO estimates that meeting the requirement for translation at HPD meetings and presentations, and the provision to allow clients to complete forms in their primary language, would require the addition of a minimum of 24 full-time translators and five support staff, including two new positions for the creative team for brochure design, at an annual cost of \$1.8 million, including salaries, fringe benefits and other-than-personal-services (OTPS) costs. We used an average salary of \$45,000 for translators based on average salaries of interpreter/translator positions in other city agencies. We assumed that each language would have one full-time translator except for the more widely-spoken languages of Spanish (five positions), Russian (two), and Chinese (three).

Translators would be responsible for translating applications for Section 8, Senior Citizen’s Rent Increase Exemption benefits, and HPD’s Housing Assistance Program back into English when the client chooses to complete it in his or her primary language as allowed under the proposed legislation. HPD estimates that it receives 12,400 pages of documents annually and that approximately 20 percent, or 2,480 documents, would be completed in a language other than English.

Translators would also be responsible for attending any of the 5,400 meetings that HPD conducts with the public where attendees require language assistance. According to HPD, the different types of meetings it conducts have different language assistance needs, but overall it estimates that 20 percent of its meetings—about 1,080 annually—would require translation services. Finally, translators would also work with the creative team to publish new brochures in all 17 languages as well as monitor HPD's Web site to ensure that the content is maintained accurately.

Alternatives. Based on the volume of correspondence, IBO estimates that some languages would have a low volume of documents to be translated. This could make having a full-time translator inefficient. We considered two possible alternatives for languages with low volume.

The first option would be to use part-time employees for low-volume languages. Based on the language distributions above, we assumed one full-time employee per borough where there were more than 100,000 speakers of a language; one half-time employee per borough where there were between 30,000 and 100,000 speakers, and a one-day-a-week equivalent employee where there were fewer than 30,000 speakers per borough. This resulted in about 13 full-time equivalent employees, plus three full-time support staff. Annual costs were estimated to be about \$850,000. (Note that only employees who work half-time or more are eligible to receive benefits).

A second option would be to use outside contractors for translation. At a cost of \$250 per document, and \$200 per meeting, the total cost of this option would be \$830,000 per year.

Either of these two options, however, would likely result in longer processing times. Since the draft legislation requires "prompt" language assistance services and that limited English-proficient clients "do not have to wait unreasonably longer to receive assistance" than English-proficient individuals, these might not prove to be feasible options.

Translation of Documents. The draft legislation would require HPD to:

- Translate all HPD documents into covered languages (§ 8-1204.a);
- Develop written materials (poster and pamphlet) in covered languages explaining services, which owners of multiple dwellings will post and distribute to current and prospective tenants (§ 8-1204.b-c);
- Place posters in public spaces (§ 8-1204.e)

HPD currently has a three-year contract for \$100,000 for document translation. Some documents and other language content (such as the HPD Web site) are already translated into Spanish, Korean, Chinese, Creole, and Russian. To translate all documents into the covered languages, the department would need to increase current efforts. IBO estimates that translating all documents into the covered languages and creating a pamphlet and poster to be distributed to all multiple dwellings will have a one-time fiscal impact of approximately \$375,000, including \$250,000 to translate remaining documents and other content (such as HPD's Web site), and \$125,000 to develop a poster and pamphlet and mail them to owners and managers of all multiple dwellings in the city.

Housing Inspectors. The draft legislation would require HPD to:

- Provide code enforcement services by bilingual housing inspectors in covered languages (Housing Inspectors – a)
- Conduct all oral and written communication in primary language for covered languages (Housing Inspectors – b)

IBO estimates that the requirement to provide bilingual housing inspectors would require the addition of approximately 79 new inspectors and nine support staff at an estimated annual cost of approximately \$5.3 million.

Although HPD currently uses the city contract with the company Language Lines to provide translation services during housing inspections, the draft law would require HPD to determine the primary language of the client it is to serve and send an inspector with proficiency in that language to conduct the inspection. To meet the requirements of the law, IBO determined that HPD would need one housing inspector for each of the nine top languages in each borough available 24 hours a day, seven days a week, in order to be able to respond to emergency “class C” violations. Assuming four shifts per week per inspector, HPD would need 180 bilingual housing inspectors. Based on information from HPD, there are currently 254 bilingual housing inspectors. For the purposes of the analysis, we assumed that these inspectors would be able to pass certification in those languages. Even so, the current inspectors would not meet language assistance needs as stipulated in the proposed legislation without additional staff, because there are insufficient numbers to provide 24/7 coverage in all covered languages. Also, some of the languages spoken by current housing inspectors are not among the covered languages. By subtraction, the net new need would be 79 new bilingual inspectors.

IBO used an average salary estimate for housing inspectors and associate housing inspectors based on the 2008 Preliminary Budget. We factored in a fringe benefit rate of 35 percent, and assumed that for every nine inspectors, HPD would need one support staff position. We did not include any salary adjustments for bilingual proficiency because the current labor contracts with the city do not call for salary differential when demonstrating language abilities and using them as part of job responsibilities.

Although our analysis indicates the need for the addition of new housing inspectors and support staff and an increased budget to meet the requirements of the law, over time it may be possible to replace existing inspectors through attrition with staff with the required language capabilities. The Department of Citywide Administrative Services (DCAS) allows language abilities to be a preferred skill on a job announcement, which can move an applicant up the list of potential job candidates. DCAS also administers tests to verify language capabilities. This could allow HPD to provide the bilingual staff with close to the current number of inspectors. It was noted during our analysis, however, that filling housing inspector vacancies is already difficult since the position requires five years of contracting experience. Finding qualified candidates with language capabilities in all covered languages may prove difficult.

The second provision in this section calls for all written and oral correspondence to be conducted in the client’s primary language. Since written correspondence is conducted with form letters, these letters would only need to be translated once with the rest of the department’s documents.

We assumed that follow-up oral communication with clients can be met through the department's contract with Language Lines or by using translators hired as part of the Language Assistance Services provision.

Reporting. The draft legislation (§ 8-1207) would require HPD to report annually on the usage of its services by limited English proficient clients and the agency resources dedicated to providing these clients with language assistance. We assumed that this provision would be met using existing agency resources.

Other Considerations

Savings. It was suggested to us that implementation of the proposed legislation could result in fewer lawsuits against HPD for violation of Title VI of the federal Civil Rights Act of 1964, which prohibits discrimination on the basis of English-language proficiency, thereby generating offsetting savings. Since there are no known Title VI lawsuits against HPD in the recent past, IBO does not believe this will generate any measurable cost savings.

Induced Demand for Housing Services. If the draft proposed legislation were effective in its stated intent of providing greater access to housing services, it seems possible that the demand for HPD's programs and services could rise, particularly in the areas of code enforcement and program applications. We were unable to estimate what the magnitude of any such increase might be.

I hope you will find this information to be helpful. We would be happy to provide further details of our analysis upon request. The IBO staff contact is Brendan Cheney. Please do not hesitate to let me know if we can provide further assistance on this or other matters.

Sincerely,



C. Preston Niblack
Deputy Director

Cc: J. Warren, HPD

**Testimony from Housing Here and Now
In Support of Intro 596**

Chloe Tribich, Lead Organizer
Housing Here and Now
(212) 643-3464 x103
Chloe@housinghereandnow.org

On behalf of Housing Here and Now I would like to thank the members of the City Council housing committee and the sponsors of this legislation, Council Members Mendez, Dilan and Mark-Viverito, for giving us the opportunity to express our support for Intro 596.

As you know, NYC is in the midst of a devastating housing crisis. Rents are skyrocketing; over 500,000 New Yorkers pay over half their income for rent. Tenant incomes are declining and rents are rising. From 2002 to 2005 rents rose by 9% and tenant incomes fell by 6%. And despite the downturn in the national housing market, the NYC real estate market-- including rent-regulated real estate -- remains overheated.

At a time when developers and landlords are paying record prices for buildings in neighborhoods they once considered undesirable, housing conditions in parts of these neighborhoods remain extremely poor. Despite some improvement in NYC overall, the poorest neighborhoods --which are also those with the most immigrants and people of color -- continue suffer horribly for lack of repairs. According to the 2005 HVS Bushwick had 184.1 seriously hazardous violations per 1000 units, the highest in the city. Bushwick's population is also 44% immigrant.

Renters who are not English proficient are at unique risk for displacement and hazardous conditions. Unscrupulous landlords in neighborhoods like Bushwick, Sunnyside and Washington Heights are quick to take advantage of tenants' lack of English proficiency to let poor conditions languish as a way to urge those tenants to vacate their units in order to raise the rent. And plenty of the "old fashioned" bad landlords remain on the scene: individual property owners who neglect their properties and do little more than collect rent.

The solutions to this crisis are several-fold and involve action by both City and State governments. Ensuring that tenants who do not speak English have full and equal access to the Department of Housing's services is a strong step in this direction.

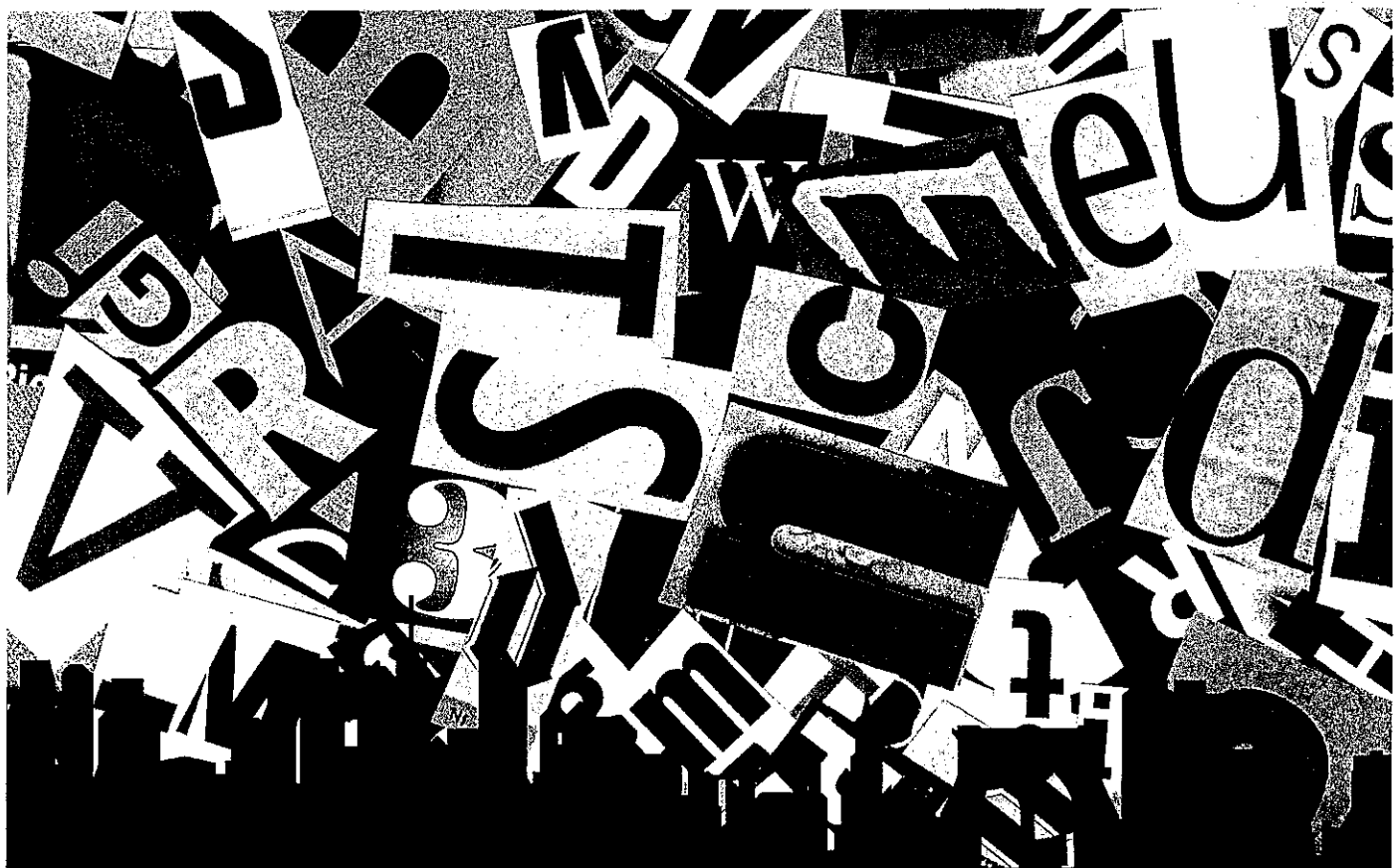
On behalf of Housing Here and Now I strongly urge that Intro 596 be passed.



May 31, 2006

HEAR THIS!

The Need for Multilingual Housing Services in New York City



A report of the Communities for Housing Equity Coalition:
Asian Americans for Equality, CAAAV: Organizing Asian Communities,
Community Development Project of the Urban Justice Center, Make the Road by Walking,
Neighbors Helping Neighbors, The New York Immigration Coalition, University Settlement Society of New York

Report writing and research support provided by the Community Development Project of the Urban Justice Center

Executive Summary

Strong housing code enforcement is necessary to ensure safe and healthy living conditions for all residents in New York City. However, without adequate, multi-lingual outreach and services from the Department of Housing, Preservation and Development (HPD), immigrant and limited English proficient (LEP) residents are unable to hold negligent landlords accountable and ensure lawful and safe housing conditions for themselves and their families.

Based on the findings from 697 surveys conducted between July 2005 and February 2006 with immigrant and LEP tenants, this report shows that immigrant and LEP New Yorkers are living in unhealthy and unsafe living conditions, and yet overwhelmingly do not know that there is a city agency, HPD, designed to help them address their housing needs.

- **60% of survey respondents reported living with one or more critical housing code violation(s) in the past 12 months.**
- **62% of respondents did not know that there is a governmental agency, HPD, dedicated to meet the housing needs of New York residents.**

Moreover, our research shows that immigrant communities are significantly under accessing the important code enforcement housing services provided by HPD, and that, when they do, the lack of comprehensive and consistent language service provision presents barriers to effective service implementation and the timely correction of their housing problems.

- **Only 18% of survey respondents reported their housing problem to HPD.**
- **Almost half (43%) of those who did not file a complaint with HPD said that it was due either to a lack of knowledge about HPD, or because they did not speak English well enough and they did not feel comfortable asking someone to interpret or could not find an interpreter.**
- **Nearly half (46%) of those who did successfully file a complaint reported that written correspondence about their case was not translated into their primary language.**
- **Only 10% of those who had an inspector come to their apartment reported that he or she showed them the required language card to help identify language needs in order to connect them to HPD-contracted translation services.**

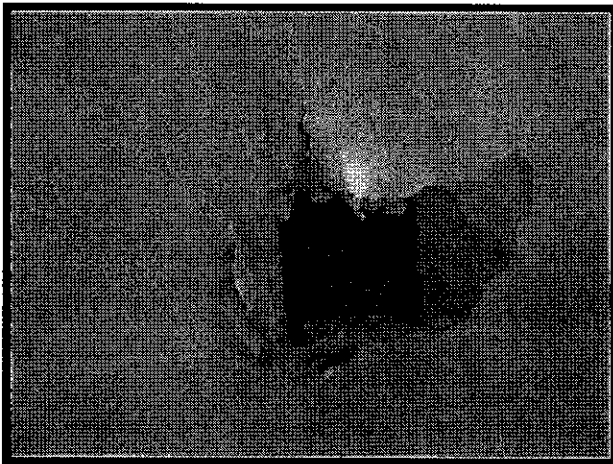
Communities for Housing Equity's startling survey findings confirm the necessity of the provision of multi-lingual services to ensure that all City residents are equally accessing critical government services. Providing equal access to government services is not only the right thing to do, it is mandated by federal, and in many cases, state and city, laws. Therefore, we call on Mayor Bloomberg, HPD Commissioner Shaun Donovan, City Council Speaker Christine Quinn and other public officials to take the necessary administrative and legislative action to ensure that all New Yorkers are guaranteed access to the city's critical housing services by ensuring appropriate outreach strategies, bilingual informational materials and correspondence, and most importantly the adequate staffing of bilingual inspectors.

Introduction

Strong and effective housing code enforcement is fundamental for New York City residents to live under safe and healthy living conditions. However, lack of adequate, multi-lingual outreach and services from the Department of Housing Preservation and Development (HPD), immigrant and limited English proficient (LEP) residents are unable to hold negligent landlords accountable and ensure lawful and safe housing conditions for themselves and their families.

The city government must ensure that all residents in the city have equal access to the critical services it provides. This is specifically important for immigrant and low-income communities that are particularly vulnerable to landlord abuse and are exposed to living conditions that put their health and that of their families at risk. Where over 40% of New York City residents were born outside of the U.S. and nearly half (47%) of all New Yorkers speak a language other than English, all levels of City government must make language access a priority.ⁱ

During the months of July 2005 through February 2006, Communities for Housing Equity, a coalition of community-based and advocacy organizations that provide housing related services and/or organize tenants in immigrant communities across the city, conducted 697 surveys with New York City residents from diverse immigrant communities to understand and document the existence of serious housing code violations, immigrants' knowledge of HPD, and their experiences with HPD if services were ever accessed. This report outlines our main findings and recommendations stemming from that research.



These images are from an apartment in Sunset Park that Neighbors Helping Neighbors organizes. The first image is a hole in the kitchen ceiling that has resulted from extensive water damage. The following picture is of a child who lives in the same apartment complex. This child is pointing to an area in the kitchen that has lead paint.

Photo Credit: Neighbors Helping Neighbors

What We Found:

Immigrant residents with limited English proficiency are marginalized from access to important City housing services

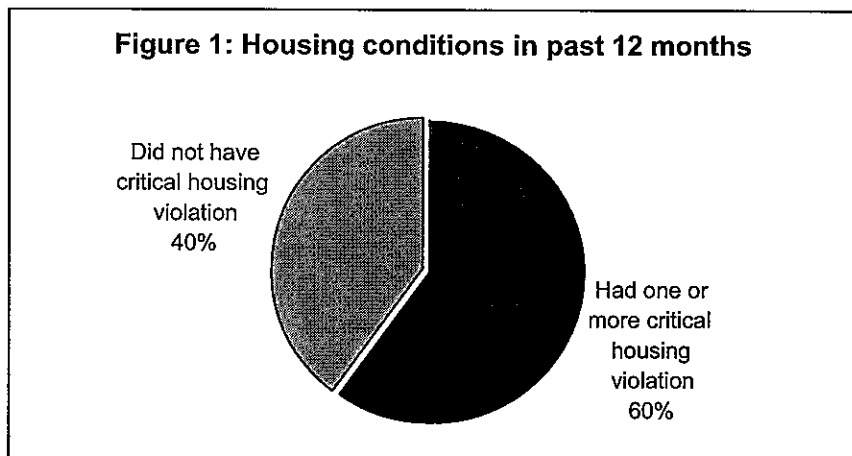
Our research found that, while immigrant residents live with serious and hazardous housing problems, they overwhelmingly are not aware of the existence of HPD or are unable to access the important assistance this agency is mandated to provide them due to the lack of interpretation and translation services. Moreover, immigrant LEP residents are significantly less likely to know about HPD or access HPD services than residents who are proficient in English.

The following sections highlight the barriers that prevent immigrant and LEP residents from accessing the housing services provided by HPD. In addition, we outline concrete steps that can be taken to address these barriers to ensure that all New Yorkers live in a safe and healthy environment for themselves and their families.

1. Residents of immigrant communities are exposed to unsafe and unhealthy living situations.

Our research highlights the poor living conditions of many immigrant residents. We found that a majority of respondents reported living with critical housing code violations such as little or no heat, hot water, and running water; collapsing ceilings; leaking pipes and leaking gas. As shown in Figure 1:

- **60% of respondents reported living with one or more critical housing code violation(s) in the past 12 months.**

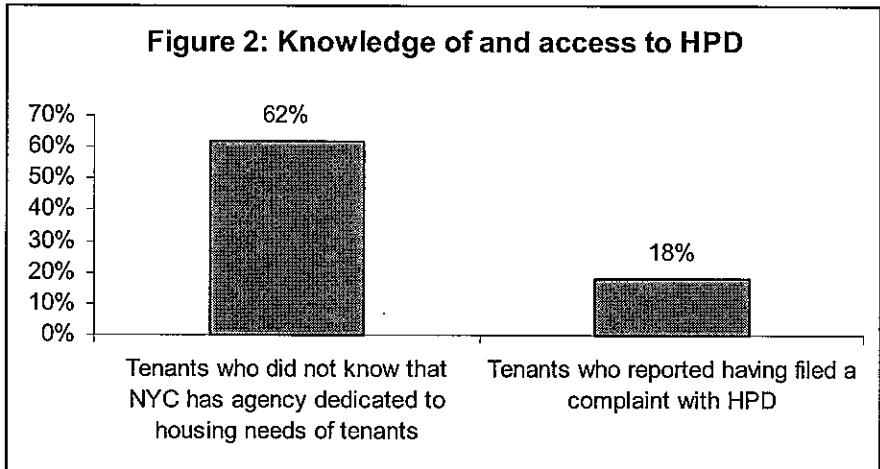


2. HPD services are seriously under accessed by residents of immigrant communities due to lack of knowledge and language barriers.

HPD outreach efforts are failing to reach immigrant communities where its services are critically needed.

Our research found that a startling percentage of LEP residents do not know of the existence of HPD, as shown in Figure 2:

- **62% of respondents did not know that the city has an agency dedicated to meet the housing needs of New York residents (called HPD).**



HPD’s current outreach strategies largely depend on free media and public relations, the HPD website and the provision of relatively small grants to non-profit organizations in select communities. Given the percentage of survey respondents who do not know of HPD, these strategies are clearly not sufficient or entirely effective in meeting the need of immigrant communities. For example, although HPD has made great strides in updating and posting multilingual documents on their website, only 2% of those surveyed reported having accessed the site. While their efforts should be continued, web-based outreach strategies cannot be relied on to reach the vast majority of immigrant communities.

While we support HPD collaboration with and the provision of financial support to community-based organizations as Neighborhood Preservation Consultants, the grants are not sufficient to reach large numbers of the community and only a very small portion of each grant is dedicated to outreach.ⁱⁱ It is imperative, therefore, that HPD implement comprehensive, targeted and linguistically and culturally sensitive outreach strategies (e.g., regular and multilingual communication and information from the agency, culturally and linguistically appropriate community-based outreach, including street outreach, neighborhood events, and increased support to community organizations and institutions) in order to ensure that immigrant and LEP tenants know of the resources and assistance available to them through HPD.

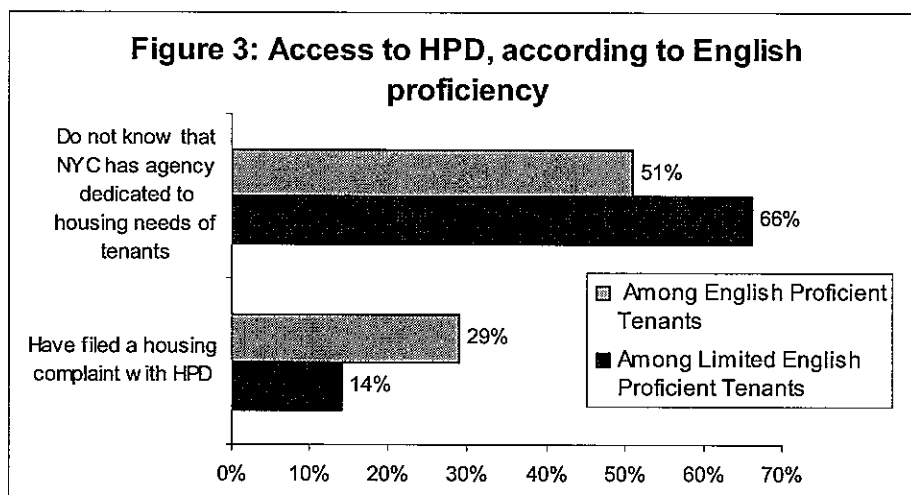
Given the percentage of survey respondents who do not know of HPD, it is not surprising that very few residents reported turning to HPD as a resource, as shown in Figure 2:

- **Only 18% of those with serious housing violations had reported their housing problem to HPD.**

Language and Knowledge of HPD as Principal Barriers to Filing Complaints.

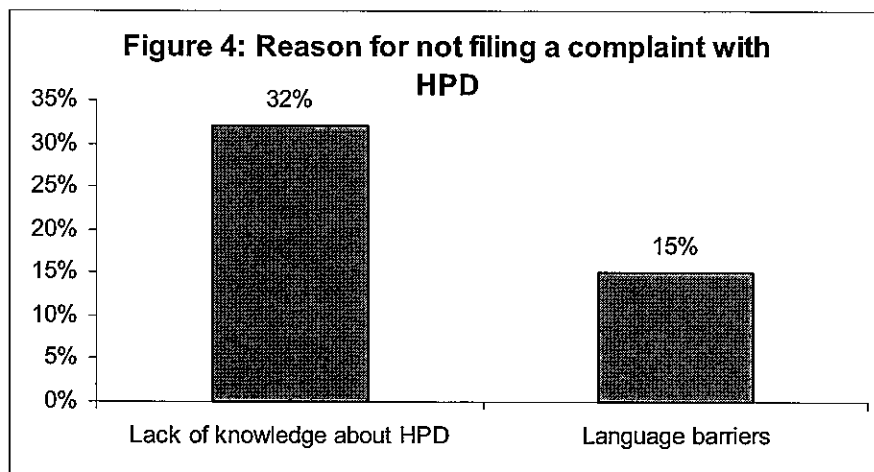
Our research shows that LEP residents are significantly less likely to know that HPD exists, much less file a complaint to HPD than residents who are proficient in English, as shown in Figure 3:

- **Two thirds (66%) of LEP residents reported that they did not know of HPD, as compared to 51% of English proficient residents**
- **English proficient residents were more than twice as likely (29%) to have filed a complaint with HPD than their LEP counterparts (14%).**



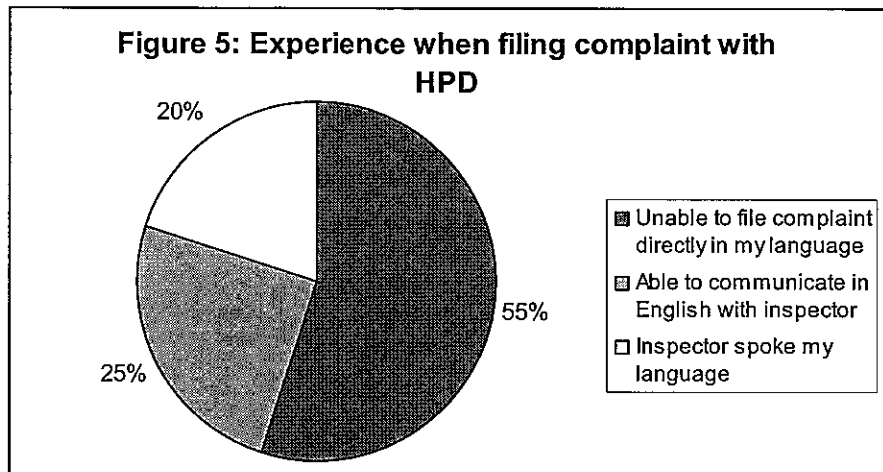
While some respondents said they were able to turn to their landlord and others said they would just fix the problem themselves, many identified lack of knowledge about HPD and language barriers as the reason for not accessing this important service. As shown in Figure 4:

- **Nearly a third (32%) of those who never filed a complaint with HPD said that it was due a lack of knowledge about HPD;**
- **15% said that it was because they did not speak English well enough and did not feel comfortable asking someone to interpret or could not find an interpreter.**



Language barriers continued to present a problem even among those who had the necessary information and felt comfortable enough to attempt to file a complaint. As shown in Figure 5:

- **Over half (55%) of those who tried to file a complaint were either unable to file the complaint due to language barriers or filed it only with the help of a translator that they personally supplied (generally a family memberⁱⁱⁱ or neighbor).**



Tenant Profile # 1:

Lack of knowledge and language assistance as barriers to accessing critical housing services

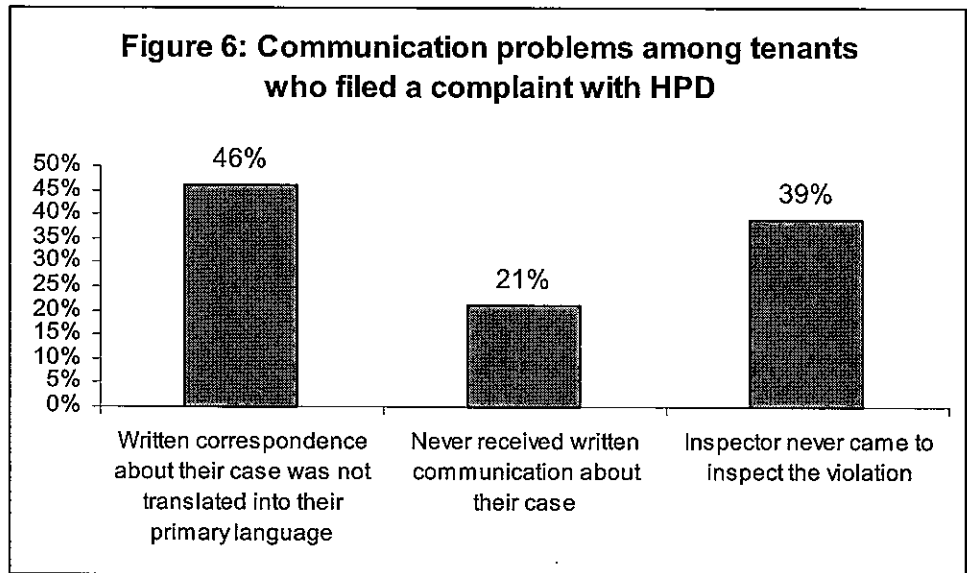
Ms. Pierre^{iv} is a Haitian immigrant tenant living in the Bronx. Her primary language is French. Ms. Pierre has endured a number of housing violations in her apartment. She has water leaking into her bathroom from the apartment above. There is also water flowing through a ceiling light fixture and it appears that the fixture is about to fall. When she first moved into her unit the bathtub was in terrible condition, her landlord expressed no interest in either re-glazing or replacing the tub despite her complaints. As Ms. Pierre was in need of housing, she was forced to attempt to repair the tub to the best of her ability with cleaning supplies. Despite her best efforts the tub's condition remains poor. In addition, garbage is often strewn around the building and Ms. Pierre often feels compelled to clean it herself as the super often fails to do so. There have also been several times when the building's elevator did not work. At one point, a portion of the ceiling in her apartment collapsed and Ms. Pierre called African Services Committee (ASC). ASC staff called the appropriate people to have the ceiling fixed, but Ms. Pierre does not know whom they called. At no point did Ms. Pierre feel she could call HPD and no inspector has ever been to her home. When asked about this she explained that she would call a city agency like HPD or 311 if she knew the correct entity to contact and if she felt confident that someone would be able to speak to her in her own language. She said that it was the language barrier and the lack of information that prevented her from calling HPD herself.

3. Inadequate Language Access in Code Enforcement Provision

Given that HPD and 311, a hotline to file complaints with the city, have a contracted service to bring in language assistance when needed, language barriers in theory should not exist. However, our research as well as communities served by the Communities for Housing Equity tell us that many residents do not know that HPD provides language assistance services. And if they are aware, the services are not utilized consistently. Therefore, many LEP residents do not even attempt to call, they hang up when they are unable to communicate directly, or must seek out others to file the complaint rather than doing so themselves. Immigrant residents commonly rely on family members, often children, to communicate with City agencies. This presents an additional problem because HPD does not accurately capture the real language needs of that tenant, resulting in continued language access problems in case-related communication. Once a complaint is filed, HPD's follow up communication with tenants can include calls placed to the resident to check if the landlord remedied the problem, written communication about the status of the case, and in-person inspections by HPD personnel. As shown in Figure 6, LEP New Yorkers often continue to face language-related problems during this code enforcement process:

- **Nearly half (46%) reported that written correspondence about their case was not translated into their primary language.**

Many respondents who filed a complaint reported that they neither received corresponding written communication about the case nor did an HPD inspector come to inspect the problem, as shown in Figure 6. Although various factors play a role in missed communication with HPD, the lack of written and verbal communication in the



primary language of the resident certainly increases the risk of confusion and misinformation about their case, and often results in missed appointments with inspectors.

- **21% of respondents who filed a complaint with HPD said that they never received written communication about their case.**
- **Well over a third (39%) of those who filed a complaint reported that an inspector never came to inspect the housing problem.**

Tenant Profile #2:

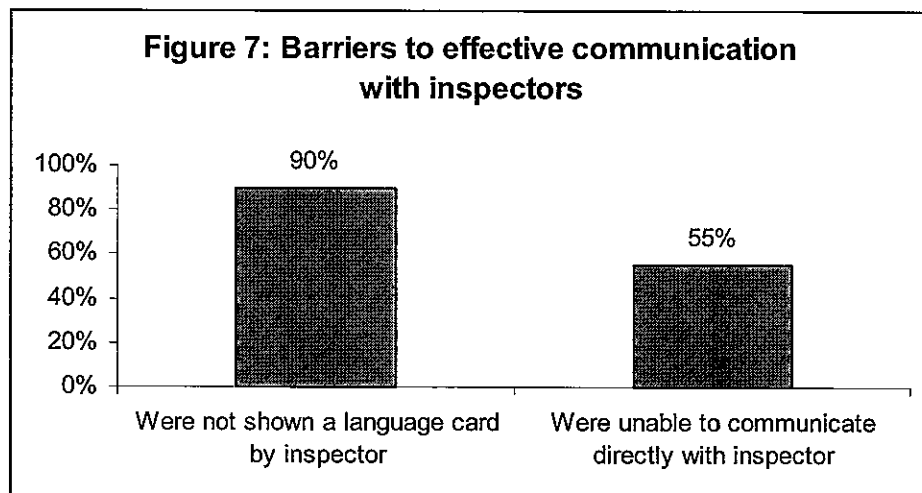
Failure to track a tenant's primary language prevents effective housing code enforcement

Ms. Li is an active member of the Chinatown Tenant Union. She has lived in Chinatown since she immigrated to the United States over 20 years ago. Her apartment building is very poorly maintained, and the landlord generally fails to respond when tenants call him with housing problems. Ms. Li often files complaints with HPD through her children, who are fluent in English because she is not fluent in English. Most of the tenants in her building are Chinese immigrants, and do not speak English. When they need to make a housing complaint, they often go to Ms. Li and her children for help. During the winter months, the landlord frequently fails to provide adequate heat or hot water. During the summer months, there are often blackouts in the entire building. Her landlord is a notorious slumlord—HPD has commenced housing actions against the landlord for his failure to provide heat and hot water.

On December 31, 2005, Ms. Li did not have electricity in her apartment. Her son called 311 to make a complaint. A few days later, HPD called her home to see if the problem had been resolved. But because the HPD staff spoke English only and did not utilize the translation line, Ms. Li could not communicate directly with him.

In the past few years, HPD has made important efforts to recognize the need to ensure language access to its services, and has instituted two important strategies to facilitate communication between inspectors and LEP residents. Starting in 2003, HPD developed a language card to help inspectors identify the language needs of the resident and call in the appropriate translation services. In addition, as is true for housing specialists receiving complaints through 311, inspectors are able to call into a contracted translation service while on-site with the tenant. While inspections conducted by multi-lingual inspectors are preferable, these strategies do at least ensure a basic level of communication between inspectors and tenants. Unfortunately, these resources are not employed by HPD personnel consistently, as shown in Figure 7:

- **90% of those who had an inspector come to their apartment reported that he or she was not shown a language card by the inspector.**
- **Over half (55%) reported being unable to communicate directly with the inspector.**



Spotlight:

HPD does not adequately meet the need for bilingual housing inspectors

HPD has 416 housing inspectors to respond to the needs of over one million New York tenants. Currently, 231 of those inspectors are bilingual or multilingual. These numbers are simply inadequate to meet the demand of the city, and particularly of the 25% of LEP New Yorkers who are most in need of language assistance and are particularly vulnerable to unhealthy and unsafe living environments. Even with the existing bilingual inspectors, there is no guarantee that they will be sent to LEP tenants who speak the corresponding language. Currently HPD does not have an effective and comprehensive system to track the need for language assistance and ensure that inspectors who can communicate in the primary language of the tenant are appropriately deployed to the households who require their services. Indeed, this is a poor utilization of the language assistance that is available in the agency.

Primary Language	# of City Residents	# of HPD Inspectors Fluent	Primary Language	# of City Residents	# of HPD Inspectors Fluent
African Languages ^v	54,271	7	Italian	139,698	9
Albanian	24,577	1	Japanese	20,563	0
Arabic	49,080	5	Korean	77,172	1
Belorussian	11,187	1	Malayalam	1,368	1
Cantonese	323,517	8	Mandarin	323,517	8
Creole	89,085	5	Persian	12,458	1
Dutch	19,402	1	Polish	60,772	8
French	105,994	5	Portuguese	18,517	0
German	33,311	1	Russian	194,696	31
Greek	58,476	3	Spanish	1,832,402	89
Gujarati	9,386	2	Tagalog	45,861	3
Guyanese	99,526	4	Ukrainian	62,695	16
Hebrew	50,372	1	Urdu	38,466	4
Hindi	25,083	11	All other languages ^{vi}	183,379	1
Indian languages ^{vii}	97,212	17	Yiddish	82,870	0
			# of Bilingual Inspectors 231*		
Source for # of Inspectors: Provided to CHE by HPD, January, 6, 2006			* Some inspectors are multilingual		
Source for languages spoken: U.S. Census 2000					



Building in Bushwick, Brooklyn that has extensive water damage.

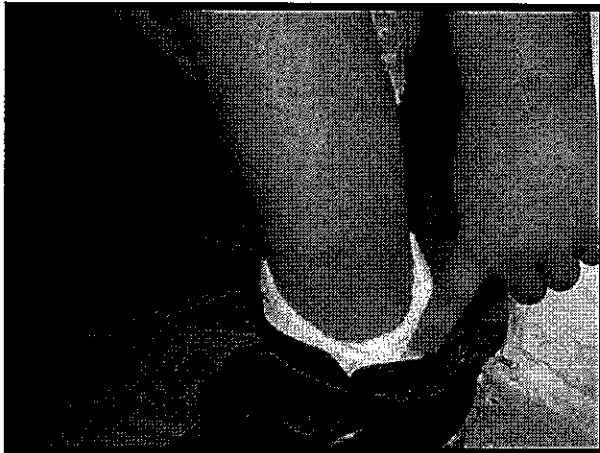
Photo Credit: Make the Road by Walking

Tenant Profile #3:

Lack of bilingual inspectors prevents effective and respectful service delivery

Ms. Vasquez^{viii} is a Spanish-speaking resident originally from Mexico who has been living in Bushwick for the last 10 years. She lives in an apartment with seriously hazardous living conditions with her husband Miguel and their two children Christopher, who is 3, and Sandy, who is 13. Despite an order from the city to remove the lead paint in their apartment, the landlord has failed to comply. As a result, Ms. Vasquez's son suffers from lead poisoning. Among other symptoms, Christopher throws up when he drinks milk, has constant headaches and has speech impairments. Ms. Vasquez's building is infested with cockroaches, mice and rats. There are holes in the walls and floors which allows the rats to get into the living space from the basement and the backyard. Recently, her 8-year-old brother who also lives in her building with her mother was bitten by a rat on his leg. In addition to the vermin infestation, Ms. Vasquez and her family are forced to live with other hazardous conditions, such as mold in the bathroom due to a major leak from the apartment above, and her apartment has gone without heat for two years. Ms. Vasquez has sued the landlord to obtain the necessary repairs four times, but the landlord has failed to appear in court, rendering the housing case useless in getting repairs done in the apartment. Now the landlord has disappeared.

Ms. Vasquez has reported her housing problems to HPD on numerous occasions and has had translation assistance over the phone with the agency. When the HPD inspectors came to the apartment, however, Ms. Vasquez was not able to communicate with the inspectors because they did not speak Spanish. On limited occasions, Ms. Vasquez's family members have served as translators, however she is unable to depend on their being at home when HPD calls or inspectors come to her apartment. HPD knows that Ms. Vasquez does not speak English, but it continues to send inspectors who do not speak her language. When the inspector comes and a family member is not present, she feels frustrated. She knows what she needs to say and ask, but can not do it. "One does not know what is really going on [during the inspection]", she says, rather she is simply left to hope the inspector is able to do his or her job without any communication with her.



Rat bite bruise on the leg of a young boy who lives in a Bushwick apartment building organized by Make the Road by Walking

Photo Credit: Make the Road by Walking

Recommendations

New York City is a city of immigrants. Over 40% of New York City residents were born outside of the U.S., and over 47% of New Yorkers speak a language other than English in the home. Twenty five percent of New Yorkers are limited English proficient.^{ix} Communities for Housing Equity's startling survey findings confirm the need for multi-lingual services to ensure that all City residents have equal access to critical government services. Providing equal access to government services is not only appropriate, it is mandated by federal, state and local laws.

Based on the clear need for language access to HPD documented through our research with hundreds of New York City residents, Communities for Housing Equity seeks to work with HPD and the City Council to ensure access to HPD's critical services for all New Yorkers by ensuring appropriate outreach strategies, bilingual informational materials and correspondence, and the hiring of an adequate number of qualified bilingual inspectors.

Through both administrative and legislative avenues, Communities for Housing Equity calls on the following public officials to do the following:

Mayor Bloomberg and HPD Commissioner Shaun Donovan need to ensure that HPD:

- **Conducts targeted outreach to immigrant communities:** It is imperative that HPD continues to improve its outreach to the immigrant community. This includes expanding outreach to new immigrant communities and creating comprehensive new procedures, such as increased capacity to field informational calls and complaints in multiple languages, improved capacity to send bilingual housing inspectors to buildings where tenants do not speak English, and improved capacity to provide a variety of informational materials in languages other than English. In addition, there should be a specific outreach campaign to targeted immigrant communities through an annual multi-lingual mailing before the heat season begins each year. This mailing should describe HPD services generally and code enforcement in particular, and provide information to tenants on how they can access the full range of HPD's tenant services.
- **Diversifies media outreach:** In addition to mass mailings, HPD must make use of local and ethnic T.V., radio, and newspapers and magazines that reach non-English speakers in their primary languages.
- **Implements effective tracking of language needs of tenants, and maintains records on language services provided:** The primary language of the tenant filing the complaint should be identified and recorded at the time of the filing in order to trigger language needs for written communication, follow up and inspection. Moreover, inspectors should report language needs of tenants to facilitate further language-appropriate communication with that tenant in the future. This is especially important where multiple tenants who are not English proficient may make complaints in a single building, thereby identifying a potential "problem" building; aggressive outreach should be conducted in those buildings, in languages the tenants can understand, to ensure that all tenants are aware of the HPD resources at their disposal. In addition, HPD must implement record-keeping and monitoring

practices to ensure that all new procedures are leading to improved services for LEP New Yorkers.

- **Hires more qualified bilingual inspectors and ensures that appropriate bilingual inspectors are sent to LEP tenants:** HPD must continue to improve the quality of communication between code inspectors and tenants. HPD must recruit and hire more bilingual inspectors to meet the needs of non-English speaking tenants. Moreover, HPD should prioritize matching the language skills of bilingual inspectors with the language needs of complaining residents.
- **Ensures communications about complaint and pending case are accessible:** HPD should ensure that follow up calls related to a filed complaint are made in the primary language of the tenant, or that appropriate translation is provided by the agency. Moreover, written communication about the case and/or inspection should be done in the primary language of the tenant.
- **Improves and expands translation of published materials and HPD website:** While HPD has made significant advances with respect to offering translated materials through its website, and we urge HPD to continue that effort, HPD must also make all written materials and publications available in multiple languages.
- **Targets code enforcement offices:** HPD should hire additional staff members who speak more languages, train staff members on how to handle non-English speaking inquiries, and increase voice mailbox capacities so that no client is ignored based on the language he or she speaks.
- **Enforce usage of existing protocol to ensure that tenants can directly communicate with HPD personnel:** Usage of the language card by all inspectors must be enforced to ensure identification of language assistance services. Moreover, the language assistance line must be consistently used in all cases of verbal communication with LEP tenants, including during the filing of complaints, follow up calls, and during inspections when the inspector does not speak the primary language of the tenant.
- **Increase funding for community groups to do outreach:** With the financial support from City Council, HPD should grant an adequate amount to community groups for outreach purposes.

City Council Speaker and Council Members need to require that these recommendations carry the force of law by passing legislation requiring that all HPD communications, oral and written, must be conducted in the top nine languages spoken in New York City other than English, including legislation that would require that HPD:

- Must provide qualified translation services at meetings, training, or events at which HPD reasonably believes that one percent or more of the persons expected to attend speak any of the top nine languages spoken in New York City other than English.
- Must provide an adequate number of qualified bilingual housing inspectors in the top nine languages spoken by New York City residents to ensure that housing inspectors can communicate with limited English proficient individuals in their primary languages.
- Must translate all written forms, correspondence, applications, informational materials and all other written communications into the top nine languages spoken in New York City other than English.

About Communities for Housing Equity and this Study

Communities for Housing Equity (CHE) is a coalition of affordable housing providers, community organizations and advocates who have come together to ensure that all New Yorkers have access to affordable and safe housing conditions. The coalition began to work together in early 2004, when community groups and advocates began to see an increase in grievances from community members due to the lack of city housing services for people with limited English skills. Since then, the coalition has created various forums and avenues through which immigrant tenants can directly share their experiences and discuss alternatives to improve city services. CHE also has an on-going working partnership with HPD to address these issues.

Communities for Housing Equity Members:

- Asian Americans for Equality
- CAAAV: Organizing Asian Communities
- Community Development Project, Urban Justice Center
- Make the Road by Walking
- Neighbors Helping Neighbors
- The New York Immigration Coalition
- University Settlement Society of New York

About Our Study

During the months of July 2005 through February 2006, members of Communities for Housing Equity conducted 697 surveys with New York City residents from diverse immigrant communities throughout the five boroughs to understand and document the existence of serious housing code violations, immigrants' knowledge of HPD, and their experiences with HPD if services were ever accessed. Surveys were conducted on the street, through door-to-door outreach, during intake processes conducted by organizational staff, and when community members accessed other services offered by the organizations. While this is not a strict random sample, it is reflective of the breadth of experiences and perspectives in New York City's immigrant communities, representing residents of 104 zip codes and 48 ethnic backgrounds.

The Communities for Housing Equity Coalition would like to thank the law firm of Schulte, Roth & Zabel, LLP, for the photocopying of this report and Christopher Chaput for the layout and design of its cover

ⁱ New York Department of City Planning, *New York City Newest New Yorkers*, 2005

ⁱⁱ HPD provides contracts to 41 non-profits throughout the city as Neighborhood Preservation Consultants primarily to carry out building surveys and tenant counseling. Outreach is a very limited amount of their grant. For example, in the case of one NPC, outreach only represents 3% of their contract of \$1,600. While the outreach provided by groups are important, they are unable to alone address the problem of widespread lack of knowledge of HPD.

ⁱⁱⁱ In many occasions, the tenant's child acts as the interpreter for their parent.

^{iv} Name has been changed to protect the identity of the individual and her family.

^v "African languages" includes Amharic, Ibo, Fulani, Twi, Yoruba, Bantu, Swahili, Somali and Wolof.

^{vi} The one bilingual inspector in this category speaks Uzbek.

^{vii} The category "Other Indian languages" includes Bengali, Marathi, Punjabi, and Romany.

^{viii} Name has been changed to protect the identity of the individual and her family.

^{ix} U.S. Census 2000.

**Testimony by Legal Services NYC and The Legal Aid Society before the
Housing & Buildings Committee on language assistance services at the New
York City Department of Housing Preservation and Development on March
27, 2008**

My name is Amy Taylor and I am the Language Access Project Coordinator at Legal Services NYC. I am testifying today on behalf of both Legal Services NYC and the Legal Aid Society. Legal Services NYC provides civil legal services through a network of community based-offices located in low-income neighborhoods in New York City's five boroughs. The Society's Civil Practice also operates neighborhood offices as well as city-wide units serving residents of all five boroughs. Both of our organizations serve thousands of housing clients a year. Many of our clients are limited English proficient or LEP and come into contact with HPD on a regular basis through the Section 8 program and through various aspects of code enforcement. Intro 596 would greatly expand access to HPD services for our LEP clients. For example, last month our Brooklyn housing hotline received a call from a Russian-speaking Section 8 tenant who had tried to request a conference with HPD to review what she believed to be errors in the calculation of her rent share. No one at the HPD office could speak to her in Russian and she could not explain her situation to anyone there.

In a city as diverse as New York, offering language services is simply good policy. HPD is not the first agency to grapple with the difficult issues around serving New York's linguistically diverse communities. *Many* city agencies are currently reassessing how they

provide access to LEP individuals. While HPD and all other city agencies are bound by federal law to provide equal access to programs and services for LEP communities, there is a dire need for a more specific mandate.

There are also many hidden benefits to providing linguistically and culturally appropriate services. While the benefits for LEP individuals are obvious – improved access to the wide array of important services offered by HPD, providing language services can also increase the agency's efficiency.

When language services are provided to LEP individuals, the amount of per interaction time is reduced because bilingual staff and interpreters can answer questions directly instead of struggling to communicate or making the applicant contact the agency multiple times in the hopes of finding someone who speaks their language. When formal language policies and systems replace a "patchwork" approach, this standardized approach allows for greater use of cost-efficient mechanisms like the central translation of forms or the sharing of bilingual staff resources. The provision of translated documents increases the likelihood that LEP tenants can read, understand and fill out required forms without needing to interact excessively with the agency in a struggle to understand requirements. Without translated forms or bilingual personnel to assist an LEP applicant in the completion of forms, there is a higher likelihood of error and longer completion times leading to miscalculations of benefits or eligibility. These mistakes often lead LEP tenants to contact our offices for assistance – leading to more litigation and administrative effort on the part of HPD.

While communication through an interpreter often takes longer than communicating with an English-speaking tenant, that time is often made up for by the decreased need to reschedule appointments and speak to the same tenants multiple times in an effort to understand them. Additionally, for the most commonly encountered languages, the use of bilingual staff eliminates the extra time needed to communicate through an interpreter.

We would like to thank the IBO for their testimony on the cost of Intro 596. I would also like to take this opportunity to point out that HPD can meet the mandates of Intro 596 in many ways, and that the hiring of bilingual inspectors and a full-time translation staff, while ideal under some circumstances, is only one of those ways. For the most commonly spoken languages, it may make economic sense to hire bilingual inspectors and full-time translation staff. However, for less commonly encountered languages, it may be cost effective for HPD to have currently employed inspectors trained to use language line to communicate with LEP tenants, as ACS inspectors currently do, and to contract out for translations, as many city agencies currently do. Sharing in citywide contracts that currently exist would also keep translation prices down and be cost effective for the whole city. Intro 596 does not require that HPD meet the mandate to provide language services in any of these specific ways, but rather requires that they provide language services to limited English proficient tenants. How they chose to provide these services is up to them.

We applaud HPD in its effort to begin making their programs and services accessible for LEP individuals. Intro 596 will expand on the services already being offered and ensure that they continue to be provided under future administrations. Housing services are vital services

for low-income New Yorkers and Intro 596 will ensure that housing services are accessible to all eligible New Yorkers.

Thank you.

Respectfully Submitted:

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Testimony of Ericka Stallings, Housing Advocacy Coordinator for the New York Immigration Coalition, before the New York City Council Committee on Housing and Buildings Education on the Department of Housing Preservation and Development- Code Enforcement

March 27, 2008

Good afternoon. My name is Ericka Stallings, and I am the housing advocacy coordinator of the New York Immigration Coalition, a policy and advocacy organization with more than 200 member groups throughout New York State that work with immigrants and refugees. I would like to thank the Committee on Housing and Buildings as well as the members of the City Council, for allowing our organization to testify at this very important hearing on Language Access.

The lack of language access has left many of New York's immigrants disconnected from the city's housing services, so much so that many do not know that such services even exist. Many immigrants are unaware of their rights and often find it difficult to access the city's housing services. Consequently, many immigrants are vulnerable to disreputable landlords, as they are often unable to report violations or otherwise advocate for themselves when housing violations occur. Immigrants become targets for abuse and discrimination by landlords who are prey on this vulnerability.

Linguistic and cultural barriers continue to limit the ability of LEP tenants to access city housing services. My organization first began studying this issue when we heard from many of our constituents about language access problems. Our work in coalition with other organizations resulted in two reports and multiple community meetings which all confirmed that this is a significant problem. Over the last few years we have met regularly with HPD to share our concerns and in response the agency implemented a variety of programs aimed at correcting the problem. However, HPD still lacks a coherent and compensative language access system.

For example, HPD currently has a significant multilingual staff and a pool of multilingual staff volunteers, but it lacks a system for accessing their language ability or establishing quality control. In addition, language is not used as part of the criteria for dispatching inspectors. Consequently, inspectors with Chinese capacity may be sent to a Spanish-speaking tenants home. Other efforts, like the translation of content on the Agency's website are important, but fail to address the manner in which the most vulnerable tenants

access City service which is not online. HPD has also created mobile education van, which will innovative, is too limited in scope to have any significant impact.

When families are unable to access City housing services, those families find themselves living with dangerous housing conditions; or tenants are forced to depend on children and neighbors to interpret for them. As a result children are placed in adult situations, fundamentally altering the parent-child relationship and families are denied their privacy. Inspectors are also required to visit the same unit to address the same problems which could not be completely articulated at previous meetings.

Failure to provide complete access to the City's housing services has negative impacts on all tenants, not exclusively limited English proficient tenants. The City recently passed several groundbreaking pieces of legislation, the Safe Housing Act and the Tenant Protection Act. However, for either to be completely effective tenants must be able to access the appropriate City agencies.

The Alternative Enforcement program authorized by the Safe Housing Act will be particularly impacted. In order for buildings accumulate the number of violations needed for the building to be placed in the program; tenants must be able to fully access the housing complaint system. If tenants cannot do so, the totality of the housing problems will not be recognized; negatively impacting limited English proficient tenants and their English-speaking neighbors.

Intro 596, The Equal Access to Housing Services Act can address this problem. It supports and codifies the work that HPD is already doing. This is to ensure that the policies and programs remain in place even when the administration and staff change. The legislation incorporates the primary components of a solid language access plan; translation and interpretation coupled with community outreach and education. By focusing on the linguistically isolated households by borough, Intro 596 addresses the specific needs of the most vulnerable tenants. The legislation will also push HPD to expand its programs, moving away from piecemeal approaches and toward systemic solutions.

In the same way that the Council showed great courage in passing groundbreaking legislation like the Safe Housing Act and the Tenants Protection Act, as well as demonstrating true concern for tenants' rights as shown by the Council's override of the Mayor's veto of Intro 61-A, protecting tenants from discrimination based on lawful source of income, we ask you to exercise that same courage and pass Intro 596 to ensure that all tenants can access the critical housing services they need to keep their families safe and healthy.

Thank you.



**Testimony presented by Laine Romero-Alston
Director of Research and Policy, Community Development Project, Urban Justice Center
to the New York City Council Housing and Buildings Committee
March 27, 2008**

Good afternoon Chairman Dilan and members of the Housing and Buildings Committee. Thank you for the opportunity to testify today in support of Intro 596 Equal Access to Housing Services. My name is Laine Romero-Alston and I am the Director of Research and Policy for the Community Development Project of the Urban Justice Center. Over the past five years, I have worked closely with grassroots organizations providing assistance to limited English proficient tenants throughout New York City. I was the principal researcher on a report released by Communities for Housing Equity (CHE) in 2006 called *Hear This!: The need for multilingual housing services in New York City*. This report was based on 697 surveys with immigrant and limited English proficient New Yorkers conducted on the street, through door-to-door outreach, in community centers and other places of gathering during the summer and fall months of 2005. Our main findings from this research underscore the need for institutionalized comprehensive language access to the critical housing services provided through the Department for Housing, Preservation and Development (HPD), including the following:

1) Residents of immigrant communities are exposed to unsafe and unhealthy living conditions:

- 60% of survey respondents reported living with one or more critical housing code violation in the past 12 months.

2) HPD services and resources are seriously under accessed by residents of immigrant communities due to lack of knowledge of HPD and language barriers:

- a) HPD outreach efforts are failing to reach immigrant communities where its services are critically needed.
 - 62% did not know that there is a city agency dedicated to tenant's housing issues.
- b) Very few residents who need HPD assistance are turning to it as a resource

- Only 18% of respondents with critical housing code violations attempted to report it to HPD.

c) Language and knowledge of HPD were principal barriers to filing complaints:

- 43% of those who did not report to HPD cited these reasons as their principal reason.

3) Language access problems persist beyond filing complaints into the effective and appropriate service provision of the agency.

- Nearly half (46%) of those who filed a complaint reported that written communication about their case was not translated into their primary language;
- 90% of those had an inspector come to their apartment reported that the language identification card was not used, as called for in HPD protocol;
- Over half (55%) reported being unable to communicate directly with the inspector due to language issues.

New York City is a city of immigrants. Over 40% of New York City residents were born outside of the U.S., and over 47% of New Yorkers speak a language other than English in the home. Twenty five percent of New Yorkers are limited English proficient.¹ Communities for Housing Equity's startling survey findings confirm the need for multi-lingual services to ensure that all City residents have equal access to critical government services well beyond the term of this current administration. I urge you to support Intro 596 and pass it into law.

¹U.S. Census 2000.