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##### **THE COUNCIL**

##### **COMMITTEE REPORT OF THE INFRASTRUCTURE AND GOVERNMENTAL AFFAIRS DIVISIONS**

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**COMMITTEE ON PUBLIC HOUSING**

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**June 30, 2022**

Oversight: Ensuring Equal Access to 311 – Reviewing the Experience of Limited-English Proficient New Yorkers and NYCHA Residents

**Int. 55:** By Council Members Menin, Hanif, Cabán, Gutiérrez, Holden, Dinowitz, Farías, Marte, Yeger, Ung, Schulman, Narcisse, Sanchez, Lee, Krishnan, Avilés, Won, Ossé, Louis, Ayala, Gennaro, Bottcher and Carr

**Title:** A Local Law to amend the administrative code of the city of New York, in relation to the creation of a separate 311 category for COVID-19 testing site complaints

**Int. 167:** By Council Members Holden, Won, Yeger and Bottcher

**Title:** A Local Law to amend the administrative code of the city of New York, in relation to the number of steps to submit service requests or complaints on the 311 website and mobile application

**Int. 206:** By Council Members Ung, Joseph, Cabán, Stevens, Hanif, Brewer, Dinowitz, Won, Marte Abreu and Williams

**Title:** A Local Law to amend the administrative code of the city of New York, in relation to requiring the commissioner of information technology and telecommunications to report on wait times for the 311 customer service center to connect callers to an interpreter

**Int. 240:** By Council Members Gutiérrez, Joseph, Brooks-Powers, Stevens, Yeger, Menin, Williams, Schulman, Riley, Narcisse, Barron, Ossé, Ayala, Restler, Cabán, Abreu, Richardson Jordan, Nurse, Louis and Ariola

**Title:** A Local Law to amend the administrative code of the city of New York, in relation to the department of information technology and telecommunications updating 311 complaint types and reporting on such updates

**Int. 296:** By Council Members Ung, Hanif, Brewer, Stevens, Velázquez, Williams, Yeger, Farías, Restler, Abreu, Krishnan, Nurse and Louis

**Title:** A Local Law to amend the administrative code of the city of New York, in relation to the identification of languages spoken by callers to the 311 customer service center

**Res. 68:** By Council Members Kagan, Farias, Ossé, Louis, Stevens, Hanif, Cabán, Brewer, Won, Restler, Hanks and Avilés

**Title:** Resolution calling upon the New York State Legislature and U.S. Department of Housing & Urban Development to take strong action and increase NYCHA accountability by auditing the responsiveness of NYCHA managers to tenants.

1. **Introduction**

On June 30, 2022, the Committee Governmental Operations, chaired by Council Member Sandra Ung, jointly with the Committee on Technology, chaired by Council Member Jennifer Gutiérrez, and the Committee on Public Housing, chaired by Council Member Alexa Avilés, will hold an oversight hearing on ensuring equal access to 311. In addition, the Committee on Technology will hold a first hearing on the following five bills: Int. 55 (Menin), in relation to the creation of a separate 311 category for COVID-19 testing site complaints; Int. 167 (Holden), in relation to the number of steps to submit service requests or complaints on the 311 website and mobile application; Int. 206 (Ung), in relation to requiring the Commissioner of Information Technology and Telecommunications to report on wait times for the 311 customer service center to connect callers to an interpreter; Int. 240 (Gutiérrez), in relation to the Department of Information Technology and Telecommunications updating 311 complaint types and reporting on such updates; and Int. 296 (Ung), in relation to the identification of languages spoken by callers to the 311 customer service center. Finally, the Committee on Public Housing will hold a first hearing on the following pieces of legislation: Res. 68 (Kagan), calling upon the New York State Legislature and U.S. Department of Housing & Urban Development to take strong action and increase NYCHA accountability by auditing the responsiveness of NYCHA managers to tenants. Those invited to testify include representatives from the Department of Information Technology & Telecommunications, the 311 Customer Service Center, the New York City Housing Authority, and members of the public.

1. **Background**
	1. ***311 Overview***

The 311 Customer Service Center (“311”) is a citywide customer service program that provides New York City residents, businesses, and visitors with access to non-emergency government services and information.[[1]](#footnote-1) The Department of Information Technology & Telecommunications (DoITT) manages 311’s operations and technology.[[2]](#footnote-2) 311 is available 24 hours per day, seven days per week, 365 days per year, and can be accessed through multiple channels, including via telephone, text message, the web, mobile application, and social media.[[3]](#footnote-3)

In Fiscal Year 2021 (“FY21”), 311 received more than 21.7 million calls, up from 21.5 million in Fiscal Year 2020 (“FY20”).[[4]](#footnote-4) Online site visits increased from 10.5 million in FY20 to 13.4 million in FY21.[[5]](#footnote-5) When a customer contacts 311, the contact generally results in either a “service request” (when the customer is seeking a city agency to take an action) or an “informational request” (when the customer has a question regarding a city service). In total, 311 processed 3.4 million service requests in FY21, up from 2.9 million in FY20.[[6]](#footnote-6)

Figure No. 1 shows 311 usage data, including the number of requests through calls, mobile app contacts, texting contacts, and online site visits; the number of completed service requests, and the number of knowledge articles accessed. [[7]](#footnote-7)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Usage Data (000)** | **FY17** | **FY18** | **FY19** | **FY20** | **FY21** |
| 311 calls | 20,540 | 20,618 | 19,541 | 21,515 | 21,715 |
| 311 Spanish language calls | 698 | 733 | 714 | 897 | 648 |
| 311 calls in languages other than English or Spanish | 71 | 65 | 60 | 81 | 112 |
| 311 mobile app contacts | 1,365 | 1,829 | 2,234 | 2,201 | 2,227 |
| 311-NYC (text) contacts | 144 | 254 | 253 | 424 | 356 |
| 311 Online site visits | 17,246 | 19,345 | 20,185 | 10,553 | 13,415 |
| Completed service requests | 2,895 | 3,074 | 3,254 | 2,913 | 3,461 |
| Knowledge articles accessed  | 22,538 | 24,667 | 24,026 | 12,194 | 25,371 |

*Figure No. 1: This figure displays a table to note data for performance indicators for 311, separated across five fiscal years from Fiscal Year 2017 to Fiscal Year 2021.*

Figure No. 2 shows a table that displays the average wait time per fiscal year for 311 calls during peak and off-peak hours.[[8]](#footnote-8)

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Performance Indicators (in seconds)** | **FY17** | **FY18** | **FY19** | **FY20** | **FY21** | **FY22 (as of April 2022)** |
| Average wait time (tier 1 calls) Peak hours (11am-3pm, M-F) | 20 | 26 | 30 | 106 | 67 | 60 |
| Average wait time (tier 1 calls) Off-peak hours | 14 | 32 | 24 | 56 | 20 | 19 |

*Figure No. 2. This figure shows the average wait time per fiscal year for 311 calls during peak and off-peak hours.*

As displayed by the line graphs in Figure No. 3, the average wait time for calls peaked in FY20, which 311 noted was due to the onset of the COVID-19 pandemic, the 2020 general election, Tropical Storm Isaias, and student transport.[[9]](#footnote-9)

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*Figure No. 3: This figure displays a table to note data for performance indicators for the average wait times for calls to 311 during peak and off-peak hours, separated across five fiscal years from Fiscal Year 2017 to Fiscal Year 2022*

* 1. ***Technology Upgrades***

One of the most recent upgrades to the 311 system has come through the deployment and completion of a $24 million city contract awarded to IBM that went live in mid-2019, in which IBM’s Watson revamped 311’s customer relationship management platform (“CRM”) to support multiple communications channels through its abilities as a computing system with machine-learning capability.[[10]](#footnote-10) On February 11, 2021, DoITT received an approval in the amount of $45,500,652 for hardware, software, and professional services necessary to complete the first phase of the 311 Telecommunication System Modernization.[[11]](#footnote-11) Additionally, during a preliminary budget hearing held on March 10, 2021, DoITT then-Commissioner Jessica Tisch testified that 311 had made several improvements over the past year, including: enabling photo and video attachments for more types of service requests; adding additional service request types available via the mobile app; and emailing alerts for all service requests regardless of whether the customer has signed up for an account.[[12]](#footnote-12) The Commissioner also mentioned that planned improvements include improved location selection and accuracy were to begin in April 2021.[[13]](#footnote-13) The Committee seeks to hear testimony on recent updates and technological upgrades to the 311 system.

* 1. ***User Experience***

App store reviews for the 311 mobile app on both the Google Play and Apple App Store have highlighted problems that impact a user’s ability to register service requests to 311 and the ability to use the app’s functions.[[14]](#footnote-14) Users complained about lacking the ability to attach photos and videos to 311 requests, while GPS location accuracy and map accuracy was another common issue.[[15]](#footnote-15) Additional issues included having to click through too many pages to submit a service request, as well as being redirected out of the mobile app to a mobile website, or being redirected to a phone number due to lack of app support for a service request.[[16]](#footnote-16)

* 1. ***311 and Language Access***
		1. *Overview of 311 Language Access Services*

In 2017, to improve access to city government information and services, the Council passed Local Law 30 of 2017, which requires covered agencies to provide language access services in each of the designated citywide languages.[[17]](#footnote-17) For this purpose, the term “designated citywide languages” means the top ten non-English languages spoken by limited-English proficient (“LEP”) New Yorkers based on U.S. Census data and data collected the city’s Department of Education.[[18]](#footnote-18) Currently, these languages are Spanish, Chinese (Mandarin and Cantonese), Russian, Bengali, Haitian Creole, Korean, Arabic, French, Urdu and Polish.[[19]](#footnote-19)

Pursuant to Local Law 30, members of the public can submit language access complaints and requests through 311.[[20]](#footnote-20) Language access complaints refer to instances in which an individual stated that they did not receive access to information services because of a language barrier and requests for additional language services regarding, for example, a need for interpretation at a facility or agency service, or a need for material that should be translated into additional languages.[[21]](#footnote-21) The Mayor’s Office of Immigrant Affairs and the Mayor’s Office of Operations annually report the number of such complaints received by each agency and how such complaints were resolved.[[22]](#footnote-22)

Local Law 30 also required every covered agency to develop and implement an agency-specific language access plan to describe how language access services will be provided.[[23]](#footnote-23) These plans must be updated at least every three years and published on the agency’s website.[[24]](#footnote-24) According to its most-recent language access plan, updated in June 2021, 311 offers telephonic interpretation and translation services in more than 175 languages.[[25]](#footnote-25) Translation is also provided in more than 100 languages on 311’s website.[[26]](#footnote-26)

Of the 23.7 million calls made to 311 in calendar year 2020, nearly 800,000 (or roughly 3.4%) of the calls required interpretation services.[[27]](#footnote-27) When a call requires translation services, the city utilizes "Language Line," an interpretation service provided for the city by contract. Language Line interpreters were utilized on 354,000 of those calls and conducted interpretation in 99 different languages.[[28]](#footnote-28) Over 242,000 (or 68%) of those Language Line calls were conducted in Spanish.[[29]](#footnote-29) 311 operators who speak Spanish handled 446,000 calls in Spanish without the use of an interpreter.[[30]](#footnote-30) The top ten languages or dialects in which callers required assistance were Spanish, Mandarin, Russian, Cantonese, Korean, Haitian Creole, Bengali, Polish, Arabic, and French.[[31]](#footnote-31) According to 311, “[t]hese languages represented approximately 99% of the telephonic interpretation service minutes provided by Language Line in 2020.”[[32]](#footnote-32)

* + 1. *Persistent Issues with Accessing Interpreters*

When callers dial 311, they are informed about the availability of interpretation services through a pickup recording, which transfers them to a telephonic interpreter if they choose.[[33]](#footnote-33) However, the initial pre-recorded message is only available in six non-English languages (Spanish, Mandarin, Russian, Cantonese, Korean and Haitian Creole), not all 10 of the designated citywide languages.[[34]](#footnote-34) Callers who need interpretation in a different language (other than the six just mentioned) must wait until the recordings have finished and request an interpreter from the operator.[[35]](#footnote-35) According to 311’s Language Access Plan, call center operators are trained on how to interact with a caller who does not speak English, and how to handle a call when they are unable to readily identify a caller’s language.[[36]](#footnote-36) When operators are unable to identify a caller’s language, they will connect with Language Line and request to speak with someone who is skilled in language identification.[[37]](#footnote-37)

Unfortunately, callers who require interpretation services have faced unique barriers to accessing government services and information through the 311 system.[[38]](#footnote-38) For instance, callers often experience long wait times in order to be connected with an interpreter.[[39]](#footnote-39) In addition, because initial instructions are generally provided in English, some callers may not be aware that they are waiting to be connected to an interpreter, and may hang up before an interpreter is able to join.[[40]](#footnote-40) When callers are finally connected with an interpreter, some find that the interpreter does not speak the right language. As one advocate told the CITY, “[a] caller may say that they request Fujianese or Cantonese, and they end up with a Korean or Japanese interpreter on the other line.”[[41]](#footnote-41)

At a Committee on Governmental Operations hearing in October 2018, advocates, including the Chinese American Planning Council, Asian American Federation, the New York Immigration Coalition and India Home, testified that they were aware of multiple incidents in which LEP New Yorkers were unable to lodge a 311 complaint because they could not access the appropriate interpreter for the language that they spoke.[[42]](#footnote-42) India Home returned to a joint hearing of the Committees on Governmental Operations and Technology in January 2019 to testify about this issue again.[[43]](#footnote-43) During the January 2019 hearing, 311 Executive Director Joe Morrisroe promised to make solving the issues raised by advocates a priority.[[44]](#footnote-44)

* + 1. *Multi-Language Customer Satisfaction Surveys*

Last year, the Council enacted Local Law 26 of 2021, which requires 311 to conduct annual customer satisfaction surveys and offer each survey in the ten designated citywide languages.[[45]](#footnote-45) The bill also requires DOITT to submit an annual report to the Speaker containing the results of such surveys, disaggregated by the language in which the survey was conducted.[[46]](#footnote-46)

The first such annual report, released on July 1, 2021, indicated that 29,831 total surveys were offered to New Yorkers.[[47]](#footnote-47) Of those, 29,186 (97.8%) were offered to English speakers, 526 (1.7%) were offered to Spanish speakers, and the remaining 19 were offered to speakers of other designated citywide languages.[[48]](#footnote-48) Of the 29,831 New Yorkers who were offered surveys, only 1212 (4.1%) responded.[[49]](#footnote-49) 1,147 (94.6%) of the responses were received from English speakers, 42 (3.4%) were received from Spanish speakers, 11 (0.9%) were received from Mandarin speakers, 9 were received from Russian speakers (0.7%), 2 were received from Korean speakers (0.2%), 1 (0.1%) was received from a Cantonese speaker, and no responses were received from speakers of Polish, Urdu, Arabic, Bengali, or French.[[50]](#footnote-50) With such low levels of participation, it is hard to assess how satisfied LEP New Yorkers are with 311, as compared to their English-speaking neighbors.

* 1. ***NYCHA Background***

Former New York City Mayor Fiorello La Guardia created the New York City Housing Authority (“NYCHA”) in 1934 by replacing dilapidated tenements using funds from The New Deal,[[51]](#footnote-51) three years before the Housing Act of 1937 established public housing nationwide.[[52]](#footnote-52) NYCHA originally served two purposes: (1) to provide low-cost housing for middle-class, working families temporarily unemployed because of the Great Depression, and (2) to bolster the lagging economy by creating jobs for building trades.[[53]](#footnote-53) Later, NYCHA’s purpose evolved into providing safe, decent housing for families with the lowest incomes.[[54]](#footnote-54) Currently, NYCHA has 335 developments, and 177,569 apartment units that are home to 535,686 authorized residents through traditional public housing, Section 8, and NYCHA’s implementation of the Federal Rental Assistance Demonstration (“RAD”) program.[[55]](#footnote-55)

In 2011, the United States Department of Housing and Urban Development (“HUD”) created RAD to enable PHAs to preserve and improve public housing properties.[[56]](#footnote-56) RAD allows for the conversion of public housing from Section 9 of the Housing Act of 1937, which is the current operating funding source for traditional public housing, to project-based Section 8 rental housing assistance.[[57]](#footnote-57)

Section 8 is the Housing Choice Voucher Program that authorizes both the tenant-based and project-based payment of rental housing assistance, often to private landlords.[[58]](#footnote-58) While tenant-based Section 8 assistance is tied to the tenant, who must meet certain income eligibility requirements,[[59]](#footnote-59) project-based Section 8 assistance is tied to the project and covers all units in the development rather than any individual tenant.[[60]](#footnote-60) Furthermore, conversion to Section 8 allows public housing authorities to leverage both public and private debt to finance improvements and repairs to their developments.[[61]](#footnote-61)

Property owners selected for the RAD program are required to make significant capital repairs, address capital needs, and have a reserve fund to address future maintenance and capital needs for the next 20 years.[[62]](#footnote-62) HUD also allows property owners to adjust contract rents annually for increases in operating costs. The Section 8 contract associated with a development receiving assistance is required to renew upon expiration in perpetuity.[[63]](#footnote-63) If the development refinances or restructures permanent debt during the contract term, HUD must then approve it.[[64]](#footnote-64)

NYCHA’s Permanent Affordability Commitment Together (“PACT”) program is NYCHA’s implementation of RAD, and was created in order to identify subsidy options to preserve NYCHA’s affordable housing stock. During the conversion process, a use agreement is created that requires the units to remain affordable but permits the property to serve as collateral for debt.[[65]](#footnote-65)

PACT is meant to provide residents with important tenant protections, with residents paying no more than 30 percent of their household income towards rent.[[66]](#footnote-66) During the renovations, tenants have the right to remain in their homes. The renovations are meant to provide residents with new kitchens, bathrooms, and windows, as well as to help address critical repair issues for shared facilities such as elevators, boilers, roofs, and facades. NYCHA is aiming to renovate 7,500 to 10,000 apartments per year by the year 2028.[[67]](#footnote-67)

* 1. ***Filing a Complaint at NYCHA***

Tenants can file complaints with NYCHA by calling NYCHA’s Customer Contact Center (“CCC”) to report emergencies and schedule routine maintenance repairs. A representative should be available to answer calls 24 hours a day, 7 days a week.[[68]](#footnote-68) At CCC, scheduling is separated into two main categories: emergencies and non-emergencies. Non-emergencies are routine maintenance repairs and skilled trade repairs. Development management assigns staff to perform these repairs at the next available date and time. During emergencies, NYCHA has a target for a first response within 24 hours, depending on the type of emergency and availability of staff.

When a tenant files a complaint with CCC, a service request would be created in Siebel, an asset and management software, which then creates a work order in Maximo, a computerized database that keeps track of all maintenance work.[[69]](#footnote-69) The primary work order, also known as a “parent work order,” is the initial task that was called in by a NYCHA resident or NYCHA staff.[[70]](#footnote-70) This work order remains open until all related work is completed, including all “child work orders” that are connected to the parent work order.[[71]](#footnote-71) A child work order is created when NYCHA staff identifies additional work that is needed to repair or inspect the parent work order.[[72]](#footnote-72)

A recent Human Rights Watch report found that residents in PACT/RAD developments were “finding it difficult or impossible” to register complaints or repair requests, often led into a frustrating back and forth between 311 and CCC.[[73]](#footnote-73) PACT/RAD tenants reported that when they attempted to call CCC with complaints, they were told that because their developments are under private management, not NYCHA, the CCC does not apply.[[74]](#footnote-74) When those tenants attempted to call 311, they were told their properties fell under NYCHA’s purview, and therefore 311 would not take the call.[[75]](#footnote-75)

* 1. ***Local Law 127 of 2021***

On November 7, 2021, the New York City Council enacted Local Law 127 of 2021, requiring 311 to track complaints or service requests it receives regarding NYCHA from all members of the public, including NYCHA residents. The law also requires 311 to refer those complaints to NYCHA, and to publish information relating to those complaints. The law went into effect March 2022. While Local Law 127 would still result in calls about NYCHA properties being routed back to the CCC, it creates additional layers of accountability and transparency because it would give NYCHA callers the same benefits that any other 311 caller would get: a ticket number, and a way to track complaints or service requests. Prior to the enactment of Local Law 127, 311 users contacting the service to report issues on NYCHA property were directed to contact the CCC, and no 311 ticket number was generated. Numerous elected officials had noted a disconnect between 311 and CCC, and a concern over the lack of integration making it harder for NYCHA residents’ needs to be met.[[76]](#footnote-76)

1. **Legislative Analysis**

**Int. 55**

This bill would require DoITT to create a separate link for COVID-19 testing site complaints on the 311 website and mobile application. DoITT would also be required to maintain a public website that updates daily on the number and nature of complaints received for each testing site, the agency each complaint was referred to and the disposition of each complaint. The bill would further require that the complaints be investigated by the appropriate agency within 48 hours of receipt.

This bill would take effect 30 days after becoming law.

**Int. 167**

This bill would require 311 mobile application or website users to be able to submit a request or complaint with no more than four steps.

This bill would take effect 180 days after becoming law.

**Int. 206**

 This bill would require the Commissioner of Information Technology and Telecommunications to submit a monthly report to the Mayor and the Speaker of the Council on the time it takes 311 callers to be connected to an interpreter. Such report would include the wait time and relevant language for each such call, as well as an average wait time across all such calls. The first report would be required to be submitted by September 15, 2022.

 This bill would take effect immediately.

**Int. 240**

 This bill would require DoITT to update the complaint types on the 311 customer service center website and mobile device platforms and notify 311 customer service center call takers of such complaint type, by the effective date of a local law that involves a request for service. This bill would also require DoITT to semiannually report to the Mayor and the Speaker of the Council on the updating of 311 complaint types.

This bill would take effect 60 days after becoming law.

**Int. 296**

This bill would require the development of a protocol for identifying the languages spoken by callers to 311. Such protocol would be required to include the use of automated language recognition software to assist in the identification of the language possibly spoken by the caller. In addition, by January 30 of each year, DoITT would be required to report on instances where calls were disconnected for failure to receive appropriate language assistance.

This local law would take effect 1 year after it becomes law.

**Res. 68**

This resolution would call on the New York State Legislature and the United Stated Department of Housing and Urban Development to take strong action and increase NYCHA accountability by auditing the responsiveness of NYCHA managers to tenants.

1. **Conclusion**

The Committee looks forward to receiving testimony from the Administration, advocacy groups, and other interested members of the public on the status of the 311 system.

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Int. No. 55

By Council Members Menin, Hanif, Cabán, Gutiérrez, Holden, Dinowitz, Farías, Marte, Yeger, Ung, Schulman, Narcisse, Sanchez, Lee, Krishnan, Avilés, Won, Ossé, Louis, Ayala, Gennaro, Bottcher and Carr

..Title

A Local Law to amend the administrative code of the city of New York, in relation to the creation of a separate 311 category for COVID-19 testing site complaints

..Body

Be it enacted by the Council as follows:

Section 1. Chapter 3 of title 23 of the administrative code of the city of New York is amended by adding a new section 23-308 to read as follows:

§ 23-308 COVID-19 testing site complaints. a. Definitions. For the purposes of this section, the following terms have the following meanings:

COVID-19. The term “COVID-19” means the disease caused by the severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2).

Department. The term “department” means the department of information technology and telecommunications.

b. The department shall implement and maintain on its 311 citizen center website and mobile device platforms the capability for the public to file a complaint under the category of “COVID-19 testing site complaint.” Such website and platform shall accept any complaint related to sites that perform COVID-19 diagnostic testing, including inaccurate representation of the wait time for COVID-19 diagnostic test results, and refer each such complaint to the appropriate agency to take action as necessary to address the complaint.

c. The department shall maintain and update daily a public website that reports, for each COVID-19 testing site, identified by the operator and location of the testing site:

1. The number of complaints received;

2. The nature of each complaint received;

3. The agency to which each complaint was referred; and

4. The disposition of each complaint.

d. The agency to which the complaint was referred shall investigate each complaint referred to it within 48 hours of the receipt of such complaint.

§ 2. This local law takes effect 30 days after it becomes law.

NAB

LS #7209/7239/7294

2/16/2022 4:21 PM

Int. No. 167

By Council Members Holden, Won and Yeger

..Title

A Local Law to amend the administrative code of the city of New York, in relation to the number of steps to submit service requests or complaints on the 311 website and mobile application

..Body

Be it enacted by the Council as follows:

Section 1. Chapter 3 of title 23 of the administrative code of the city of New York is amended by adding a new section 23-308 to read as follows:

§ 23-308 Service requests or complaints. Any website or mobile device application used by the 311 customer service center for the intake of service requests or complaints from the public shall allow the direct submission of such request or complaint by a member of the public with no more than four steps to input such request or complaint.

§ 2. This local law takes effect 180 days after it becomes law.

Session 12

IB

LS 5157

3/17/2022 11:30 pm

Session 11

IB

LS 15966

8/27/2020

Int. 2077-2020

Int. No. 206

By Council Members Ung, Joseph, Cabán, Stevens, Hanif, Brewer, Dinowitz, Won, Marte, Abreu

and Williams

..Title

A Local Law to amend the administrative code of the city of New York, in relation to requiring the commissioner of information technology and telecommunications to report on wait times for the 311 customer service center to connect callers to an interpreter

..Body

Be it enacted by the Council as follows:

Section 1. Chapter 3 of title 23 of the administrative code of the city of New York is amended by adding a new section 23-308 to read as follows:

 § 23-308 Report on wait times for interpreters. a. Definitions. As used in this section, the term “wait time” means the time, in minutes and seconds, from when an individual who calls the 311 customer service center requests an interpreter to when such individual is connected to an interpreter.

 b. Beginning September 15, 2022, and no later than the fifteenth day of each month thereafter, the commissioner of technology and telecommunications shall submit to the mayor and the speaker of the council a report on the wait times for individuals with limited English proficiency who place a call to the 311 customer service center.

 c. Each report submitted under this section shall include the following information on wait times for the preceding month:

 1. The wait time for each call for which an interpreter is requested;

 2. The native language of the caller for each call for which an interpreter is requested; and

 3. The average wait time for calls for which an interpreter is requested, for each requested language.

 § 2. This local law takes effect immediately.

JB

LS #7246

3/30/22

Int. No. 240

By Council Members Gutiérrez, Joseph, Brooks-Powers, Stevens, Yeger, Menin, Williams, Schulman, Riley, Narcisse, Barron, Ossé, Ayala, Restler, Cabán, Abreu, Richardson Jordan, Nurse and Ariola

..Title

A Local Law to amend the administrative code of the city of New York, in relation to the department of information technology and telecommunications updating 311 complaint types and reporting on such updates

..Body

Be it enacted by the Council as follows:

Section 1. Chapter 3 of title 23 of the administrative code of the city of New York is amended by adding a new section 23-308 to read as follows:

§ 23-308 Updating 311 complaint types. a. By no later than the effective date of any local law that involves a request for service, the commissioner of information technology and telecommunications shall add the associated complaint type to the 311 customer service center website and mobile device platforms, and notify the 311 customer service center call takers of such complaint type.

b. For the purposes of subdivision a of this section, a local law involves a request for service if such local law:

1. Requires the department of information technology and telecommunications to implement the capability to file a complaint on the 311 customer service center website and mobile device platforms;

2. Establishes a program or requires an agency to provide information or services to the public;

3. Establishes or expands a right or a protection for a business or person; or

4. Prohibits conduct by an agency, business or person.

c. Report. No more than 180 days after the effective date of the local law that added this section, and semiannually thereafter, the commissioner of information technology and telecommunications shall report to the mayor and the speaker of the council on updating complaint types on the 311 customer service center website and mobile device platforms. Such report shall be posted on the website of the department of information technology and telecommunications and the 311 customer service center and shall include:

1. Data regarding the updating of complaint types on the 311 customer service center website and mobile device platforms after the enactment of a local law that involves a request for service, including, but not limited to, the number of complaint types that the department of information technology and telecommunications added by such local law’s effective date;

2. A list of the local laws enacted during the reporting period that involve a request for service, along with (i) the complaint type that each local law added, (ii) when such complaint type was added to the 311 customer service center website and mobile device platforms and (iii) an explanation of any delays, if applicable, in adding the complaint type to the 311 customer service center website and mobile device platforms; and

3. Any challenges that the department of information technology and telecommunications faced in timely updating the complaint types on the 311 customer service center website and mobile device platforms and any efforts to address such challenges.

§ 2. This local law takes effect 60 days after it becomes law.

Session 12

BG

LS #8578

4/14/22

Session 11

NLB

LS #13404

Int. 2303-2021

Int. No. 296

By Council Members Ung, Hanif, Brewer, Stevens, Velázquez, Williams, Yeger, Farías, Restler, Abreu, Krishnan, Nurse and Louis

..Title

A Local Law to amend the administrative code of the city of New York, in relation to the identification of languages spoken by callers to the 311 customer service center

..Body

Be it enacted by the Council as follows:

 Section 1. Chapter 3 of title 23 of the administrative code of the city of New York is amended to add a new section 23-308 to read as follows:

§ 23-308 Identification of spoken language. a. The 311 customer service center shall implement a protocol for identifying the language spoken by a telephone caller to the 311 customer service center.

b. Such protocol shall include the use of automated language recognition software to assist in the identification, either for an automated message system or for the call taker, of the language possibly spoken by the caller.

c. The 311 customer service center shall examine every call that disconnects during the process of identifying the caller’s language without having completed such process, determine the cause of such disconnection, and implement remedies for such disconnections where appropriate to ensure that callers to the 311 system in any language are properly addressed. By January 30 of each year, the department of information technology and telecommunications shall submit to the council and post on its website a report summarizing such causes and remedies.

§ 2. This local law takes effect 1 year after it becomes law.

Session 12

AV

LS 8680

4/8/22

Session 11

BJR

LS 8859

Int. 1328-2019

Res. No. 68

..Title

Resolution calling upon the New York State Legislature and U.S. Department of Housing & Urban Development to take strong action and increase NYCHA accountability by auditing the responsiveness of NYCHA managers to tenants.

..Body

By Council Members Kagan, Farias, Ossé, Louis, Stevens, Hanif, Cabán, Brewer, Won, Restler, Hanks and Avilés

Whereas, The New York City Housing Authority (NYCHA) is the largest public housing authority in North America, providing homes for over 6% of New York City residents or approximately 550,000 people, across 177,611 apartments within 335 housing developments; and

Whereas, Formed in 1935 with a mission statement of providing decent, affordable housing for low- and moderate-income New Yorkers, NYCHA has suffered from decades of disinvestment at the Federal, State, and City level; and

Whereas, In 2015, a New York State Comptroller’s audit found that NYCHA did not sufficiently ensure that work orders were performed in a timely manner, did not establish time frames for or adequately track the completion and closure of work orders, and did not sufficiently track whether residents were satisfied with the services provided, or considered their complaints to be resolved; and

Whereas, A New York Daily News article published in July of 2018 outlined strategies NYCHA staff employed to close work orders without performing repairs, including forging tenant signatures on inspections that were never completed, and attempting to gain entry to units during periods tenants were least likely to be home; and

Whereas, There have been numerous well publicized incidents of NYCHA staff certifying individual apartments and entire developments to be free from lead contamination without ever checking the vast majority of units; and

Whereas, In October of 2021, NYCHA staff at the Washington Houses in East Harlem were found to be falsifying the results of mold inspections in order to artificially reduce the number of abatements they would be required to perform; and

Whereas, Residents have also brought attention to NYCHA staffers closing heat and hot water tickets without outages being resolved, and pest related tickets being closed after insufficient work, such as plastic bags being placed over holes through which vermin were entering apartments; and

Whereas, Inadequate access to heat and hot water, and exposure to lead paint, mold, and pest issues can have severe deleterious long-term consequences for the health and wellbeing of NYCHA residents; and

Whereas, A process by which NYCHA property managers can receive disciplinary action such as reduced vacation time, fines, demotion, and firing if tenants make multiple requests with no response or adequate resolution within six months, would ensure on site staff are accountable to NYCHA residents, and disincentivize the closure of work tickets through dishonest means; now, therefore, be it

 Resolved, That the Council of the City of New York calls upon the New York State Legislature and U.S. Department of Housing & Urban Development to take strong action and increase NYCHA accountability by auditing the responsiveness of NYCHA managers to tenants.

NRC

LS#7902

3/04/2022

1. *See* NYC311, <https://portal.311.nyc.gov> (last accessed June 23, 2022). [↑](#footnote-ref-1)
2. *See* NYC Department of Information Technology and Telecommunications, *Who We Are*, <https://www1.nyc.gov/site/doitt/about/who-we-are.page> (last accessed June 23, 2022). [↑](#footnote-ref-2)
3. *See* City of New York, *Preliminary Mayor’s Management Report*, at 123 (February 2022), *available at* <https://www1.nyc.gov/assets/operations/downloads/pdf/mmr2021/311.pdf>. [↑](#footnote-ref-3)
4. *See id.* at 125. [↑](#footnote-ref-4)
5. *See id.* [↑](#footnote-ref-5)
6. *See id.* [↑](#footnote-ref-6)
7. The Council’s data team did an analysis of 311 operations using OpenData information on 311 services, available at <https://council.nyc.gov/data/311-services/>; as well as an analysis of a report published as part of the Mayor’s Management Report published in 2021 and 2022, available at <https://www1.nyc.gov/assets/operations/downloads/pdf/mmr2021/311.pdf>; <https://dmmr.nyc.gov/city-services/basic-services-for-all-new-yorkers/311>. [↑](#footnote-ref-7)
8. *Id.* [↑](#footnote-ref-8)
9. *Id.* [↑](#footnote-ref-9)
10. Jan. 17, 2019 Committee Report, *supra* note 5 at 7 (Citing DoITT Request for Systems Integration Services for 311 Customer Service Management System Replacement and Re-Architecture Project, April 28, 2015, *available at* <https://www1.nyc.gov/assets/doitt/downloads/pdf/311-rfs.pdf>; Matthew Flamm, *City’s 311 Hotline is Getting Some Help of Its Own*, Crain’s N.Y. Bus., April 30, 2015, available at <https://www.crainsnewyork.com/article/20150430/TECHNOLOGY/150429832/city-s-311-hotline-is-getting-some-help-of-its-own>; Task Order Number 1426-001A, NYC 311 CSMS Replacement and Re-Architecture for Department of Information Technology and Telecommunications, available at <https://www.scribd.com/document/342938208/NTP-and-NYC-311-IBM-Task-Order-1426-001A-signed-Redacted-v2?secret_password=RtVgjUFEdELXT1pukn65>; Matthew Flamm, *IBM's Watson will soon answer your 311 calls*, Crain’s N.Y. Bus. Jan. 11, 2017, available at <https://www.crainsnewyork.com/article/20170112/TECHNOLOGY/170119941/ibm-s-watson-will-soon-answer-your-311-calls-as-part-of-a-24-million-upgrade-to-the-system>). [↑](#footnote-ref-10)
11. *See* City of New York Office of Management and Budget, Record 116683 Certificate 70092 Project DP-1, on file with Committee on Technology staff. [↑](#footnote-ref-11)
12. Testimony of DOITT Commissioner Jessica Tisch, before the Committees on Land Use and Technology, The New York City Council, March 10, 2021, available at <https://legistar.council.nyc.gov/MeetingDetail.aspx?ID=846442&GUID=5EFAFC84-31CD-4429-9DD5-6459FA872F49&Options=info|&Search>=. [↑](#footnote-ref-12)
13. *Id.* [↑](#footnote-ref-13)
14. *NYC 311 Ratings and Reviews*, Apple App Store, last accessed Oct 25, 2021, available at <https://apps.apple.com/us/app/nyc-311/id324897619#see-all/reviews>; *NYC 311*, Google Play, last accessed Oct 25, 2021, available at <https://play.google.com/store/apps/details?id=gov.nyc.doitt.ThreeOneOne&hl=en_US&gl=US&showAllReviews=tru>. [↑](#footnote-ref-14)
15. *Id.* [↑](#footnote-ref-15)
16. *Id.* [↑](#footnote-ref-16)
17. *See* Local Law 30 of 2017, *available at* <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=2735477&GUID=D0A0ECA1-4D71-47EB-B44D-5919777ED818&Options=Advanced&Search>. [↑](#footnote-ref-17)
18. *See* N.Y.C. Admin. Code § 23-1101. [↑](#footnote-ref-18)
19. *See* Local Law 30 Report for Calendar Year 2020, at 1 (June 30, 2021), *available at* <https://a860-gpp.nyc.gov/concern/parent/1544br19b/file_sets/hh63sz27r>. [↑](#footnote-ref-19)
20. *See* N.Y.C. Admin. Code § 23-301(b). [↑](#footnote-ref-20)
21. *See id*. [↑](#footnote-ref-21)
22. *See* Charter § 15(c)(5); Local Law 30 Report for Calendar Year 2020, at 7 (June 30, 2021), *available at* <https://a860-gpp.nyc.gov/concern/parent/1544br19b/file_sets/hh63sz27r>. [↑](#footnote-ref-22)
23. N.Y.C. Admin. Code § 23-1102(b). [↑](#footnote-ref-23)
24. N.Y.C. Admin. Code § 23-1102(d). [↑](#footnote-ref-24)
25. Local Law 30 Report for Calendar Year 2020, at 282 (June 30, 2021), *available at* <https://a860-gpp.nyc.gov/concern/parent/1544br19b/file_sets/hh63sz27r>. [↑](#footnote-ref-25)
26. *Id.* at 281*.* [↑](#footnote-ref-26)
27. *Id.* at 285. [↑](#footnote-ref-27)
28. *Id.* [↑](#footnote-ref-28)
29. *Id.* [↑](#footnote-ref-29)
30. *Id.* [↑](#footnote-ref-30)
31. *Id.* [↑](#footnote-ref-31)
32. *Id.* [↑](#footnote-ref-32)
33. *See id.* at 289. [↑](#footnote-ref-33)
34. *See id.* [↑](#footnote-ref-34)
35. *Id.* [↑](#footnote-ref-35)
36. *Id.* at 35. [↑](#footnote-ref-36)
37. *Id.* [↑](#footnote-ref-37)
38. *See* Gabriel Sandoval, *311 Tone deaf on language options for non-native English speakers*, The City (Dec. 16, 2019), <https://thecity.nyc/2019/12/311-tone-deaf-on-language-options-for-non-english-speakers.html>. [↑](#footnote-ref-38)
39. *Id.*  [↑](#footnote-ref-39)
40. *Id.* [↑](#footnote-ref-40)
41. *Id.* [↑](#footnote-ref-41)
42. Testimony before the Committee on Governmental Operations, New York City Council, (Oct. 25, 2018), *available at* <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=3698345&GUID=D53B67F7-5F3F-47C5-B753-EC74797E5072&Options=&Search>. [↑](#footnote-ref-42)
43. Testimony before the Committee on Governmental Operations, New York City Council, (Jan. 17, 2019), *available at* <https://legistar.council.nyc.gov/MeetingDetail.aspx?ID=668221&GUID=0F82BE58-10B4-4F58-98A1-28215D28C10F&Options=info&Search>=. [↑](#footnote-ref-43)
44. *Id.* at 35-39 (exchange with Speaker Johnson). [↑](#footnote-ref-44)
45. Local Law 26 of 2021, *available at* <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=3923896&GUID=86783671-B200-46DF-9F5F-72811EE3737E&Options=Advanced&Search>. [↑](#footnote-ref-45)
46. *Id.* [↑](#footnote-ref-46)
47. *See* NYC311, Customer Satisfaction Surveys in Designated Citywide Languages, at 3 (July 1, 2022), <https://www1.nyc.gov/assets/doitt/downloads/pdf/reports/311-customer-satisfaction-surveys-designated-languages-2021.pdf>. [↑](#footnote-ref-47)
48. *Id.* [↑](#footnote-ref-48)
49. *Id.* [↑](#footnote-ref-49)
50. *Id.* [↑](#footnote-ref-50)
51. Ferre-Sadurni, Luis, “The Rise and Fall of New York Public Housing: An Oral History,” The New York Times, *available at* https://www.nytimes.com/interactive/2018/06/25/nyregion/new-york-city-public-housing-history.html. [↑](#footnote-ref-51)
52. Housing Act of 1937, *available at* <https://www.gpo.gov/fdsys/pkg/USCODE-2009-title42/pdf/USCODE-2009-title42-chap8.pdf>. [↑](#footnote-ref-52)
53. Marcuse, 353-54; J.A. Stoloff, A Brief History of Public Housing, Paper presented at August 14 meeting of the American Sociological Association, at 3 (2004). [↑](#footnote-ref-53)
54. Marcuse, 354; Stoloff, 1; *see also* Judith D. Feins, et al., Revised Methods of Providing Federal Funds for Public Housing Agencies, US Department of Housing and Urban Development, at 9 (1994). [↑](#footnote-ref-54)
55. *See* NYCHA 2022 Fact Sheet, *available at* <https://www1.nyc.gov/assets/nycha/downloads/pdf/NYCHA_Fact_Sheet_2022.pdf>. [↑](#footnote-ref-55)
56. U.S. HUD, Rental Assistance Demonstration (RAD), <https://www.hud.gov/RAD> (last accessed Apr. 28, 2022). [↑](#footnote-ref-56)
57. *Id.*; *see also* HUD Exchange, *Rental Assistance Demonstration (RAD)*, <https://www.hudexchange.info/programs/rad/> (last accessed Apr. 28, 2022). [↑](#footnote-ref-57)
58. *See* *id*.; *see also* Community Service Society et al., *Resident Handbook: A Guide to NYCHA RAD Conversion*, (March 2018), *available at* https://smhttp-ssl-58547.nexcesscdn.net/nycss/images/uploads/pubs/RADHandbook1.pdf . [↑](#footnote-ref-58)
59. NYU Furman Center, *Section 8 Housing Choice Voucher Program*, <https://furmancenter.org/coredata/directory/entry/section-8-housing-choice-voucher-program>. [↑](#footnote-ref-59)
60. NYU Furman Center, *Section 8 Project-Based Voucher Program (PBV)*, <https://furmancenter.org/coredata/directory/entry/project-based-section-8>. [↑](#footnote-ref-60)
61. *Id .* [↑](#footnote-ref-61)
62. Enterprise, Rental Assistance Demonstration (RAD) Lessons Learned at the Ocean Bay (Bayside) Apartments 2017-2018, available at: <https://www.enterprisecommunity.org/sites/default/files/2021-06/RAD-lessons-learned-at-ocean-bay.pdf> [↑](#footnote-ref-62)
63. Enterprise, Rental Assistance Demonstration (RAD) Lessons Learned at the Ocean Bay (Bayside) Apartments 2017-2018, available at: <https://www.enterprisecommunity.org/sites/default/files/2021-06/RAD-lessons-learned-at-ocean-bay.pdf> [↑](#footnote-ref-63)
64. Enterprise, Rental Assistance Demonstration (RAD) Lessons Learned at the Ocean Bay (Bayside) Apartments 2017-2018, available at: <https://www.enterprisecommunity.org/sites/default/files/2021-06/RAD-lessons-learned-at-ocean-bay.pdf> [↑](#footnote-ref-64)
65. Enterprise, Rental Assistance Demonstration (RAD) Lessons Learned at the Ocean Bay (Bayside) Apartments 2017-2018, available at: <https://www.enterprisecommunity.org/sites/default/files/2021-06/RAD-lessons-learned-at-ocean-bay.pdf> [↑](#footnote-ref-65)
66. Enterprise, Rental Assistance Demonstration (RAD) Lessons Learned at the Ocean Bay (Bayside) Apartments 2017-2018, available at: <https://www.enterprisecommunity.org/sites/default/files/2021-06/RAD-lessons-learned-at-ocean-bay.pdf> [↑](#footnote-ref-66)
67. NYCHA 2.0, available at <https://www1.nyc.gov/office-of-the-mayor/news/591-18/fixing-nycha-mayor-de-blasio-comprehensive-plan-renovate-nycha-apartments-and#/0>. [↑](#footnote-ref-67)
68. NYCHA, Customer Contact Center, <http://www1.nyc.gov/site/nycha/residents/customer-contact-center.page#_blank> (*last accessed* June 23, 2022). [↑](#footnote-ref-68)
69. NYCHA staff uses an Asset and Management software called Siebel and Maximo to process service requests and maintenance orders. Maximo is a computerized database that tracks all types of maintenance work, including inspections, emergency response, preventive care, seasonal work, and corrective work. The Siebel database keeps track of work orders that are initiated by residents at the CCC. [↑](#footnote-ref-69)
70. *Id.* [↑](#footnote-ref-70)
71. *Id.* [↑](#footnote-ref-71)
72. *Id.* [↑](#footnote-ref-72)
73. Human Rights Watch, *The Tenant Never Wins: Private Takeover of Public Housing Puts Rights at Risk in New York City,* (Jan. 27, 2022)*, available at*: <https://www.hrw.org/report/2022/01/27/tenant-never-wins/private-takeover-public-housing-puts-rights-risk-new-york-city#:~:text=The%20Effects%20of%20Funding%20Cuts%20on%20NYCHA&text=Multiple%20NYCHA%20residents%20told%20Human,heat%2C%20and%20peeling%20lead%20paint>. [↑](#footnote-ref-73)
74. *Id.* [↑](#footnote-ref-74)
75. *Id.* [↑](#footnote-ref-75)
76. Rachel Holliday Smith, “What’s the 311? Stranded in New York’s Service Hotline Deserts,” (April 24, 2019), *available at* <https://thecity.nyc/2019/04/whats-the-311-stranded-in-n-y-s-service-hotline-deserts.html>. [↑](#footnote-ref-76)