

**TESTIMONY FROM NYCHA'S CHIEF OPERATING OFFICER EVA TRIMBLE
EXAMINING THE CAUSES OF VACANCIES IN NEW YORK CITY HOUSING AUTHORITY
PROPERTIES
COMMITTEE ON PUBLIC HOUSING
TUESDAY, JANUARY 31, 2023 – 10:00 AM
CITY HALL COMMITTEE ROOM; NEW YORK, NY**

Chair Alexa Avilés, members of the Committee on Public Housing, other distinguished members of the City Council, NYCHA residents, community advocates, and members of the public: good morning. I am Eva Trimble, NYCHA's Chief Operating Officer. I am pleased to be joined by Sylvia Aude, Senior Vice President of Public Housing Tenancy Administration, and other members of NYCHA's team. Thank you for this opportunity to discuss the status of vacancies in NYCHA developments. NYCHA is a critical affordable housing resource, and our goal is to get New Yorkers into available homes as quickly as possible without compromising the safety or quality of the home.

Working to Improve Residents' Quality of Life

My colleagues and I are using every resource available to improve the quality of life for NYCHA residents. In line with this vital mission, and in compliance with the 2019 HUD Agreement, we have been focusing intensely on addressing the areas that are of the highest concern for residents, including lead-based paint, mold, heat and elevator service, and pest and waste management.

As part of this crucial work, over the past few years we have been performing extensive (and required) environmental work in every apartment once they become unoccupied. Considering that residents stay in their NYCHA apartments for an average of 25 years, this is a key opportunity to complete critical health and safety work in these apartments.

The amount of work we must do to get these apartments ready for the next family is represented by the immense capital repair needs of our buildings – \$40 billion across the portfolio, an astonishing figure that continues to grow at the rate of about \$1 billion each year.

Eliminating Lead Paint and Other Environmental Hazards

I'd like to give you a few examples of the essential work we are performing. Since December 2021, we have been working diligently to ensure that all apartments are made lead-free under the City's new stringent lead-based paint standard of 0.5 milligrams per square centimeter. Since 2004, Local Law 1 has required landlords to perform lead abatement of certain components upon apartment turnover. NYCHA's policy is to abate all components to make an apartment lead-free for the new resident. In 2019, the City Council enacted new legislation that reduced the lead paint standard in New York City from 1.0 milligrams per square centimeter (mg/cm²) to 0.5 milligrams per square centimeter. The new lead standard took effect in December 2021, and NYCHA immediately began testing and fully abating vacant apartments to meet this new standard. When an apartment turns over, our Healthy Homes team conducts a lead inspection using this new standard. If lead paint is identified, the apartment is scheduled for abatement. From December 2021 through January 19, 2023, Healthy Homes has cleared nearly 4,500 apartments at the new, more stringent standard, with about a quarter of those requiring abatement.

On average, it takes four to six months to complete lead work during turnover. Once a work order is created for lead testing, Healthy Homes schedules the inspection with a certified vendor, conducts a quality assurance review of the lead inspection report, and provides the results (also known as a "lead disclosure") to the development. This process takes about four months to complete. If the apartment is negative, this is the end of the process. If the apartment tests positive, it takes on average an additional two and a half months to have a lead-certified contractor fully abate the apartment. In 2023, Healthy Homes is taking steps to shorten this timeline, including adding more resources to review testing reports, adding new abatement vendors, and, most importantly, proactively testing tens of thousands of apartments at the 0.5 mg/cm² standard so that they do not need to be tested again at apartment turnover. Since December 2021, NYCHA has proactively tested approximately 30,000 apartments at the 0.5 mg/cm² standard and expects to test an additional 40,000 before June 30, 2024.

While the practice of eliminating lead paint adds additional time to the apartment turnover process, it also means that every resident will move into a new apartment that is free of this environmental hazard. Our work in this area is a transformative accomplishment that addresses a long-entrenched issue and dramatically benefits residents.

We are also required to ensure that vinyl asbestos floor tiles are properly abated during turnover to make the apartments asbestos safe. Asbestos work is performed whenever there are broken or damaged asbestos floor tiles in an apartment. We abate around 30 vacant apartments each week to meet these requirements; since December 2021, we have abated asbestos floor tiles in more than 2,000 unoccupied apartments. On average, it takes 55 days to perform the asbestos investigation and 29 additional days to conduct asbestos abatement if the apartment tests positive. Notably, Healthy Homes coordinates the lead and asbestos work as much as possible to ensure that it occurs at the same time. It costs between \$28,000 to \$63,000 to complete lead and asbestos testing and remediation work, if necessary, in each apartment.

In 2022, it took an average of 236 days to get an apartment ready, including the time to complete any required lead paint work and asbestos work. Considering that our average residency is 25 years, many apartments also require extensive general repairs from years of wear and tear (for example, painting and cabinets). This also factors into the turnaround time; and along with staff and funding constraints, it means that we are not turning over apartments as quickly as we would like.

However, I am proud to be able to say that anyone moving into a NYCHA apartment will be safe from lead and asbestos. As noted, this extensive cleaning process, along with the general repairs performed, contributes to slower turnover times and longer waits for many families. NYCHA is a critical affordable housing resource for New York City, and we understand the implications of this delay. The previous practice was to match prospective tenants with apartments as soon as an apartment was vacated. This left many families waiting too long, often many months, before they could move into the apartment. Therefore, last spring we instituted a policy change to no longer match prospective tenants to apartments until the homes are turnkey ready. This reduces the amount of time between when residents are matched to apartments and when they can move in.

As of January 16, 2023, there are 5,964 unoccupied apartments out of 161,585 apartments available for occupancy, a 3.7 percent vacancy rate. This includes 1,662 apartments that are matched to households. To place this in context, the city's overall vacancy rate is 4.5 percent and 3 percent for rent regulated housing. And NYCHA's vacancy rate is lower than the national public housing vacancy rate of 5.4 percent. Please note that another approximately 1,000 apartments are permanently off the rent roll and not considered rentable since, for example,

they are used for NYCHA property management or maintenance offices or partner facilities, community facilities, or resident association spaces. To be clear, these apartments that are off the rent roll are not counted as vacant.

NYCHA works with partners in all levels of government to use every available resource to get New Yorkers into our deeply affordable apartments. We are grateful for the City's ongoing support, including through funding for the Vacant Unit Readiness program. In the current fiscal year, the City has made \$78 million available to NYCHA for this program, for rehabilitation work associated with expediting apartment turnover. Additional funding is also available for the following fiscal years.

Conclusion

While we understand that it may be frustrating for prospective tenants to wait for a new apartment, the work we are doing is essential to providing a decent home and quality of life for their families, as well as the generations to come.

We are always eager to collaborate with the Council and other partners on how we can improve our service to residents and continue our progress as an organization.

Thank you. We are happy to answer any questions you may have.



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TESTIMONY OF:

**Alexandra Dougherty, Senior Staff Attorney and Policy Counsel
Civil Justice Practice**

BROOKLYN DEFENDER SERVICES

Presented before

**The New York City Council
Committee on Public Housing**

**Oversight Hearing Examining the Causes of Vacancies In New York City Housing Authority
Properties.**

January 31, 2022

Introduction

My name is Alexandra Dougherty, and I am a Senior Staff Attorney and Policy Counsel in the Civil Justice Practice at Brooklyn Defender Services. BDS is a public defense office whose mission is to provide outstanding representation and advocacy free of cost to people facing loss of freedom, family separation and other serious legal harms by the government. For over 25 years, BDS has worked, in and out of court, to protect and uphold the rights of individuals and to change laws and systems that perpetuate injustice and inequality. I want to thank the Committee on Public Housing and Chair Avilés for inviting us to testify today about the causes of vacancies in New York City Housing Authority (NYCHA) properties and the impact of move-in delays on the people we serve.

BDS represent approximately 22,000 people each year who are accused of a crime, facing loss of liberty, their home, their children, or deportation. Our staff consists of specialized attorneys, social workers, investigators, paralegals and administrative staff who are experts in their individual fields. BDS also provides a wide range of additional services for our clients, including civil legal advocacy, assistance with educational needs of our clients or their children, housing, and benefits advocacy, as well as immigration advice and representation.

BDS' Civil Justice Practice aims to reduce the civil collateral consequences for the people we serve who are involved with the criminal, family, or immigration legal systems. The people we serve experience housing instability in a variety of ways: we defend people from eviction in housing

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court, provide proactive relocation assistance and benefits advocacy, and help clients navigate the shelter system. Our Civil Justice Practice works with both NYCHA tenants and applicants. Our housing attorneys represent NYCHA tenants across Brooklyn in termination cases as well as affirmative repairs cases. We also advocate for safety transfers, help clients adjust their rent, and assist with annual recertifications. Our housing specialist supports NYCHA applicants from the initial application phase, through move in. Through this work we see both the profound stabilizing effect that NYCHA housing can have for our clients by providing one of the only truly permanent affordable housing options in the city, as well as the substantial challenges our clients face attempting to access NYCHA public housing.

NYCHA Move in Delays and Family Separation

As a legal services provider with both a substantial family defense practice and a specialized housing team, we are in the unique position to support many clients every year with applications for the NYCHA priority for ACS-involved families (referred to as “N-0 priority”). The ACS-NYCHA priority is designed to expedite permanency for children in foster placement when “the primary barrier to reunification is the lack of adequate housing.”¹ Many of the parents we represent who are deemed ready by a judge to reunify with their children in a foster placement are hindered by a lack of stable, affordable housing. After completing mandated services and going through onerous and traumatic investigations, family separation, and court proceedings, housing instability may prevent a child from being returned to their parent’s care. The N-0 priority offers a vital opportunity for these families to reunify and secure stable permanent housing together.

The effectiveness of this essential program is severely undermined by major delays in turning over NYCHA apartments between tenants and extreme move-in delays for families. Once a parent is referred by ACS to NYCHA for the N-0 priority, completes the NYCHA eligibility screening process, and has their application certified, it can take an additional 6 months to 1 year—if not longer—to be merely offered an apartment. Families then wait as long as a year or more before they can move in. This waiting period is already troublingly long for parents who need housing in order to have their children returned to their care. However, in recent years we have also seen extremely troubling delays in getting new tenants moved in after they have been offered an apartment.

As the NYCHA process currently works, NYCHA contacts applicants on the waitlist when apartments become available, applicants view the apartment and pay move-in fees, and then NYCHA prepares the apartment for move-in by conducting environmental testing and making repairs. Recently, people we serve have had to wait between 9 to 18 months for the testing and repairs process to conclude. This means that many of our clients who are experiencing homelessness or housing instability and waiting on housing to reunify with their children, are waiting between a year and a half and three years after their priority application is certified to actually access housing.

¹ NYC ACS, *Housing Services for APPLA Youth*, 2011, Available online at <https://www1.nyc.gov/assets/acs/policies/init/2011/C.pdf>

This waiting time has a dire impact on families. One person we represent, Ms. C, had her N-0 application certified by NYCHA in July 2021. In January 2022, she received a letter from a NYCHA development informing her that she had been selected for an apartment. In February 2022, Ms. C viewed the apartment and paid move-in fees through a One Shot Deal from HRA. She was told by a manager at the development that she would receive a call when the apartment was ready and she could come pick up the keys. Every few weeks for the next several months, Ms. C called the development to check on her apartment. Each time she was told there was no new information and that she needed to be patient. In April, our office reached out to NYCHA's application and tenancy administration for an update. We were given an anticipated move-in date of April 15, 2022. That date came and went. We were then given May 25, 2022 as the new date. That date also passed. We continued to follow up with the development, NYCHA's central office, and ACS's housing team between June and September 2022. We were given conflicting information about what environmental testing had been done and what repairs were still outstanding. At the end of August we were promised the apartment would be ready on October 1. That date also passed. Ms. C was not able to move-in until late October 2022. Ms. C waited 10 months from when she was offered an apartment—and paid move-in fees—to the date she moved into her apartment. She was given 5 separate move-in dates that NYCHA failed to meet. During this time, Ms. C's children remained in the foster system—ready to be returned to her care when she had stable housing. Because of NYCHA's delays preparing the apartment for move-in, Ms. C was delayed in reunifying with her children for almost a year. Additionally, the runaround she got from NYCHA caused Ms. C, and her children, significant distress as they were unable to plan for their future together.

Children in NYC's foster system remain in placements on average for 2 years; 6 months longer than children outside NYC. Lack of stable housing contributes to these long stays and prolongs ACS involvement. Families who have been awarded an N-0 priority lose that priority status if they are reunited with their children in a shelter and not a NYCHA apartment or if their ACS case is resolved. Therefore, in our experience, many families choose to keep their ACS cases open, forced to delay reunification with their children and to subject themselves to longer periods of surveillance, for the sole purpose of maintaining their priority status and eventually gaining access to a NYCHA apartment. Children and families suffer long-term trauma by these prolonged periods of separation and surveillance. While NYCHA provides critical access to permanent affordable housing and family stability, when apartments sit empty for months or years awaiting environmental inspection or repairs, New Yorkers face unnecessary delays in safety and stability.

Waitlists and Apartment Readiness

The people we serve without NYCHA priority applications are also affected by these delays. Applicants on the general NYCHA waitlist, most of whom wait well over a decade to be offered an apartment, are also encountering extreme delays in apartment readiness after they are offered an apartment and pay move-in fees. Ms. A applied for NYCHA housing in 2009 and her application was certified in 2013. In April 2021, Ms. A was offered an apartment and paid the first month's rent and security deposit. Nearly two years later, Ms. A is still waiting to move into that empty apartment. In the 14 years since Ms. A originally applied to NYCHA, she has not had stable housing. She is

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desperate to move into her apartment and feels like it will be an essential step towards rebuilding her relationship with her son and expanding visitation.

BDS also represents many current NYCHA tenants who qualify for emergency transfers because they are experiencing domestic violence or are victims of crimes. These transfers are approved when NYCHA deems that a person is unsafe in their current housing. However, due to move-in delays, many people we serve have been waiting in dangerous situations for a year or longer after their emergency transfers have been approved for NYCHA to get their new apartments ready.

One client, Ms. T, applied for an emergency transfer in early 2020 after repeated threats from an ex-partner led to a conflict in which they were both arrested. Ms. T was offered an apartment in November 2020, but after repeated attempts to reach the management office she discovered that they had given the apartment to someone else and she had to re-apply for a transfer. With the help of our office, Ms. T re-applied for a transfer and was approved. In March 2021 the second transfer was approved. During this time Ms. T continued to experience threats and harassment and was terrified to leave her apartment. In February 2022, two years after she first applied, Ms. T was offered a new apartment. After several months of waiting for her keys, both Ms. T and our office reached out repeatedly to the NYCHA transfer office and the NYCHA development. We weren't able to get an update until October 2022 and Ms. T was not able to move in until the end of November 2022. It took NYCHA 10 months to turn around her apartment once it was available. During this time, and the 2 previous years of waiting, Ms. T was in constant fear for her safety.

Another person we represent, Ms. G, was granted a safety transfer after an abusive former partner located her and attacked her in the NYCHA building. After being offered a new apartment, it took 6 months of advocacy from our office and management at ACS for Ms. G to get access to her new apartment.

Recommendations

NYCHA provides critical access to permanent affordable housing for low-income New Yorkers. When apartments sit empty for months or years awaiting environmental inspection or repairs, New Yorkers face unnecessary delays in safety and stability. We respectfully offer the following recommendations to improve transparency and expedite move-in timelines:

- The council should require NYCHA to regularly report on length and type of vacancies
 - This reporting should include details regarding turn around times to move in new tenants from the time of initial approval through the final move in date
 - It should also include detailed data describing the reason for vacancy, including the reason for delays in readiness, as well as vacant apartments held as hospitality suites
- The council should require NYCHA to set guidelines for apartment inspections, repairs, and move-in readiness timelines, and to report on compliance with those guidelines
 - These time-based guidelines should cover the entire apartment turn-around process to ensure that additional delays do not arise between each stage of the process



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- The council should work with NYCHA to identify the root causes of the delays in apartment readiness and ensure that NYCHA has the staff and funding to conduct the required environmental testing and complete repairs on vacant apartments in a timely manner.
- The council should work with NYCHA to ensure that management offices are regularly trained about the apartment turn-around process, including scheduling inspections and repairs, and have systems in place by which move-in related information is clearly and timely communicated to applicants

Conclusion

Permanent affordable housing is the foundation many New Yorkers, including the people we serve, need to find stability in their lives. Stable housing helps our clients favorably resolve their criminal cases and reunite with their children after ACS involvement, maintain jobs and allow children to remain in school. BDS supports NYCHA's efforts to improve its inspection and repairs processes, but drastic changes are necessary to ensure that families do not face unnecessary delays in safety and stability while NYCHA apartments sit vacant.

Thank you for your time and consideration of our comments. We look forward to further discussing these and other issues that impact the communities we serve. If you have any additional questions, please contact Alex Dougherty, Senior Attorney and Policy Counsel, at adougherty@bds.org.



Testimony by The Legal Aid Society

Before the New York City Council Public Housing Committee

Oversight Hearing: Examining the Causes of Vacancies In New York City Housing Authority

Properties

January 31, 2023

Introduction

The Legal Aid Society (“the Society”), the nation’s oldest and largest not-for-profit legal services organization, is more than a law firm for clients who cannot afford to pay for counsel. It is an indispensable component of the legal, social, and economic fabric of New York City – passionately advocating for low-income individuals and families across a variety of civil, criminal, and juvenile rights matters, while also fighting for legal reform. This dedication to justice for all New Yorkers continues during the COVID-19 pandemic. The Legal Aid Society has performed this role in City, State, and federal courts since 1876. It does so by capitalizing on the diverse expertise, experience, and capabilities of more than 2,000 attorneys, social workers, paralegals, and support and administrative staff. Through a network of borough, neighborhood, and courthouse offices in 26 locations in New York City, the Society provides comprehensive legal services in all five boroughs of New York City for clients who cannot afford to pay for private counsel. The Society’s legal program operates three major practices — Civil, Criminal, and Juvenile Rights — and receives volunteer help from law firms, corporate law departments and expert consultants that is coordinated by the Society’s Pro Bono program. With its annual caseload of more than 300,000 legal matters, The Legal Aid Society takes on more cases for more clients than any other legal services organization in the United States. And it brings a depth and breadth of perspective that is unmatched in the legal profession. The Legal Aid Society’s unique value is an ability to go beyond any one case to create more equitable outcomes for individuals and broader, more powerful systemic change for society as a whole. In addition to the annual caseload of 300,000 individual cases and legal matters, the Society’s law reform representation for clients

benefits more than 1.7 million low-income families and individuals in New York City and the landmark rulings in many of these cases have a State-wide and national impact.

The Society is counsel on numerous class-action cases concerning the rights of public housing residents. Additionally, staff in the Society's housing law units represent individual New York City Housing Authority ("NYCHA") residents throughout the five boroughs in proceedings in New York City Housing Court and in termination of tenancy administrative proceedings at NYCHA.

We thank Chairperson Aviles and members of the Public Housing Committee of the New York City Council for the opportunity to testify about the issue of vacancies within NYCHA's public housing portfolio.

NYCHA's Preservation Programs and Vacancies

NYCHA has a number of different preservation strategies currently in play for making long-needed and critical repairs to its public housing stock. While historically NYCHA planned for repair work to be done with tenants remaining "in place" in their apartments, recently a number of the planned preservation projects require residents to temporarily relocate from their homes for repair work to be completed more comprehensively and safely. It is our understanding that, in order to prepare for the temporary relocations of residents at a particular development, NYCHA has been keeping an increasingly large number of units vacant in such development and indeed, portfolio-wide so that they have units available for residents during planned repair work. To date, from our conversations with NYCHA, we have learned that while the goal is to relocate within the development, at some sites this is impossible and so while some residents may have to be relocated to a hotel or other privately owned site, NYCHA also looks to using vacant apartments within its portfolio to house those residents while work is done in their permanent homes.

While keeping units vacant to make available units for temporary relocations is necessary, it means that there are fewer units available for new applicants and transferees to move into, thereby taking fewer households off the long public housing wait list and preventing those in need from accessing valuable, stable public housing. The time that it is taking for NYCHA to "turn-around" vacant apartments and make them ready for occupancy has increased dramatically in one year. NYCHA metrics as of January 30, 2023, indicate that in December 2021, the average

turnaround days was 120. As of December 2022, the average turnaround time is 260 days (about 8 and a half months). Significantly, this huge increase in delays negatively impacts those NYCHA residents looking to transfer to another apartment within NYCHA on an emergency basis. Such delays pose a real safety (physical and environmental) concern for households.

NYCHA's PACT Program

The initial few conversion transactions under NYCHA's PACT program, planned for preservation work to be performed with tenants "in place." Indeed, it seems that the first few bundles of developments were chosen exactly because work could be done in place. Recently, work at the new conversion bundles is requiring temporary relocation of residents to other available apartments because work cannot be done safely or effectively with tenants remaining in their homes. In order to prepare for the eventuality of temporary relocation in the lead-up to the closing of the PACT conversion, NYCHA keeps a number of units at the development vacant and "off-line" and after conversion, PACT developers do the same. These units are usually referred to as "hospitality suites." Sometimes there are not enough available vacant units within a particular development to accommodate the number of those needing temporary relocation and in those cases, we've seen some residents being moved to other developments that are part of the same bundle. For instance, most recently, many Fiorentino Plaza residents have been relocated to Boulevard Houses, another development that made up Bundle #8 of NYCHA's PACT conversions. This means that prior to conversion, NYCHA was keeping a number of public housing units vacant and "off-line" at Boulevard to be used by the PACT partner after conversion as hospitality suites for temporary moves.

NYCHA's Comprehensive Modernization Program

NYCHA has another preservation program known as the Comprehensive Modernization Program ("Comp Mod"). Preservation work at these developments often requires the temporary relocation of residents to other apartments within the development or to other units within NYCHA's public housing portfolio. For example, Comp Mod work at the St. Nicholas and Todt Hill developments could involve the temporary relocation of up to a total of 2,028 units over the time of the repair work.

First Houses Roof Repairs

Most recently, NYCHA announced that households living in the top two floors of each building within its historic First Houses will have to temporarily relocate out of the development to other developments within the neighborhood in order to perform extensive roof repairs at the eight buildings within First Houses. Work is expected to take 30 months to complete.

We Recommend:

- In order to make the process of planning for preservation work more transparent, we ask NYCHA to publish data frequently about the number of vacancies that it is holding at particular developments for use as temporary units for preservation work.
 - The data should include the number of days/months that the unit has been vacant.
 - Updates on any work that is being done in the vacant apartment to “ready it” for occupancy.
 - The data should cover both those developments that are in the PACT pipeline pre-conversion and those that are being held empty for other preservation work under NYCHA’s other programs.

Apartment “Readiness” Delays

As part of its new Healthy Homes Initiative/Protocol, NYCHA is committed to completing both lead and asbestos abatement each time a unit becomes vacant. While we applaud the Agency for undertaking this necessary and often time-consuming work, our clients have been experiencing lengthy delays in gaining access to homes to which they intend to move and for which they have paid a security deposit and first month’s rent. We understand that there have been supply chain issues as a result of the COVID-19 Pandemic, however, in many cases these delays in making an apartment ready for occupancy are extraordinarily long and often not the result of supply chain issues or the required lead and asbestos abatement work, but because of a lack of competence, communication or sense of urgency at the property development staff level in scheduling the repairs.

Additionally, we routinely see a real lack of communication from NYCHA when it comes to keeping a family updated about the status of the work in the apartment, and many times families and/or their advocates are given conflicting information about the progress of the work. This in turn causes huge stress to families who are waiting to get into their new home, often from a homeless shelter or while living in dangerous conditions.

Case Examples from the Society's Clients

Ms. L accepted an apartment in Mariner's Harbor, Staten Island on March 24, 2022. She paid the Security Deposit and her first month's rent on her unit. She anxiously waited to receive an "Apartment Readiness Date" ("ARD") letter from NYCHA. Attorneys at the Society repeatedly followed up with NYCHA to understand when she would be able to move into her new home. In November 2022, we were informed that the lead and asbestos abatement had been completed back in August 2022 and that the delay in move-in was at the property development level. She was then notified that the apartment would be ready by early January 2023. To date she is still not in the apartment and NYCHA has informed us that they expect her to be able to move in sometime in February 2023, nearly 11 months after she signed the lease for the apartment.

Mr. M and his family were residing in a New York City homeless shelter when in November 2021 they were informed by letter from NYCHA that they had been selected for an apartment at Breukelen Houses in Brooklyn. They finally heard from NYCHA in March 2022 when they received an ARD stating that the apartment would be ready on March 15, 2022. Later in March 2022 after attorneys at the Society did multiple follow-up emails and calls to obtain more information, Mr. M's family were told that the apartment was not in fact ready for occupancy and that there was a long list of things that needed to get done in the apartment, including: vendor for paint and floor tiles; carpenter for lose cabinets; tub enclosure, bedroom door, maintenance and caretaker; and button up plumber to reconnect stove. The Housing Assistant at Breukelen told the family that the ARD was not definitive and should not be relied on. During the time they were waiting to get into the apartment, Mr. M and his family were really stressed by not knowing when they would be able to move out of Shelter and by the lack of communication from NYCHA about the progress of work in the apartment. They were constantly worried that they had missed written communications from NYCHA and that they may be at risk of missing out on the apartment. They

eventually gave up waiting for the NYCHA apartment and moved into a privately owned apartment later in the summer of 2022.

Ms. D signed a lease in the Spring of 2021 for an apartment at Forest Houses. She had received an emergency transfer to Forest Houses due to a long bed bug infestation issue at her other NYCHA public housing apartment. The infestation was so bad that her eldest son couldn't live with them in the apartment and her other two children were sleeping in the living room to avoid the bed bugs in the bedroom. NYCHA kept extending the time needed to fix the apartment at Forest Houses. Ms. D received conflicting information from the Housing Manager and the Housing Assistant continuously about when the apartment would be ready. She finally moved into the apartment on October 31, 2021, and was happy that her children could sleep in their own bedroom in time for the Holidays. There is no doubt that Ms. D would not have moved into the apartment at that time without her attorney at the Society repeatedly following-up with staff at NYCHA about the status of the emergency transfer move.

We Recommend:

- NYCHA should not be issuing ARD letters that it knows are not realistic.
- There needs to be better communication between the staff within a development about the status of the work and expected occupancy readiness date. Property management needs to be trained in how to effectively schedule work for each apartment so that vendors and skilled trades are able to actively move forward on an apartment to shorten turn-around times of vacant apartments.
- NYCHA needs to get better at actively communicating to residents about the status of the work in the apartment. Many of the clients we speak with express how stressful they find the waiting- most are in temporary, unstable and often dangerous living conditions and having information about the wait time could help reduce that stress.
- The City and the State should help fund NYCHA to ensure that they have the money necessary to hire an adequate work force to do apartment readiness to make the apartment turnover time shorter.

Conclusion

Thank you again for the opportunity to testify. I am happy to answer any questions from the Committee.

Respectfully Submitted:

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Manuel Martinez

District Chair

Queens South CCOP District

January 31, 2023

Testimony on Causes of Vacancies In New York City Housing Authority Properties

Good Morning Honorable Councilmember Aviles and to the Esteemed New York City Council Public Housing Committee, I thank you all for this opportunity to speak on the very important matter of the vacancies in the New York City Housing Authority (NYCHA) properties and the causes leading to such circumstances.

I have assisted several NYC public housing residents that had an apartment down payment taken from them and forced to wait, in one instance up to a year to be able to move in.

The causes provided to me as to why it took so long for residents to move in after their down payments were collected were due to lead and asbestos testing and abatement and the lack of carpentry supplies due to the impact of COVID on the supply chain. The lack of carpentry supplies to fix closets, replace kitchen cabinetry for pest control remedies and apartment prep for new “move ins” has been persistent now going on two years from the date of commencement provided to me as being the second quarter of 2021.

The delays in apartment preparations are technically due to the lack of an adequate labor force in specific skill trades such as carpentry, asbestos and lead abatement. This lack of an adequate labor force has a strong probability of causality due to the exorbitant conversion rate of RAD privatizations that have now reached 15,000 units since 2018 with an average conversion rate of over 3,000 units per year. The NYCHA workforce at these converted developments are then transferred into existing public housing developments and it is this expectation of transferring such a sizable workforce that is keeping the labor requirements to maintain certain quality of life expectations at a substandard level. Now there is an expectation of an additional 8,000 units to be privatized under RAD in a significantly short time frame which shall further persist the high physical vacancies of apartments that cannot be properly prepped for move ins; as well as not having the proper amount of staff to account for cleanliness, acceptable repair times, and resident engagement and housing policy enforcement.

I am asking for the NYC Council to legislate an annual limited amount of potential conversions to account for a circumstance of reasonableness that will allow for full staffing at NYC’s public housing developments and have an extreme focus on properties that have the most urgent need and not just the whim of developers.



Testimony Submitted by Red Hook Community Health Network To
New York City Council
Committee on Public Housing
Oversight – Examining the Causes of Vacancies
In New York City Housing Authority Properties.
January 31, 2023

Good morning Chair Avilés and Council Members. Thank you for your time, dedication, and advocacy on behalf of the 1 in 16 New Yorkers who live in public housing. My name is Kara Smith and I serve as the Red Hook Community Health Network Manager at the Red Hook Initiative. RHI is a community-based organization serving the 6,500 public housing residents in Red Hook, Brooklyn each year through youth development, community building, and local hiring programs.

I am here today to speak specifically about the large number of vacant units in Red Hook East and West and urge the city government to ensure these vacant units see the investment necessary to be healthy, safe spaces for residents. **Given the affordability crisis our community and our city currently faces, it is clear that investment and a clear timeline for restoration of these units is urgent, and must serve the many Red Hook Houses residents who currently await transfers.**

Since December 2021, Red Hook East averaged 10 vacant and 47 move-in selected apartments. In the same period of time, Red Hook West averaged 43 vacant and 31 move-in selected apartments. These numbers reflect that during any given month in the past year, there were nearly **131 units left without occupants across the development – that's 5% of the entire housing stock in Red Hook Houses.** Perhaps that percentage sounds low, but we're not just talking about 131 empty units, we're talking about 131 families who deserve quality, affordable housing.

While the average turnaround time for Brooklyn NYCHA vacant apartments to be move-in ready is roughly 7 months, it's not uncommon for our case management staff to hear from residents who waited over a year to step foot into their new apartment. For residents who are seeking an apartment transfer on the basis of health and/or mobility concerns, these long wait times can severely impact their quality of life. When a family is waiting for an apartment unit, they may double up with another unit because their space is not safe to occupy. If they choose not to double up, they remain in a living environment and may endure health and safety hazards. These vacant units are missed opportunities to provide New Yorkers with crucial affordable, healthy housing.

To personalize this issue, I'll give you an example of a resident we've been working with since 2016 on a transfer. This is one in many stories. This client is a young parent in Red Hook and a victim of domestic violence. She first applied for a transfer out of her mothers' three bedroom which was shared with several other siblings in 2016, while pregnant with her daughter. After waiting for 5 years, she and her daughter were matched with an apartment nearby. She paid her

security deposit and first month rent only to arrive at the apartment and find it in disarray, with peeling paint, open electrical outlets, and to find out from the housing manager that there is lead present in the unit. Since January 2021, she's been waiting for this unit- this month marking two years. Meanwhile, the unit sits empty, awaiting remediation and repair. As you can imagine, this has left the client with stress, anxiety, and with a 5 year old daughter in an overcrowded apartment.

Public housing is the only truly affordable housing option left for New Yorkers to access, and is an incredible asset to the Red Hook community. Red Hook East and West deserve investment from all levels of government to preserve these units and keep public housing accessible. We need investment and a clear plan on how these units will be made accessible to Red Hook families.

Thank you for the opportunity to testify today and for your commitment to public housing residents. If you have any questions or comments regarding our testimony you can contact:

Kara Smith
kara@rhicenter.org

Sincerely,
Kara Smith
Red Hook Community Health Network Manager, Red Hook Initiative

Public Housing Charts

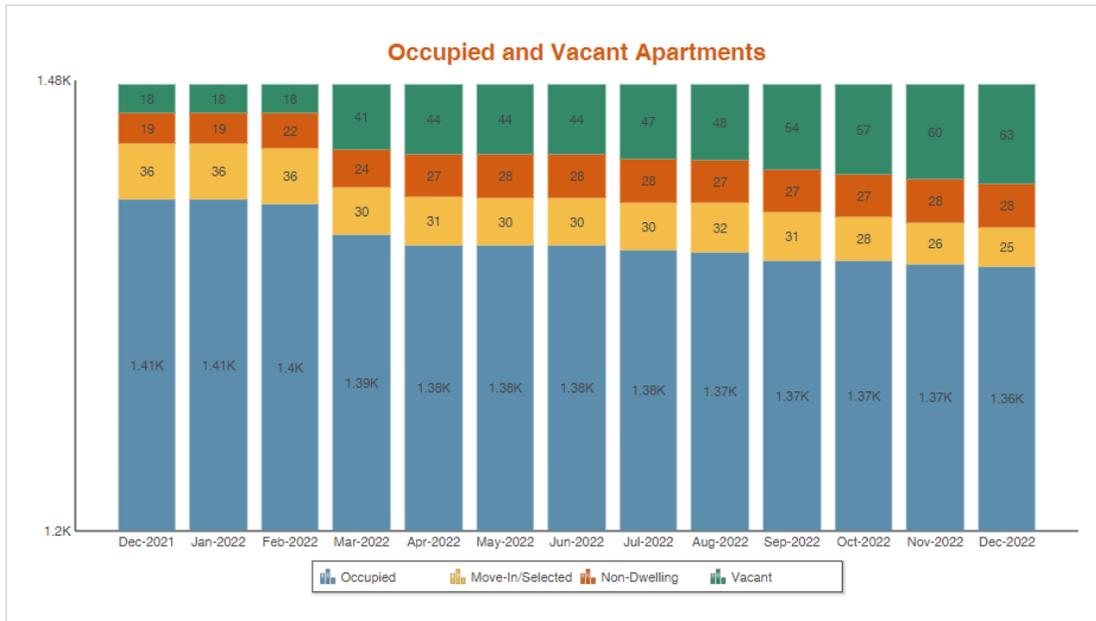
Repairs Emergency Work Orders **Vacancies** Transfers Rent Collection

Borough

All

Development

RED HOOK WEST



This chart shows how many NYCHA apartments are occupied and how many are vacant, including how many have been chosen for a family to move into (move-in/selected) and how many are being renovated or are not for residential use (non-dwelling).

Public Housing Charts

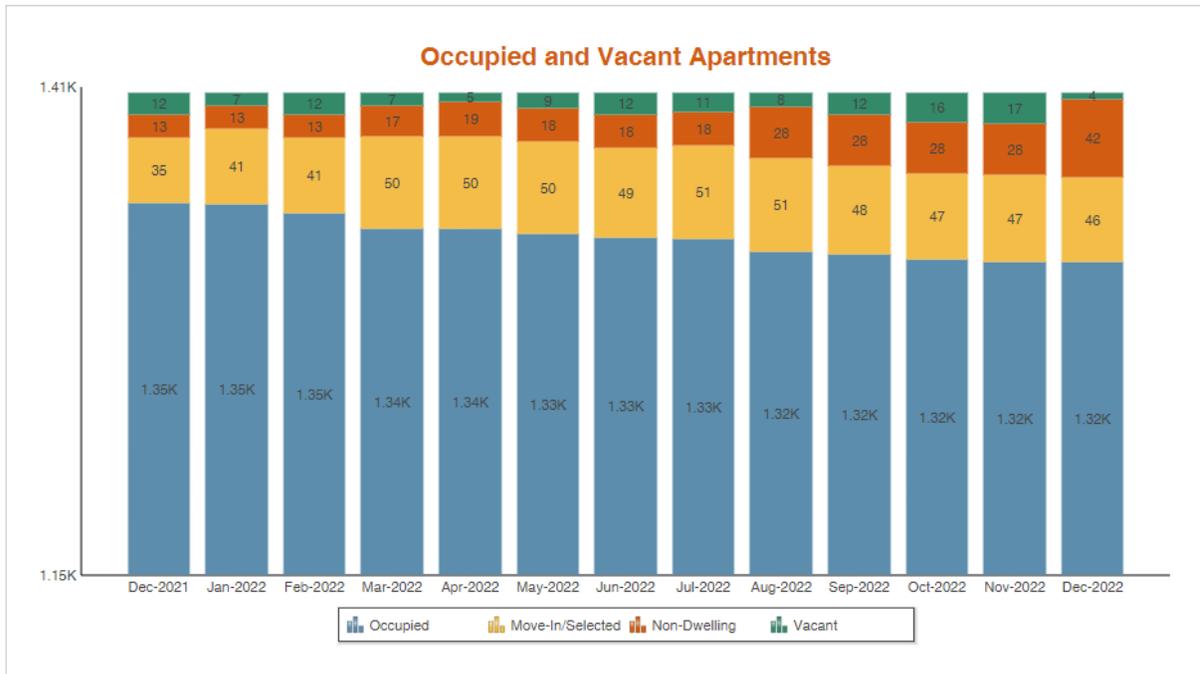
- Repairs
- Emergency Work Orders
- Vacancies
- Transfers
- Rent Collection

Borough

All

Development

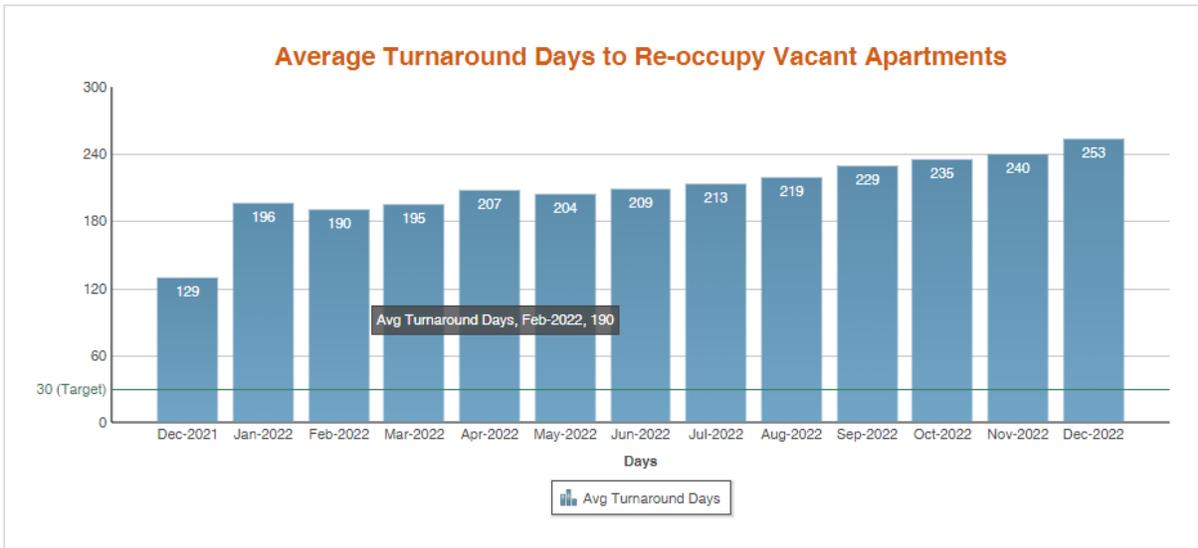
RED HOOK EAST



This chart shows how many NYCHA apartments are occupied and how many are vacant, including how many have been chosen for a family to move into (move-in/selected) and how many are being renovated or are not for residential use (non-dwelling).

Borough

Brooklyn



This chart shows how many days, on average, it takes NYCHA to move a new resident into an apartment after the previous resident moved out. You can compare how NYCHA is doing for each month of the past year.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Eva Trimble

Address: _____

I represent: NYCHA Chief Operating Officer

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Crystal Glover

Address: _____

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Sylvia Aude

Address: _____

I represent: NYCHA, SVP of Public Housing

Address: Tenancy Administration

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Jinet Vinda Tavares

Address: 2940 West 31 Street

I represent: Tenant Resident

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Kathy Newman

Address: 199 Water Street 2nd floor

I represent: The Legal Aid Society

Address: knewman@legal-aid.org

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: 1/31/2023

(PLEASE PRINT)

Name: Alicia Torres

Address: _____

I represent: Smith House / MSD

Address: _____