

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON PUBLIC HOUSING

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October 7, 2020
Start: 1:14 p.m.
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HELD AT: Remote Hearing

B E F O R E: Alicka Ampry-Samuel
Chairperson

COUNCIL MEMBERS: Alicka Ampry-Samuel
Diana Ayala
Laurie A. Cumbo
Ruben Diaz, Sr.
Vanessa Gibson
Mark Gjonaj
Carlos Menchaca
Donovan J. Richards
Rafael Salamanca, Jr.
Ritchie J. Torres
Mark Treyger
Jimmy Van Bramer

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

Karen Blondell

Vito Mustaciuolo
NYCHA

Elena TENCHIVOKA
NYCHA

Dan Green
NYCHA

Rassoul Azarnejad
NYCHA

Reverend Getulio Cruz, Jr.

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SERGEANT AT ARMS BIONDO: Will all
Sergeant at Arms please start their recordings. PC
recording has started.

SERGEANT AT ARMS HOPE: Cloud recording
has started.

SERGEANT AT ARMS BIONDO: Thank you,
Sergeant Hope. The floor is yours.

SERGEANT AT ARMS HOPE: Thank you. Good
afternoon and welcome to the Committee on Public
Housing. At this time will all panelists please turn
on your videos. Thank you. To minimize disruption,
please place all electronic devices to vibrate mode
or silent mode. Thank you. If you wish to submit
testimony you may do so at testimony@council.nyc.gov.
I repeat, testimony@council.nyc.gov. Chair, we are
ready to begin.

CHAIRPERSON AMPRY-SAMUEL: Thank you.
[gavel] Good afternoon, everyone, and thank you for
joining us. I am Council Member Alicka Ampry-Samuel,
chair of the Committee on Public Housing. Today we
will hold an oversight hearing on mold conditions at
NYCHA developments. We will learn about the
conditions contributing to the mold problem and we

1 will also hear about steps NYCHA is taking to abate
2 mold, to prevent its future growth, and to keep
3 residents safe from its harmful effects. We will
4 also hear Introduction number 1911, sponsored by
5 Council Member Ritchie Torres in relation to the
6 provision of information to residents of NYCHA
7 regarding the mold ombudsman, ombudsperson.

8 Residents everywhere, whether they are living in the
9 city or suburbs, private or public housing, have a
10 right to housing that is safe, clean, and habitable.

11 This means a home that is free from serious health
12 and safety hazards, like lead paint, rats, and other
13 vermin. It also means a home that is free from
14 dangerous toxic mold. The presence of mold is not
15 just a mild irritant. It can cause symptoms like
16 cough, sore throat, or skin rash, but it can also
17 cause or exacerbate more serious health issues. For
18 example, mold can cause serious reactions in people
19 with asthma or other respiratory illnesses and can
20 cause infections in people who are immunocompromised
21 or have chronic lung diseases for too many of the
22 400,000 New Yorkers who live in NYCHA developments.
23 However, mold has long been a persistent problem.
24 Many of these residents are children and many suffer
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1 from health issues that can make mold so dangerous.
2 The COVID-19 crisis has made matters worse. While
3 most people have been forced to stay in their homes
4 because of the pandemic, it is worse for those who
5 have been forced to stay inside homes that are
6 plagued with mold. This pandemic has hit everyone
7 hard, but it has hit the most underserved in our
8 communities the hardest. The mold issue at NYCHA has
9 been such a problem that it's been the subject of
10 numerous investigations and reports in the last
11 several years. The issue got so bad in 2013 the
12 class action lawsuit was filed against NYCHA. The
13 lawsuit settled in 2014, imposing certain mold
14 abatement requirements on the authority. But NYCHA
15 repeatedly failed to comply with the terms of that
16 settlement, forcing the court to amend them in 2015
17 and then again in 2018. The lawsuit alone wasn't
18 enough. Mold also, one of the physical condition
19 standards set forth in the 2019 HUD NYCHA agreement.
20 A year and a half later NYCHA has already fallen
21 behind on its mold abatement plan. We are here today
22 to get answers and we are here today because
23 transparency seems to evade the NYCHA, the New York
24 City Housing Authority. Gregg Smith published
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2 another article in the city today entitled "The
3 Perfect Storm", and what he details about the mold,
4 coupled with poor ventilation, creates an environment
5 that exacerbates respiratory illnesses, which can
6 only be deadly by itself. When we add coronavirus to
7 this equation it becomes insurmountable. Right now I
8 would like to just share an expert, um, an excerpt,
9 excuse me, everyone. I would like to share an
10 excerpt taken directly from NYCHA's website. "NYCHA
11 is committed to providing residents with the healthy
12 and safe homes they deserve. To fulfill this
13 commitment, NYCHA is taking proactive measures to
14 meet the obligations of both the 2018 revised Baez
15 consent decree and the 2019 HUD agreement. And as
16 part of this process NYCHA has revised its standard
17 procedure for addressing mold complaints and
18 introduced Mold Busters, an innovative new program
19 informed by industry standards to effectively and
20 efficiently remediate mold. NYCHA began a citywide
21 rollout of Mold Busters in January of 2019 and
22 completed implementation on September 2, 2019." This
23 excerpt reads as if there isn't any mold anywhere to
24 be found in the 175,000 units that falls under the
25 auspices of NYCHA. But we know that is far from the

1 truth. There were units that had mold in 2018, had
2 mold in 2019, and still have mold today on October 7,
3 2020. Due to persistent leaks mold has reappeared in
4 at least 30% of the units they were remediated from
5 2016 to 2018, and additionally COVID-19 has created
6 even more limits to repairs and remediation. NYCHA's
7 independent mold removal unit, the MRU, has by their
8 own June reporting, only assisted 600 households and
9 resolved 250 complaints. Today's numbers are just as
10 unimpressive. Here we are years upon years, federal
11 cases and a federal monitor, a tenant ombudsperson,
12 authority-wide strategic planning, mold-specific
13 planning, deadlines coming and going, extensions,
14 more deadlines, more extensions, reworking of plans,
15 more rescheduled deadlines, resurgence of mold in
16 already abated units, and all the while the problems
17 of mold infestation growing, lingering, and
18 continuing to damaging New Yorkers who are most
19 vulnerable. Today the committee is trying to learn
20 what has gone wrong in NYCHA's efforts to fix its
21 mold problem and what can be done differently. We
22 recognize that some amount of mold is inevitable.
23 But many of the conditions that accelerate its growth
24 can be addressed. NYCHA can improve ventilation in
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2 its buildings. NYCHA can stop focusing on
3 superficial catch work cleanup and instead prioritize
4 deep cleaning that gets at the root cause of mold.
5 Today the committee hopes to learn what NYCHA can be
6 doing better to more efficiently address this
7 problem. I would like to thank my fellow committee
8 members who are present today and Counsel will read
9 those names. And now I will turn it over to
10 committee counsel to, you know what, let me stop
11 there, because I know that we're going to hear the
12 bill from Council Member Ritchie Torres, and so I
13 would like to utilize this time to allow for Council
14 Member Torres to speak on the bill before we hear
15 testimony, and before you speak, Council Member, I
16 just wanted to say to you I thank you so much for
17 your partnership and work with the Public Housing
18 Committee. You did an amazing job as the former
19 chair and an amazing job as the Oversight Committee
20 chair. Um, I'm not sure if we'll be able to have
21 another committee meeting together, um, but I look
22 forward to working with you as you champion the
23 voices of the public housing community, not just in
24 New York, but in the United States of America as you
25 move on to being a member of the United States House

1 of Representatives. Um, and so with that, Council
2 Member Torres.
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4 COUNCIL MEMBER TORRES: Thank you,
5 Alicka, for those kinds words, and, you know, I have
6 great admiration for you and your leadership on the
7 Public Housing Committee and I look forward to
8 working with you as I enter the next chapter in my
9 life. You know, I, I introduced a bill on molds out
10 of frustration. You know, I'm appalled at the
11 failures of mold removal at the New York City Housing
12 Authority and thank God for leaders like you, Alicka,
13 thank God for journalists like Gregg Smith and
14 organizations like Metro IAF. You know, nearly a
15 decade ago Metro IAF sued the New York City Housing
16 Authority for failing to remove mold from public
17 housing and violating the rights of public housing
18 residents, particularly those with asthma, under the
19 Americans with Disabilities Act. And NYCHA settled
20 that lawsuit in 2013. And in the seven years since
21 then we are no closer to solving the mold crisis in
22 public housing. You know, Metro IAF has been
23 agitating for the installation of roof fans since
24 2016 and we know from [inaudible] that the mold
25 crisis, as much as 50% of the mold crisis in public

1 housing could be solved by simply replacing the roof
2 fans. Fifty percent, even with all the disinvestment
3 in public housing. And NYCHA pledged in 2018 that it
4 would repair all the broken roof fans by 2019, only
5 to renege. And now NYCHA has pledged that it will
6 replace 10,000 roof fans by June of 2021, and I
7 desperately want to hear what that plan looks like,
8 because for us to be waiting since 2013 is
9 unacceptable. And, you know, we're living in a time
10 of heightened racial awareness, when there's greater
11 awareness of systemic racism. I would submit to you
12 no where is there greater systemic racism than in
13 public housing, which is ground zero for
14 disinvestment and mismanagement. You know, most of
15 the people who live in public housing are
16 overwhelmingly low income people of color and if the
17 people in public housing had powerful lawyers and
18 political action committees and powerful lobbyists
19 there would be no mold crisis persisting for nearly a
20 decade. So it's unacceptable. We're sick and tired
21 of the excuse making. And we deserve to hear from
22 NYCHA a concrete plan for finally fulfilling the
23 pledge of repairing 10,000 roof fans, or replacing
24 them. Um, we cannot afford to have the latest broken
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2 pledge because the story of NYCHA far too often has
3 been a story of broken promises, and it's time to
4 keep our word to the residents of public housing.

5 CHAIRPERSON AMPRY-SAMUEL: Thank you so
6 much, Council Member Torres. You are absolutely
7 right. Um, we have also been joined, I have the list
8 now, we have been joined by Council Member Torres,
9 Council Member Menchaca, Council Member Ayala,
10 Council Member Diaz, Council Member Gjonaj, Council
11 Member Salamanca, and we've also been joined by our
12 Majority Leader, Laurie Cumbo. And we that we will
13 now hear from our committee counsel to go over some
14 procedural items. Thank you.

15 COMMITTEE COUNSEL: Thank you. I'm
16 Audrey Sun, counsel to the City Council's Committee
17 on Public Housing. Before we begin, I want to remind
18 everyone that you will be on mute until you are
19 called on to testify, at which point you will be
20 unmuted by the host. I will call on panelists to
21 testify. Please listen for your name to be called,
22 as I will periodically announce who the next panelist
23 will be. First, we will hear testimony from a NYCHA
24 resident, Ms. Karen Blondell, followed by NYCHA, and
25 then members of the public. During the hearing if

1 council members would like to ask a question, please
2 use the Zoom raise hand function and I will call on
3 you in order. We will be limiting council member
4 questions to two minutes, including responses, and if
5 there are more questions we will have another round
6 of questions. So first I would like to call Ms.
7 Karen Blondell.
8

9 KAREN BLONDELL: So good, good afternoon,
10 everyone. My name is Karen Blondell. I'm an
11 organizer at the Fifth Avenue Committee. I'm also
12 very active, ah, civically in the Red Hook, ah,
13 community. I'm a part of Resilient Red Hook, Red
14 Hook Initiative, Red Hook Local Leaders, you name it.
15 But I also have a background in engineering and I did
16 Local Law 11 inspections for NYCHA, ah, up until
17 2016, when I started organizing. And so, ah, I know
18 exactly what the roofs look like. I've walked on
19 them. There are no walkways on those roofs. And I
20 literally did, um, a presentation with Council Member
21 Torres about two weeks ago, um, and it was entitled
22 "We Need a Plumber", and we were talking about the
23 [inaudible] roofs that have these, ah, ah, stone
24 shards and every time someone walks on those roofs,
25 whether it's a police officer, a tenant crossing a

1 roof, or a construction worker, there is penetration
2 that happens on that roof, um, through the membrane.
3 And so those roofs are a roofer's dream because every
4 time you get water penetration you're going to need a
5 roofer and other trades to come out and do work. But
6 what happens is that, number one, we find as public
7 housing residents, ah, that the management team, the
8 supers, don't often check on the roofs to make sure
9 that the drains are cleared. So we have a lot of
10 ponding on the roof and once water starts ponding
11 it's gonna find its, ah, any hole, any puncture, and
12 it's going to start penetrating from the top down.
13 So I live on the first floor. By the time water gets
14 to me I know we have a major problem, because it had
15 to go through six, ah, stories to get to me. Um, so
16 in Red Hook we had a full roof replacement by FEMA
17 because we were hit hard by Sandy. Um, but not often
18 does New York City Housing Authority actually secure
19 the money for the drain system at the same time as
20 they secure the money for the roof. The roof is a
21 system and that system requires drainage. So it's
22 really important that they have enough staff
23 knowledgeable to go up there and to check those roofs
24 for these punctures, for these, um, these different
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1 particles and things that could go inside of the
2 drain, including when construction workers go up
3 there and have a beer or two while they're working,
4 and we know that's a part of what happens in
5 construction. And so all of these things are being
6 found in the drain. It's compromising the drain, and
7 then what's happening is the water has to find its
8 way home. And it finds its way home through our
9 walls and, um, it causes mold. So I wanted to bring
10 that up about the drainage system. I also want to
11 bring up about the fact that, ah, we found that
12 asbestos is a toxin and for years they were using
13 asbestos to wrap around the, ah, hot water riser,
14 because the hot water riser is gonna have
15 condensation in the wall and so every time the water
16 is turned on there's condensation going on in the
17 inner wall. So once they found out that asbestos was
18 toxic and they started removing that material, ah,
19 they haven't replaced any material to absorb that
20 condensation. So this is another area where you're
21 gonna have continued mold. Um, I don't often see, I
22 have never seen a HEPA device brought out to the
23 developments to dry any of these areas once water
24 penetration has, has breached it, and that's another
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2 issue. They're not following the protocols set by
3 the man, ah, the manufacturer on how to, ah, use
4 preventive maintenance on the building, on the
5 risers, and what to do in replacement of the
6 asbestos, ah, insulation that we were using prior in
7 these buildings. And so I would actually look at
8 each building. One good thing about Red Hook is that
9 we do have bathroom windows and so we can regulate
10 the humidity in the bathroom, ah, by opening and
11 closing that window, um, at least I can. But for
12 elderly that might still be a stretch because they
13 would have to lean over the bathtub and have enough
14 strength to actually pull the window up and down, and
15 that's the second thing, the windows. The windows of
16 old used to go out like this and come in. Those were
17 the best windows, but they're also more costly. And
18 as you know New York City Housing Authority goes for
19 the lowest bidder. And so we now have these windows
20 with these valances on the sides and you could look
21 at any development across the five boroughs and you
22 will see that at least 25% to 50% of those window are
23 off skew. That means that those valances are broke
24 and that's another area where water penetration is
25 coming in to, ah, our apartments and causing mold.

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2 Um, even the manufacturers tell you that one of the
3 places you'll find a lot of a mold in a multiple-
4 dwelling building is in the window wells. So that's
5 the place when the window locks down into the groove
6 and those side well areas where this valance, with
7 the valancing, um, ah, beams are. And finally what I
8 found with Local Law 11 is that contractors will cut
9 corners wherever they can and so windows...

10 SERGEANT AT ARMS: Time expired.

11 KAREN BLONDELL: ...require caulking and
12 what's happening is that they're using very little or
13 no caulking and if there's no caulking to hold that
14 window sealed, um, you're gonna have water
15 penetration through the lintel and the sills, and
16 I'll stop there. Thank you so much.

17 CHAIRPERSON AMPRY-SAMUEL: Thank you so
18 much for that testimony, Ms. Blondell. I really
19 appreciate the information. I also wanted to let
20 everyone know that we have also been joined by
21 Council Member Van Bramer. Committee Counsel
22 [inaudible].

23 COMMITTEE COUNSEL: Thank you. We will
24 now proceed with testimony from the administration.

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2 Elena Tenchivoka, Daniel Green, Rassoul Azernejad,
3 Vlada Kenniff, Brian Honan, and [inaudible].

4 CHAIRPERSON AMPRY-SAMUEL: Is everyone
5 still there?

6 RASSOUL AZARNEJAD: Yes, sir.

7 CHAIRPERSON AMPRY-SAMUEL: Audrey Sun, I
8 think you froze.

9 JOHANNA CASTRO: Chair, just give us one
10 second.

11 MODERATOR: OK, we will now be hearing,
12 ah, from the administration, um, who will be
13 testifying. Ah, Vito Mustaciuolo, ah, Daniel Green,
14 Rassoul Azarnejad, Elena Tenchivoka, Vlada Kenniff,
15 Brian Honan, and Emma Vitaliano.

16 VITO MUSTACIUOLO: OK, can you hear me?

17 MODERATOR: I will now administer the
18 oath. After I say the oath, please wait for me to
19 call your name and respond one by one. Please raise
20 your hand. Do you affirm to tell the truth, the
21 whole truth, and nothing but the truth before the
22 committee and to respond honestly to council member
23 questions?

24 RASSOUL AZARNEJAD: I do.

25 MODERATOR: Vito Mustaciuolo?

2 VITO MUSTACIUOLO: I do.

3 MODERATOR: Elena Tenikova?

4 ELENA TENCHIKOVA: Tenchikova. I do.

5 MODERATOR: Daniel Green?

6 DANIEL GREEN: I do.

7 MODERATOR: Rassoul Azarnejad?

8 RASSOUL AZARNEJAD: I do.

9 MODERATOR: Vlada Kenniff?

10 VLADA KENNIFF: I do.

11 MODERATOR: Brian Honan and Emma

12 Vitaliano?

13 SERGEANT AT ARMS BIONDO: I believe Mr.

14 Honan would like to affirm.

15 BRIAN HONAN: Um, I do, I'm sorry, I was

16 on mute there.

17 MODERATOR: Thank you. You may begin

18 when you're ready.

19 JOHANNA CASTRO: Jose, we're still

20 missing Emma.

21 MODERATOR: Oh.

22 JOHANNA CASTRO: Yep.

23 VITO MUSTACIUOLO: OK, would you like me

24 to proceed?

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2 SERGEANT AT ARMS BIONDO: Sir, just hold
3 one moment. We're waiting on Emma's response.

4 VITO MUSTACIUOLO: So Emma is not going
5 to be testifying, um, or providing testimony. She
6 is, ah, in a support role.

7 JOHANNA CASTRO: OK, you can proceed with
8 your testimony.

9 VITO MUSTACIUOLO: Thank you. Good
10 afternoon, Chair Ampry-Samuel, members of the
11 Committee on Public Housing, and other members of the
12 City Council, NYCHA residents, and members of the
13 public. Good afternoon. I am Vito Mustaciuolo,
14 NYCHA's general manager and chief operating officer.
15 I am pleased to be joined by chief compliance
16 officer, Daniel Green, vice president for Healthy
17 Homes, Rassoul Azarnejad, senior director of Office
18 of Mold Assessment and Remediation, Elena Tenchivoka,
19 and vice president for capital, Vlada Kenniff. Thank
20 you for the opportunity to discuss NYCHA's efforts to
21 provide residents with the healthy and safe homes
22 that they deserve. Under the leadership of Chair
23 Russ and our Blueprint for Change vision in
24 collaboration with our partners, such as the federal
25 monitor, we are transferring this agency so we can be

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2 a better landlord for our residents and improve their
3 quality of life. Combatting mold is a key focus of
4 this work, and we are eager to share with you the
5 progress that we have made as well as our plans for
6 continued improvement. Although mold has been a
7 persistent challenge at the authority for many years,
8 we have made its prevention and remediation a top
9 priority. In light of the pandemic, we increased our
10 focus on mold remediation and we understand the
11 importance of these efforts. Before I describe our
12 work in this area I'd like to give you some context
13 on why mold is so challenging and how we got to where
14 we are today. The majority of NYCHA's buildings are
15 more than a half century old. Many of them have not
16 received the needed major capital improvements vital
17 to their infrastructure. Mold is a symptom of our
18 ailing buildings, a consequence of severe lack of
19 funding to properly maintain and repair an aging
20 infrastructure, replace leaking roofs, windows
21 pointing, crumbling pipes, and old ventilation
22 systems. And our ability to maintain sufficient
23 staffing levels to keep up with the mold that results
24 from these conditions. Mold is a challenge for any
25 building owner, especially those operating large

1 multifamily buildings. Mold is everywhere. Its
2 spores are present in the air, both indoors and
3 outdoors. Many building materials provide a
4 favorable environment for it to grow, making its
5 occurrence very common. So this is something that
6 many landlords contend with. It is not unique to
7 NYCHA. At NYCHA the issue is twofold. We lack the
8 funding to make all the capital repairs that are
9 needed. Due to decades of federal government
10 underfunding, our buildings are now confronting over
11 a 40 billion dollar need in capital expenditures.
12 Identifying the source of mold is not
13 straightforward. The moisture that promotes
14 [inaudible] can come from any sources, such as a
15 leaking roof, leaking pipes, or another apartment.
16 If the source or sources are not properly identified
17 the mold may come back. Once the source is
18 identified the corrections can sometimes involve
19 complex repairs to address it, or even require full
20 capital replacement of the system. To address this
21 critical issue for our residents, we implemented Mold
22 Busters, an innovative program to combat mold,
23 developed a mold and leaks action plan in
24 collaboration with the federal monitor, as well as
25

1 residents and resident advocates, and working with an
2 independent court-appointed ombudsperson to resolve
3 mold issues. We are also bringing major renovations
4 for our buildings for a variety of preservation
5 strategies and investments. In 2016 NYCHA began with
6 a court-appointed special master, a certified
7 industrial hygienist, and building systems experts to
8 improve and update our mold inspection and
9 remediation process. This was part of our work to
10 fulfill the obligations of the 2014 Baez consent
11 decree, which requires NYCHA to abate mold and
12 excessive moisture and their root cause in a timely
13 and effective manner. Under the guidance of the
14 special master we launched the Mold Busters pilot
15 program at 38 developments in 2017. In 2018 we
16 established NYCHA's first-ever Office of Mold
17 Assessment and Remediation. In accordance with the
18 revised Baez consent decree, we began rolling out
19 Mold Busters to all of our developments in January of
20 2019, a process we completed in September of that
21 year. An independent ombudsperson and ombudsperson
22 call center were also put in place as part of the
23 revised Baez consent decree to address residents'
24 complaints about leaks, mold, and excessive moisture
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1 with their owners. The ombudsperson and OCC work
2 with NYCHA to prioritize mold reports and to expedite
3 their remediation. Mold Busters is the foundation
4 for our progress in this area. Developed in
5 consultation with industry experts, it's an
6 aggressive program that enables our staff to more
7 successfully identify the source of mold and
8 remediate it. Its five key components, which are
9 focused on finding and correcting the source of mold,
10 mark a significant evolution in our approach. New
11 tools - our staff use high-tech tools that provide
12 them with information to determine the source of the
13 excess of moisture that is causing the mold. This
14 includes moisture meters specifically designed to
15 differentiate between condensation moisture and
16 moisture within the walls from a leak or from water
17 infiltration. Other tools are anemometers, which
18 measure ventilation, hygrometers, which measure
19 relative humidity, humidity, and borescopes, which
20 provide a less-invasive view into a wall. Finding
21 the right source or sources of the excessive moisture
22 is the first step to correcting underlying conditions
23 causing mold. New materials - we are using a mold-
24 inhibiting paint after remediating some of our
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1 toughest mold cases where we are concerned about mold
2 recurrence. New strategies - all of this vital
3 information is being recorded in a new inspection
4 format, designed with a mold expert and enhanced by
5 our IT staff. This new format is on staffs'
6 handhelds and it guides them through recording the
7 information and then choosing the next steps and
8 remediation methods, all with system-guided checks
9 along the way. In the end, this produces a
10 documented project plan with information that can be
11 passed along to each craft involved in completing the
12 work. New training - our staff received new enhanced
13 mold assessment and remediation training through
14 eight hours of classroom training and hands-on guild
15 training at each development. In addition to
16 training the superintendents and assistant
17 superintendents, we included skilled trades
18 representatives so they can learn the new remediation
19 methods alongside the staff that will be directing
20 them. Accountability - the new protocol requires
21 photos taken of the area involved from the first work
22 order to the last at each step in the new craft
23 involved. Providing a documented remediation plan -
24 additionally, after all work is completed the
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2 superintendent or assistant superintendent is then
3 required to complete a follow-up inspection,
4 certifying the work was done and documenting that
5 also with a photo. In July of 2017 NYCHA completed
6 inspections for over 38,000 mold work orders and
7 performed remediation work for nearly 22,000 work
8 orders. As mentioned earlier, we established NYCHA's
9 Office of Mold Assessment and Remediation, or OMAR,
10 in 2018, whose staff are dedicated to addressing
11 mold. Since then NYCHA has invested 15 million
12 dollars in that program and will be investing an
13 additional 20 million over the next five years. OMAR
14 is also investing 50 million dollars in federal
15 capital funding for ventilation work. In 2019 in
16 partnership with trending experts, we trained almost
17 2900 staff who perform or supervise mold remediation
18 work. We have also trained over 550 staff in nearly
19 1400 field training sessions. Our training program,
20 unfortunately, was put on hold in March due to the
21 pandemic, but has since restarted in accordance with
22 COVID-19 safety protocols. OMAR is organized into
23 the following units - the mold response unit, which
24 is composed of project managers and resident
25 communication associates, focused on customer

1 service. They work with the independent ombudsperson
2 call center to resolve mold and leaks that have not
3 been addressed by the NYCHA staff who initially
4 respond. The resident communication associates
5 interact with both residents and development staff to
6 ensure inspections are scheduled and to expedite the
7 completion of work orders. Residents seem to be
8 pleased with this improved communication and
9 dedication to customer service. Contract
10 administration, which works to improve building
11 ventilation by spearheading the ventilation
12 initiative, where engineering and contractor services
13 are used to assess and modernize the ventilation
14 systems. It also oversees contracts to remediate the
15 most critical mold and leak cases. Analytics and
16 process change, which works with independent data
17 analysts to analyze mold data and determine how we
18 can further refine the Mold Busters process. This
19 team improved data reporting and transparency through
20 a metrics dashboard accessible to all staff and is
21 currently developing a new standard procedure for
22 addressing leaks. OMAR already revised NYCHA's
23 standard procedure on addressing mold complaints and
24 OMAR is leading the efforts outlined in our mold and
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1 leaks action plan, which was developed as part of the
2 2019 HUD agreement and approved by the federal
3 monitor in March of this year. The mold and leaks
4 action plan outlines strategies for preparing and
5 providing remediation plans for residents within five
6 days, eliminating the backlog of long-term work
7 orders, remediating mold and its underlying root
8 cause within seven days for repairs that can be
9 performed by a maintenance worker or caretaker, or
10 within 15 days for repairs that must be performed by
11 skilled trades. Increasing staff and vendor capacity
12 for mold and developing relocation policies,
13 restructuring skilled trades scheduling, and
14 improving communication practices, improving and
15 repairing mechanical ventilation, developing clear
16 and enforceable protocols for roof and roof fan
17 inspections, improving communication and engagement
18 with residents on mold prevention and remediation
19 processes, training of staff on mold response,
20 increasing staff capacity for addressing emergency
21 leaks, and creating a new standard procedure for leak
22 control. To improve how we address mold at the
23 authority we have been collaborating with partners
24 such as the mold remediation specialists at
25

1 Microecologies, Incorporated, the Baez independent
2 data analysis, Stout, the ombudsperson call center,
3 and a court-appointed ombudsperson, Mr. Cesar de
4 Castro, as well as the federal monitor. These
5 relationships are proving to be successful. For
6 instance, in the last reporting period, May 2020
7 through July 2020, no cases required action from the
8 mold ombudsperson. In addition, residents now have
9 several channels for reporting mold complaints -
10 NYCHA's compliance department, the federal monitor,
11 and the OCC, entities that all communicate and
12 coordinate regularly to address residents' concerns.
13 NYCHA informed residents of how they could obtain
14 assistance from the OCC through the NYCHA website, a
15 rent insert, emails, newsletters, flyers, social
16 media posts, a NYCHA journal article, as well as
17 outreach to resident leadership. It's an effective
18 partnership. The OCC has assisted over 2200
19 households with mold- and leak-related complaints as
20 of July 31, 2020. As of that date, NYCHA is in the
21 process of resolving complaints for 74% of those
22 families and fully resolved cases for 525 residents.
23 I would like to note that neither the HUD agreement
24 nor the Baez consent decree requests NYCHA to replace
25

1
2 roof fans. We are doing this proactively to ensure
3 we comply with the requirements that all roof fans
4 are operable. We are replacing roof fans portfolio-
5 wide thanks to a variety of funding streams. And we
6 inspect roof fans on a monthly basis, repairing or
7 replacing them whenever necessary. Since 2018 we
8 have spent nearly 3.7 million dollars on repairing or
9 replacing roof fans. We are also replacing nearly
10 950 roofs, benefitting 180,000 residents, thanks to a
11 1.3 billion dollar investment from Mayor de Blasio.
12 These upgrades will go a long way in eliminating the
13 leaks that create favorable conditions for mold.
14 Please note that the timeline to complete this work
15 has been impacted by the pandemic. The connection
16 between aging infrastructure in dire need of repair
17 and mold growth and recurrence cannot be emphasized
18 enough. That is why our blueprint prevention
19 strategies, which will bring top to bottom renovation
20 of every building in our portfolio, are an essential
21 part of our work to combat mold across the authority.
22 These renovations involve new kitchens and bathrooms,
23 ventilation, and plumbing, areas that are critical to
24 preventing mold from occurring in the first place.
25 We thank you for your support of these preservation

1 ideas and strategies, which will bring an improved
2 quality of life for our residents in so many ways.
3 The way forward - while mold is a long-standing and
4 challenging issue, we have the partners and plans we
5 need to overcome it. With the Mold Busters program,
6 the mold and leaks action plan, major capital
7 investment, and partners like the federal monitor and
8 OCC, we will continue to make real improvements at
9 the authority that make a real difference for
10 residents. Again, we thank you for your support. As
11 always, we welcome your suggestions as well as
12 feedback from our residents how we can continue to
13 make progress together. Residents, of course, are
14 our most important stakeholder and are at the center
15 of everything that we do. We are happy to answer any
16 questions that you may have.

18 CHAIRPERSON AMPRY-SAMUEL: Thank you,
19 Vito. Um, so we'll just jump right into it. Um, I
20 just have some [inaudible] questions first based on
21 your testimony. Um, on page four, under taking
22 action and mold [inaudible], you say that since July
23 2017 NYCHA has completed inspections for over 38,000
24 mold work orders and performed remediation work for
25 near 22,000 work orders. And so just reading that

1
2 I'm, I'm under the impression that you're talking
3 about from 2017 until now. So we're looking at a
4 number of 38,000 work orders that came in and 22,000
5 work orders were remediated. Can you kind of clarify
6 what, what does that actually mean, and as of today
7 how many work orders across NYCHA's portfolio are
8 related to moisture and mold in NYCHA developments?
9 Give us a context of what's happening today and what
10 do those numbers actually mean.

11 VITO MUSTACIUOLO: So the numbers are,
12 um, as you indicated, they are the number of work
13 orders, um, that were addressed, um, during that time
14 period. Um, we are, we will work on getting you, um,
15 what percentage that represents of the total number
16 of work orders. Um, I don't have that in front of
17 me, um, at this minute. But while we are going
18 through the hearing we'll make sure that we get back
19 to you with that answer.

20 CHAIRPERSON AMPRY-SAMUEL: So how many
21 work orders, as of today, right now, how many open
22 work orders do you have that are related to moisture
23 and mold?

24 VITO MUSTACIUOLO: So as of, ah, today we
25 have, um, 15,517 open mold work orders. And, um, we

1
2 have a breakdown of the categories. Um, it's
3 important to note that within that 15,517, um,
4 11,212, um, or 72%, are either in progress or the
5 work has already been completed and the reason why it
6 is still open is because it's still pending a QA
7 inspection that's required, ah, to close the work
8 order.

9 CHAIRPERSON AMPRY-SAMUEL: OK, so can you
10 give me the breakdown, then?

11 VITO MUSTACIUOLO: So within the 15,517
12 open mold work orders, so there are 883 that are
13 awaiting initial inspection. There are 2376 where
14 the inspection has been completed. There are 9529
15 where repairs are underway.

16 CHAIRPERSON AMPRY-SAMUEL: How many, say
17 that number again?

18 VITO MUSTACIUOLO: Sure, 9529 where
19 repairs are in progress. There are 1683 where the
20 repairs have been completed. And there are 1046 that
21 are in a reinspection process. That totals 15,517.

22 CHAIRPERSON AMPRY-SAMUEL: OK, so going
23 to, going back to the 9529 repairs in progress, can
24 you break that down? What does that meaning, in, in
25

1
2 repairs in progress? So someone came out, like what,
3 what does that mean?

4 VITO MUSTACIUOLO: Sure, so the
5 inspection had already taken place to determine what
6 the root cause was and, and mold, in order to
7 remediate a mold condition it requires several steps,
8 so it's not, um, most of the repairs are categorized
9 as complex as opposed to simple. A simple repair is
10 something that a maintenance worker or a caretaker
11 can address on their own. A complex case, um,
12 involves multiple trades. Um, so when I say that
13 they're in progress, um, it could mean that the, ah,
14 the wall had been opened, ah, the plumbers, um, have
15 identified, ah, where the leak is and are currently
16 working on, ah, repairing the leak. But there are
17 additional steps that need to be taken after the
18 source, um, has been abated. So in order to do a
19 proper mold remediation, um, repair it requires
20 several steps in the process and oftentimes several
21 different trades.

22 CHAIRPERSON AMPRY-SAMUEL: So out of 9529
23 that are in progress how many are simple and how many
24 are complex?

2 VITO MUSTACIUOLO: OK, I don't have the
3 breakdown within the category. What I do have is for
4 year to date 2020, of the mold work orders that have
5 been created, so there were 20,842 work orders
6 created. Now some of those are still in the
7 inspection process.

8 CHAIRPERSON AMPRY-SAMUEL: Yeah, wait,
9 hold on.

10 VITO MUSTACIUOLO: Sure. Go ahead.

11 CHAIRPERSON AMPRY-SAMUEL: You're giving
12 me a different set of numbers now.

13 VITO MUSTACIUOLO: Right, I don't have
14 the breakdown between complex and simple for the
15 9529.

16 CHAIRPERSON AMPRY-SAMUEL: OK.

17 VITO MUSTACIUOLO: But I want to put your
18 question into context.

19 CHAIRPERSON AMPRY-SAMUEL: OK.

20 VITO MUSTACIUOLO: Um, right. So if you
21 look at the total year to date numbers, um, within
22 the 20,842, ah, total work orders created, we have,
23 there are still that, um, some that are in progress,
24 but there were 13,350 that were considered to be
25 complex repairs compared to 502 which were considered

1
2 to be simple repairs. So I just want to, you know,
3 we can certainly get you the breakdown within the
4 open work orders. Again, I'd like to point your
5 question...

6 CHAIRPERSON AMPRY-SAMUEL: OK, so, so, so
7 out of the year to date, the 13,350 that were complex
8 it's safe to say that out of this, this 9522 repairs
9 in progress some of those are complex because if
10 we're looking at 13,350 that are complex and 520 that
11 are simple, just looking at the percentage of complex
12 issues versus simple issues, that 9529 number that
13 we're seeing would have the majority, we can say, ah,
14 majority of those are complex.

15 VITO MUSTACIUOLO: Right, so...

16 CHAIRPERSON AMPRY-SAMUEL: I mean, that's
17 kind of safe to say, right?

18 VITO MUSTACIUOLO: Yep, right. Yeah. So
19 I was just giving the numbers. So within, and I will
20 ask Elena, ah, to jump in, um, on this question, but
21 within the 9529, 93 of those are simple repairs, 9436
22 are complex.

23 CHAIRPERSON AMPRY-SAMUEL: Oh, so you do
24 have the number, OK.

2 VITO MUSTACIUOLO: No, no, as I said, we
3 were working on it as we were, as we were talking.

4 CHAIRPERSON AMPRY-SAMUEL: OK, OK. So
5 you...

6 VITO MUSTACIUOLO: But Elena, if you'd
7 like to add to, to this, ah, to this answer?

8 ELENA TENCHIKOVA: Yeah, if there's any
9 further, ah, questions that you have on how, um, each
10 of the phases are broken down, ah, ah, once the
11 inspection is completed I could further provide, ah,
12 the breakdown as well.

13 CHAIRPERSON AMPRY-SAMUEL: So, Elena,
14 what I'm trying to get a sense of and paint a picture
15 as to what does it look like right now today on
16 October 7 the status of apartments in New York City
17 public housing, New York City Housing Authority, like
18 how many complex repairs are needed right now today
19 in our developments, and when we talk about and, you
20 know, you just kind of gave a description of what
21 complex could mean, and I heard, like open walls, you
22 know, you can go, I've, I've been in way too many
23 apartments now where in the middle of, of repairing
24 mold they will go through, open up walls, I go in and
25 I see plastic covering, you know, exposed pipes and

1
2 everything else. And so I'm trying to get a sense of
3 what do these apartments look like today and what's
4 happening to paint the picture, because we have, you
5 know, a whole lot of questions after this, and I'm
6 trying to get a sense of where we are today in order
7 to be able to have a halfway decent hearing right
8 now.

9 VITO MUSTACIUOLO: Yeah, absolutely.

10 And, and, Council Member...

11 ELENA TENCHIKOVA: Well, what I...

12 VITO MUSTACIUOLO: I'm sorry, go ahead.

13 ELENA TENCHIKOVA: OK, my apologies, um,
14 thank you. And I apologize, I didn't know how to
15 raise my hand on Zoom, so I've been like trying to
16 wave down. Um, so between the, what I would, um,
17 look at is where we have inspection completed and
18 inspection started, and I would combine those and
19 that would represent 2310 inspections completed that
20 are complex repairs, plus the 9436, ah, which, ah,
21 we, ah, already started some work in. And so in
22 total that would equal 11,746. What I do want to
23 say...

24

25

1 COMMITTEE ON PUBLIC HOUSING 38
2 CHAIRPERSON AMPRY-SAMUEL: Thank you.
3 You don't have to say it again because to start does
4 not mean to finish.

5 ELENA TENCHIKOVA: Correct.

6 CHAIRPERSON AMPRY-SAMUEL: You're saying,
7 so what, what, I'm confused right now.

8 ELENA TENCHIKOVA: So, ah, what we mean
9 by started is that we already began work with at
10 least one of the work orders, um, that are child
11 under the parent work order. So that's what it
12 means. Um, and, ah, when we, ah, look at, um, you
13 know, I, I think that the context that I want to
14 bring into all of this, um, is, um, we've, um, under
15 COVID circumstances, under the emergency protocols we
16 still continued to make sure to prioritize mold and,
17 ah, mold remediation. The, the only thing that we
18 suspended as part of that was the paint work orders,
19 um, and, ah, the paint work at this point. So I'm
20 gonna throw another different set of numbers, this
21 combines both open and closed work orders, but I'll
22 give you context of, you know, of between the mold,
23 ah, ah, parent and the child that are open how many
24 of those remain open because of painting and, um, I
25 [inaudible] important piece to bring context in

1 relationship to where we started work and where we
2 still, um, have outstanding gaps, ah, outstanding...

3 CHAIRPERSON AMPRY-SAMUEL: And this is
4 out of the 15,517 number?

5 ELENA TENCHIKOVA: Right. So, um, if we
6 looked at, ah, October 1, 2020, there were 16,033
7 child, ah, ah, children work orders from mold that
8 were outside of the guidance, right? So we, you
9 know, as you know, we work very close with the
10 [inaudible] ah, ah, data analyst and we build
11 dashboards and modules in order to track our
12 progress, and one of the things that we build, um,
13 the dashboard is is what's in, ah, within the
14 guidance and what is outside. Again, the only thing
15 that's really outside of the guidance is, um, the
16 paint. And we look at those 16,033, ah, children
17 work orders that are outside of the guidance, 15,011
18 of them are for paint. So that's the relationship
19 that I want to kind of really, you know, ah, piece
20 together that a lot of our work that is outside of
21 the guidance, um, is...

22 CHAIRPERSON AMPRY-SAMUEL: I'm not a
23 mathematician. I'm just kind of confused by the
24 numbers again because I asked if this was, when I
25

1
2 asked the question about how many work orders do you
3 have right now the number was 15,517. And so now
4 you're giving me a universe of some 16,300. It's,
5 it's kind of, I'm, I'm trying to...

6 VITO MUSTACIUOLO: And Council Member, we
7 can certainly...

8 CHAIRPERSON AMPRY-SAMUEL: Make this
9 simple.

10 VITO MUSTACIUOLO: We can provide you
11 with more detailed numbers, ah, in response to your
12 questions. Ah, the 15,517 that I referenced, um,
13 represent open mold work orders as of today, and,
14 but, you know, the one point I do want to raise and I
15 think, you know, thank you for bringing this, ah, to
16 everyone's attention, um, but a vast majority of the
17 cases that we're saying, um, are complex cases, and I
18 think it speaks volumes to what we have been saying
19 now for at least the three years that I have been
20 here and the year or so that the new chair, ah, Gregg
21 Russ, has been here. We need capital investment.
22 And if you look at the capital needs just for
23 plumbing systems replacement work, um, in our
24 portfolio, um, outside of the developments that are
25 being identified for [inaudible], we're talking about

1
2 9.5 billion dollars, ah, that we need. And so these
3 complex cases, um, honestly fall into that category.
4 That, that's what we need the 9.5 billion dollars
5 for.

6 CHAIRPERSON AMPRY-SAMUEL: No, I, I get
7 that, Vito. But before we start talking about, like
8 we all know you need money, right, we know that, we
9 understand that. I'm just trying to get a sense of
10 when you get the month do you know what you're gonna
11 do with it? Do you have an accurate accounting of
12 what's happening in each apartment? That's what
13 we're trying to figure, you know, that, I'm trying to
14 just get an understanding of what is going on in each
15 apartment right now in the middle of a pandemic
16 where we see that this pandemic has a direct impact
17 on the respiratory system. And so we're trying to
18 figure out, we already know there's already been and
19 issue and so now, you know, where someone lives can
20 one hundred percent kill them. So we're trying to
21 get a sense of what is going on. So I understand
22 there's a need for billions of dollars. I'm trying
23 to figure out what the heck is going on with the
24 15,517 work orders that are open now, with the

1 majority of them being complex issues. So I'm trying
2 to figure out. It shouldn't be that complicated.

3
4 VITO MUSTACIUOLO: So, again, Council
5 Member, it, it's, we can give you, um, a further
6 breakdown of where those 9529 are in, um, in
7 progress. But, but, these do require a significant
8 amount of work, ah, to correct the condition. Um, so
9 oftentimes it's not just identifying one source or
10 just correcting a, um, this is replacing a small
11 section of pipe. You know, oftentimes it takes, ah,
12 it requires, ah, time and energy to, ah, find the
13 source, or in some cases multiple sources. You know,
14 the, one thing I will say about what this program has
15 been doing, which, um, you know, I, I think we need
16 to recognize is in years past, before we had this
17 program in place, um, I would argue that most of the
18 repairs, ah, that related, that were related to mold,
19 were almost all categorized as simple repairs, which
20 is why we saw in the past a higher recurrence rate
21 than we're seeing today. Um, so we're addressing the
22 underlying, um, root cause of the moisture in a way
23 that we have not done before. And there's obviously
24 more work that we need to do, um, but it, it's
25 important to note that within these open mold work

1 orders a vast majority of those fall into that
2 category. It requires much more significant repair
3 work to address the underlying condition.
4

5 CHAIRPERSON AMPRY-SAMUEL: Um-hmm. I was
6 trying to figure out what that does that mean? Like
7 what, what are the actual repairs? Like what's
8 happening, get a sense of, you know, is it 25% of it
9 is related to the piping, 25% of it is related to a
10 leaky roof, you know...

11 VITO MUSTACIUOLO: Sure.

12 CHAIRPERSON AMPRY-SAMUEL: ...25% of it is
13 related to, you know, like an internal, you know,
14 pipe busting is another with, is with the, like just
15 trying to get a sense of what does that mean within
16 this number that you gave us in order to have better
17 context. But just moving on, because I'm sure that
18 my colleagues, um, you know, will have...

19 VITO MUSTACIUOLO: And I do want to say
20 that with the new system, um, and the, the capturing
21 of the data, ah, that we have not captured before, we
22 will be able to give a further breakdown of where
23 those 9529 fall, um, and we can provide more
24 information about the types of repairs that are
25 necessary to complete the remediation.

1
2 CHAIRPERSON AMPRY-SAMUEL: OK. Um,
3 there's a lot of, you know, folks that want to have,
4 to ask questions. We've also been joined by Council
5 Member Gibson and, um, Council Member Treyger. Ah,
6 how many of these service requests that we see now
7 are more than 100 days old? Can you give me a sense
8 of what's the oldest, in addition to that, but what's
9 the oldest, ah, work order?

10 VITO MUSTACIUOLO: Ah, Elena, do you have
11 that at hand?

12 ELENA TENCHIKOVA: Um, um, I have, ah,
13 how many we have, ah, that are, ah, over 100 days
14 old. Um, so, um, there are currently 7296, um, mold
15 work orders that are over 100, ah, days old.

16 CHAIRPERSON AMPRY-SAMUEL: OK, OK. So
17 it's safe to say that out of 7296 the majority of
18 them are actually complex work orders, yeah, and I'm
19 just going back to the testimony about, you know,
20 this being a top priority for the administration.
21 Can you explain why, how can you have so many complex
22 work orders a hundred, more than a hundred days old?

23 VITO MUSTACIUOLO: Sure. So, certainly,
24 I, I think the testimony that, that I provided really
25 does speak to, um, the urgency that we're giving, ah,

1 mold, and, and the investments that we've already
2 made. Um, but, again, it requires significant amount
3 of, of more investment. We have 50 million dollars
4 allocated for the roof fan replacements. We just
5 recently moved, um, an additional 4 million dollars,
6 um, into, um, existing contracts. We're gonna
7 increase that to 7 million dollars, ah, to address
8 outstanding mold work orders, ah, for this calendar
9 year, for the remaining of this calendar year. We
10 just recently moved, um, an additional 4 million
11 dollars, um, into, um, existing contracts. We're
12 gonna increase that to 7 million dollars, ah, to
13 address outstanding mold work orders, ah, for this
14 calendar year, for the remaining of this calendar
15 year. Um, we are investing significant amounts of
16 month, but, again, I will go back to these complex
17 repairs. Um, it requires capital investment, um, and
18 honestly that's really, um, really the...

20 CHAIRPERSON AMPRY-SAMUEL: So what do you
21 have now? What do you have now? What, right now,
22 what funding sources are currently used to abate mold
23 in NYCHA developments? What are you working with?

24 VITO MUSTACIUOLO: So we are working
25 with, um, a variety of funding streams. So there is

1
2 the city capital, which we just talked about, um, to
3 replace roofs, ah, and to do, um, exterior work on
4 our buildings. That represents approximately 1.6
5 billion dollars, um, of which 1.3 billion has already
6 been invested. We have federal capital and federal
7 operating dollars, um, that are being dedicated, um,
8 as well as we're, we are, um, anticipating, ah, using
9 some of the additional state monies, um, the money
10 that was given to us last year, ah, to address mold
11 remediation. So we're using any and all funding
12 streams, ah, that are available to us.

13 CHAIRPERSON AMPRY-SAMUEL: The 1.3
14 billion that's already invested, um, it is...

15 VITO MUSTACIUOLO: 1.3 billion was
16 already invested...

17 CHAIRPERSON AMPRY-SAMUEL: Already
18 invested...

19 VITO MUSTACIUOLO: ...in roofs.

20 CHAIRPERSON AMPRY-SAMUEL: ...expense or,
21 like already under contracts?

22 VITO MUSTACIUOLO: It's, it's been
23 completed or...

24 VLADA KENNIFF: Vito, I can answer this
25 question.

1
2 VITO MUSTACIUOLO: Oh, sure, Vlada, go
3 ahead. I'm sorry.

4 VLADA KENNIFF: Yeah, so the 1.3 billion
5 is committed to the mayoral capital roof replacement
6 program. Um, we just to kind of step back and, ah,
7 acknowledge that originally it was a 13 [inaudible]
8 program that the capital, ah, team have consolidated
9 to 8 [inaudible]. Ah, it is, and by doing that
10 shaved off, ah, potentially six years off of the
11 original timeline, um, and so to date we have
12 completed work on 14 developments and, um, 189 roofs
13 are completed.

14 VITO MUSTACIUOLO: And, and I want to add
15 to what Vlada just said, it's important to note that
16 we did shave off a significant amount of time, over
17 six years, the original completion date of the roof
18 replacements. Um, and I do want to give credit to
19 the mayor, ah, for that. Ah, the mayor and I were
20 sitting on a newly, um, installed roof at one of our
21 developments, um, and when he asked me what the plan
22 was moving forward, how many years would it take to
23 complete it, um, he said we had to do better. So I,
24 I think that, that what we have done, ah, by shaving
25 six years off of the roof replacement, ah, plan, I

1 think that really, you know, it speaks to the
2 importance that we're giving, um, these issues,
3 right, that we take mold and we take the underlying
4 conditions seriously. Um, shaving six years off of a
5 completion for the replacement of, I believe it's 970
6 or so roofs, um, is significant.

8 CHAIRPERSON AMPRY-SAMUEL: So just a,
9 just a, just throwing that out there and I'm gonna
10 end my questions here for now, um, back to this 9529
11 that are in progress, um, how many of those are
12 within the developments that are receiving the
13 investments for the roof repairs?

14 VITO MUSTACIUOLO: We would have to do
15 that analysis and get back to you.

16 CHAIRPERSON AMPRY-SAMUEL: And just
17 trying to get a sense of how do you prioritize, like
18 how do you, you know, where you spend your money, um,
19 and comparing that to where the complaints are coming
20 in?

21 VITO MUSTACIUOLO: When you say
22 prioritize our investments are you talking about the
23 roof replacements?

24 CHAIRPERSON AMPRY-SAMUEL: Roof
25 replacements, um, piping, whatever month that you

1
2 have coming in how do you prioritize that based on
3 the...

4 VITO MUSTACIUOLO: Sure.

5 CHAIRPERSON AMPRY-SAMUEL: How do you
6 prioritize them?

7 VITO MUSTACIUOLO: Yeah, I mean, Vlada,
8 would you like to speak to the, the methodology that
9 was used for the roof replacements?

10 VLADA KENNIFF: Yeah, um, again, I'm not
11 as familiar with the roof replacement methodology.
12 I'm relatively new in this role, and I can get back
13 to you, but I do understand that there is, ah, a, ah,
14 negotiations around the city agreement funds where,
15 um, we are talking to the monitor that it is more
16 comprehensive, that would include plumbing and, and
17 mold-related repairs, and that methodology includes
18 looking at mold complaints, looking at the number of
19 the units where the mold complaints are the highest,
20 and prioritizing those developments.

21 VITO MUSTACIUOLO: Right. Now for roofs,
22 also we've looked at the age of the roofs, ah, we've
23 looked at their physical conditions. Um, not
24 dissimilar from what we do with our capital
25 investments when we look at heating plants. We look

1
2 at the age of the heating plant. We look at it's,
3 um, history, repair history. Um, with respect to the
4 roof fan replacements, um, for the phases, ah, that
5 we've, um, that we've begun phase one represents
6 developments with the largest number of roof fans
7 within a development, but we also overlaid, um,
8 additional data, um, resident information, ah, for
9 those developments. So we're addressing, ah,
10 developments with a higher percentage of seniors, um,
11 in the first phase. Um, so we look at data not just
12 specific to the buildings, but also to the occupants
13 as well.

14 CHAIRPERSON AMPRY-SAMUEL: OK, um,
15 Audrey, I have other questions, but I will, um, hold
16 off to allow my colleagues to, um, to ask questions
17 right now.

18 COMMITTEE COUNSEL: Great, thank you.
19 And also as a reminder to, ah, the members of the
20 administration, um, could you please remain unmuted
21 for the duration of the question period. It'll just
22 help the time run a little more smoothly and
23 efficiently. Um, thank you. So I will now call on
24 council members to ask questions in the order that
25 they've used the Zoom raise hand function. Council

1
2 members, please keep your questions to two minutes,
3 including responses, and if there's a second round of
4 questions, ah, we'll go around again turn. The
5 Sergeant at Arms will keep a timer and let you know
6 when your time is up. So first we'll begin with
7 Council Member Torres, followed by Council Member
8 Menchaca.

9 COUNCIL MEMBER TORRES: Since I have two
10 minutes, I'm gonna ask, ah, two, two questions, yes
11 or no. So NYCHA has promised to replace 10,000 roof
12 fans by June of 2021. NYCHA so far has only replaced
13 three. In order for you to achieve your own goal you
14 would have to install, ah, more than a thousand roof
15 fans every single month until June. Do you presently
16 have the capacity to install more than a thousand
17 roof fans at the New York City Housing Authority so
18 that you can achieve your goal? That's question
19 number one.

20 VITO MUSTACIUOLO: Certainly, ah, thank
21 you, ah, for that question. I'm not quite sure where
22 the three, um, number comes from. Within the first
23 phase...

2 COUNCIL MEMBER TORRES: So what's the
3 right number? What is the right number if it's not
4 three?

5 VITO MUSTACIUOLO: Sure. So within the
6 first phase, um, that where we committed to, um,
7 installing 1669, which is a number, as we discussed,
8 um, sort of that we will revisit as we, um, roll out
9 the installation of the roof fans. It's a number
10 that the chair and I are still holding to, um, as of
11 today, and as we, um, begin the installations...

12 COUNCIL MEMBER TORRES: So is 10,000 by
13 May accurate? Or June 2020 accurate?

14 VITO MUSTACIUOLO: It's approximately
15 10,000 by June.

16 COUNCIL MEMBER TORRES: So do, do you
17 have the capacity to install more than a thousand as
18 of today, yes or no? It's a simple.

19 VITO MUSTACIUOLO: Do we have it as of
20 today?

21 COUNCIL MEMBER TORRES: Yes.

22 VITO MUSTACIUOLO: Ah, as of today we
23 have...

2 COUNCIL MEMBER TORRES: More than a
3 thousand a month, so that you could achieve that
4 goal.

5 VITO MUSTACIUOLO: We are working towards
6 that goal.

7 COUNCIL MEMBER TORRES: Do you, do you
8 presently have the capacity to do it?

9 VITO MUSTACIUOLO: We believe we do.

10 COUNCIL MEMBER TORRES: To install more
11 than a thousand a month?

12 VITO MUSTACIUOLO: We believe that we do.
13 And we will continue, and we will continue to bring
14 on the, the contractors to increase, to make sure
15 that we meet that, that goal.

16 COUNCIL MEMBER TORRES: The second
17 question, and I might ask a little more time if I
18 can. Um, so the city reports that there were 47
19 developments, 22 of which were senior only, that had
20 higher than average infection rates. You know, one
21 of those developments on 152nd Street and, um,
22 Cortlandt Avenue, had an infection rate as high as 9%
23 compared to a citywide average of 2.9%. Um, and
24 nearly all of those developments had mechanical
25 ventilation systems that date back to the 1950s, the

1
2 1960s. It's been well established that poorly
3 ventilated, overcrowded apartments, like those in
4 NYCHA, are Petri dishes for the spread of COVID-19.
5 Do you acknowledge that the failure to repair or
6 replace the mechanical systems, the mechanical
7 ventilation systems at those developments could have
8 been a contributing factor in COVID-19 infection,
9 morbidity, and mortality at those developments? My,
10 according to the city more than 900 residents were
11 infected and more than 60 died.

12 VITO MUSTACIUOLO: Sir, the pandemic has
13 been, ah, has impacted not just NYCHA and not just
14 the City of New York, but the entire country and the
15 entire world. As we have seen from the statistics,
16 um, COVID-19 has impacted communities, um, of lower
17 income and black and brown communities more than it
18 has any other community.

19 COUNCIL MEMBER TORRES: Right, but I'm
20 referring to those 47 [inaudible], right...

21 VITO MUSTACIUOLO: I, I do not, my answer
22 is no, sir, to your question.

23 COUNCIL MEMBER TORRES: Do you think...

24 VITO MUSTACIUOLO: I do not...
25

2 COUNCIL MEMBER TORRES: ...there's a
3 relationship?

4 VITO MUSTACIUOLO: No, I do no not.

5 COUNCIL MEMBER TORRES: Because this is
6 the, you don't think there's a relationship between
7 ventilation and coronavirus transmission?

8 VITO MUSTACIUOLO: No, sir, I don't.
9 And, and I have not seen...

10 COUNCIL MEMBER TORRES: The, the...

11 VITO MUSTACIUOLO: ...I have not seen
12 medical or scientific data...

13 COUNCIL MEMBER TORRES: Well, I just want
14 to say the, the opinion of the Housing Authority is
15 out of touch with the science, because the science is
16 pretty clear that poor ventilation is a contributing
17 factor, it does raise the risk of transmission.

18 VITO MUSTACIUOLO: Sir, what I will say,
19 first is the assumption is that our roof fans are not
20 working. That's not an accurate assumption. Our,
21 our...

22 COUNCIL MEMBER TORRES: Then how do you
23 explain...

24 VITO MUSTACIUOLO: Sir, let me...

25 COUNCIL MEMBER TORRES: ...how do...

2 VITO MUSTACIUOLO: If I may finish?

3 COUNCIL MEMBER TORRES: I'm [inaudible]

4 but how do you explain there are disproportionately
5 higher rates of infection, mortality, and morbidity
6 in developments that have these outdated systems? Is
7 that a coincidence.

8 VITO MUSTACIUOLO: Sir, sir, do you know
9 what they say rates are in the surrounding geographic
10 area? You're identifying very specific buildings.
11 I, I do believe that those developments were in ZIP
12 codes in geographic areas where there were higher,
13 um, percentages that, that, above what the citywide,
14 um, averages were. Um, so I don't believe that just
15 by focusing on a specific building is an accurate
16 statement.

17 COUNCIL MEMBER TORRES: It's 47 buildings
18 out of 306. You know the demographics...

19 VITO MUSTACIUOLO: But sir, sir, do you
20 know what the percentage is of the infection rate
21 were in that, that neighborhood?

22 COUNCIL MEMBER TORRES: Has, has, well,
23 I'm just curious, has NYCHA done an analysis to study
24 the relationship between ventilation and coronavirus
25 transmission?

2 VITO MUSTACIUOLO: We have not.

3 COUNCIL MEMBER TORRES: Is NYCHA willing
4 to do that analysis or?

5 VITO MUSTACIUOLO: We are willing to work
6 with anyone who wants to, um, help improve on our
7 process. And if there is information that we should
8 have, um, that will help direct where we should be
9 doing our roof fan replacements, um, in a more
10 expeditious manner we'd be more than glad to sit down
11 with anyone and have those conversations.

12 COUNCIL MEMBER TORRES: Yeah, I'm just,
13 I'll be honest with you. I'm troubled and I'll end
14 it here. We know two facts. We know that
15 ventilated, poorly ventilated apartments are Petri
16 dishes for coronavirus transmission. We know this.
17 And we've also known that there was likely to be a
18 subsequent wave in the fall and in the winter. And
19 during the summer the New York City Housing Authority
20 and the City of New York missed an opportunity to
21 ensure that these apartments were properly ventilated
22 so that residents could be protected from future
23 transmission. Like I refuse to believe that New York
24 City with a work force of 400,000 people and a budget
25 of 90 billion dollars could not figure out how to

1 ensure that these apartments had roof fans, enough
2 ventilation to protect them from coronavirus
3 transmission, um, and I just think that's a real
4 failure on the part, not only of NYCHA but the whole
5 administration. This is not rocket science. Like as
6 much as 50% of the mold crisis in public housing
7 could be solved simply by replacing the roof fans. I
8 agree, NYCHA has a 40 billion dollar capital need.
9 It will take time to replace the roofs and the bricks
10 and, and the, and the pipes, but roof fans are
11 straightforward. That is the simplest means of
12 driving down the rates of mold growth in public
13 housing and I feel like the Housing Authority and the
14 City of New York is failing. So I'll leave, I'll
15 leave it at that.

17 CHAIRPERSON AMPRY-SAMUEL: Um, I just
18 want to read something real quick. Just, just for
19 the record. One second. Um, "The United States
20 Center for Disease Control and Prevention issued new
21 guidance on its website Monday, October 5,
22 acknowledging what virus experts and environmental
23 engineers have been stressing for months. It's easy
24 to catch the coronavirus and develop COVID-19, the
25 disease that causes it, from other people. And this

1 can even happen when you're six feet apart or more.

2 This is especially true when you're together in a

3 close space with poor air circulation, where the

4 virus may act differently." I just wanted to read

5 that from the CDC, who updated their guidelines and I

6 wanted to put that in the record and let the facts be

7 know.

8
9 VITO MUSTACIUOLO: So, but I do want to

10 add though, again, so since 2018 we have, um, been

11 performing monthly, um, inspections of the roof fans,

12 which have resulted in, um, over 1100 roof fans being

13 repaired and, and over 1600 roof fans being replaced.

14 Um, so it's not and, and, and, again, I want to

15 preface what I said earlier, um, our roof fans are

16 working. The replacement of the roof fans is to, um,

17 upgrade them with a roof fan that has a, a larger

18 capacity, um, that, that goes beyond what our current

19 roof fans, ah, can do now. We're not replacing in

20 kind. Certainly we will continue to work with the

21 health experts, um, as we have throughout the entire

22 pandemic. Um, we will reach out to the city

23 Department of Health. We've been in contact with the

24 state Department of Health. We've been following CDC

25 guidance. You're talking about, um, you know, our

1
2 roof fans, ah, provide for exhaust, ah, but they
3 don't introduce air, new air. They basically are a
4 conduit for moisture and condensation to leave the,
5 um, the room. But this is not an HVAC system. The
6 roof fan does not serve that purpose, and I believe
7 that what you're citing from the CDC report, and, and
8 I, we will do some additional research, is for a
9 system that provides for recirculation of air, and
10 these roof fans do not provide that.

11 CHAIRPERSON AMPRY-SAMUEL: Audrey.

12 COMMITTEE COUNSEL: Ah, thank you. Um,
13 we will continue with council member questions. Um,
14 but, ah, we will ask the Sergeant at Arms to increase
15 the timer for council members to five minutes to give
16 them adequate time to present their questions to the
17 administration. Ah, we will now take questions from
18 Council Member Menchaca, followed by Council Member
19 Gjonaj.

20 SERGEANT AT ARMS: Time starts now.

21 COUNCIL MEMBER MENCHACA: Thank you, ah,
22 thank you Chair and members of the committee. I want
23 to start by bringing to, into Red Hook, and the first
24 voice that we heard from the community was, ah, from
25 Karen Blondell, who has been a incredible activist on

1
2 the ground, ah, technician and just all around
3 incredible voice for, ah, for the work that's
4 happening at our, at Red Hook, including what RHI is
5 doing. And so I'm gonna bring two questions that I
6 think are gonna be potentially informative around
7 strategy that's coming from the ground. And one of
8 them is, ah, and, and Vito, if you can answer these
9 questions. Um, can the Health and Hospitals and
10 other healthcare institutions that are currently in
11 response to COVID, um, and I'm thinking about the
12 telemedicine and the COVID testing, rapid response,
13 all that work, can they expand in their scope to
14 include the respiratory health screenings and the
15 medical support and response to the tenants who live
16 in mold-identified apartments? Is that something
17 that we can do?

18 VITO MUSTACIUOLO: I think it's
19 certainly, um, it's something that we would like to
20 further conversation with you about. It, it does
21 sound, um, like it would be a good place for us to
22 start. Um, so if you would like to, um, to work with
23 us on that we would be more than glad to.

24 COUNCIL MEMBER MENCHACA: Great, and
25 there are a lot of folks on the ground that are

1
2 thinking about this. Ah, I will say this, that, ah,
3 in Red Hook we took a lot of the old infrastructure
4 that we built after Sandy, ah, and restructured it
5 for COVID times. Ah, we built a, ah, with RHI and
6 some other, ah, partners, we built out a phone tree
7 very quickly, um, as the mutual aid work was, was
8 happening. We were able to kind of get into people's
9 homes and we were identifying issues. Ah, RHI is the
10 kind of core component of that. But we think that
11 there's a really great link between what's happening
12 right now and COVID and the respiratory issues that
13 this committee is, is really, um, highlighting. The
14 next really is...

15 VITO MUSTACIUOLO: Certainly. Ah,
16 Council Member, I would say that in addition to what
17 you mentioned, um, obviously we would want to bring
18 in the city Department of Health as well as, um, the,
19 ah, New York City Health and Hospitals Corporation.

20 COUNCIL MEMBER MENCHACA: Yes.

21 VITO MUSTACIUOLO: We need to have those
22 experts with us as well.

23 COUNCIL MEMBER MENCHACA: Absolutely.
24 Let's bring all of them in and, and figure this out,
25 because we're, we're in neighborhoods right now. We

1
2 can, we can just add a scope that will allow for us
3 to understand and bring data to this question. Ah,
4 and this real massive public health crisis. Um, what
5 prevents the City of New York from establishing,
6 establishing an interagency and multisector mold
7 response and removal team? Um, this would lessen the
8 dependency on NYCHA to be the full, full response,
9 ah, agency. Ah, is that, is that possible? So that
10 it becomes an interagency across all the mold issues
11 rather than just NYCHA.

12 VITO MUSTACUIOLO: I, I would like for us
13 to have further conversation about that and, um, more
14 clearly what, um, what you would envision. I mean,
15 certainly, yeah.

16 COUNCIL MEMBER MENCHACA: Really just
17 like rounding out the troops, bringing more, more
18 resources. Ah, we understand that there's a month
19 issue, ah, and you mentioned the 9 billion dollar
20 number before and I couldn't catch was that was
21 exactly connected to. Was that just the roofs?

22 VITO MUSTACIUOLO: No, actually, the 9.5
23 billion dollars is what we, um, we have estimated
24 that we need to do plumbing systems replacement work.
25 Um, that's what we need to, ah, to replace our

1
2 domestic water supplies, our waste lines, um, where
3 we are seeing, um, especially in the complex cases
4 that that is the root cause.

5 COUNCIL MEMBER MENCHACA: For, for the
6 entire, the entire portfolio of NYCHA?

7 VITO MUSTACIUOLO: With the exception of
8 the, ah, developments that are, are being, um,
9 identified for PAC or RAD. So it's with, it's for
10 110,000 units. Ah, the 9.5 billion dollars is the
11 need, ah, to replace the plumbing systems, ah, in
12 110,000 units.

13 COUNCIL MEMBER MENCHACA: I think that's
14 the number, ah, it's close to the number that we, we
15 just put into the budget for the four jails. I just
16 want to remind everybody about that. Um, but can you
17 just go back a little bit and talk a little bit about
18 this interagency piece and really expanding the
19 ability for a multisector approach to solving,
20 solving mold both as a response and to remove it.
21 What, what issues come up for you right now, um, and
22 I'll follow up with you after my time is up, ah, but
23 these, these are things that our local community
24 members are asking, just to bring in more resources
25

2 to, to address mold across the entire city in and out
3 of NYCHA.

4 VITO MUSTACIUOLO: Sure. I mean,
5 obviously, we...

6 SERGEANT AT ARMS: Time expired.

7 VITO MUSTACIUOLO: Sorry. Elena, would
8 you like to answer the Council Member's last
9 question? Um, I, I think, again, Council Member, we,
10 we have embraced, um, every opportunity to, to work
11 with outside partners, um, and, and certainly by
12 expanding that I, I would love that opportunity, ah,
13 to hear again in more detail what some of the
14 thoughts are as to how we could expand that, um, and
15 to have a working group.

16 COUNCIL MEMBER MENCHACA: So, great, on
17 both of these questions, um, I will follow up with
18 you and Red Hook will be at table. Thank you so
19 much.

20 VITO MUSTACIUOLO: All right, excellent,
21 thank you.

22 COUNCIL MEMBER MENCHACA: Thank you.
23 Thank you, Chair.

24 COMMITTEE COUNSEL: We will now hear
25 questions from Council Member Gjonaj.

SERGEANT AT ARMS: Time starts now.

COUNCIL MEMBER GJONAJ: I want to the Chair, and I want to thank Council Member Ritchie Torres and Council Member Menchaca for their out-of-the box thinking. Um, I just may answer Council Member Menchaca. Ah, until we get real leadership in this administration don't expect much of anything. I say that wholeheartedly and sadly, with a heavy heart [inaudible]. The work that Ritchie has been doing [inaudible] the issues that have been plaguing NYCHA families for decades and no one can understate whereby [inaudible] and Chair [inaudible] personally I think, we're, I enjoy you, we will have so many conversations, you've been a problem solver for many of the issues that impact my two NYCHA facilities, which is Throgs Neck and Pelham, ah, Parkway Housing. But the definition of insanity is doing the same thing over and over again and expecting a different result. The default answer consistently has been underfunding by the federal government. In 2012 when this mayor ran for office and promised to solve the NYCHA problems, knowing that he was walking into with years of experience as a council member and as a public advocate. Seven years later we find ourselves

1
2 in the same position, worse than when he first took
3 office. I'm gonna follow up on Council Member
4 Torres's question. How many roof fans are currently
5 not working throughout the NYCHA complexes?

6 VITO MUSTACIUOLO: So, ah, sir, we again,
7 um, have since 2018 been inspecting roof on a monthly
8 basis. Um, the August report, um, I believe,
9 indicated that we had found 98% of them, um,
10 operational. I would like someone just to please
11 correct my number, but I believe as of August during
12 the inspection process 98% were operating.

13 COUNCIL MEMBER GJONAJ: While they're
14 looking that up, Vito, of the 9000 current work
15 orders that are in place, I think we [inaudible]
16 answers to how many of them are, are complicated, and
17 by complicated, by the way we mean roof water leaks,
18 ah, brick and mortar, ah, pointing work, ah, which is
19 not very complicated because this is all maintenance
20 of apartment buildings. What is the number?

21 VITO MUSTACIUOLO: Of the, of the 9500,
22 um, open mold work orders we did provide a breakdown
23 9436 were considered complex, ah, 93 simple repairs.

24 COUNCIL MEMBER GJONAJ: Of the 93 simple
25 repairs, how long have those work orders been open?

1 COMMITTEE ON PUBLIC HOUSING 68
2 VITO MUSTACIUOLO: Ah, we'd have to get
3 back to you on, on how long those, those specific
4 work orders have been open.

5 COUNCIL MEMBER GJONAJ: Then a simple
6 repair means basically, you know, plaster, paint,
7 clean-up, right, I would imagine? Is that a simple
8 repair.

9 VITO MUSTACIUOLO: Ah, it's, it's a
10 repair that generally would not require multiple
11 trades, right, so we've, um, we were able to easily
12 identify the source, um, and that a maintenance
13 worker, um, you know, could address not only the
14 source, but also then correct the condition. So
15 it's, it's really, it's typically where, again, it
16 doesn't require, ah, sequencing of a, of the work
17 order from one skilled trade to the next.

18 COUNCIL MEMBER GJONAJ: When, to put in
19 perspective, since January Pelham Parkway has
20 received 130 tickets regarding some mold repair that
21 is consistent and not being addressed and currently
22 we have 50 apartments at Throgs Neck Housing to major
23 mold issues that have been ongoing for years, which
24 is contradicts the policy of the mold repair with
25 remediation, 48-hour response. This is a constant

1
2 follow-up, follow-through, close the ticket out,
3 identify a problem, come back six months later to the
4 same issue. I don't expect much to come of this and
5 I pray that 2021 comes sooner than later with a new
6 mayor and a new administration, someone to really
7 take on these challenges, 'cause 'til then all we're
8 doing is jeopardizing the lives of the 175,000
9 families in NYCHA systems, which is consistent
10 majority black and brown residents that are paying
11 the price and as was stated earlier that if they had
12 lobbyists they would never be in these circumstances.
13 And the question, you know, because you have a
14 background, when you were working at HPD, at what
15 point does gross negligence become criminal? Because
16 what we have here is gross negligence of this
17 administration...

18 SERGEANT AT ARMS: Time's expired.

19 COUNCIL MEMBER GJONAJ: ...to protect the
20 families that occupy the 175,000 units in our city.
21 When will it become criminal that someone actually
22 goes to jail for the lives that they destroyed, the
23 pain and suffering that they allow, they allow to
24 continue, for those that have asthma to suffer and
25 actually become a clear role in the mortality rates

1
2 of this city, and if you can answer that, Vito, I
3 would love an answer.

4 VITO MUSTACIUOLO: Sir, I, I can't answer
5 that question. But what I would, um, offer though,
6 in response to your earlier statement, I've been in
7 government now for almost four decades. And when the
8 mayor asked me to come to NYCHA, he asked me to come
9 over to try to make improvements. Um, and, and one
10 of the reasons why I suggest was because of the
11 mayor's commitment to public housing and in four
12 decades I have not seen a mayor make those same
13 commitments to, ah, trying to address the needs of
14 public housing where others have failed to. And we
15 have seen more investment, city investment, um, in
16 the last seven years than I have seen in 40 years.
17 Um, so I, sir, when it comes to this administration's
18 commitment, the mayor stood with me and we signed the
19 agreement with the HUD secretary and with the
20 Southern District, um, the City of New York did not
21 have to sign that agreement, but the mayor's
22 commitment to public housing I think, um, was
23 demonstrated when he stood there and signed that
24 agreement with us and committed to, um, making
25

1
2 further, ah, city capital investments in public
3 housing.

4 COUNCIL MEMBER GJONAJ: Then maybe the
5 chair can ask this question. Are we better off today
6 than we were in 2012? Are you telling me that NYCHA
7 housing is safer and the quality of life of those
8 residents is better today than it was seven years
9 ago? Is that what you're telling me, Vito?

10 VITO MUSTACIUOLO: Sir, I will tell
11 you...

12 COUNCIL MEMBER GJONAJ: [inaudible] look
13 at the open work orders and we can show the number of
14 people that are suffering that they [inaudible] basic
15 of repairs let alone heat and hot water, which is a
16 whole other catastrophe...

17 VITO MUSTACIUOLO: Sir, I would argue
18 that, that, that the last three years since I have
19 been here, yes, quality of life has improved. Do we,
20 are we done? Absolutely not, by no means. But have
21 we made improvements, um, in the quality of life and
22 in the conditions of the buildings? In the three
23 years that I have been here I would say yes,
24 absolutely.

1 COMMITTEE ON PUBLIC HOUSING 72
2 COUNCIL MEMBER GJONAJ: Then I guess we
3 didn't need the HUD to step in, ah, and we...

4 VITO MUSTACIUOLO: No, sir, I never said
5 that. I never said that. And I never said that,
6 that we're, we're done. There's a lot more work to
7 be done. And, and certainly the HUD agreement and
8 the collaboration that we have with HUD and the
9 monitor and the Southern District of, was necessary,
10 and it's putting us on, on the right track. It's,
11 it's creating, um, work plans that we had not seen
12 before. It's introducing a new way of thinking. Um,
13 but I would also argue, too, that we were moving in
14 the right direction even prior to the signing of the
15 agreement. But with the federal monitor and with all
16 of the new partners that we have, um, in making NYCHA
17 a better place for residents to live, um, I'm, I, I
18 believe that we're moving in the right direction. I
19 do.

20 COUNCIL MEMBER GJONAJ: Thank you.

21 COMMITTEE COUNSEL: Thank you. We will
22 now circle back to Chair Ampry-Samuel for additional
23 questions. If any other council members have further
24 questions please raise your hand on Zoom and we will
25 call on you in turn. Chair Ampry-Samuel?

1 COMMITTEE ON PUBLIC HOUSING 73
2 CHAIRPERSON AMPRY-SAMUEL: How do you,
3 like can you talk about your communication plan, um,
4 to the residents, um, in particularly can we just
5 kind of go through the, um, if a resident is not home
6 and you are seeking access, can you just let me know
7 like how is that actually going and what's really
8 happening with those repairs and those individual
9 residents?

10 VITO MUSTACIUOLO: Sure, I'm, I'm gonna
11 ask, Elena, would you please speak to, um, how the
12 process works and, and what the procedure is if
13 there's a no access, um, and also if, and if we
14 require access, ah, to another unit where we have
15 identified that the source of the leak might be
16 coming from?

17 ELENA TENCHIKOVA: Sure, so, um, ah, the,
18 when the inspection, ah, or request for repair is
19 initiated, um, ah, it is either done through contact
20 in the CCC or through My NYCHA app. Um, the tenant
21 is, ah, the resident has to, ah, ah, select within
22 four days so that way we can comply with the four-
23 day, ah, ah, inspection requirement as well as
24 issuing of the, ah, remediation plan within five
25 days. Um, at that point, ah, if we settle on a date,

1
2 that's the date that the tenant, ah, I'm sorry, that
3 the staff will go. In the case where, um, we are not
4 able to come to an agreement, ah, the resident is
5 informed that we will, um, um, ah, that we will come
6 within the next, ah, that same day. Now if this is
7 happening in the morning staff will attempt to make
8 entrance, ah, in the, ah, afternoon. If the
9 conversation, ah, or the request comes in, ah, in the
10 p.m. then we're going the next day, um, and at that
11 point, ah, we would ah, ah, also inform the tenant
12 that we may use the right to access. Um, and, ah,
13 ah, at that point if we fail to gain entry when we're
14 making the attempt, you know, within that day or the
15 following business day, if this is coming in the, ah,
16 afternoon, then, ah, we would leave a 48-hour notice
17 and then, you know, a time to come back.

18 CHAIRPERSON AMPRY-SAMUEL: Can you, um,
19 just kind of go through the numbers? Like out of
20 the, um, the work orders that are like pending, like
21 is there a percentage of those that, um, are related
22 to access?

23 ELENA TENCHIKOVA: Ah, I don't have that
24 information in front of me, but I certainly, ah, we
25 could work to get that. Um, I would, you know, ah,

1 want to say that under COVID-19 circumstances this is
2 something that, um, we have seen, um, ah, as a
3 challenge because people are concerned about their
4 safety and so forth, and we are, um, being more
5 sensitive to the climate that we're in now, if we
6 weren't under COVID-19, um, you know pandemic
7 emergency. I mean, this was particularly telling,
8 um, in the months of end of March and, um, throughout
9 April when we've seen, um, a big dip in mold repair,
10 ah, requests that were coming in, um, and, ah, and
11 then we've a, you know, a steady incline to, um, ah,
12 now, ah, ah, residents being a lot more willing to
13 have us there. Um, so, but certainly we'll work to,
14 ah, get the access rate, um, data for you.

16 VITO MUSTACIUOLO: And, Elena, I, I
17 would, you know, just from looking at the reports,
18 um, and the, and the preliminary report from Stout
19 and our internal reports, um, certainly, um, the fact
20 that we're doing more, ah, communication to our
21 residents, that we're reaching out to them in advance
22 of sending out, ah, the super or the assistant super
23 for the initial inspection. And we're discussing
24 with them the process. I, I think that those
25 communications have greatly improved our access rate.

1
2 Um, some of the challenges that we still have are we
3 need to access another unit in order to make a
4 correction, and, um, as we have done in the past with
5 other repairs of this type, if we need to exercise
6 our right of entry in order to correct the condition,
7 um, that is impacting another unit, um, we stand
8 ready to, to do that. I, I would like just to take a
9 quick opportunity. Um, when Council Member Torres
10 asked me if I believed that we have the capacity, ah,
11 to, um, to complete the roof installations by the end
12 of year, and I had said yes, I, I just want to state
13 that we have been aggressively working to bring on
14 additional contractors. Um, we hope, um, to have
15 three additional, ah, contractors on board as early
16 as next week, ah, to perform roof installations, um,
17 and we will continue to bring additional contractors
18 on, because I want, um, additional bandwidth. Um, I
19 do believe that the progress that we have made is
20 putting us on track to complete the roof
21 installations, um, as we had, um, as we had said we
22 would. Um, are we currently at the capacity to
23 install a thousand a month? Ah, we're not. But
24 we're working towards that goal and I do believe with
25 the efforts that, and this has been, ah, the agency-

1
2 wide, um, initiative. Um, absolutely every part of
3 the authority has been working on this. This is one
4 of highest priorities, um, and, and I do believe that
5 we will, um, achieve that. And we will reset that,
6 um, as we move along, as we start to do additional
7 installations, um, as we start to bring on additional
8 contractors, um, we will make adjustments as
9 necessary. Ah, we'll continue to be transparent
10 about where we are in the process, um, and, and, you
11 know, the chair and I have had, um, many
12 conversations, um, with respect to this particular
13 issue and we have been open and honest about where we
14 are in the process and, and where we believe we will
15 be, um, and we will make adjustments as we move
16 along.

17 CHAIRPERSON AMPRY-SAMUEL: So because,
18 you know, right now we see the numbers increasing,
19 um, the COVID-19 increasing throughout the city, the
20 COVID pandemic has impacted the goals and the
21 deadlines that were set out in the HUD NYCHA
22 agreement. Um, are you seeking to move the deadlines
23 and, um, you know, what, what kind of changes are you
24 looking to make, um, related to the [inaudible] just
25

1
2 kind of assessing, um, what happened in the spring
3 and the summer and where we are today?

4 VITO MUSTACIUOLO: Ah, thank you, Council
5 Member, and, and certainly the impact of the
6 pandemic, um, has been widespread and, and it's
7 impacted not just us but the entire city. Ah, I am
8 going to ask Dan Green, um, our chief compliance
9 officer, ah, to answer that question.

10 DANIEL GREEN: Ah, sure, and thank you so
11 much for that opportunity, and thank you for allowing
12 me to speak today. Ah, first of all, back earlier in
13 the year NYCHA did, ah, declare what they call force
14 majeure under the agreement. So we, we basically,
15 because of the, ah, of the, of the national disaster
16 were unable to comply with certain deadlines. That,
17 that was sent to the monitor and to our federal
18 regulators. Ah, they agreed that it was a force
19 majeure condition because the pandemic was beyond
20 NYCHA's control. And so now NYCHA is gonna have to,
21 um, is gonna have to, um, work with the monitor and
22 with the federal stakeholders to, to reevaluate some
23 of the deadlines, most certainly under the action
24 plans and maybe under the agreement itself. Ah, I
25 will say the monitor is holding to us a very, ah,

1
2 tight standard. Ah, they want to see to make sure
3 that we're using our best faith efforts to comply
4 with the, ah, agreement even under these very, ah,
5 unexpected circumstances and so, um, we're continue
6 to discuss with them on each of the pillars - lead,
7 mold, heat, um, [inaudible], how the pandemic is
8 impacting those deadlines and what would be more
9 reasonable deadlines or what are reasonable but
10 aggressive deadlines in light of the pandemic. So
11 those conversations are ongoing [inaudible]. I think
12 this lasted a lot longer than anybody suspected. Ah,
13 so I think that, ah, as, once we kind of get to a
14 point where the pandemic has stopped affecting our
15 operations we'll be able to come up those deadlines,
16 but I want to just be clear. Every day we're working
17 towards those deadlines as if we, as if we could meet
18 them, um, but for some, sometimes we're just not able
19 to because of the impact that it's having to our
20 operations, and the monitor is holding our feet to
21 the fire on, on the, on our commitments under the
22 agreement.

23 CHAIRPERSON AMPRY-SAMUEL: OK, so, um,
24 related to the impacts of, you know, COVID on just
25 operations and the agreement itself, um, what are the

1
2 cost implications that are associated with the
3 implementation of the, of the actual action plan that
4 was adopted? So what are like just, you know,
5 talking about the operational stuff, but what are
6 the, the cost implications and what is the estimate?
7 I'm just trying to get, ah, clarity. Um, I know my
8 colleague asked this, asking this question. But is
9 what is the estimated total cost to abate all the
10 mold work orders across the portfolio now?

11 DANIEL GREEN: So that I, I'm gonna kick
12 it back to Elena on that, on that point, um, but I, I
13 would say that, ah, we can give like an assessment of
14 what the action plan, what the, what the coming
15 commitments were with the action plan. I don't know
16 if we have a cost of how much it will, it will take
17 to address all of open mold work orders, but Elena,
18 do you, do you want to give an answer to that on the,
19 on the costs?

20 ELENA TENCHIKOVA: Um, sure, so, ah, on
21 the ventilation side, ah, we are, ah, ah, we've
22 committed 50 million dollars over the three years,
23 between 2020 to 2022. Um, ah, there's been an
24 investment of 16 million, um, the CR loan, ah, in
25 increasing contact capacity, um, 4 million which was

1 allocated to Office of Mold Assessment and
2 Remediation. We also have, um, ah, approximately,
3 ah, ah, 2.5, I'll need to circle back the exact
4 number, but we have, ah, ah, additional, ah, funding
5 that is allocated, um, just, you know, for the mold,
6 ah, assessment and remediation contracts that we, ah,
7 ah, execute and administer. Ah, in addition, ah, we
8 in process of, ah, um, ah, awarding a job contract,
9 two job contracts, which are 5 million each a year,
10 ah, for the, ah, leaks. So there's, there's been,
11 um, notable, ah, certainly, ah, financial commitments
12 that, ah, NYCHA has, ah, invested in, um, ah, in
13 order to comply. But I don't have a lump sum that,
14 ah, gives the aggregated, ah, budget associated with,
15 um, the, the [inaudible] at this point.

17 VITO MUSTACIUOLO: And, and if I can,
18 Council Member, just go back to what it, ah, a number
19 that I had, um, provided earlier. Um, when you just
20 look at, at our capital need, ah, to replace our
21 plumbing systems in 110,000 units, ah, and again,
22 what we've done is we've taken out developments that
23 are scheduled for PAC and RAD, we need 9.5 billion
24 dollars just to do the plumbing part, and, and, you
25 know, to your question about how COVID has impacted

1 us, um, just the disinfecting of, of our buildings,
2 um, the, the cost to the authority was approximately
3 30 million dollars over six months. Um, and as we
4 implement the ever-changing guidances that are
5 issued, um, by the city and the state, um, and the,
6 and the federal government, um, in how to perform
7 working units costs will increase. Um, you know,
8 part of the roof fan replacement work is also to go
9 into every apartment and to vacuum clean the lateral
10 vents and to replace the dampers. We've got to get
11 into, we have to get into every apartment. And, and
12 it's not like it used to be in the past. Before we
13 go into an apartment we have to make sure that our
14 staff have the proper PPE equipment, that we're
15 providing our residents with proper PPE equipment if
16 they don't have it, um, when we walk into an
17 apartment. Um, and work is going to, ah, take longer
18 and be more costly, um, as we need to implement, ah,
19 the guidances that are issued with performing work
20 inside of apartments. Um, and so the pandemic has
21 had widespread effects, ah, not just on our ability
22 to, ah, correct mold conditions, but for all repairs.

24 CHAIRPERSON AMPRY-SAMUEL: And I, I
25 totally understand that, which is why I was asking

1
2 the series of questions related to out of this
3 universe of this number of repairs that, um, have
4 been called in that are not yet completed, how many
5 of them are associated with, um, no access into the
6 units and then, you know, tying that back to, um,
7 what does that actually mean, distilling it down to,
8 you know, is the resident that, you know, would like
9 to have some protections and, you know, is the staff
10 and what would it cost to, you know, make sure that
11 you have what you need in order to go in, because,
12 remember, I had a constituent who, um, we all know,
13 you know, after countless videos, um, that Ms.
14 Collins posted to the public, um, of her mold
15 situations there was a need to, to relocate her and
16 her son, um, and it took a lot of movement, moving
17 parts, to be able to make that happen during the
18 pandemic.

19 VITO MUSTACIUOLO: I, I agree.

20 CHAIRPERSON AMPRY-SAMUEL: And I know
21 that that one constituent, multiple that by, you
22 know, we're looking, talking about 15,000 orders,
23 work orders that came in and, you know, 9000 that
24 have not been completed yet, um, you know, what does
25 that look like and that's what we were trying, and so

1 now we're talking about, you know, oh, it is
2 difficult, it's going to cost this, and we're trying
3 to figure out what does it look like in order to, you
4 know, push in, in different places and, and know that
5 you have the data, you know, readily available to
6 press play when it's time to, to move forward,
7 especially with, you know, Council Member Torres
8 heading to Congress...

10 VITO MUSTACIUOLO: Yes.

11 CHAIRPERSON AMPRY-SAMUEL: ...soon.

12 VITO MUSTACIUOLO: Yeah, and we certainly
13 would, would, um, welcome the opportunity to have
14 further conversations, ah, after this hearing, um, on
15 these issues, um, where we can do a more thorough,
16 um, analysis of the data that we have and, and
17 certainly the case that you mentioned and, and the
18 other cases, um, again, I want to go back to in my
19 testimony we talked about the collaboration, um, that
20 exists today that we didn't have before. Um, we have
21 the ombudsperson, we have the special master, we have
22 OCC, we have the federal monitor, we have our
23 internal compliance department, QA, [inaudible], and
24 we have OMAR. These are entities that did not exist,
25 um, in, in addressing these types of conditions

1 before. And I have to say that the collaboration and
2 the, the, um, the communication between these groups,
3 um, has, is really starting to show its, its full
4 effect, right. And yes, we, when cases like, like
5 those serious cases that are brought to our
6 attention, we now have a platform. We have now the
7 ability, ah, to address them. Um, whereas before we
8 honestly, um, we struggled with that. And so I do
9 want to say that, um, that the platform that we have
10 currently have in addressing mold is, is, ah,
11 something that we did not have in the past. I think
12 this is the right step forward [clears through],
13 excuse me. Ah, Dan and his team, um, have done
14 incredible work, um, with respect to mold. The
15 monitor continues to contribute, um, and, and I
16 believe that and, and, I believe that we have, ah,
17 ongoing conversations with, with the monitor on a
18 weekly basis if, um, specialty on, on mold-related
19 issues, and it really has opened up, um, our eyes
20 and, and opened up new opportunities for us. So I
21 would say that the collaboration and communication,
22 um, that we have is, is, has been long needed.

24 CHAIRPERSON AMPRY-SAMUEL: OK. Um, so in
25 your testimony you talked about [inaudible] Mold

1 Busters, um, just the new training where it states
2 our staff received new enhanced mold assessment and
3 remediation training through eight hours of classroom
4 training and so on and so on and so. Um, so who does
5 NYCHA hire to perform mold abatement in the
6 apartments and how many mold complaints, um, can be
7 abated per day and, you know, clearly this is just
8 getting, you know, of getting a sense of, of who's
9 doing the work in the apartments, um, you know,
10 what's the percentage of staffers that have been, um,
11 trained or not trained and are still in need of
12 training and, you know, who's, who's doing their
13 work?
14

15 VITO MUSTACIUOLO: Certainly. I'm gonna
16 ask Elena to, to, ah, respond to that. Elena,
17 could...

18 ELENA TENCHIKOVA: Yes, thank you, great.
19 Happy to. Thank you very much for the question. Um,
20 so, um, the, to answer the first question as who do
21 we hire. Um, when it comes down to contractors, um,
22 that have licenses to remediate mold from the state,
23 um, and to, ah, assess, and, ah, as you may know by
24 the regulations the assessor has to be separate from
25 the entity that is remediating it. Um, so that is

1 part of the minimum requirements for our contracts.
2 When it comes down to the staff that is, ah, doing
3 the work, um, it depends on the square footage of
4 mold. So if it's, ah, less than 10 square feet,
5 caretaker X is responsible, so on the property
6 management side, ah, to, ah, remediate the mold. If
7 it's between, um, 10 to 99 square feet this would...

9 CHAIRPERSON AMPRY-SAMUEL: What is that?
10 Can you just explain what's, what's 10 square feet?

11 ELENA TENCHIKOVA: Ten square feet of
12 mold? Sure, so, um, as part of inspection process,
13 um, the inspector is required to assess how many
14 square footage of mold, ah, is in the component or
15 area and record that as part of the inspection. So
16 that gets recorded, um, on, ah, the, ah, room level
17 and, um, then, ah, that feeds into the remediation
18 plan. Um, and that's also internally how we, ah,
19 distribute who is going to be doing the work, right?
20 So, um, if it, again, if it's less than 10 square
21 feet of mold, ah, then it would fall on the property
22 management staff and caretaker X. Um, if it's
23 between 10 to 99 it would fall under skilled trades,
24 um, or, ah, I should say painters, in title of
25 painters. And, um, if it's above 100 square feet

1 this is considered a large, ah, job, um, and, um, ah,
2 there's a specific criteria because additional steps
3 are required, ah, in order to ensure, ah, you know,
4 proper, ah, safety, um, measures are taking place
5 when doing this work. Um, and that is currently
6 falls under lead hazard control. Um, this, of course
7 represents a small unit and, ah, universe, and, which
8 is, ah, also typically the most common work that we
9 do with the contracts that we administer. So like
10 really complex jobs, ah, a lot of times those that,
11 ah, are within the 100 square feet, ah, or higher,
12 you know, requires significant work, as you could
13 imagine. Um, so, um, then, ah, how are we training
14 our staff, that was another question, right?

16 CHAIRPERSON AMPRY-SAMUEL: Yeah, so but
17 going back to, um, 10 feet, 10 square feet of mold
18 and 10 to 100 and then above 100, just walking into
19 the average NYCHA apartment's, um, bathroom, what,
20 what's 10 square feet? Or a living room, or a
21 kitchen? What's 10 square feet?

22 ELENA TENCHIKOVA: Yeah, I mean, um, ah,
23 ah, the, I don't know how to quantify. I mean, you
24 would, ah, ah, I think that the easiest ways you can
25 do it is by looking at, ah, a, a paper, right? I

1
2 mean, all of our staff that is doing this, ah, are
3 required to take measurements on as part of their
4 regular basis and it's not only tied to mold.

5 CHAIRPERSON AMPRY-SAMUEL: Can somebody
6 give me like a simple answer to that, and I'm saying
7 that because, you know, just a regular person just
8 wanting to know somebody coming into their home and
9 you have a, you know, you don't have a skilled trade,
10 you have a maintenance worker coming in there to deal
11 with the mold and not understanding that, you know,
12 because it's not, because it's less than 100 square
13 feet then this maintenance person can do this. We'll
14 go into, you know, how they're able to do that. But
15 just to get a sense, a picture of what does 10 square
16 feet look like so that, you know, folks can
17 understand.

18 RASSOUL AZARNEJAD: Ah, this is Rassoul
19 Azarnejad. So, you know, ah, during an inspection
20 when a person goes, let's say there is some mold on
21 the tile in the bathroom and he's looking at it and
22 he said OK, this area is 3 feet by 3 feet, it's about
23 less than 10 square feet, so that become, ah, the
24 finishing for square footage of the, of the mold.
25 Also in, in the class they have been trained, people

1
2 who are doing an inspection, they've been trained, we
3 have trained over 2870 people in treating different
4 area of the, of the class, that we do training
5 through, ah, Environmental Education, as the entity
6 which is certified to do this type of training. We
7 did an inspection training. We did a building
8 science training, and we did remediation method
9 training through, ah, this school for all 2870
10 people. And basically they train them in the class
11 how to measure the affected area and how to explain
12 what cause of it, ah, to do use the tools that
13 they've given you, ah, moisture meter or anemometer,
14 or hydrometer to measure the, ah, effect of the wet
15 walls for moisture problem. So those are they way
16 they have trained them to do these inspection. As
17 you say, they can [inaudible], you know, it is just
18 under 10 square feet or is it something between 10
19 square feet and 100 square feet, and that's how the
20 State Department of Labor define the mold situation,
21 too.

22 CHAIRPERSON AMPRY-SAMUEL: So if this, so
23 if it's 10 square feet who goes in again?

24 RASSOUL AZARNEJAD: If it's less than 10
25 square feet, ah, caretaker X.

2 CHAIRPERSON AMPRY-SAMUEL: Caretaker X?

3 VITO MUSTACIUOLO: Which would be
4 categorized as a simple repair.

5 RASSOUL AZARNEJAD: Right.

6 CHAIRPERSON AMPRY-SAMUEL: Mold.

7 RASSOUL AZARNEJAD: Yes.

8 CHAIRPERSON AMPRY-SAMUEL: Even, even
9 it's 10 square feet of mold?

10 RASSOUL AZARNEJAD: Right.

11 CHAIRPERSON AMPRY-SAMUEL: Because of the
12 size of it would be labeled as simple, right?

13 RASSOUL AZARNEJAD: Simple.

14 VITO MUSTACIUOLO: Well, I mean, Elena
15 and Rassoul, please correct if, if I, if I'm
16 incorrect on this, but it's not just the square
17 footage, but also the work that is required to
18 address the underlying condition.

19 ELENA TENCHIKOVA: Correct.

20 VITO MUSTACIUOLO: So there are a number
21 of factors that go into...

22 ELENA TENCHIKOVA: Correct.

23 VITO MUSTACIUOLO: ...what constitutes a
24 simple versus a complex repair. So you might have a
25 small, ah, square, ah, area that's impacted...

2 ELENA TENCHIKOVA: Correct.

3 VITO MUSTACIUOLO: ...but the repair might
4 require, you know, bringing in plumbers and
5 electricians and plasters and asbestos abatement
6 workers. That's a complex repair.

7 RASSOUL AZARNEJAD: That's correct.

8 ELENA TENCHIKOVA: Yeah.

9 CHAIRPERSON AMPRY-SAMUEL: So, OK, so
10 let's go through the steps. So when a person calls
11 in about mold someone goes in and does an assessment.

12 ELENA TENCHIKOVA: Correct.

13 CHAIRPERSON AMPRY-SAMUEL: They look at
14 the size of it, but then that same person that's
15 looking at the size of it, if it is 9 square feet,
16 that same person that determines this is 9 square
17 feet will then also be the person who determines what
18 the source is?

19 RASSOUL AZARNEJAD: Yes, correct.

20 VITO MUSTACIUOLO: And Council Member,
21 if, if I may, so it's not just a person that we send.
22 Um, so the person that, that performs the initial
23 inspection is either the superintendent, the
24 assistant superintendent, or the property manager.

25 ELENA TENCHIKOVA: Right.

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RASSOUL AZARNEJAD: Right.

VITO MUSTACIUOLO: So these are, these are, ah, high level, ah, skilled trade, ah, skilled workers that make the initial assessment. Now, now, the initial assessment might not always identify what the underlying source is and, again, it may require that we come in then and open up a wall of our ceiling to identify where the moisture is coming from. But they're equipped with all of the technology with the new equipment that we went out and purchased to help make a better determination. So they have the moisture meters. They have the meters that measure humidity. Ah, we have borescopes. This, this is all equipment that we did not use in the past, um, when, um, addressing a mold work order. Um, so it's, it's, you know, I like to call it the 3 Ts as Elena has, ah, used before. So we have, we have new tools, new technology, and, and training, um, that we have, um, that have gone into the Mold Busters program. And all of this has been developed, um, in conjunction with the special master. So they are partners with us in every step of the process, and we continue to improve on it.

1 CHAIRPERSON AMPRY-SAMUEL: Well do you
2
3 have a 100% of the NYCHA staffers who are supposed to
4 be trained, are they all trained on how to perform
5 this task?

6 VITO MUSTACIUOLO: I, I don't, Elena, do
7 you know if they all have?

8 ELENA TENCHIKOVA: I'm not sure
9 [inaudible]. The, um, as, um, you could imagine, um,
10 from when we rolled out, ah, a year ago, a little
11 over a year ago, we're actually, um, at a little
12 over, ah, 13 months of anniversary of the Mold
13 Busters program rolling out. Um, you know, we train
14 the, ah, assistant super, ah, supers, um, and
15 property managers, um, among the other, um, ah,
16 titles um, to, to, ah, make sure to be able to do
17 this, but you can imagine that between then and now
18 we may have promoted people, right, and, ah, ah,
19 additional, ah, training as required. Ah, what is
20 built in into our model is that as new people come on
21 board we do train them. Ah, right now we're, um, we
22 had to unfortunately put the training on hold during
23 COVID to, um, potentially work on the curriculum to
24 be under social distancing, um, requirements and we
25 resumed, ah, the training already, um, with those

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2 circumstances and requirements in place. Ah, and we
3 have about over 600, ah, folks that we're going to be
4 retraining, and that's not just, um, the inspectors
5 but that also includes other titles such as, you
6 know, maintenance workers...

7 CHAIRPERSON AMPRY-SAMUEL: So what's the
8 percent, what's the percentage of staffers that have
9 to still be trained?

10 ELENA TENCHIKOVA: Ah, I don't, which
11 title? That haven't received the training, is that,
12 is that the question that you're interested in
13 finding out?

14 CHAIRPERSON AMPRY-SAMUEL: I don't want
15 to say that have not received the training. That
16 could be a play on words because some training has
17 been done. It, you know, now with the COVID, you
18 know, um, new policies and, and procedures, um, you
19 know, like that turns into something else. And so
20 the question is...

21 RASSOUL AZARNEJAD: This is Rassoul.
22 This is Rassoul. Of the 2911 people who were
23 supposed to be trained.

24 CHAIRPERSON AMPRY-SAMUEL: The 2000...

25 RASSOUL AZARNEJAD: 911 people.

2 CHAIRPERSON AMPRY-SAMUEL: OK.

3 RASSOUL AZARNEJAD: These are the staff
4 that we said they have to have this training.

5 CHAIRPERSON AMPRY-SAMUEL: Um-hmm.

6 RASSOUL AZARNEJAD: 2870 of them were
7 trained.

8 CHAIRPERSON AMPRY-SAMUEL: So almost
9 everybody has been trained?

10 RASSOUL AZARNEJAD: Exactly.

11 CHAIRPERSON AMPRY-SAMUEL: So everybody's
12 ready to go?

13 RASSOUL AZARNEJAD: All the people
14 that...

15 CHAIRPERSON AMPRY-SAMUEL: Into the
16 apartments?

17 RASSOUL AZARNEJAD: All the people that
18 they needed to be trained, they were trained.

19 CHAIRPERSON AMPRY-SAMUEL: OK.

20 RASSOUL AZARNEJAD: Except another few
21 people who, who either left us or, and any new coming
22 people they would go through the same training.

23 CHAIRPERSON AMPRY-SAMUEL: OK, OK. So
24 how many complaints can be abated per day? Is there,
25

1
2 can you determine that, give us a sense of what that
3 number, what that looks like now?

4 VITO MUSTACIUOLO: Ah, Council Member,
5 we're gonna have to get, get back to you on that
6 answer.

7 CHAIRPERSON AMPRY-SAMUEL: OK.

8 VITO MUSTACIUOLO: It's not, it's not a
9 simple response, ah, when you say how many can
10 abated.

11 CHAIRPERSON AMPRY-SAMUEL: Like
12 categories, can you say that, you know, um, I mean,
13 that is the general question. But is there a way you
14 can answer it based on different categories? Can you
15 say that, um, well, we are able to abate this type of
16 mold complaint in this, you know, within this
17 particular square footage if there is no blah, blah,
18 blah, if, if, if you don't have to bust a wall we can
19 do this amount per day based on the 2870 people that
20 have the training that was required to be able to go
21 in and do assessments and know about the different
22 tools and could continue down this pipeline.

23 VITO MUSTACIUOLO: So, I, I certainly
24 think we need to have a further conversation, um, and
25 get some clarification on exactly what you're looking

1
2 for. Again, this, this program has been capturing,
3 um, a tremendous amount of data, right, and, and we
4 also need to make sure that we're staying within
5 compliance of the terms of the, um, of, of the
6 agreement, um, and so why don't we have a
7 conversation later about what information is it that
8 you're exactly looking for. Ah, we can tell you how
9 many inspections have been performed, what we think
10 we need to, um, to keep on that, on track, ah, and
11 then with respect to repairs we're using a
12 combination of both in-house staff as well as
13 contracted staff. Um, so it kind of varies depending
14 on the questions that are being asked. Um, I will
15 say, though, that, ah, Dan Green and Rassoul and I
16 have been talking about, um, reaching out to our
17 partners and, and, and seeing if, if we can expand on
18 the titles, ah, that currently were used to do these
19 inspections. Um, our supers and property managers
20 and assistant supers have a tremendous, um, burden,
21 you know, they work on a number of different issues
22 every day. I would like to, um, for us to entertain,
23 um, introducing other titles so we can have, ah, a
24 deeper bench of staff that can perform initial
25 inspections, and we hope to, um, have a conversation

1 along that line with the special master, with the
2 monitor, and see if they agree with us, so then we
3 could work together on identifying, um, additional
4 staff that we can train, because, again, the more
5 people that we have that are, um, trained and able to
6 perform inspections, ah, I think the, the better we
7 can do, ah, in addressing the mold problem.

9 CHAIRPERSON AMPRY-SAMUEL: OK, um, I
10 asked that question because I was still trying to get
11 a sense of the repairs that are in progress and
12 trying to figure out again if there's some type of
13 categories and, ah, I asked a question about, um, the
14 types, like the, the, like who's going into the
15 apartments to get a sense of when you mention the,
16 the caretakers can, the caretaker X can go in and do
17 if it's less than 10 square feet and then it's the
18 skilled trades, and then it's somebody else after 100
19 square feet, and then I asked a question about, um,
20 how many repairs or abatements can be done within a
21 day based on the different categories to again get an
22 understanding of this number that we have...

23 VITO MUSTACIUOLO: Right.

24 CHAIRPERSON AMPRY-SAMUEL: ...and how do
25 you complete that number in the middle of a pandemic?

1
2 And the fact that we know that families are living in
3 overcrowded conditions, they're in close spaces,
4 there's poor ventilation, in order to have a
5 conversation and give the folks that live in New York
6 City Housing Authority some hope? And I thought it
7 was pretty simple. I didn't think it was a
8 complicated question, but it seems that every time we
9 ask a question it turns into something that's
10 unnecessarily complicated. It's just...

11 VITO MUSTACIUOLO: Well, council member,
12 I, I would say that mold, um, is a complicated issue.
13 And there's no simple answer. Ah, and as you
14 mentioned, when you add in...

15 CHAIRPERSON AMPRY-SAMUEL: But it can be.

16 VITO MUSTACIUOLO: ...all of the other...

17 CHAIRPERSON AMPRY-SAMUEL: But it can,
18 but it can be, because it's about how do you
19 communicate your problems in order to be able to
20 figure out to come up with solutions to the problems
21 and so if you are explaining something and you're
22 exacerbated about the fact that it's complicated it's
23 gonna to be complicated. But if we make something as
24 simple as, well, you go into your home and it should
25 be a place that is healthy and safe for you to live,

1
2 for you to breathe, we should figure out simple ways
3 to address it. And if you, like, and if it's so,
4 it's so, our understanding can be complicated because
5 you have so many different moving parts and so many
6 different people, but just because something sounds
7 complicated there's always a simple way to be able to
8 communicate what's going on and address it. Just
9 even down to me asking about what is 10 square feet.
10 When you walk into an apartment from the front door
11 do you put one foot, one foot in front of the other
12 and do we count 10 steps and that's 10 square feet?
13 I'm just trying, and I'm not asking for the staffers
14 to know what the heck is 10 square feet. I ask that
15 question because there's, the public is, is, is, is
16 on this hearing. They wanna know what's going on and
17 I want to be able to articulate to them what the heck
18 10 square feet is so that they can know that they
19 have a caretaker X going into their apartment because
20 we hear those complaints. The person has come into
21 my apartment to fix my mold is not skilled. They
22 don't know what they're doing. And I want them to
23 know what the heck, I want to be able to articulate.
24 This is what's going on in your apartment as it
25 relates to mold. That's, to me that's simple.

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ELENA TENCHIKOVA: Yeah, and...

CHAIRPERSON AMPRY-SAMUEL: But that answer that I got from three different people was complicated as hell. I just want to know what the heck was 10 square feet.

ELENA TENCHIKOVA: Chair, ah, I, I really appreciate that. Um, I, I do want to note that part of the process, ah, when an inspection is conducted, um, the person conducting the inspection according to our standard procedure is required to explain, ah, what the findings are, what that means, what the remediation plan looks like. Um, you know, we issues, um, a mold inspection receipt. Ah, we also do, um, as you know, and we send a mailer that outlines what that looks like. Um, we, ah, also, um, are enhancing our campaign right now. We secured a vendor, ah, in order to help us, um, you know, further enhance our communication with the tenants, ah, and the residents and families, and we engage in various partners, um, in this dialogue so that way we could incorporate, um, that type of feedback, and I really appreciate it, right, is like, and, and I will take that back. We are having conversations right now and I think that it would be helpful to include

1
2 visuals of what does that mean 10 square feet, what
3 does it mean, you know, something that is considered
4 a really extreme job, ah, a complex job. So I, I
5 will take that feedback back. Ah, I will take it
6 back to the working group and our vendors and we'll
7 build that in, um, um, as something, you know, to
8 further elaborate on, um, as we further build out our
9 communication for tenants around the subject.

10 CHAIRPERSON AMPRY-SAMUEL: OK. I would
11 just, well I need to bring it down a notch. Um, can
12 you just, can you just talk to us about just
13 proactive measures that you're taking not responding
14 to the work orders themselves, but what is NYCHA
15 doing, like just proactively? And not the response
16 to, again, the work orders, but proactively to, to,
17 to address, um, everything that we've been talking
18 about, all of the complaints, um, in this climate,
19 what we're facing right now with the uptick in
20 numbers, COVID.

21 VITO MUSTACIUOLO: Um, I would like to
22 just start and then I'm gonna ask, ah, Dan to, to
23 join me. Um, I think there's probably no better
24 example of what we're doing proactively than the roof
25 fan replacement. Um, and, and by upgrading the roof

1 fans, ah, and not replacing the roof fans in kind,
2 um, is, is a proactive measure, um, and it will, um,
3 you know, it was not required of us, um, but we have
4 made, um, a commitment to it, an, an investment. Um,
5 this certainly has been, um, a tremendous effort
6 given to education educating our residents and, um,
7 providing them with information about the program.
8 Um, and we continue to, to build on that, right. Um,
9 we want to be as open and as transparent as we should
10 be, with our residents and with the public in
11 general. And, um, so, and, and, you know, Dan, if
12 you could talk to about the collaboration, especially
13 with respect to the OCC, um, because I think that
14 that has been, um, a tremendous step in the right
15 direction. And communicating to our residents,
16 answering their question, um, addressing their
17 concerns, um, and I think that that has really kind
18 of proven itself to be, um, extremely successful.
19 But, Dan, if you could talk a little bit more to
20 about OCC and the collaboration that we have with
21 them.

23 DANIEL GREEN: Sure, sure. And, ah,
24 sorry, I got knocked off for a few minutes there. My
25 computer, ah, cut out. So, ah, the first thing I

1 just want to say on proactive, ah, work is data. Um,
2 the, the independent data analyst that was, ah, that
3 was retained, ah, through the Baez consent decree
4 does a tremendous amount of work to proactively
5 identify, ah, a lot of different issues. The
6 developments that need, ah, the most attention, the
7 floors that need the most attention. Ah, they also
8 identify employees who, ah, who don't seem to be
9 following the protocols, ah, running through and
10 doing, ah, doing inspections too quickly, not
11 entering required information into work orders,
12 that's being done, ah, by the independent data
13 analyst is fed to a number of different teams that go
14 out and use it to try to enforce compliance, ah, and,
15 and, ah, we've done that over the past year. We're
16 doing it more and more, ah, but, but, ah, that,
17 that's one way that we're gonna be proactive. Ah,
18 the good thing about the new system is that
19 everything is [inaudible], that nobody is gonna get
20 away with a, a work order that does not meet the
21 requirement that we've put in the Baez consent
22 decree. Ah, and if they do we're gonna catch them.
23 We, um, we [inaudible] compliant. The federal
24 monitor and the, ah, and the court-appointed expert
25

1 review a tremendous number of work orders every
2 single month to see if they are following those
3 protocols, but if they're not we're gonna investigate
4 and make sure that those employees are going to be
5 held accountable. And that's one way that we can be
6 proactive is by going out there and enforcing these
7 procedures with our, with our work force so that
8 they're bringing the proper equipment, they're
9 entering the proper readings, they're creating the
10 appropriate [inaudible], they're meeting the
11 timelines, which clearly now that they are not. Um,
12 so that's, that's one example. The other thing that
13 we in compliance are gonna do to be proactive, um,
14 we're gonna stay on top of the, ah, timelines for
15 inspection. That's one of the big things that we've
16 been doing. Ah, every single month we review
17 delinquent inspections and then immediately if we see
18 those inspections as delinquent we extend, ah,
19 communications to the RAM to make sure that they are,
20 ah, to our regional asset managers, to make sure that
21 they are getting those inspections schedule and done
22 properly in their portfolio. Another proactive tool
23 that I want to talk about is on-site monitoring, ah,
24 which is really the bedrock of it and it's gonna take
25

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2 a few, a little while, ah, you know, to get, to get
3 [inaudible] benefit of it, but we are going out every
4 two weeks and doing a deep review of our highest-risk
5 development in compliance and we're taking our EHS
6 partners, our quality assurance partners, and one of
7 those issues that we look at, at every single
8 development that we go onsite, is how they're
9 complying with mold, um, because that's one of our
10 bedrock issues. Ah, so what we do is a full
11 assessment of what they're, what they're work orders
12 are showing, whether they're following the
13 procedures, and if they're not following those
14 procedures we put them under a corrective action, and
15 we, ah, you can get them training. We, we hold them
16 accountable, including supervisory staff, to make
17 sure that they, to make sure that they understand
18 that this is not the old NYCHA. This is a new NYCHA
19 and you're not gonna get away with, ah, with putting,
20 ah, work orders in the system that are garbage, ah,
21 and we will make examples of employees, ah, who, who
22 do that. And, ah, and we also will go and reinspect
23 units that are not done properly, um, because this is
24 a new era for NYCHA, ah, in terms of employee
25 accountability, in terms of giving better quality

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2 work. In following what we wrote down, we invested a
3 tremendous amount of money and resources, the
4 procedure manuals, they need to be followed. Ah, we
5 can't just have people blowing these off. Um, these
6 were developed by people with scientific backgrounds,
7 technical experts. They need to be followed and
8 adhered to. Are all our employees [inaudible] today?
9 No, but that's what we're here to do. And that is, I
10 think, proactive enforcement. Um, and, and, again, I
11 want to go back to that data tool. Um, the data
12 tools that we're doing, allowing us to identify
13 [inaudible], ah, for our workers who are not doing
14 this appropriately and, ah, I thought just one or two
15 work orders, ah, but a lot of work orders. We're
16 going come out and target those developments and
17 we're gonna make sure those employees this is not,
18 um, the NYCHA of the past.

19 CHAIRPERSON AMPRY-SAMUEL: Thank you so
20 much, Dan. I, I appreciate that, I do. Um, Council
21 Member Torres, I apologize. I didn't realize you,
22 um, you had more questions. So, Council Member
23 Torres.

24 SERGEANT AT ARMS: Time starts now.

25

1
2 COUNCIL MEMBER TORRES: Thank, thank you,
3 Chair. Um, I just have a few questions for the
4 general manager. Um, in our earlier exchange you
5 seemed to, you seemed to dispute the, the number
6 three, um, that NYCHA only installed three roof fans.
7 So I just want clarity. How many roof fans has NYCHA
8 installed so far?

9 VITO MUSTACIUOLO: So, so as part, ah,
10 since 2018 we have installed, I'm sorry...

11 ELENA TENCHIKOVA: Do you want me to take
12 that, Vito?

13 VITO MUSTACIUOLO: I'm sorry. Since,
14 yeah, Elena, just give me one second and I'll hand it
15 off. Um, since 2018 when we began the inspections of
16 the roof fans we replaced 1661. And then towards the
17 goal of the 1669, which we are, um, that's the goal
18 for the end of year, we have installed 181 to date.
19 Elena, please go ahead.

20 COUNCIL MEMBER TORRES: I'm sorry, what's
21 the difference between the 1661 and the 180?

22 VITO MUSTACIUOLO: So the 1661 are the
23 total number of roof fans that have been replaced as
24 a result of the inspections performed since 2018.
25 The 181 is a subset of that, um, but it's, it's, um,

2 those were roof fans that were in the, would have
3 been replaced in the first phase. Elena, do you want
4 to?

5 ELENA TENCHIKOVA: Yeah.

6 COUNCIL MEMBER TORRES: And all of these
7 are replacing the mechanical ventilation systems?

8 ELENA TENCHIKOVA: Correct.

9 VITO MUSTACIUOLO: Replacing the roof
10 fans.

11 COUNCIL MEMBER TORRES: OK.

12 VITO MUSTACIUOLO: And, Elena, is that,
13 are my numbers accurate?

14 ELENA TENCHIKOVA: Correct, that's
15 correct, yeah.

16 COUNCIL MEMBER TORRES: The, you, you
17 brought up the chair's strategic plan, the Blueprint
18 for Change, ah, which envisions the creation of a
19 housing trust. Um, would the housing trust be
20 subject to the mold agreement and the HUD SDNY
21 consent decree?

22 VITO MUSTACIUOLO: Ah, yes, it is. Um,
23 Dan, correct me if I'm wrong, but of course it would
24 be.

25 DANIEL GREEN: Yes, yes.

2 COUNCIL MEMBER TORRES: OK, and so you
3 would see to it that, that it would be?

4 DANIEL GREEN: Yes, absolutely.

5 VITO MUSTACIUOLO: Yes.

6 COUNCIL MEMBER TORRES: OK, OK, that's
7 good. Um, under the Baez report the Housing
8 Authority is required to produce, my understanding is
9 the Housing Authority is required to produce, my
10 understanding is the Housing Authority is required to
11 produce quarterly reports about mold and leaks. Ah,
12 is the Housing Authority willing to share those
13 reports with the City Council and the Public Housing
14 Committee? Hello?

15 VITO MUSTACIUOLO: Yep, sorry. So which
16 quarterly reports are you referencing?

17 COUNCIL MEMBER TORRES: Um, my
18 understanding, if I'm wrong, but if, but my
19 understanding is that under the Baez agreement the
20 Housing Authority is required to produce quarterly
21 reports about leaks and molds. Um, if those reports
22 do exist is the Housing Authority willing to share it
23 with the Public Housing Committee and the New York
24 City Council?

2 VITO MUSTACIUOLO: Yeah, um, Dan, are
3 you, um, aware of which reports the Council Member is
4 referring to?

5 DANIEL GREEN: Yeah, absolutely. Yeah, I
6 would, you know, I would need to speak to...

7 COUNCIL MEMBER TORRES: Yes or no. Are
8 you willing to share the reports, yes, no, or you
9 don't know yet.

10 VITO MUSTACIUOLO: I want to make sure
11 that we have the reports.

12 DANIEL GREEN: We do, we do have the
13 report, yes, we do have the reports. Ah, we need to
14 speak to our legal department, but I would say, yeah,
15 we want to be transparent here. So I, I don't see a
16 problem with that.

17 COUNCIL MEMBER TORRES: Um, I, I had
18 asked, um, Vito had asked you earlier whether NYCHA
19 presently had the capacity to, to achieve, to install
20 more than a thousand roof fans. You originally said
21 yes, or you believed that the Housing Authority did.
22 You then revised the statement and acknowledged that
23 you don't presently have the capacity. I want to
24 revisit another statement you made. You, you seem to
25 deny that there was a relationship between

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2 ventilation and coronavirus transmission. The chair
3 clearly read a statement from the CDC demonstrating a
4 relationship between the two, affirming a
5 relationship between the two. Like, does the Housing
6 Authority want to revise its position on the
7 relationship between coronavirus transmission and
8 ventilation?

9 VITO MUSTACIUOLO: Sir, what I want to
10 clarify is that I am not a medical expert or a
11 scientific expert, ah, and I don't believe that the
12 statement that chair read, um, was referring to roof
13 fans. I believe it was referring to, um, HVAC
14 systems. So I certainly would welcome an opportunity
15 to speak with, um, experts in this field and to hear
16 what they have to say.

17 COUNCIL MEMBER TORRES: So I just want to
18 be clear. The position of the Housing Authority is
19 that there is no relationship...

20 SERGEANT AT ARMS: Time expired.

21 COUNCIL MEMBER TORRES: ...between
22 ventilation and coronavirus transmission. I just
23 want to be clear about that.

24 VITO MUSTACIUOLO: I think that there are
25 a number of external factors that contribute to, ah,

1
2 to the spread of coronavirus. I have not personally
3 seen, um, any reports that directly tie, um,
4 inadequate roof fans or ventilation in bathrooms to
5 the spread of coronavirus, coronavirus. If you can
6 tell me that there are reports that, that
7 specifically tie back to roof fans and, and adequate
8 ventilation in bathrooms, um, I'll be more than glad
9 to take a look at it...

10 COUNCIL MEMBER TORRES: And, and
11 [inaudible] if, if I could just fit in a quick, I
12 know NYCHA has access to a mold expert, um, I think
13 it's Microecologies, ah, under the agreement. I'm
14 curious has there, have there been any conversations
15 between the mold consultant and the Housing Authority
16 regarding the relationship between ventilation and
17 transmission?

18 VITO MUSTACIUOLO: Um, I can't answer
19 that question, sir. I have not been party to any of
20 those conversations.

21 COUNCIL MEMBER TORRES: OK.

22 VITO MUSTACIUOLO: I don't know if there
23 have been.

24 COUNCIL MEMBER TORRES: Is, we've seen
25 the analysis from Greg Smith. Is the Housing

1 Authority willing to do its own analysis to see if
2 there is a relationship between the mechanical
3 ventilation systems on the one hand and the infection
4 rate, the morbidity rate, the mortality rate of
5 COVID-19 on the other hand? Are you willing to do
6 your own analysis to determine if there is in fact a
7 relationship?
8

9 VITO MUSTACIUOLO: We're willing to work
10 with the healthcare providers, ah, the healthcare
11 experts with our city Department of Health and the
12 New York City Health and Hospitals Corporation.

13 COUNCIL MEMBER TORRES: I don't know if
14 that's an answer to my are you willing to do an
15 analysis.

16 VITO MUSTACIUOLO: Are we willing to take
17 on the analysis on our own? No, I would...

18 COUNCIL MEMBER TORRES: No, not on your
19 own, but are you willing, whether it's in partnership
20 with experts, are you willing to see to examine
21 whether the developments that have the highest rate
22 of infection, morbidity, and mortality when it comes
23 to COVID-19, whether those developments have a
24 mechanical ventilation system and whether there's a
25

1 relationship between those two [inaudible]? Are you
2 willing...

3
4 VITO MUSTACIUOLO: We will certainly
5 reach out to, to our, our partners in the Health
6 Department and HHC.

7 COUNCIL MEMBER TORRES: You see, here's
8 my concern. I am convinced that there is a
9 relationship. I think most people are convinced that
10 there's a relationship. And if you believe, as I do,
11 that ventilated apartments, poorly ventilated
12 apartments are a Petri dish for the coronavirus,
13 right, then installing the roof fans becomes a public
14 health emergency. There's a greater sense of urgency
15 because it's no longer just about eradicating mold.
16 It's about protecting people's lives with COVID-19.
17 But if you feel there's no relationship between the
18 two, then it's just one initiative among many.
19 There's no sense of urgency, there's no sense of
20 emergency. And I think that's the disconnect between
21 the Housing Authority and, and those of us, which I
22 think is most of us, who believe that poorly
23 ventilated apartments is a factor in coronavirus
24 transmission.

2 VITO MUSTACIUOLO: I, I don't believe
3 that there is a disconnect at all, sir, and I think
4 that we share the same, um, concerns and the same
5 goals, and we do take mold, um, extremely seriously.
6 Um, I can't answer your questions. Um, you know, I
7 think that we, we need to speak with our partners,
8 ah, in the health professions. Um, we've been
9 following the guidances that have been issued at the,
10 by the city, state, and federal, um, entities, um,
11 and you know, I want to reference back to you, you
12 seem to be suggesting that our roof fans don't work.
13 They work. And in August 98% of the roof fans that
14 were inspected...

15 COUNCIL MEMBER TORRES: I'm not...

16 VITO MUSTACIUOLO: ...were working.

17 COUNCIL MEMBER TORRES: I'm not, I'm not,
18 I'm not suggesting...

19 VITO MUSTACIUOLO: Sir, sir, let me...

20 COUNCIL MEMBER TORRES: Let me, let me
21 finish...

22 VITO MUSTACIUOLO: ...ventilation...

23 COUNCIL MEMBER TORRES: Vito, I'm the one
24 asking the question.

25 VITO MUSTACIUOLO: Go ahead.

1 COMMITTEE ON PUBLIC HOUSING 118
2 COUNCIL MEMBER TORRES: The city reported
3 that Microecologies found in one building in Mill
4 Brooks that four out of five of the roof fans were
5 not working and that many of your roof fans are
6 clogged with decades of dust and debris. That's not
7 my opinion. That, that has been reported
8 independently by the city and by Microecologies.

9 VITO MUSTACIUOLO: I think, sir, that
10 there is also confusion between the purpose of the
11 roof fan and an HVAC system, um, or, or, um, or
12 adequate ventilation. Certainly we'll have, reach
13 out to our partners, um, at the Health Department
14 and, and have that conversation with them.

15 COUNCIL MEMBER TORRES: I'll end on this
16 note. I just want to be clear. Microecologies has
17 concluded that installing roof fans would reduce mold
18 growth by 50% in public housing, by as much as 50%,
19 in public housing. So from the standpoint of
20 Microecologies, you know, roof fans is a critical
21 piece of the solution. But I don't want to, I don't
22 to belabor the point.

23 VITO MUSTACIUOLO: All right, thank you.

24 COUNCIL MEMBER TORRES: I appreciate your
25 answers to the questions.

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CHAIRPERSON AMPRY-SAMUEL: OK, I was still sitting here trying to figure out, um, will the roofs clear out all of the dust that's in the, I don't want to say ventilation system, I'm, I'm, you know, layman's terms. When you walk into a bathroom in a NYCHA apartment and when you look up and it is clogged with layers and layers and layers and layers and layers and layers and layers and layers of dust, how do you correct that?

VITO MUSTACIUOLO: So the, um, there's actually two parts to these initiative. One part is to replace the roof fan and, as I mentioned earlier, we're not replacing them in kind. We're actually installing a roof fan that has a greater capacity. Um, and the second part of it is to actually go into each unit and to clean out the lateral vents, ah, the ductwork, and, and to replace the damper. So it's a two-step process, and, Elena, I'm going to ask, um, please to jump in, but if I'm not mistaken where we have already replaced the roof fans with a, the fans with a greater capacity, we have already seen improvement in the air exchange.

ELENA TENCHIKOVA: Yeah.

2 CHAIRPERSON AMPRY-SAMUEL: We've, we've
3 kind of like, you know, we got into the ground with
4 the roofing piece. Let's, let's start from the
5 latter. Walk into a bathroom, you see these layers
6 and layers and layers and layers and layers and
7 layers and layers of dust...

8 VLADA KENNIFF: Vito, if I may...

9 VITO MUSTACIUOLO: Hello.

10 VLADA KENNIFF: ...just quickly explain,
11 yeah.

12 CHAIRPERSON AMPRY-SAMUEL: How do you
13 clean that?

14 VLADA KENNIFF: So, so you walk in, you
15 open up the grill, you use a HEPA vac and you suction
16 the dust out. That's the lateral cleaning. That's
17 part of the scope. And then you reinstall the grill
18 and the fire damper. So it's, it's a pretty simple
19 process actually.

20 CHAIRPERSON AMPRY-SAMUEL: So are we
21 doing that?

22 VLADA KENNIFF: Yes, it's part of the
23 scope.

24

25

1 CHAIRPERSON AMPRY-SAMUEL: So how, how,
2 how many units needed that, and how many have been
3 completed, and how many...

4 VITO MUSTACIUOLO: So the, so the intent
5 is to do that in every apartment.

6 CHAIRPERSON AMPRY-SAMUEL: So where are
7 you with that?

8 VITO MUSTACIUOLO: I don't believe that
9 that part of the initiative has started yet.

10 VLADA KENNIFF: Yeah, and...

11 CHAIRPERSON AMPRY-SAMUEL: Oh, it hasn't
12 started?

13 VLADA KENNIFF: But if, if I may, Vito,
14 every time there is a complaint now the automated
15 Mold Busters process makes us take a, a reading at
16 the grill and if it's clogged the worker is required
17 to clean it out. So at the, at the work order level,
18 um, when there's a complaint and the suction is not
19 functioning, um, the CSF, the CSF is not correct, um,
20 then the worker is required to open the grill and
21 perform the, ah, process that I just described.

22 ELENA TENCHIKOVA: And in addition it
23 automatically creates a, a work order to inspect the
24 roof fan to make sure that the roof fan is operable.
25

1
2 CHAIRPERSON AMPRY-SAMUEL: OK, OK,
3 because that, that's a, that's a complaint that I get
4 a lot, and when I go into, I want to say, damn near
5 everybody apartment I see that. And so when we're
6 talking about contributing factors and, um, just
7 different things that exacerbate resiliency issues,
8 you know, clearly we're not talking about mold, we're
9 also talking about dust and, um, you know, and, and
10 just again things that exacerbate.

11 VITO MUSTACIUOLO: Right. So I'm gonna
12 ask, I'm gonna ask my team, Vlada, Elena, Rassoul,
13 um, could someone in, in a simple, in simple terms
14 explain what the purpose of a roof fan is, because I
15 think that there is still some confusion. Right,
16 it's not, it doesn't provide for an exchange of air.
17 It's not a ventilation system. And I think it would
18 be helpful if we explained what a roof fan does and
19 how it works. So, I'm going to open it up to Vlada
20 or Elena or Rassoul.

21 CHAIRPERSON AMPRY-SAMUEL: Wait, so,
22 Vito, are you saying that there's a need to explain,
23 so I'm not really talking about having a system and,
24 you know, things, something is like flying out of
25 this particular vent or this space inside of the

1
2 bathroom. I'm talking about the fact that it's just
3 years and years and years and years of, of compiled
4 like dust and debris in this...

5 VITO MUSTACIUOLO: No, I, I understand.

6 CHAIRPERSON AMPRY-SAMUEL: So and, and
7 the mold, right? Um, so I'm just trying to think, so
8 I'm just trying to figure out is, you know, you work
9 from the outside but then, you know, you talk about
10 this other two-step process where you also work from
11 the inside, and then you also mention that that is
12 something where they go in and assess, um, to see if
13 there's a clog, right, but just from, just the
14 visual, like you walk in you see it, you see
15 something there, and so I'm just trying to get an
16 understand of, you know, are we doing something about
17 that as well, but it sounds like that's the, that
18 it's, you know, do you not think that's a issue?

19 VITO MUSTACIUOLO: So...

20 RASSOUL AZARNEJAD: No, that, that is an
21 issue.

22 VITO MUSTACIUOLO: Yeah.

23 RASSOUL AZARNEJAD: That is an issue and
24 it's part of the contract. Once we replace these
25 roof fans to go to every [inaudible] on that, each

1 fan, let's say, provide five or six apartment
2 ventilation. So what the fan does is, is exhausting
3 the air inside the bathroom to the outside. That's
4 all it does. It pulls the air. And as part of the
5 contract once we replace these roof fan we go back
6 and, as Vlada was saying, we clean the register, we
7 take it out. Usually the horizontal part of the, the
8 docking is only one foot from the [inaudible]. So we
9 HEPA vacuum inside the duct and then put the new fire
10 proofing damper and put new register in there. So it
11 is part of the contract [inaudible].

13 VITO MUSTACIUOLO: Right, so it is part
14 of the, so it is part of the process that is included
15 in the contracts that we have for the installation of
16 the roof fans, in addition to which, again, because
17 I, as I had mentioned earlier, we would like, ah, to
18 expand our bandwidth, um, so we're also looking to
19 put out very specific contracts, um, for the in-unit
20 work that's required, which is the vacuuming of the,
21 the ductwork, the replacement of the dampers, um,
22 and, and our focus is going to be on, um, on doing
23 outreach to M/WBE and Section 3 business concerns,
24 ah, to see if there's, um, an interest on their part
25 to do this work. Um, so, in addition to having that

1
2 as part of the existing scope of work, we're also
3 looking to do, um, additional contracts just for that
4 service alone.

5 CHAIRPERSON AMPRY-SAMUEL: OK. So I'm
6 just hearing now that, you know, you're looking to do
7 a specific contract for, you know, what we were
8 just...

9 ELENA TENCHIKOVA: Yeah.

10 CHAIRPERSON AMPRY-SAMUEL: ...asking
11 about.

12 VITO MUSTACIUOLO: But it's already, it
13 already is in the contracts that we have let out for
14 the replacement of the roof fans.

15 RASSOUL AZARNEJAD: Yes [inaudible].

16 VITO MUSTACIUOLO: That is a line item in
17 the contract.

18 UNIDENTIFIED: Yeah, OK.

19 ELENA TENCHIKOVA: And if I may, um, to
20 address, um, the general manager's request for me to
21 talk about the oversizing of the roof fans. So while
22 our, our pilot study was very small, we were dealing
23 with three roof fans, um, ah, we, ah, ah, kept kind
24 of like two size roof fan, which means what you
25 would, um, you know, the appropriate size, right, and

1 then we oversized another roof fan by one model up
2 and then another roof fan by two models up to see
3 what the impact is. Um, what we've done, um, and
4 this was done side-by-side with the independent mold
5 assessor, Microecologies team, um, they evaluated
6 what the readings were from a anemometer before and
7 after the installation without clearing that ah, ah,
8 debris that we're talking about, the dust debris.
9 Um, and the preliminary findings, you know, seemed
10 promising. They seemed that, um, we could say that
11 there is a correlation between oversizing and sucking
12 some of that, ah, debris out, um, up to the shaft.
13 Um, so that is why we are, ah, you know, in, in
14 partnership with Microecologies, you know, supported,
15 ah, approach that we should instruct the engineers
16 when they're scoping out and making recommendation,
17 ah, what the CFM output should be to oversize the
18 roof fans.

19
20 CHAIRPERSON AMPRY-SAMUEL: OK.

21 ELENA TENCHIKOVA: But, again, um, of
22 course clearing, um, the process that Vito was
23 talking about and Vlada, um, is very important
24 [inaudible].
25

1 COMMITTEE ON PUBLIC HOUSING 127
2 CHAIRPERSON AMPRY-SAMUEL: OK, all right.
3 Well, I appreciate that. Um, Audrey, is, are there
4 any other council members?

5 COMMITTEE COUNSEL: There are none.

6 CHAIRPERSON AMPRY-SAMUEL: There are
7 none? OK. Um, we have, it's been close to three
8 hours so it's not really anticipated. Um, and so I
9 want to be able to allow for, you know, who we have
10 from the public to speak and testify. Um, and so I
11 have no further questions for NYCHA. Um, I just hope
12 that we, now that we're in October there are so many
13 lessons learned from the spring and the summer, and
14 we've lost a lot of, um, people during the pandemic.
15 And, um, you know, some, you know, died in their
16 apartments and, um, it's just been one tragic story
17 after the other, um, and I know that there are, you
18 know, some amazing NYCHA workers who are on the front
19 lines, um, doing a really hard job [inaudible]
20 amazing residents who are advocating and leading the
21 charge as well. Um, and so I just really hope that
22 we will continue to have just round table
23 discussions, um, you know, continued meetings in
24 order to make sure that all residents are just
25 basically safe and, you know, we have a way to make

1
2 sure that the apartments that they live in are
3 actually healthy and not necessarily, ah, continuing
4 to exacerbate, including myself. Um, and so that's
5 the purpose of this oversight hearing was to get a
6 update on where you are, um, with mold abatement,
7 what, you know, to get a sense of, a picture of the
8 units, um, and the training and how we move forward.
9 Um, and so I'm not sure where we, I'm, I'm, I
10 literally don't have a clear picture, um, but I
11 really hope that we figure this out, um, as the
12 numbers continue to rise. Um, and so with that I
13 will, hold off for a second. Sorry, I was just
14 trying to make, my staff is coming in to make sure I
15 asked all the questions. Um, so with that being
16 said, you know, I just really look forward to
17 continued conversations, ah, with NYCHA, the
18 administration, um, and the federal monitor, um, in
19 the weeks to come. And so with that, thank you so
20 much, and I know you'll stick around for the public
21 portion.

22 COMMITTEE COUNSEL: Thank you.

23 RASSOUL AZARNEJAD: Thank you.

24 COMMITTEE COUNSEL: Ah, thank you. We
25 will now move on to testimony from members of the

1 public. Please listen for your name. Ah, I will
2 call one name at a time, ah, in addition to the name
3 of the [inaudible] who will be testifying next. Once
4 your name is called a member of our staff will unmute
5 you and the Sergeant at Arms will set the timer to
6 announce that you may begin. Your testimony will be
7 limited to five minutes. I would now like to welcome
8 Getulio Cruz to testify, followed by Ray Lopez.

9
10 SERGEANT AT ARMS: Time starts now.

11 [dictation is blank/inaudible from 2:41:08 to
12 2:48:14]

13 UNIDENTIFIED: Hi, y'all. We'll be
14 starting as soon as the chair returns to the hearing.
15 Thanks. [blank again to 2:54:07]

16 SERGEANT AT ARMS: Once again, good
17 afternoon to all the folks that are watching this
18 hearing. This is the remote hearing of the New York
19 City Council on public housing. For those of you
20 that are waiting to testify please stand by. We
21 should be calling you shortly. We're just sorting
22 out some technical difficulties. Thank you so much
23 for your patience.

24 UNIDENTIFIED: Ah, hello?

25 UNIDENTIFIED: No, I'm here.

2 UNIDENTIFIED: Hello?

3 SERGEANT AT ARMS: We can hear you.

4 UNIDENTIFIED: They're trying to silence
5 us.

6 SERGEANT AT ARMS: [laughs]

7 COMMITTEE COUNSEL: I am so sorry, Chair.
8 This is definitely a connection issue. Um, we're
9 trying to make sure that everyone that is here to,
10 um, testify in public testimony we get them back. ,
11 um, so anyone that is out there and needs to log back
12 in, you can log back in. I will check in with them
13 to make sure that they come back.

14 COMMITTEE COUNSEL: Ah, once again, thank
15 you all very much for your patience. We will now
16 proceed with the public testimony. Ah, once again,
17 please listen for your name as I will be calling
18 individuals one by one and we'll also announce the
19 person who is speaking next. Once your name is
20 called a member of our staff will unmute you and the
21 Sergeant at Arms will set the timer to announce...

22 SERGEANT AT ARMS: Folks, as you, as you
23 all noticed we've had some technical issues. We are
24 trying to get the meeting back and we are waiting for
25 our chairperson, so if you can just please bear with

1 us for a moment and we will resume momentarily.

2 Thank you.

3
4 COMMITTEE COUNSEL: OK, I believe the
5 chair is present, as are the members of the public
6 who are registered to testify. So we will proceed,
7 ah, with their testimony. I would now like to
8 welcome Getulio Cruz to testify, followed by Ray
9 Lopez.

10 SERGEANT AT ARMS: Time starts now.

11 REVEREND GETULIO CRUZ, JR: Ah, good
12 afternoon, I am Reverend Getulio Cruz, Jr., pastor of
13 [inaudible] Christian Church, located in the Lower
14 East Side. Thank you, Chair Ampry-Samuel and, ah,
15 City Council for allowing us to share our
16 experiences. Ah, thank you, CM Torres for your
17 exemplary leadership [inaudible] fixing mold in
18 general and to strongly endorse the City Council's
19 bill to ensure everyone knows about the great
20 services of the mold ombudsperson in particular. New
21 York City [inaudible] is the largest network of
22 faith-based institutions, schools, and community
23 organizations leading our city forward to, for
24 everyone. Because tens of thousands of our members,
25 including at my congregation, live in public housing,

1
2 we have been working with tenant leaders for over 20
3 years to document problems to fight for repairs and
4 improvements. Ah, while NYCHA says 98% of the fans
5 are working we know that in the past NYCHA workers
6 didn't know how to properly inspect roof fans and we
7 have no evidence that their inspections have
8 improved. Ah, we took NYCHA to federal court and in
9 December 2013 forced them to sign a historic class
10 action consent decree in Baez v. NYCHA that required
11 them to fix almost all mold cases in 15 days or less.
12 After four long years of continued breach we and our
13 legal team and with the support of the 2016 appointed
14 special master got them to sign a revised consent
15 decree in 2018 that brought strong independent
16 oversight via an independent data analyst,
17 independent mold analysis, and the mold ombudsperson.
18 The important work done by the court-appointed data
19 analyst, Neil Steincap , and mold expert, Bill
20 Southern, demonstrated how much NYCHA was still
21 falling short of fixing mold and leaks properly.
22 They identified specific things that NYCHA could do
23 that would solve most mold and leak problems if
24 competently executed, as detailed in the Baez v.
25 NYCHA joint status report submitted to the court on

1
2 May 2020, where we acknowledge, and I quote,
3 "Significant progress has been made under the revised
4 consent decree but much is left to be done. Four
5 months ago we were hopeful that the progress would
6 continue at a steady pace but have been grievously
7 disappointed. Far too many tenants are still
8 suffering from mold and leaks and in far too many
9 cases NYCHA is stuck, still not living up to its
10 commitments. Um, here are four simple ways for NYCHA
11 to address it. First, replacing old roof fans. As
12 NYCHA has known since 2016, ah, it, it was further
13 determined that most of NYCHA's current fans were not
14 providing enough ventilation to the 65% of bathrooms
15 that depend on them. And in August of 2019 after we
16 made the case that this was the single most important
17 thing they could do to protect the tenants' health
18 and safety NYCHA committed to replacing all roof
19 fans. However, given continued lack of progress we
20 are seriously concerned that NYCHA will not be able
21 to meet the goal of replacing all the roof fans by
22 its June 2021 HUD action plan agreement. This will
23 compromise tenants' health and safety. As Greg
24 Smith's story in the City New York City this morning
25 points out there is strong reason to believe it is

1 critical to protecting tenants from COVID-19. The,
2 we need, ah, we need more mold remediation workers.
3 We need, ah, to resolve the scheduling problems. As
4 the independent experts have confirmed, many of the
5 complications in fixing mold and leaks come from
6 NYCHA employees not showing up for appointments, not
7 informing tenants of when they will come, or showing
8 up in the wrong order. Two solutions have been
9 identified. Fully hire the 30 resident coordinators
10 required under the HUD action plan who are
11 responsible for ensuring communication between
12 tenants and staff. Tenants who have worked with the
13 19 RCs through the OCC are having a far better
14 experience. Second, fully implement the automated
15 scheduling system designed to improve scheduling and
16 eliminate bottlenecks in the repair process. A pilot
17 of this system finally began this month. Four, they
18 need to repair the leak, ah, the leak standards,
19 complete the leak standard procedure. This is
20 critical because leaks accounted for 77% of open work
21 orders at the end of quarter 23. However, some real
22 progress has continued over this period, particularly
23 thousands of tenants who have contacted the
24 independent mold and leak ombudsperson [inaudible]
25

1
2 have seen real relief, and my colleague, ah, Ray
3 Lopez, ah, will now testify on the subject.

4 SERGEANT AT ARMS: Time expired.

5 REVEREND GETULIO CRUZ JR: I'm done.

6 CHAIRPERSON AMPRY-SAMUEL: So, um,
7 Reverend Cruz, you were actually going in and out and
8 my, um, computer actually shut down and then came
9 back up. And, um, we're finding out that this is
10 Zoom, well, this is the, this is not the internet,
11 necessarily, this is the platform that we're on, and
12 so you've just, we're all being bounced in and out.
13 And I'm not sure if you see it on your end.

14 REVEREND GETULIO CRUZ JR: Yeah, I, I saw
15 a part frozen but I didn't see that, that we were in
16 and out, OK. So what are we gonna do next?

17 CHAIRPERSON AMPRY-SAMUEL: So one second.

18 REVEREND GETULIO CRUZ JR: Sure, OK.

19 CHAIRPERSON AMPRY-SAMUEL: Ms. Sun,
20 Audrey Sun?

21 COMMITTEE COUNSEL: Yes, thanks again to
22 everybody for your patience. Ah, it seems that Zoom
23 is having some major connectivity issues on their
24 end, which, as the chair mentioned, is not really
25 something that we are able to address on our end.

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The Public Housing Committee is scheduled for another hearing on another topic on, ah, October 21 at 1:00 p.m. Um, if you could ask for the patience of the members of the public who are registered to testify today one more time to return on the 21st to present their testimony then we would be able to receive it then and hopefully the connectivity issues will be resolved. Um, but for [inaudible] plan to as the issues continue to, um, persist.

UNIDENTIFIED: Hello? Audrey, we can adjourn this to the 21st hearing and we'll just start with the public panel.

CHAIRPERSON AMPRY-SAMUEL: It just went out for me again, so.

UNIDENTIFIED: OK, thank you. And I will be sure to follow up with the members of the public who are registered to testify today to ensure that, um, you get the invitation for the 21st. Thank you.

CHAIRPERSON AMPRY-SAMUEL: does that?

UNIDENTIFIED: Yes?

CHAIRPERSON AMPRY-SAMUEL: Do I, I don't, do I close [inaudible] doing?

2 UNIDENTIFIED: Yes, I think you can
3 adjourn and we will, um, we can meet at the next
4 hearing.

5 CHAIRPERSON AMPRY-SAMUEL: OK, um, due to
6 technical difficulties this October 7, 2020 Committee
7 on Public Housing hearing on an update for COVID-19,
8 um, and NYCHA will be adjourned until the October 21
9 hearing [inaudible] hear public testimony before the
10 October 21 hearing. [gavel]

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C E R T I F I C A T E

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



Date November 22, 2020