

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON PUBLIC HOUSING

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May 3, 2022

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HELD AT: Hybrid Hearing - Council Chambers-  
City Hall

B E F O R E: Alexa Avilés  
Chairperson

COUNCIL MEMBERS:

Diana Ayala  
Charles Barron  
Carmen N. De La Rosa  
Darlene Mealy  
Chi A. Ossé  
Lincoln Restler  
Rafael Salamanca, Jr.  
Pierina Ana Sanchez  
Julie Won

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

Robert Camacho  
Bushwick Community Board

Miguel Asavedo

Maria Pacheco  
Community Voices Heard

Saundrea Coleman  
Holmes-Isaacs Coalition

Jonathan Gouveia  
NYCHA's Executive Vice President for Real Estate

Shaan Mavani  
Chief Asset and Capital Management Officer

Simon Kawitzky  
Vice President of Portfolio Planning

Leroy Williams  
Senior Director for Community Development

Brad Greenburg  
Chief Compliance Officer

Marissa Schaffer

Lamar Fenton

Gillian Connell

Brenda Temple  
Oceanside Houses resident

Danny Cabrera  
Citizen's Housing and Planning Council

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

Dana Eldin

Diana Blackwell  
President of Fred Samuel Harlem

Karen Leader  
Executive Board at Cooper Park

Marquis Jenkins  
Residents to Preserve Public Housing

Latisha McNeill

Ronald Topping

Lakesha Taylor

Sean Campion  
Citizens Budget Commission

Elizabeth Gori  
Citywide Tenants Rights Coalition

Rafael Moure-Punnett  
Harlem Community Justice Center

Lucy Newman  
Legal Aid Society

Stan Morse  
One NYCHA

Victor Bach  
Community Service Society

Brendan Cheney  
New York Housing Conference

Joshua Barnett  
NYCHA Design Department

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

Kristen Hackett  
Justice For All Campaign

Jeanine  
Ocean Bay resident

Kimberly Combs  
Red Fern Houses



SERGEANT AT ARMS: Good afternoon and welcome to today's New York City Council Hearing on Public Housing. At this time, will all panelists please turn on your videos for verification purposes? To minimize disruption, please place electronic devices on vibrate or silent mode. If you wish to submit testimony, you may do so at [testimony@council.nyc.gov](mailto:testimony@council.nyc.gov). Again, that is [testimony@council.nyc.gov](mailto:testimony@council.nyc.gov). Thank you for your cooperation. Chair, we may begin.

CHAIRPERSON AVILÉS: Good afternoon, the Committee on Public Housing is set to commence. So, good morning. I am Council Member Alexa Avilés, Chair of the Committee on Public Housing. I want to thank you all for attending this important Oversight Hearing on the RAD/PACT program at NYCHA. I'd like to take a moment to acknowledge my colleagues on the Public Housing Committee who have joined today, Council Member Ayala, Council Member Ossé, Council Member Stevens, Council Member Barron, and Council Member Restler. Thank you for joining us today. In 2018, NYCHA and then Mayor de Blasio announced the launch of a new development plan, NYCHA Next Gen 2.0., a revamp of its original 2015 plan Next Gen. A

major component of the plan, the Permanent Affordability Commitment Together, or PACT, is NYCHA's implementation of the Federal Rental Assistance Demonstration Program known as RAD. PACT/RAD involves converting 62,000 Section 9 units or traditional public housing to Section 8 unit-based vouchers with the goal of raising much-needed capital to repair and renovate NYCHA's distressed properties. It is beyond obvious that something needs to be done to fix NYCHA's crumbling infrastructure, but it is the Committee's job to ensure that the goal is being met in a way that prioritizes the rights of NYCHA tenants above all else. There has clearly been mixed feedback about the PACT/RAD program, and there are still many questions about what privatizing NYCHA public housing actually means for renters. More than half a million New Yorkers call NYCHA home, and they have the right to live with dignity in safe, clean affordable housing, and to know about the decisions that directly impact their lives. We shouldn't lose sight of the fact that of all these plans, presentations, and decisions have actual impact on people's lives. It has been over three years since the launch of 2.0

and RAD has been operating for over 10 years. Since then, numerous concerns have been raised about the tenant experience and units converted under PACT. According to recent Human Rights Watch Report, the eviction rates in Ocean Bay, Bayside, and Betances were significantly higher post-conversion compared to the average eviction rates at NYCHA. Additionally, one of the main justifications for converting public housing units to PACT units is that it will significantly improve the housing conditions at these developments. However, many tenants have also complained about subpar repair work and a lack of clarity over where to route complaints about shoddy repair work or improperly closed work orders. PACT tenants can no longer contact NYCHA to report conditions in their apartments, and residents have reported difficulty in getting in touch with their new management companies and problems with 311. Tenants have also reported difficulties obtaining transfers to other NYCHA developments after conversion and have reported losing access to their social service providers since they are no longer NYCHA residents. With so many more units slated for conversion, these are issues that the community



requires a great deal of additional clarity on.

There's also a serious issue of transparency related to the conversions. Residents, elected officials and other key stakeholders report little access to information on agreements, benchmarks, financing, and actual performance. In fact, to date, despite repeated requests there has been no systematic assessment of the program. There have been no checks on residents' satisfaction or other assessments of that nature. We have also no indication of how these contracts, if at all, are subject to Section 3, and if so, how they perform under that. Given the widely disparate feedback we've heard about PAD/RAC-- PACT/RAD, excuse me-- it is my expectation that we have a productive hearing today, especially to shed light on many of the points of confusion and contention around the program at developments that have already undergone conversion and to discuss how many of these problems can be addressed and avoided, given the thousands of units slated for conversion in the near future. It seems that we are only interested in traditional market approaches, not investing in tenants and community control. We must turn a critical eye to ensure that the public

investments in this program are in fact resulting in what we expect. Today, NYCHA will testify on what it is doing, but I must state for the record that the PowerPoints and the theory says one thing, and the news on the ground says another things, and those are very difficult to console, and my expectation is that with this hearing we can bring those two realities closer together and really interrogate what is happening here. We must bring sunlight and accountability to this program. With that, we want to start this hearing off by first hearing from the residents themselves, as is the tradition of this committee, but before we go to the residents, I will turn it over to my colleague, Ms. Sun [sp?].

COMMITTEE COUNSEL: Thanks very much. My name is Audrey Sun. I am the Counsel to the City Council's Committee on Public Housing. Before we proceed, I would just like to remind those who are joining via Zoom that you will be on mute until you are called on to testify, at which point you will be unmuted. During the hearing, if Council Members joining via Zoom would like to ask a question, please use the Zoom raise hand function, and I will call on you in order. We will limit Council Member questions

1  
2 to five minutes included responses in the interest of  
3 time. We will now move to testimony from the NYCHA  
4 residents who are present via Zoom. First we will  
5 hear from Robert Camacho followed by Miguel Asavedo  
6 [sp?].

7 ROBERT CAMACHO: Hi, how are you? I am  
8 not a housing tenant. I am the Chair of the  
9 Community Board in Bushwick and I have been working  
10 in regards to some of our tenants in the NYCHA  
11 building on Hope Garden. I don't know what kind of  
12 PACT or what kind of RAD program you had that's  
13 supposed to be helping our people in our community,  
14 but obviously it's not working. In regards to jobs,  
15 hiring people from other developments that they have  
16 and bringing them to work there. In regards of  
17 maintenance and porter, supervision is the worstest  
18 [sic] thing I ever saw in my life. The supervisor is  
19 standing in his car, sitting there supervising,  
20 instead of going out there and checking to see if the  
21 buildings are being maintained and cleaned. In  
22 regards to the tenants in Section 8, terrible. Some  
23 of those apartments haven't even passed inspection  
24 and they're still waiting. In regards to call for  
25 emergency, when does the tenant get to call for an

1 emergency if ain't nobody giving no numbers and  
2 nobody? Regardless of the garbage that's the even  
3 wore thing that NYCHA did, whoever did this. They got  
4 a private carter [sic], they're picking up garbage.  
5 Money that's coming from their budget to lug garbage  
6 all over the development-- so they're paying the  
7 private carter to do that. Outside contractors,  
8 whenever the porters don't come in, they hire  
9 temporary outside workers to clean the building. They  
10 hire temporary workers instead of fulltime workers to  
11 it that this community needs. In regards to  
12 downsizing the apartment, the way they treat our  
13 people and disrespect our people, by the time people  
14 wait for that, it is really disheartening. And I  
15 just don't understand how we allow this in 2022 when  
16 people need apartments and jobs that are suffering  
17 now, and under this COVID epidemic, that they do that  
18 to our people, especially my people from Bushwick. I  
19 have lived here 61 years. I never saw such a thing  
20 like this in my life, and we got to do better. We  
21 have to do better. We have to hold these people  
22 accountable. We got to make sure that our tenants  
23 get the service that they need, the clean buildings,  
24 to make sure that they listen to our TA's and our  
25

1 people. There is no one, no one being responsible  
2 for anything. They're passing the buck. They don't  
3 care, obviously. So I just want to thank you, Madam  
4 Chair Ayala, because I know I had spoken to you and I  
5 have indicate some of the concerns and issues that we  
6 have, and we need to do better for our people.

8 COMMITTEE COUNSEL: Thank you. Thank you  
9 so much, Mr. Camacho for your testimony. Next we  
10 will have Mr. Miguel Asavedo [sp?].

11 MIGUEL ASAVEDO: Good afternoon, Madam  
12 Chair. I appreciate you giving me the opportunity to  
13 speak this afternoon and all the City Council Members  
14 who are present. I am telling you that I understand  
15 the concerns that Mr. Camacho's talking about. We  
16 haven't started the redevelopment as of yet, but I  
17 was part of a working group that was tenant-led.  
18 Many not-for-profits, including City Hall and NYCHA  
19 were part of meetings that we held for close to two  
20 years to make sure that the tenants' voices were  
21 heard in supporting RAD/PACT. In the beginning there  
22 was a proposal to demolish buildings at Fulton  
23 Houses. Unfortunate-- I mean, fortunate it didn't  
24 happen because the tenants weren't going to let it  
25 happen. I respect the protest that took place. They

had their right to protest against RAD/PACT.

Fortunate enough, we at the end of the day supported

RAD/PACT because we feel that the New York City

Housing Authority is not doing anything to provide

correct heat, to provide hot water, service our

elevators, and if we continue to go managed by the

New York City Housing Authority, I believe someday

it's really going to be privatized and sold to

private developers. So I believe in the partnership.

I respect that NYCHA's giving opportunities to

someone else to manage buildings that they can't

manage. That needs to be taken care of today before

there's no tomorrow for our tenants at Fulton Houses.

Like I said, I respect Mr. Camacho. I can't say

anything about what's going to happen two years from

now, but I truly have faith in the developer we chose

to come to Fulton Houses to bringing us to live in

conditions that human beings need to live. We should

not be living the way we live. And as we all know,

Washington has not provided any kind of money for

decades. We're not talking two or three years, we're

talking for maybe 40 years, maybe 30 years. There's

no money coming to the New York City Housing

Authority. So there's no money coming. What do we

do when we wait to the elimination of public housing in New York City? No. I think the only way to go is through the RAD/PACT conversion. Thank you for giving me this opportunity to speak.

CHAIRPERSON AVILÉS: Thank you so much, Mr. Asavedo. We appreciate your testimony. Okay, I guess-- [inaudible] okay. So we have two other public housing residents that are not quite on the line yet. So we are going to move forward with NYCHA testimony at this moment.

COMMITTEE COUNSEL: Thank you. We'll now move to testimony from the Administration. Today, the New York City Housing Authority is represented by Jonathan Gouveia, Shaan Mavani, Simon Kawitzky, Leroy Williams, Brad Greenburg, Marissa Schaffer, Lamar Fenton, and Gillian Connell. I will now administer the oath. I will call on each of you in turn. Please raise your right hand. Do you affirm to tell the truth, the whole truth and nothing but the truth before this committee and to respond honestly to Council Member Questions? Jonathan Gouveia?

JONATHAN GOUVEIA: Yes.

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2 COMMITTEE COUNSEL: Shaan Mavani? Sorry,

3 can you just say that into the microphone for the

4 recording?

5 SHAAN MAVANI: Yes, I do.

6 COMMITTEE COUNSEL: Thank you. Simon

7 Kawitzky?

8 SIMON KAWITZKY: I do.

9 COMMITTEE COUNSEL: Leroy Williams?

10 LEROY WILLIAMS: I do.

11 COMMITTEE COUNSEL: Brad Greenburg?

12 BRAD GREENBURG: I do.

13 COMMITTEE COUNSEL: Marissa Schaffer?

14 MARISSA SCHAFFER: I do.

15 COMMITTEE COUNSEL: Lamar Fenton? Lamar

16 Fenton?

17 LAMAR FENTON: I do.

18 COMMITTEE COUNSEL: Thank you. And

19 Gillian Connell?

20 GILLIAN CONNELL: I do.

21 COMMITTEE COUNSEL: Thank you. You may

22 begin when ready.

23 JONATHAN GOUVEIA: Madam Chair, members

24 of the Committee on Public Housing, other

25 distinguished members of the City Council, NYCHA



residents, and members of the public: good afternoon.

I'm Jonathan Gouveia, NYCHA's Executive Vice

President for Real Estate Development. As noted, I am

pleased to be joined by Shaan Mavani, Chief Asset and

Capital Management Officer; Simon Kawitzky, Vice

President of Portfolio Planning; Brad Greenburg,

Chief Compliance Officer; and Leroy Williams, Senior

Director for Community Development. And as previously

noted, other members of NYCHA's Real Estate team who

are online. Thank you for this opportunity to discuss

our efforts to stabilize a critical source of

affordable housing in New York City; make investments

that support resident health and prosperity; and

engage more deeply with our communities in planning

for the future. I'd also like to thank the residents

who participated and who will participate in the

panel later today. We have spent many hours meeting

and planning with several of you to ensure that PACT

investments meet the priorities of your community,

and this program would not work without your

dedication and support. In 2018, NYCHA committed to

using the Permanent Affordability Commitment

Together, or PACT, program to rehabilitate and

preserve 62,000 apartments in our portfolio over 10

years. Through this program, NYCHA residents benefit directly from comprehensive repairs, professional property management, enhanced services and programming, and the abatement of environmental hazards like lead, asbestos, and mold. The PACT program also ensures that rent remains permanently affordable, and residents have the same basic rights as they possess in the public housing program. PACT is NYCHA's best opportunity to deliver on our mission and the only tool the federal government has given our agency to provide NYCHA residents with the safe, high-quality homes they need and deserve. Particularly, as our city emerges from a global pandemic, housing affordability and stability are critical to ensuring an equitable recovery. Last year we provided the public housing committee with an update on the changes we made to the PACT program, including the specific ways we are centering residents throughout the planning process and key resident protections in the program, and we highlighted how our PACT partner teams are completing repairs at developments across the city. To date, PACT has generated more than 3.4 billion dollars in capital funding for comprehensive apartment

renovations and building infrastructure improvements for over 15,500 households. Approximately \$579 million in renovations have already been completed, and in the next few weeks, \$714 million in capital repairs will be completed across 12 additional developments in Brooklyn. Across the city, \$2.1 billion in investments are underway or will begin this year. And another 19,700 households are part of active projects in the process of resident engagement or pre-development. Total, NYCHA has more than 35,000 apartments completed, in construction, or in a stage of resident engagement or pre-development. As you can see on slide two of the presentation, we have active and completed projects across the entire City. Our work to partner with residents and improve their quality of life is truly having a positive impact. A longtime resident of Washington Heights Rehab recently wrote an op-ed praising the significant turnaround of her building and her family's living conditions, thanks to the PACT program. And the non-profit Citizens Housing and Planning Council recently bestowed its "Impact Award for Planning" to the Chelsea developments' Resident Review Committee to recognize the residents' groundbreaking role in the

PACT proposal review and partner selection process.

I'd like to start off today by focusing on how repairs have had a positive impact on our residents.

The next few slides highlight residents from Baychester and Twin Parks West, two developments that have received comprehensive repairs and transitioned to new management. The first photos are of Ms.

Sandra Gross, the Resident Association President at Baychester. Ms. Gross shares that along with repairs to her apartment, improvements to the development's grounds have provided all residents with a safe place to relax outside. You can see in the photos her new kitchen, the new on-site laundromat, and the outdoor seating. The next set of photos on slide four are of Twin Parks West residents Denny and Fernando Rojas.

Through the PACT program, apartment upgrades like new flooring, bathroom renovations, new cabinets, and appliances make a huge impact in residents' day-to-day lives, making these homes modern, safe, and healthy for multiple generations. And lastly I'll share images of Ms. Nesmith, who spoke about how responsive the new property management team has been.

With additional resources for on-site property management, residents see improvements in repair time

and in the day-to-day upkeep of the sites and grounds. Over the past year, our residents, staff, and partners have accomplished a lot, and we'd like to share some of the progress we've made together. As you know, many of our NYCHA residents have been living with unacceptable conditions, in aging buildings with failing systems neglected by insufficient funding for a long time. They know the needs of their community best because they endure these conditions every day. Because of their deep understanding of both community and household needs, residents play a significant and active role in the planning that happens at their development through the PACT program. To ensure that PACT investments address community goals and priorities, we created a planning process that is transparent and centers residents' expertise throughout. We want every meeting, workshop, and engagement activity to have a clear purpose and agenda. In this way, we are striving to make the best use of the valuable, but limited, time that residents have to take out of their busy lives to plan with us. We invite resident leaders to participate in selecting the developers, general contractors, property managers, and social

service providers who will renovate and maintain their developments. Resident leaders have had the opportunity to review proposals, interview development teams, and help us select the partners who are best suited to serve their communities. Photos of our meetings and workshops are on slide six. For example, Resident Review Committees have led the partner selection process at Fulton/Elliott-Chelsea, Frederick Samuel Apartments, Edenwald, and Reid Apartments and Park Rock Consolidated. We are currently working with Resident Review Committees across 17 developments to select PACT partners. Later this spring and summer, an additional 28 developments will start the Resident Review Committee-- the Resident Review Committee process. With each project, we are learning how to support Resident Review Committee process, and we implement lessons learned with each new round. Earlier, you were able to hear, and you will also hear from tenant leaders throughout the afternoon about their involvement in the selection of PACT partners. We also have interviews and other videos highlighting this partnership with residents online. With these new demands on the time and expertise of resident

1 leaders, we also want to ensure that they are  
2 prepared and supported. To do this, we launched an  
3 initiative called the PACT Resource Team, which pairs  
4 residents with trusted, third-party advisors and  
5 consultants. The team is led by LISC NYC, Public  
6 Works Partners, Pratt Center, and Public Policy Lab.  
7 Resident leaders can select technical assistance  
8 providers based on the specific support needs and  
9 interests of residents at their development.  
10 Additionally, all households have access to free  
11 legal assistance through a PACT hotline run by the  
12 Legal Aid Society. Residents can call the hotline  
13 and ask questions about the PACT program generally or  
14 discuss specific questions related to their PACT  
15 lease. We also recognize that information sharing  
16 and clear communication are key factors to successful  
17 engagement. We have printed materials, videos, and  
18 web resources to ensure that residents have the  
19 latest information about PACT and their development.  
20 We host information sessions about resident rights  
21 and protections, the rehabilitation process, and  
22 other program elements. All of this information is  
23 translated, available in multiple languages online,  
24 and delivered to all households in the PACT planning  
25

process. All meetings have live translation, and materials are posted online afterwards. Some examples of our materials are shared on slide eight. We've also returned to in-person meetings at many developments, conduct tabling, office hours, open houses, workshops, and monthly meetings with resident associations to keep everyone informed and to answer their questions. Residents in the planning process also have the opportunity to tour completed PACT projects. During these tours, residents can see the end result up close. They can touch the tiles. They can see the quality of the finishes, and speak directly with residents with lived experience of the transition. Last year, our partners finished construction at Baychester/Murphy and Betances, delivering 4,300 residents with over \$261 million in critical capital repairs. In the coming months, partners will complete construction at Hope Gardens and our Brooklyn Bundle sites, completing \$714 million in repairs across 3,900 apartments. The work completed at a development is comprehensive, meaning that our partners upgrade all aspects of the development. It is a HUD requirement that our selected partners address the 20-year capital need in



each building. As you can see in the photos on slide 10, repairs are made to building systems such as elevators, boilers, roofs, windows, and facades; grounds including landscaping, lighting, security, playgrounds, and public spaces; common areas including lobbies, hallways, stairwells, and community spaces; and of course, resident apartments for kitchens, bathrooms, and flooring are all typically placed among their improvements. The next few slides show some of the recent work completed across the City. Slide 11 shows some exterior renovations made at Warren, Betances, Weeksville, and Baychester. Slide 12 shows examples of building system repairs to boilers, solar panel installation, and security improvements made to building entrances among others. Slide 13 highlights some of the interior repairs and finishes inside of apartment. Highlighted here are a number of different kitchen and bathroom finishes completed at Baychester, Warren, Samuel MHOP, and Weeksville. PACT addressed critical environmental health issues. PACT partners must conduct comprehensive investigations that identify environmental contamination and health hazards during pre-development. Based on the findings

of those reviews, partners will be required to address environmental hazards, including the full abatement of lead-based paint in accordance with the 2019 Agreement with HUD. Notably, full abatement of lead-based paint has begun this year at the two early abatement sites identified in the HUD Agreement, specifically Williamsburg and Harlem River Houses. And through PACT we are bringing additional resources into the community. NYCHA requires that PACT partners work with community-based non-profits to deliver social services and community programming based on the needs of the specific community. Service providers are required to staff dedicated, on-site social workers. As an example, the social service team at Betances, Catholic Charities, helped connect residents with several resources during the pandemic, including rent support, food, and even immigration support. This is just one example of how on-site case managers are able to provide direct support to households, and it highlights how the PACT program not only provides critical repairs to our buildings but also supports our communities holistically by investing in resources and amenities that support resident health and prosperity. In the

past few months, we transitioned eight developments through PACT to the Project-Based Section 8 program. While the comprehensive repairs and construction work have just started at these developments and will take years to complete, residents benefit from new property management immediately. I'll highlight some of the immediate work that happened on-site at these developments. And some of the photos of that are included in slide 15. At Williamsburg, on day one the new management team picked up trash and cleaned all of the grounds. They also had an electrician, locksmith, and heating contractor on-site seven days a week to assist with timely repairs, and they've repaired all existing lighting. The partner team has also closed 100 percent of the mold and leak work tickets transferred to them from NYCHA property management. Just last week, the first group of residents moved back into their fully renovated apartments. While residents stayed in a temporary apartment on-site, all lead was abated from their home and comprehensive repairs were completed. In just a matter of weeks, these households have new-- now have modern, safe, and, most importantly, lead-free homes to live in. At Linden/Penn-Wortman,

several repairs have been made to critical building systems, including the replacement of a failing hot water system at Penn-Wortman. And repairs were made to an FDNY water line that had been out of service for two years, bringing fire protection back to three buildings. In just a few months, the new property management team closed 80 percent of all mold and leak work tickets that were transferred to them from NYCHA property management. At Harlem River, the team conducted a full sweep of the buildings and grounds, cleaning all common areas and removing a significant amount of trash. They also cleaned out the trash compactor on-site, making it usable for residents. They now have development-wide cleanings happening every day. At Boulevard, the newly highly-- the newly hired facility manager grew up in the development and is familiar with the building's history and residential community. Under his direction, the facilities team is now providing emergency repairs to all elevators and boilers, along with a wide range of extermination services. While new PACT property managers are now responsible for the day-to-day maintenance at our PACT sites, when a development transitions to Project-Based Section 8,

it remains under public control and oversight. The Real Estate Department directly manages the Authority's program, supported by several other NYCHA departments, including Community Development and Leased Housing, which administers the HUD Section 8 subsidy. Essentially, NYCHA has contracted with our partners to complete repairs and provide the daily maintenance that we are unable to conduct with such limited resources. NYCHA remains an active stakeholder after PACT conversions through a few different and significant roles. For example: NYCHA continues to own the land and buildings that transition to Project-Based Section 8, and all apartments continue to be subsidized through HUD. Accordingly, NYCHA and HUD both have a regulatory and oversight role. NYCHA is the Section 8 administrator for the entirety of the PACT program and controls the release of the HUD Section 8 subsidy. This means that NYCHA continues to certify household incomes and set the rents that can be charged to each household. Any vacant apartment must be leased to households off the NYCHA-administered Section 8 waitlist. And federal regulations require that Section 8 units meet the Housing Quality Standards, which serves as a

strong financial incentive for partners to address repair issues in a timely manner. Through our Asset Management and Design & Construction teams, NYCHA monitors conditions at each development and ensures that PACT partners adhere to their obligations to residents. The PACT projects are monitored through numerous reporting and tracking efforts, including: Monitoring the construction scope and progress of repairs, creating new strategies to prevent displacement, monitoring ongoing maintenance and repairs at the properties, job placement and training related to the Section 3 program, MWBE contracting, and monitoring the financial health and financial performance of each transaction. A newly created Post-Conversion Unit, which is led by Community Development, conducts quarterly field visits with our resident leaders, on-site community groups, the property management team, and the social service providers. And critically, because residents remain under NYCHA's oversight in the federal Project-Based Section 8 program, their rights and protections are preserved. Among others, listed on slide 17, residents are protected by these rights: Rent is calculated to be 30 percent of a household's income;

residents and authorized household members continue to have succession rights; residents and resident associations continue to have the right to organize and receive funding; and residents can apply for jobs created by the program. These rights are codified in the HUD Rental Assistance Demonstration program requirements and also through the PACT Section 8 lease, which we strengthened based on feedback from resident leaders and housing advocates. NYCHA requires that all PACT partners all use the same PACT Section 8 lease, and they cannot revise it without NYCHA's approval. Residents at all PACT sites are protected by these rights, and our PACT partners are unable to change or remove them. While this program invests capital funding into the physical infrastructure of buildings, we are also making significant investments in people and our neighborhoods. We can see the results. After years of planning and construction work, residents are able to live healthy, supported lives, in homes that remain affordable for generations. The PACT program is NYCHA's only tool that allows us to make these investments, and we must make sure we get it right. We've learned a lot from our stakeholders about how

1 to improve our planning, engagement, and  
2 rehabilitation processes, and we remain committed to  
3 ever improving our work by listening to our biggest  
4 stakeholders, our residents, and we understand there  
5 are additional opportunities to further improve the  
6 program. We look forward to working with our  
7 residents, along with members of this committee and  
8 other stakeholders, to continually improve PACT. We  
9 must continue working together as a community to  
10 succeed in our shared mission of strengthening and  
11 preserving this vital resource of affordable housing  
12 in New York City. Thank you for your support. We  
13 are happy to answer any questions you may have.

14  
15 CHAIRPERSON AVILÉS: Thank you so much  
16 for your testimony. I think before we move into the  
17 Q&A session, our two tenants are available to testify  
18 at the front end. Then we will go back to Q&A. So,  
19 first we are going to call on Maria Pacheco and then  
20 followed by Ms. Coleman who is here with us today.

21 MARIA PACHECO: Hello?

22 CHAIRPERSON AVILÉS: We see you, Ms.  
23 Pacheco. Whenever you're ready to start.

24 MARIA PACHECO: Okay. Am I on muted?

25 CHAIRPERSON AVILÉS: No, we hear you.



1  
2 MARIA PACHECO: Okay. Okay. My name is  
3 Maria Pacheco. I'm a member leader of Community  
4 Voices Heard, and I'm also the President of my  
5 Tenants Association at [inaudible] Six. I've been  
6 living a year in this senior building for over 16  
7 years. But I came from another NYCHA building, which  
8 I moved in there 1964. So I'm a long tenants of  
9 NYCHA buildings, so I've seen a lot of changes.  
10 Currently, my building is in the beginning of the  
11 RAD/PACT program. I think it's very important for the  
12 City Council to hear from NYCHA residents who are  
13 going through PACT/RAD, RAD/PACT program, because  
14 there's a lot that we need to understand. We have a  
15 lot of questions and not a lot of answers from NYCHA.  
16 NYCHA needs to meet with the residents in a group and  
17 also individually. The lack of these meetings have  
18 left residents feeling confused and scared. I'm  
19 hearing a lot of negative comments from the residents  
20 in my building. Some people said that they're being  
21 pushed out. Other think that their rents are going  
22 to go up. They put materials on our doors, and  
23 that's it. Residents don't need-- don't read these,  
24 and they don't understand even if they did read them.  
25 So, they're still confused. NYCHA also puts all the

burden of sharing information on the tenant leaders.

I have been asked to tell each resident about the plans for RAD, and this is too much for me to do.

NYCHA told me that I could come and see some of the newly rehabbed units. When I ask how many tenants I could bring, they ask me-- I could bring four. I had to run a lottery to get four people out of so many people in the building. And when I did, I told them about this, they said I could bring in nine [sic].

Okay? So there's nine resident to get the information. There are also significant language barriers in my building. Residents speak Spanish, Russian, Chinese, and English, and there are not always interpreters. Starting this Monday we are going to get someone in the building, in the lobby area to answer questions. This needs to happen more often in the NYCHA developments. Employees have asked me if I put up notices about the walk-in hours. That should not be my responsibility. NYCHA should also schedule appointments with each resident so that they don't have to wait around to have their questions answered. Residents need more information about what would be happening in their building, and we also need to have a say. We are pushed into be at

the roundtable to select the contract. This is extremely important that all residents have a say in this, but we don't know if we will have a say. When I ask question about what will happen when people are moved from their apartments for doing repairs and how that would work, I've been told that it's up to the contractor. That is not okay. NYCHA needs to take responsibility, especially because there are people with disabilities in my building. I also have a few questions for NYCHA. Can NYCHA guarantee that the rent in our building is not going to go up? Can NYCHA share a timeline of when work would start in our building? Can NYCHA set up individual appointments with each resident to make a plan for individual to ensure that they have help packing and moving? What is NYCHA's plan to support seniors and people with disability during the renovation? What is NYCHA's plant to support residents who do not speak English to make sure that thy fully understand what's happening in their homes? All materials that come [inaudible] need to be interpreted. City Council, we need to make sure that you protect the residents. Residents need all the information and support they can have, and they need to have this

1 decision-making power about RAD/PACT. Thank you for  
2 listening to me. We at CVH we will watch-- will be  
3 watching this program.

4  
5 CHAIRPERSON AVILÉS: Thank you so much,  
6 Ms. Pacheco. Next, we're going hear testimony from  
7 Ms. Saundrea Coleman.

8 SAUNDREA COLEMAN: Okay. Greetings all.  
9 Thank you for allowing me to testify today. I am  
10 Saundrea I. Coleman. I'm a current resident of Isaac  
11 Houses, a former municipality employee. I supervise  
12 payroll for the NYPD. I am also a co-founder and--  
13 Co-founder of the Holmes-Isaac Coalition, Community  
14 Board Officer and member, as well as the Co-host and  
15 Co-founder of the One NYCHA podcast. The RAD/PACT  
16 conversion has simply been a horrible experience for  
17 many residents. The Ocean Bay apartments is a  
18 documented testament of the failures of the RAD/PACT  
19 program in New York City. Last week, a plasterer  
20 that works for NYCHA approached me. Their complex  
21 recently went under the RAD conversion, Boulevard  
22 Houses. Their bathroom is in an unhealthy, hazardous  
23 state. I have footage. Her apartment was originally  
24 NYCHA's responsibility, but they passed it on. Just  
25 Fix NYC will be issuing a letter of complaint today

1 to the management company on their behalf. That is  
2 just one individual story. Yet, there are residents  
3 still living in hazardous conditions and experience  
4 chronic disrepairs after their developments were  
5 converted to RAD. Stakeholders of NYCHA deserve and  
6 demand healthy homes. The switch to RAD is not the  
7 solution. These changeovers are NYCHA's way of  
8 getting away with criminality. It is time that the  
9 city, state, and Federal Government flush in billions  
10 of dollars immediately to conserve our homes. We  
11 must save Section 9. Lastly, in 2015, when I and  
12 others was fighting the in-fill [sic] proposal at  
13 Holmes Towers, the ask was two billion dollars to  
14 repair NYCHA. It is 2022, we need over 40 billion to  
15 preserve our home. The willful neglect is criminal.  
16 The state of crisis we are experiencing is  
17 unimaginable, but it is our reality. Our government  
18 can spend billions of dollars on wars, yet when it  
19 comes to this country's public housing stock, true  
20 affordable housing, and the unhoused, our elected  
21 officials sit on their hands, blindfold their eyes  
22 and plug their ears. Stop the privatization schemes.  
23 Stop allowing black and brown people to live in  
24 horrendous conditions. Systemic racism is what has us  
25

1 in this state, and it is time to purge those from  
2 government who view us as less than. NYCHA was  
3 declared a state of emergency in 2018, yet the crisis  
4 we are in has not been eradicated. It has  
5 exacerbated. Thank you for allowing me to testify  
6 today. I will submit a written testimony, upload it  
7 later. Thank you.

9 CHAIRPERSON AVILÉS: Thank you so much  
10 for your important work and contribution, Ms.  
11 Coleman. Before we go into the Q&A, where I'll start  
12 off, I'd like to offer an opportunity for Council  
13 Member Charles Barron to ask the first question and  
14 make a statement.

15 COUNCIL MEMBER BARRON: Thank you so much  
16 my college. I think your opening statement was  
17 profound, and I think your opening statement really  
18 spoke to what the issues really are, and the last  
19 speaker, Ms. Coleman, I couldn't agree with you more.  
20 I want to support her statement wholeheartedly. Just  
21 to tell you a few things. We have some beginning  
22 conversions in some districts in public housing in my  
23 district, beginning conversion in Boulevard and Penn-  
24 Wortman, and Belmott-Sutter [sp?], and also Linden  
25 [sp?]. Omawali Clay [sp?], my Chief of Staff, has

been working with them, but this is not the solution. It appears to be, because no question, the Federal Government denied, the state government denied, and now we have an opportunity. This is what I support. I support residency management of their own residents. Why can't we fund the residents, train the residents to manage and own their own places that they reside. We have a 100 billion dollar city capital budget. I think that instead of the 1.6 or 1.4 billion the Mayor is giving the PACT to do some repairs or whatever they're going to do, we should put 10 to 20 billion into NYCHA and let the residents manage their own home. We went from Section 9, which I support a thousand percent, public to Section 8. Don't be swayed by the cute pictures that they send up in a few apartment where they do these cheaply done fix-ups. These are major, major issues. So as we go forward-- repairs have been done cheaply. Some repairs were closed without anything being done. Confusion over the process-- some people were told if they don't sign, they're going to be evicted. So they was threatened to sign, and they went from private/public to private. So we got to look at the difficulties and complaints going forward, and while

1 these things go forward, we cannot take off the table  
2 the City Council's responsibility, the state's  
3 responsibility to public housing. RAD and PACT, I  
4 agree with the previous speaker, is not the answer.  
5 However, when our tenants say that this is what they  
6 want to do, because they have to live there-- Omawali  
7 Clay, my Chief of Staff is going to sit and work with  
8 them to make sure they're not getting [inaudible].  
9 As soon as they got it, we had a big heat problem in  
10 one of the developments. It was a real challenge,  
11 and they re-negged [sic] on a lot of the commitments.  
12 Tenant groups are having difficulties accessing their  
13 tenant association money to go forward. so when you  
14 look at all of these issues, and then as the Council  
15 Member said in her opening statement, it's not just  
16 these wonderful presentations with all of the  
17 pictures that we're going to go for, we looking at  
18 substantive changes for a long length of time. After  
19 this year, and the years down the road, we're going  
20 to see that this was not the right move, but I  
21 support my tenants, and when they want to do  
22 something, I'm just going to make sure that they're  
23 done right. But right now, I support this last  
24 speaker. We should support Section 9, and I support  
25



1 a tenant management program where the residents will  
2 own, operate, and manage the places where they live.  
3 I thank you, Madam Chair, so much for allowing me to  
4 make these statements because of the urgency that we  
5 have in our community that I have to tend to, but I  
6 thank you so much, and your opening statement was  
7 right on spot. Thank you very much.

9 CHAIRPERSON AVILÉS: Thank you so much,  
10 Council Member, and I'd also like to acknowledge  
11 several other Council Members who have joined us  
12 today, Council Member Sanchez, Council Member Kagan,  
13 Council Member Salamanca, and Council Member Mealy,  
14 and Council Member Restler, if I did not mention you  
15 before. Thank you. So I guess now we will move into  
16 additional Q&A portion of the hearing, and I'd like  
17 to open up with discussing financing the deal  
18 structures, one of the places that feel most opaque  
19 to residents. So, I'd like to start with in terms  
20 of-- in 2017, HUD calculated that the leverage ratio  
21 of funds generated for every one dollar in public  
22 housing was 19 dollars to one. After the conversion  
23 of several PACT deals, is this leverage ratio  
24 accurate? And also, what is the leverage ratio for  
25

funds for private financial sources to NYCHA,  
financial sources at PACT sites?

JONATHAN GOUVEIA: Thank you for the  
question. So, HUD actually updated that study and  
the latest number is \$14.91 cents to a dollar, and  
that's for the HUD-wide portfolio. We do not yet  
have a number-- we got your question last evening, so  
we're actually working on NYCHA's specific number and  
do not have that, but for the program as a whole  
across the country it is \$14.91 as of the latest HUD  
update.

CHAIRPERSON AVILÉS: And the latest HUD  
came out when?

JONATHAN GOUVEIA: I believe 2021,  
something like that.

CHAIRPERSON AVILÉS: So, in terms of the  
leveraging ratio funds for private versus NYCHA, the  
ratio there for PACT sites, is that--

JONATHAN GOUVEIA: [interposing] I mean,  
we have not cal-- we have not come up with an  
equivalent calculation for that. But what I would say  
is -- I'd go back to my testimony. At this point  
we've converted the 15,000 units, and that has  
unlocked 3.4 billion dollars' worth of work.

CHAIRPERSON AVILÉS: For those 15,000 units, how much money has the public sector invested?

JONATHAN GOUVEIA: Well, at the end of the day, ultimately the ability to raise capital, raise debt for these projects comes from the commitment of the Section 8 subsidy. So the bulk of that is coming primarily from the federal subsidy that is in perpetuity-- or expands multiple decades as part of these deals. So that is definitely the biggest contributor. There's also developer equity that is contributed to these deals. We have started to use historic tax credits on a number of our projects and expect to use more of that going forward, and we're continually looking for other sources of capital, whether that be debt or equity.

CHAIRPERSON AVILÉS: Could we see a break-down of how much money was-- public money was invested in terms of tax credits, HDC bonds in these deals?

JONATHAN GOUVEIA: Yes, we could--

CHAIRPERSON AVILÉS: [interposing]  
Totality to-date.

JONATHAN GOUVEIA: create that for you and send it to you as well.

CHAIRPERSON AVILÉS: Great. In terms of, as of today, how much money has the private sector invested in these deals?

JONATHAN GOUVEIA: I would turn it over to Marissa Schaffer. Again, we got some of these questions from you all last evening, and so we working on generating some of these numbers. So, Marissa if you could chime in on what we think our number is there.

MARISSA SCHAFFER: Sure. So in terms of money invested from the private sector, as of today, approximately 90 million dollars has been invested from developer equity. In addition, developer's deferment of their developer fees has totaled approximately 25 million dollars, and then in addition, Jonathan mentioned historic tax credits as a source. Those are, you know, federal and state tax incentives, but we-- they're syndicated by private investors and that's raised about 350 million dollars. And similarly we-- you know, the program is supported by a series of bond resolutions for HDC, and a number of loans for HDC, which private lenders and individual bond holders participate in as well, and that totals over two billion dollars.

CHAIRPERSON AVILÉS: Thank you for that.

Does NYCHA plan to publicly disclose all of the transactional documents that underline PACT deals? As I mentioned earlier, one of the most common concerns that we've heard from residents and other stakeholders, quite frankly, is the opacity of these financial transactions, both everything from what the companies actually look like to what the agreements are. Can you tell me if NYCHA will publicly disclose these documents?

JONATHAN GOUVEIA: WE have all of our template documents online so people can see how these deals are generally structures. As it relates to specific agreements, we have not released those and thus far do not intend to, and the reason is because we want to be able to negotiate the best possible deals for every single project. If they're out there, then you know, obviously it makes it harder for us to do our jobs in terms of negotiating with our counter parties [sic].

CHAIRPERSON AVILÉS: But for the deals that have already been done and completely, how does it hurt NYCHA to negotiate forward?

JONATHAN GOUVEIA: I mean, I think-- well, it's I think something that we can talk about. I don't-- again, at this point we have not contemplated releasing those deal documents.

CHAIRPERSON AVILÉS: In terms of the sites that have been converted, how much revenue has NYCHA received from each site?

JONATHAN GOUVEIA: I will defer to Marissa who is computing all of that into the evening and this morning as well.

MARISSA SCHAFFER: Hi, again. To date, NYCHA's received approximately 275 million dollars in revenue from the converted sites. That's composed of acquisition payments, developer fees, payments on NYCHA's seller notes, and a series of other payments including rental payments and subsidy loan interest payments.

CHAIRPERSON AVILÉS: Thank you for that. In terms of how those revenues are spent, what is the criteria that NYCHA uses to determine how it allocates those revenues?

JONATHAN GOUVEIA: So, the way in which we are allowed to spend money is subject to various regulations, HUD and otherwise. So, there is no one

space that we use the money, and it's basically subject to-- we generally apply it to NYCHA operations. And again, consistent with HUD rules.

CHAIRPERSON AVILÉS: So, HUD-- HUD makes, determines criteria around where you allocate those revenues? Because it's coming from this specific deal.

JONATHAN GOUVEIA: Right, correct.

CHAIRPERSON AVILÉS: Just making sure I understand.

JONATHAN GOUVEIA: Correct.

CHAIRPERSON AVILÉS: Thank you. In terms of-- so is there any opportunity for residents to engage around where revenue allocations are made from these deals?

JONATHAN GOUVEIA: Well, this is, you know, one of the benefits of-- we spoke about this yesterday. You know, we have been working to evolve our community engagement process, and now we spend a lot more time before we put out a procurement. Our residents are involved in telling us what they need in terms of their developments beyond the PNA, the physical needs assessment studies, beyond the engineering studies. They're really telling us very

granularly what they need and what they want in the PACT conversions. So it's part of those conversations. They get to-- that's a great opportunity for them to tell us what they need. And then as we go through, s you know, we now have residents sitting on our developer selection committees. They can help us negotiate potential funding for, you know, special requests that they may have as it relates to their development.

CHAIRPERSON AVILÉS: And in terms of-- I guess, I-- definitely, we're going to go back to this question around resident engagement and outcome, and it's I think important for the record to note that much of what you described on the PowerPoint is our programs that are launching as of now, and it is important to note for the record that a good deal of residents in the conversions of the-- I forget how many thousands of units, right at the first tranche, did not receive the benefit of a supportive process that you are des-- that you were describing today in the PowerPoint. Is that accurate?

JONATHAN GOUVEIA: It was-- and I will defer to Simon Kawitzky and Leroy Williams who lead our engagement processes. We've always been committed



1 to engagement. It is certainly much more robust and  
2 much more enhanced today, and we have much more  
3 opportunities for residents to plug-in. But it has  
4 always been a part of our program, but I would defer  
5 to Leroy and to Simon to comment on, you know, what  
6 we did at the very beginning.

8 SIMON KAWITZKY: Good afternoon. Would  
9 you like us to speak to those issues now, or do you  
10 want us to come back to the engagement process?

11 CHAIRPERSON AVILÉS: I'm going to ask one  
12 more financing question, and then we can go back to  
13 that because that's certainly a larger--

14 SIMON KAWITZKY: [interposing] It would be  
15 a longer conversation.

16 CHAIRPERSON AVILÉS: Yeah. In terms of--  
17 let's see. What is the anticipated profit margin  
18 for private developers and management companies over  
19 the life of the contract?

20 JONATHAN GOUVEIA: So, the PACT partners  
21 generally get a developer fee and a share of the cash  
22 flow, and in terms of the developer fee it's  
23 generally kept by about 10 percent. We've been  
24 negotiating lower than that, and in terms of the cash  
25

flow, we generally split between NYCHA and the PACT partner 50 percent in terms of cash flows.

CHAIRPERSON AVILÉS: And is that something that's publicly disclosed on an annual basis?

JONATHAN GOUVEIA: we do not.

CHAIRPERSON AVILÉS: Is there any reason why it is not disclosed?

JONATHAN GOUVEIA: We could certainly consider it.

CHAIRPERSON AVILÉS: Can you provide to the Council what those fees have been for the past five years.

JONATHAN GOUVEIA: It was embedded in the comments that Marissa made earlier when she was talking about the revenues. So that would-- developer fees are part of some of the fees that we have collected over the last several years. Marissa, I don't know if you have developer fees specifically tabulated or summed.

MARISSA SCHAFFER: Sorry, I was on mute. Perhaps that's something we can provide in the breakdown of the funds that you requested.

1  
2 CHAIRPERSON AVILÉS: Particularly, by--  
3 definitely certainly by company. We see there are  
4 several repeat actors who are obviously vying for  
5 bundles of work. It would be good to see what their  
6 cumulative benefits and assets are in these  
7 conversions. In terms of-- let's see. Okay, I think  
8 we-- do we know how much more private profit will be  
9 generated in conversions, particularly in in-fill?  
10 Is NYCHA anticipating using in-fill as another  
11 strategy?

12 JONATHAN GOUVEIA: Absolutely, but in--  
13 you know, it would be done in concert with  
14 conversations with our residents. As you know, we had  
15 this groundbreaking process with Fulton and  
16 Elliott/Chelsea [sp?], and through that working group  
17 process they agreed to include an in-fill project as  
18 part of that whole-- the bigger project that's  
19 combined with PACT. So we expect that we would be  
20 doing more of these, but again, it would be done in  
21 conjunction with our conversations with our  
22 residents. In terms of, you know, profits for the  
23 development partners, I mean, it's hard to project  
24 what that would look like. I mean, our goal is to  
25 raise funds to put into the developments first and

1 foremost, and we're also making sure that we're  
2 negotiating the best deals. You know, we fight a lot  
3 with our development partners around returns to them,  
4 and make sure that they're getting-- you know,  
5 obviously they have to be compensated, so there's a  
6 fair and reasonable rate that they should get, but we  
7 are not looking to, you know, to go past that. We  
8 want to make sure that we're hitting that mark and  
9 making sure that we're generating funds that are  
10 going to go into the community.

12 CHAIRPERSON AVILÉS: Thank you. in terms  
13 of-- you know, I think one thing we are very clear at  
14 is the private market is certainly profit-driven, and  
15 connected to the-- what we hear from residents around  
16 shoddy repairs and lack of full services and no  
17 clarity around what is-- what are the benchmarks and  
18 agreements that are made for particular developments  
19 at these private companies if we don't in fact also  
20 have access to what the profit margins that are going  
21 to be clearly driving a level of service and work, it  
22 certainly puts the tenants at a disadvantage. So I  
23 think my comment really is to underscore how critical  
24 is to have public access to what the profit margins  
25 are here.

JONATHAN GOUVEIA: Right. Understood.

CHAIRPERSON AVILÉS: So, thank you for that. In terms of, obviously 40 billion plus, 20 billion every ten years-- I sure I'm not classifying that quite correctly, but an enormous amount of resource in terms of capital needs. We all know that the simplest and most direct way to preserve NYCHA would be for congress obviously to pass Build Back Better and to approve the budget that fully pays for NYCHA's capital needs. Would you also agree that the City should invest in NYCHA's cap-- fully invest in NYCHA's capital needs?

JONATHAN GOUVEIA: I mean, we are looking for capital from all levels in government, the city, state, and the Federal Government, and we continually make the case and are hopeful that all levels will contribute significantly, because it is obviously a necessary to preserve this housing stock in the city. But in the interim, we don't have that, which is why we're advancing PACT.

CHAIRPERSON AVILÉS: Do you think the City is sufficiently investing in the capital needs to address the crisis that we are facing?

JONATHAN GOUVEIA: I mean, the city announced a pretty significant investment a week or so ago, which we're very excited about. So that is a great start.

CHAIRPERSON AVILÉS: Great start, but pretty far from the capital needs and the crisis at-hand. Would you agree with that?

JONATHAN GOUVEIA: Well, it's not 40 billion, but yes, we would continue to advocate for more.

CHAIRPERSON AVILÉS: Thank you. In terms of-- I think, maybe I will shift a little bit to the-- some basic RAD/PACT--

JONATHAN GOUVEIA: [interposing] Sure.

CHAIRPERSON AVILÉS: questions, and certainly we'll get back to the community engagement aspect which is very important for our residents in particular. In terms of how developments are selected, I have a three-page long list of developments in several phases. How are developments selected for RAD/PACT? Could you talk to me specifically about that?

JONATHAN GOUVEIA: Sure. So, over the last couple of years, this strategy has evolved a bit

1 to address specific concerns. For example, in the  
2 very early days of the program, we wanted to make  
3 sure that we were putting the unfunded sites, which  
4 Linden and Boulevard are among the last of the  
5 unfunded sites-- put them through the PACT program  
6 because they have not had stable funding for decades.  
7 This is now the first time that the so-called  
8 unfunded sites are now getting the robust funding and  
9 repairs that they need. So now that, you know, that  
10 those types of developments have gone through the  
11 process where we have work to do is really come up  
12 with a methodology, and actually Simon Kawitzky who's  
13 the Vice President of Portfolio Planning on my team  
14 developed a methodology to really prioritize the  
15 sites that we wanted to put in the PACT program. And  
16 there are a number of criteria, but the leading  
17 criteria are number one, the physical needs, the  
18 level of distress, right? The ones that are in the  
19 most precarious condition are the ones that need the  
20 quickest attention, the soonest attention. And  
21 secondly, the sites that we have a hard time managing  
22 ourselves, those are sites that we think are pretty  
23 good candidates for PACT. Then of course we have, as  
24 has been discussed, as we involve our community  
25

engagement process, we work a lot with residents, and we get their support before we advance. But Simon, if you want to chime in with a couple of more details, feel free.

CHAIRPERSON AVILÉS: So, in terms of-- so my understanding is that in terms of the fiscal needs criteria that often-- what is prioritized for an impact has certainly not been the most distressed properties but probably mid-level properties, is that true?

JONATHAN GOUVEIA: I mean, they are definitely very distressed, whether they're--

CHAIRPERSON AVILÉS: [interposing] The whole portfolio is distressed. We can all agree to that for sure.

JONATHAN GOUVEIA: Yes.

CHAIRPERSON AVILÉS: My question is-- are-- does the-- is there weighted consideration for more distressed properties, or are we prioritizing mid-level distressed properties.

JONATHAN GOUVEIA: I would say--

CHAIRPERSON AVILÉS: [interposing] For RAD/PACT.



JONATHAN GOUVEIA: the first screen is the most distressed. But again, Simon can add some nuance there.

SIMON KAWITZKY: Yeah, sure. So, actually, a lot of the developments that are challenging for us to manage like Jonathan mentioned, also happen to be the most fiscally distressed, and that's not a coincidence, as you can imagine. Many of these developments, if you look at our pipeline, are scattered across large neighborhoods and areas. They're really hard for NYCHA, this large institution, to really travel to these locations on a regular basis, and they also don't fit our capital programs in the way that we want them to. You know, our bread and butter are really those larger campuses that we're all familiar with, the Towers in the park, and part of what I've been doing is trying to realign our capital programs with the conditions and the configuration of our developments to make sure that we're well-suited for one-- they're well suited for one another. I'll also say that there are some developments that are in our pipeline maybe don't top the list in terms of fiscal distress. Again, that is a subjected topic. All of our properties are

1 distressed. Everywhere you go you see incredible  
2 issues that need to be taken care of. But there's  
3 another category of sites where we do have  
4 opportunity to capitalize on real estate  
5 opportunities, and that's where the project at Fulton  
6 and Elliott/Chelsea came from where we can actually  
7 tap into the real estate market, raise revenue from  
8 re-development, or the sale of air rights, for  
9 example, and use that funding to complement the  
10 funding that we can raise through PACT alone, and  
11 that is an opportunity that, you know, we don't want  
12 to pass up. It allows us to make a higher level of  
13 investment in our properties. And again, all of that  
14 investment to be determined based on the needs and  
15 consultations with residents.  
16

17 CHAIRPERSON AVILÉS: Thank you. I was  
18 waiting for that, when that criteria was going to  
19 emerge, because it clearly is part of the equation,  
20 sometimes a concerning part, but nevertheless a  
21 piece. In terms of properties that NYCHA has a hard  
22 time managing, it's a very broad category that one  
23 could argue if you listen to the residents are 100  
24 percent of the NYCHA developments across the City.  
25

Can you clarify exactly what you mean by that besides geographic distance?

SIMON KAWITZKY: Sure. So, aside from geographic dissent, it would have to do with the nature of the buildings themselves. Many people who don't-- who aren't NYCHA residents maybe aren't familiar with the fact that NYCHA actually manages a lot of developments that are built before public housing was, you know, first created across the country. In the 80s and 90s, NYCHA came to own a large number of properties that were taken and run by the City. These are pre-war buildings. There are also a number of buildings that were constructed in that era which have similarly fallen into disrepair. And all of these properties have a whole range of different issues that some of our buildings that were constructed in the 40s, 50s, and 60s are not dealing with. They need a really substantial level of investment, and those also happen to be those developments that are scattered across large areas. So, from a geographic perspective, there's not a centralized management office. Residents have to travel long distances to get to the management office and our property managers and staff have to travel

1 long distances to get to those properties. Given the  
2 very nature of those buildings, it's also not  
3 efficient from a capital perspective. So when we  
4 raise money to invest in NYCHA, the capital project  
5 side, not through PACT. These are buildings that  
6 have a whole range of different roof types, different  
7 mechanical systems and boilers. Many of them don't  
8 have elevators or other systems like that, and they  
9 all need special treatment. And again, so that makes  
10 them difficult for us to invest in and plan for the  
11 larger scale as well.

13 CHAIRPERSON AVILÉS: Thank you for the  
14 response. I'm not so sure I heard anything different  
15 other than what we always hear, the typical  
16 challenges, daily challenges across the board,  
17 whether you're in far Rockaway, or central Manhattan.  
18 I'm still struggling with this particular criteria,  
19 but we can certainly move on. In terms of the  
20 conversion process itself, before COVID, NYCHA and  
21 the incoming PACT developers conducted outreach to  
22 PACT conversions, how were those outreach  
23 conversations conducted?

24 SIMON KAWITZKY: So, I'll invite Leroy  
25 Williams, Senior Director of Community Development,

to speak to how those earlier conversions were done.

He was here before me. I can also talk-- we can both talk together about some of the changes that we've made to retool the process in recent years.

LEROY WILLIAMS: Good afternoon. Sorry.

CHAIRPERSON AVILÉS: Good afternoon.

LEROY WILLIAMS: So, I came around 2016 when we were halfway going through Ocean Bay. We didn't have really like dedicated staff to just do engagement for PACT developments. So, around August of 2016, community development was born so that we can spend time just concentrating on engagement with residents. As of 2018, of course, we kind of relaunched the way that we were doing engagement, and you know, from the point of 2016 when I had maybe 18 staff members to do engagement. Right now, we're about 47 residents-- excuse me, staff to do that. We spend an enormous amount of time doing door knocking, you know, robo calls, calling residents, putting out information, as a resident stated, in the appropriate languages at a development. We do a lot of office hours. Something new that we are going to be starting in the beginning of June is having a dedicated staff person at the PACT location so that residents doesn't

1 have to wait until we get to a, you know, bi-monthly  
2 resident meeting. So, they can just come downstairs,  
3 either in a community room or in the management  
4 office, whatever is easier for them. So, you know,  
5 the evolution of engagement is ongoing. Once a-- we  
6 meet with the resident association, we try to curtail  
7 whatever the engagement process is with that  
8 particular development. Yes, we have, you know,  
9 similar things that we do for everyone, but you know,  
10 depending on the site, just as Manhattanville [sic]  
11 is one of the sites that we've been working with and  
12 the Association President and the Board really wanted  
13 more engagement for residents. So we made sure to do  
14 open houses in every single one of the buildings in  
15 the lobbies, catching residents as they come in  
16 inside of the perambulator rooms in the community  
17 center. So we're trying to hit whatever it is that  
18 most residents come to and make sure we send out that  
19 information ahead of time so residents can be  
20 available for those.

22 CHAIRPERSON AVILÉS: Got it. In terms of  
23 the Community Engagement Unit and the 47 staff, are  
24 they part of the larger NYCHA outreach, or is this  
25 specifically staff dedicated to PACT?

1  
2 LEROY WILLIAMS: So we do everything that  
3 has to do with real estate, so the affordable housing  
4 any kind of in-fill sites, but we have a separate and  
5 apart resident engagement that handles everything  
6 else.

7 CHAIRPERSON AVILÉS: Got it. Okay, thank  
8 you for that distinction. So in terms of the-- can  
9 you describe the steps that you go through to inform  
10 residents around the conversion? Because it is one  
11 of the ones that if-- you know, one of the most  
12 common pieces of feedback is, "I don't understand."  
13 I mean, you heard Ms. Camacho say very recently that  
14 she's very confused about this process, very--  
15 unclear about the documents that they're given. We  
16 know the city has a wonderful track record with  
17 providing documentation to residents that is  
18 incomprehensible, particularly on like technical  
19 elements such as this. Can you walk us through what  
20 the process is and what the documentation looks like?

21 SIMON KAWITZKY: I can start and we can  
22 get into some specifics together. So, actually,  
23 Heather, if you're listening, can you pull up slide  
24 20? So, this is some of the information that we went  
25 over yesterday during the pre-hearing call. but, you

1 know, we have do have a standard approach to  
2 conducting engagement that we do now across all of  
3 our projects, and it's really consistent with common  
4 design thinking approach in the very early stages.  
5 So, starting on the left-hand side of this chart, you  
6 know, we're really just starting to engage, share  
7 information about the program, educate residents  
8 about it, about PACT and how it works, listening to  
9 them about their ideas and priorities of how we can  
10 best work with them to make sure that word is  
11 spreading round their community and address any other  
12 specific needs that they may have. In the design  
13 process we're digging deeper and better understanding  
14 what specific types of investments do you want to see  
15 to achieve your goals and priorities. This is also  
16 where we're selecting PACT partners. So, Ms. Pacheco  
17 from UPAC [sic] Six, who spoke earlier, we've been  
18 working with very closely. Part of the struggle I  
19 think that we've been dealing with is in our push to  
20 start the engagement process very early and get out  
21 there soon-- like, way before we actually engage with  
22 developers or even thinking about transitioning the  
23 property to just share information. That is good  
24 because it-- now residents have, you know, that long  
25



1 launch pad before anything actually happens. They  
2 can start to really get familiar with the material.  
3 But then again, we're also hearing that residents as  
4 we all know are struggling with daily issues in their  
5 homes, and one of the biggest concerns we actually  
6 hear is how soon you can start. So, unfortunately  
7 there is a little bit of that hurry up and wait kind  
8 of happening, but we are trying to think about how to  
9 actually front load the procurement process a little  
10 bit sooner. Ms. Pacheco and UPCA [sic], we're  
11 actually at the beginning of the procurement process  
12 now. So we're forming those Resident Review  
13 Committees who are going to look at the proposals  
14 from developers and contractors and property  
15 managers, and work with us to actually select who  
16 those are. once those partners are selected-- so if  
17 we're still looking at the chart on the screen that's  
18 in the refine phase, that's when we roll up our  
19 sleeves and start developing those really detailed  
20 plans for their development. Residents at these  
21 developments now in the design phase will see much  
22 more regular communication from NYCHA and form our  
23 partners because this is really where, you know,  
24 we're making the footing and we're getting to  
25

1 business and figuring out what exactly the plan is  
2 for this development. Once the project actually  
3 transitions to project-based Section 8, it's about a  
4 two-year period, and again, we're staying closely  
5 involved in the developments and the work as it  
6 progresses on all different levels, but especially  
7 with residents to make sure that all of their needs  
8 are being addressed. I'll pass it off Leroy to speak  
9 about some of the different activities that we  
10 undertake. Every phase of this work involves  
11 different kind of engagement tactics, and we've  
12 developed a whole range of different tools to reach  
13 people at the big meeting level, the virtual meeting,  
14 and on an individual and personal level as well.

16 LEROY WILLIAMS: So, as I said before,  
17 2016 when we started we were really struggling,  
18 right? We didn't have enough staff, we you know,  
19 knew some things that we can do for engagement, but  
20 we didn't have all the answers. So, of course, you  
21 know, as me, a longstanding public housing resident  
22 and working for the Housing Authority, of course I  
23 know we have to go to the residents, because they're  
24 experts, right? So over the years, we really built,  
25 you know, in the time when they come from the

beginning. Like, what it is that's needed for your particular development? Yes, we have these 10 things that we know, that everybody knows a public meeting is needed, right? Everyone knows that, you know, it's great to have fliers all over the place, but what else can be done in your particular developments? So, you know, just some things that we can notify you about is we set up a PACT hotline and email. You know some residents aren't-- you know, don't want to particularly speak to someone all the time, they just might want it in black and white. so we have someone that's-- you know, we're reviewing that daily and making sure to contact them back if they leave messages on our PACT hotline. We share information through robo calls. So if we're going out on a door knocking campaign, we make sure we send out a robo call to everyone to say, you know, you might see staff members walking around or whatever it is. If they knock on your door, this is to share information about the program that's coming to you. We also use robo calls for announcing meetings and for, you know, people a day before just to make sure they remember that the meeting is happening. We do meetings-- of course now with COVID, we do virtually

1 and in-person. For the last two years we was just  
2 doing virtual, but recently we started doing in-  
3 person meetings, and just of last week we had an in-  
4 person meeting at Manhattanville Houses on the design  
5 and construction. We give monthly Resident  
6 Association Board updates. Sometime they are-- you  
7 know, depending on the association, sometimes they're  
8 busier than others, but we try to make sure we meet  
9 with them regularly to give them updates, and ask any  
10 resident association if they have questions and  
11 things like that or need clarity. We want to make  
12 sure to give them that clarity on an ongoing basis.  
13 Open houses was something probably after 2018 that we  
14 started, basically we're offering an allotment of  
15 three to four hours where my staff is either in the  
16 lobbies or in a community center or a senior center,  
17 so that all residents are aware. They can come  
18 downstairs and ask those questions. Everybody  
19 doesn't want to talk in a big meeting. So we want to  
20 give, you know, people individual time to ask those  
21 questions and receive information. We give PACT  
22 tours to development where they completed  
23 construction. As of now, we have 30 scheduled in the  
24 next couple of months. We do two to three per week.  
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CHAIRPERSON AVILÉS: Leroy, can I ask what is the budget for the resident engagement, and

1  
2 is there a budget specifically for interpretation  
3 and--

4 LEROY WILLIAMS: [interposing] Yes.

5 CHAIRPERSON AVILÉS: translation of  
6 documentation?

7 LEROY WILLIAMS: So, I have a budget  
8 closer to 200,000 dollars that's given to me from the  
9 beginning. And then as needed our real estate  
10 partners put in additional funding, but for  
11 everything that we do we try to make sure that  
12 whatever language is spoken at that particular  
13 development is there. So in every meeting we always  
14 have a translator. You know, if things come up that  
15 we weren't aware of particular languages there, we  
16 try to make sure we'll follow up with that resident.  
17 NYCHA has its own language bank. So when we do  
18 canvassing, of course I can't have 10 different  
19 canvassers that speak the language, but what we do is,  
20 we have a language card. The residents are able to  
21 pick what languages, the one there that they speak,  
22 and we can actually call that language bank on the  
23 spot to help us interpret what we're trying to say in  
24 response to our questions or answers.

CHAIRPERSON AVILÉS: So, in term of the  
OTPS for outside of the personnel staff-

LEROY WILLIAMS: [interposing] Yes--

CHAIRPERSON AVILÉS: [interposing] Is  
200,000 dollars what you have to do interpretation,  
anything else that the unit might need, and--

LEROY WILLIAMS: [interposing] Yeah,  
because our real estate partner give money for like  
AV and you know, other things. So I concentrate my  
funding on particular things, and then the rest of  
the funding comes from real estate.

CHAIRPERSON AVILÉS: And how is that  
determined?

SIMON KAWITZKY: I'll just say that the  
NYCHA budget is actually most utilized in the early  
planning stage. As Leroy mentioned, once the PACT  
partners are selected and come onboard, you know,  
they're the ones that are actually then providing the  
AV and the facilities and the translators. So, you  
know, depending on your perspective. It may not  
sound like enough, but it's used for probably the  
first half the process for each project.

CHAIRPERSON AVILÉS: So with the current  
ramping up that we see and all the units that are

1  
2 slated for conversion, is the expectation that a  
3 200,000 dollar budget is going to be sufficient for  
4 those numbers of conversions coming up?

5 LEROY WILLIAMS: So, again, my budget  
6 concentrates on certain things, right. So the tours,  
7 I paid for that type of things. Some of the language  
8 services I paid for that type of thing. So there's  
9 things that real estate pays for, right? So, audio  
10 on visual and you know, sound and things like that,  
11 whatever we need for our meetings, we use their  
12 budget for that, and then for our budget it's more of  
13 smaller types of things. I mean, it's all in  
14 [inaudible] smaller, but we try to-- I don't usually  
15 go over my 200,000 dollars because a lot of the big  
16 ticket items come out of the budget of real estate.

17 CHAIRPERSON AVILÉS: Great. We'd love to  
18 see a copy of what the community engagement budget  
19 for this unit is with kind of the itemized breakdown  
20 around translation services and other aspects of the  
21 activity that you plan there.

22 LEROY WILLIAMS: No problem.

23 CHAIRPERSON AVILÉS: thank you. I have  
24 eight million more questions, but I would like to  
25



open it up to my colleges who are eagerly waiting and have comments and questions. So, Audrey.

COMMITTEE COUNSEL: thanks very much.

We'll now take questions from Council Member who raised their hands via Zoom. First we'll hear from Council Member Stevens followed by Council Member Ayala, and the Council Member Restler.

SERGEANT AT ARMS: Time will begin.

COUNCIL MEMBER STEVENS: Hello. Hello everyone. Good afternoon. I would first like to give a special shout out to Council Member Avilés who is doing an amazing job with this hearing, and I'm so grateful that you are the Chair of Committee. You're doing amazing work, and the questions you're asking are questions we need to hear, and you're doing it with so much love and compassion. So I just wanted to give you a special shout out for that. So, I have a couple of questions, and I'll use my time very wisely. So I'll ask two of them in conjunction and then I'll see if I have more time. So my first question is how has NYCHA conducted and overall assessment of the 14+ units that have already been converted with RAD, and if you've done an assessment, could you please give us a breakdown of what that is?

1  
2 And then what is NYCHA's process for [inaudible]  
3 developers and the process for removing developer who  
4 have chronic violations and complaints?

5 COMMISSIONER STRAUBER: So, on the first  
6 as it relates to assessments, we haven't done  
7 assessments, per say. We are in the process of  
8 designing and rolling out a series of surveys that we  
9 would put out to residents to do exactly that to  
10 really gauge their satisfaction with different  
11 aspects of her whole program really. So from the  
12 beginning of the engagement--

13 COUNCIL MEMBER STEVENS: [interposing] Is  
14 there-- I'm sorry, not to cut you off, but is there a  
15 specific reason why you haven't done an assessment,  
16 like a real evaluation and not just a survey?

17 JONATHAN GOUVEIA: We are, as I've said  
18 through the testimony, I mean, we're always looking  
19 to improving the program. It is something that we  
20 realized was a weakness and that's why we're doing it  
21 now.

22 COUNCIL MEMBER STEVENS: I just want to  
23 point out, a survey is not an assessment and that's  
24 not a real evaluation. So I think that we should  
25 really be thinking about how are we effecting things

1 before we are expanding them, before we get into a  
2 place where we can't really roll things back. So I  
3 think that is important that we take time to do an  
4 actual 360 assessment and talks to not just  
5 residents, we talk to, you know, the developers and  
6 get real accurate data that can be used to have a  
7 real assessment. So I think that we have there  
8 [inaudible]. So, also--

10 JONATHAN GOUVEIA: [interposing] so, just  
11 the surveys that I mentioned, though, are one piece  
12 that we're working on. One thing that we established  
13 over a year ago was an Asset Management Team, and a  
14 Design and Construction Team, and both of those teams  
15 are actually collecting a lot of reporting on a  
16 monthly basis. And so that-- we are collecting  
17 reports as it relates to the performance of the  
18 construction, making sure that it's being--  
19 construction projects are happening according to  
20 expectations, and we have regular spot checks, both  
21 NYCHA folks going out, and we have a third party that  
22 we've hired to also do that validation for us. in  
23 addition, our Asset Management Team collects monthly  
24 reporting on a whole host of issues form work order  
25

performance, making sure especially with a keen focus on the--

COUNCIL MEMBER STEVENS: [interposing]

So, how is that data then put together and then dispersed to residents and, you know, elected officials, because that sounds like a lot of reports, so then where is that being put together and like sent out so it can be seen and made available to the public?

JONATHAN GOUVEIA: We have not released those yet. We have been building this out over the past year and getting a database and working that out, but our expectation is that we would be developing dashboards and sharing that information more widely.

COUNCIL MEMBER STEVENS: I think that that should definitely be a priority, because I think that some of issues and concerns that we're hearing from residents where they're not feeling like they're getting the adequate information, and then also just making sure that it is, you know, something that people can digest. Because Chairperson, she explained how a lot of time the information that is given to residents and to the public isn't really

1  
2 digestible and hard to understand and hard to  
3 navigate. So we should definitely make sure that,  
4 you know, people can understand what you're putting  
5 out. So my next question was, what is the process  
6 for evaluating developers, and what is the process  
7 for removing developers that have chronic violations  
8 and complaints?

9 JONATHAN GOUVEIA: So, we go through a--  
10 currently, we go through a two-step process as it  
11 relates to PACT procurements. The first, which we do  
12 at the beginning of every year, is an RFQ, a request  
13 for qualifications, and that is put out to  
14 developers, general contractors, property managers,  
15 and we're looking for them to submit their  
16 credentials essentially, and we go through and we  
17 approve everybody, assuming that they meet our  
18 thresholds, on an annual basis. And anyone who was  
19 qualified in any given year isn't necessarily rolled  
20 over they have to sort of restate their interest in  
21 going forward in an additional year. So it's not  
22 just this automatic rollover.

23 COUNCIL MEMBER STEVENS: and what part  
24 does the residents play in that?  
25

JONATHAN GOUVEIA: Well, we're looking at making some changes. I'll just finish describing what we currently do. So what we do once we've prequalified folks in the early part of the year, usually January/February, is we go through the calendar year and we then focus on specific sites. We will invite PACT teams to submit proposals specific to sites. And as you've heard, what we've started doing in the last year or so is having resident review committees, and they sit on those committees and interview the respondents. So they see the proposals, they get to analyze the proposals, and then they get to interview the respondents, and they ultimately make the decision as to which team they feel most comfortable with. We are looking at-- to your question-- how do we frontload some of that work? How do we get the residents involved even in the early stage of the pre-qualification stage? At this point, that is something that we do in-house, but we are looking to, you know, again, bring the residents in earlier.

COUNCIL MEMBER STEVENS: [inaudible]

CHAIRPERSON AVILÉS: Council Member Stevens, I just wanted to jump in on this point in

terms of the RFQ and that process. Could you-- could NYCHA provide us with the RFQ and also--

JONATHAN GOUVEIA: [interposing] Yes, we can share those documents.

CHAIRPERSON AVILÉS: We want resident engagement, not just after RFQ's are done, but constructing RFQ's, because we know that residents are incredibly savvy at the things, spotting those things that they need, and so I would like to see residents much earlier in on that process, but on design and decision-making.

JONATHAN GOUVEIA: We agree.

CHAIRPERSON AVILÉS: Please, Council Member Stevens, continue.

COUNCIL MEMBER STEVENS: Thank you so much. I just-- I had another, I guess, question/statement, because I know we just talked a little bit about the community-- I mean, the resident engagement piece, and I was just literally at one of my developments where I have a lot of residents telling me that they're being tr-- you know, they're in the process of becoming a RAD and all these things, but they were just very confused, and then the CBO said that they offered a space to NYCHA to

1 hold the meeting, but then no one from NYCHA ever got  
2 back to them. so, I just want to say it sounds like  
3 there's a plan that's in place, but I'm not really  
4 sure how that plan is actually being implemented,  
5 because there's still a lot of residents who are  
6 unclear about this process, when things are going to  
7 be turned over. And so it's nice that, you know, in  
8 the beginning you guys have all these great pictures  
9 up, but it's still very scary for residents who are  
10 living through this process, and we need to make sure  
11 that we're including them and making sure that they  
12 understand the process, and I think that that's what  
13 the pushback is about, because no one is  
14 understanding when-- and when it's not clear, and  
15 where there's smoke there's fire. So for me, we need  
16 to make sure the residents are included at every  
17 aspect, and I think that is really important and we  
18 owe them that, because we've been-- we for so long  
19 have not given them the respect that they deserve.  
20 So, thank you, chair Avilés. We appreciate what  
21 you're doing, and I'm here to support you, and I'll  
22 yield the rest of my time. Thank you.

23  
24 JONATHAN GOUVEIA: Thank you.  
25



COMMITTEE COUNSEL: Thank you, Council Member. Council Member Ayala? If Council Member Ayala is not present, we'll take questions from Council Member Restler.

COUNCIL MEMBER AYALA: I'm here. Sorry, somebody needed to unmute me. Hey Victor, I see you smiling there. Caught [sic] me waiting. By my question is really around the selection process. I'd like to understand how a development is selected to be transitioned to PACT and RAD. I'm hearing, you know, conflicting reports on the ground from the resident leaders about what that process looks like and that concerns me. I've heard from some members that-- some resident leaders that they have received informal visits from NYCHA staff. They've had conversations about, you know, the possibility of transitioning, what transitioning means, and if they've expressed any interest whatsoever or curious about, you know, the possibility that they have automatically been put on the list. And so that obviously concerns me. So that's question number one, and question number two is that several of my senior buildings are being transitioned, and I am concerned about the developer's capacity to deal

1 with, you know, an experience with the older adult  
2 population. You know, seeing the nightmare that has  
3 resulted in NYCHA buildings, senior buildings, and  
4 leaving them, you know, without the necessary  
5 resources of social service workers, 24-hour  
6 security, and so I'd really like to know what that--  
7 you know, if there's any difference in the way that  
8 we're going to be addressing the senior housing  
9 portfolio as opposed to the rest of the buildings.

11 JONATHAN GOUVEIA: Thank you. So, on the  
12 first part about the selection, it is quite possible  
13 that you're hearing conflicting things about the  
14 resident involvement in the developer selection, and  
15 that's a product of just the evolution of how we've  
16 been doing things. I know Betances, for example, is  
17 in your district. That development went through PACT  
18 and residents were not involved because it was one of  
19 the earlier projects. So residents at that  
20 development who may hear about this will say, well,  
21 that never happened with us, and that would be true.  
22 Based on feedback and based on experience, we have  
23 added this. So I would say, you know, where there is  
24 conflict, it is likely due to just the age of a  
25

1 project. So, earlier ones we did not do that. Newer  
2 projects we've been endeavoring to do that.

3  
4 COUNCIL MEMBER AYALA: That's not what  
5 I'm referring to. I'm referring to the recent  
6 developments that were transitioned over. First, you  
7 know, I think in the East Harlem part of the district  
8 I have four development that were be-- that were  
9 transitioning, and I was the last to know. I actually  
10 found out through one of my resident leaders, which  
11 to me is problematic, by the way. And you know, then  
12 there were some others in the Bronx that were  
13 transitioned, and you know, I was curious to find out  
14 why were these buildings selected as opposed to  
15 others, you know, just out of curiosity. And some of  
16 the resident leaders, you know, said to me, well, so  
17 and so-- and I don't want to name names, you know,  
18 and I-- came over and was talking to us about this  
19 program, and the next thing I know I ended up on this  
20 list, and it became apparent that if anybody express  
21 any level of, you know, excitement or curiosity about  
22 the program-- and that's obviously not a way to  
23 interact with the leaders. I think there has to be  
24 transparency, and there have to, you know-- so I  
25 think that it wasn't clear to them that they were

1  
2 passively agreeing to being, you know, transitioned  
3 over and that's a problem. So, you know, I'm not  
4 even going to make it a question. I'll just leave it  
5 at that as a statement. I think that that is a  
6 problem for me. That is a problem for my, you know,  
7 my leaders, and this just happened a couple months  
8 ago. I did speak to NYCHA about this, and I have  
9 expressed my concerns, so I'll leave it at that, but  
10 if you can respond to the question around the senior  
11 building, I greatly appreciate that, and I also--

12 JONATHAN GOUVEIA: [interposing] Sure.

13 COUNCIL MEMBER AYALA: Sorry-- on the  
14 number of-- I was wondering if you happen to have the  
15 number of units that are currently offline because of  
16 the extensive need of repair?

17 JONATHAN GOUVEIA: So, just back on your  
18 first issue, I would offer to set up time for you to  
19 go through all of the developments, because I want to  
20 make sure that it's clear to you and to other members  
21 of your community. So, I would offer to do that, and  
22 we can schedule that separately. As it relates to  
23 the seniors' buildings, again, I think we would want  
24 to work with you because this is obviously critically  
25 important. We want to make sure-- I mean, again, as

1 I said in my testimony, for us it's not just about  
2 repairing buildings. We want to make sure that we're  
3 investing in these communities holistically. So we  
4 want to make sure that we are providing services to  
5 the residents of the buildings, and we understand  
6 that each building is its own community. So there is  
7 no cookie cutter approach. So we would be happy to  
8 work with you and resident leaders to make sure that  
9 those senior developments, you know, get the kind of  
10 attention that they need so that those are successful  
11 projects if they should materialize. And then,  
12 sorry, what was the third comment there?

14 COUNCIL MEMBER AYALA: In regards to the  
15 senior buildings, how you-- you know, what's  
16 different in the transition process of the senior  
17 buildings, because seniors require different level of  
18 service? So, I'm curious to know if there's any  
19 difference.

20 JONATHAN GOUVEIA: Well, primarily it  
21 would be-- right off the top of my head, I would say  
22 we would look for a robust social services program.  
23 So we'd want to make sure that the social services  
24 provider has deep experience in serving senior  
25 citizens. Again, we can talk with you and other

folks to find out if there's more that we can do to make sure that this-- that we are serving those residents appropriately.

COUNCIL MEMBER AYALA: I appreciate that. I did ask a question. Maybe you can get back to me later with that. I would love to know what the number of units that are currently offline is due to expensive repair work that's needed. If somebody could send that over, I'd greatly appreciate it.

JONATHAN GOUVEIA: Yeah, we'll have to get back to you on that number.

CHAIRPERSON AVILÉS: I'm sorry, Jonathan, did you mention-- actually I don't know if I asked specifically. In terms of this selection process and the list moving forward, can you provide to the Council what-- again, what this rubric is? We ran through some kind of broad strokes criteria, but we'd love to see a comprehensive document of both the rubric and then how the unit is stacked into that selection process, which will tell us why they're timed the way they are timed.

JONATHAN GOUVEIA: Right, yes, we can do that.

CHAIRPERSON AVILÉS: Thank you.

COMMITTEE COUNSEL: Thank you. We'll now take questions from Council Member Restler, followed by Council Member Oozes and Council Member Sanchez. Council Member Restler? Okay, we'll move to Council Member Ossé.

SERGEANT AT ARMS: Time will begin.

COUNCIL MEMBER OSSÉ: Hi, good afternoon everyone, and thank you Chair Avilés for holding this hearing and asking very important questions on this matter. You know, as a Council Member that has multiple NYCHA residents within my district this is definitely a topic of discussion that we're always engaging with. So I just do have a couple of questions. The first is, if RAD was to stop at this very moment, you know, no more projects moving forward, how will NYCHA meet the capital repair needs for its families?

JONATHAN GOUVEIA: Well, we're working on a number of initiatives, and I assume you've heard of the effort to establish the Trust. We're also developing a comprehensive modernization program, but at this point we're anticipating going forward with that.

COUNCIL MEMBER OSSÉ: Okay. And this question may have been asked. You know, I hopped on the hearing a little later, but if you could, you know, elaborate maybe for the record how outreach is made to NYCHA tenants, especially being done when educating them about RAD or PACT enrollment? Can you go into a little bit what that outreach looks like, especially for those that, you know, are coming to my office and saying they've never heard of RAD or PACT, nor did they agree for it to become something that affects their lives.

JONATHAN GOUVEIA: sure. I will actually turn it over to Simon and Leroy who run our engagement efforts.

SIMON ZAWITZKY: Good afternoon Council Members. So, the ways that we reach out to residents to educate them about PACT happens in a number of different ways. My colleague Leroy Williams described some of the different efforts, but we've tried really hard to prepare a lot of different materials that actually get distributed directly to residents. Kind of a double-edged sword of working during the height of the pandemic was that we actually weren't able to do in-person meetings. We



switched completely to Zoom and virtual, but we also because of that reason started distributing our information packets to every single household. They were either door-dropped, door-knocked or direct mail. And I have here for the members in the room today just some examples of some of those fact sheets. Leroy has an example of a packet. Every household gets this information in English and Spanish at their door. So there's really not a lot of ways around getting this material, unfortunately, but we have been hosting information sessions on a number of different topics, the general PACT 101, how the program works, the nuts and bolts, the process and timeline. We have a session that goes into detail on the resident rights and protections provided through the program, and we also have a session focused on the design and construction process and how to prepare for that transition of project-based Section 8, how do you make repairs now with a private manager, how do you certify your income, all those other really important things. And in addition to just material distribution, we'd be happy to send you all this information actually. So, that if you do have people walking into your office,

1  
2 it'd be great just to have that as a resource. We  
3 have a hotline people can call. We have an email  
4 address, and then as Leroy described, which he can go  
5 into a little more detail if necessary, we're hosting  
6 office hours and we do tabling events. We attend  
7 community events in addition to those more formal  
8 presentations.

9 COUNCIL MEMBER OSSÉ: Thank you. And the  
10 last question I want to ask you both, are there  
11 tenants that have been evicted post RAD or PACT? If  
12 so, what is the eviction rate, and what is NYCHA  
13 doing to protect tenants from being evicted post RAD  
14 or PACT conversion?

15 JONATHAN GOUVEIA: So, last year we took  
16 a look at the development that had gone through PACT  
17 and looked at eviction rates going backwards. So,  
18 let's say Ocean Bay, at that point in time Ocean Bay  
19 had been converted for about five years, so we look  
20 back five years to see what the eviction rates under  
21 NYCHA were, and we did this for each of the  
22 developments that had converted up to that point.  
23 So, obviously, the duration of time shrinks. Like  
24 the-- at the time, the most recent closing or  
25 conversion was the Manhattan bundle, and so the time

1 from conversion to when we did the analysis was about  
2 a year, and so the time backwards was about a year.  
3 But what we found was that the evictions were pretty  
4 consistent both under NYCHA and under PACT, and we  
5 can supply this data in a more robust form to the  
6 members. But I will say, one of the things that  
7 we're also doing, even though the actual-- I know  
8 there's a lot out there, but the actual evictions are  
9 very similar to what it was like under NYCHA  
10 management. You know, we don't-- we still want to  
11 get those numbers down. We want to make sure that  
12 evictions are an extreme, extreme last resort. So in  
13 late 2020, again, being consistent with our ongoing  
14 commitment to improving the program and improving the  
15 lives of our residents, we developed housing  
16 retention strategy, and we require our development  
17 partners to adhere to this. And so what does that  
18 mean? So, there's a number, and we could share this  
19 with you, by the way, so you can have the full  
20 document. But basically what we want them to do is  
21 know their customer, really understand their  
22 customers, making sure that when residents run into  
23 some trouble, that they work with them to provide the  
24 resources, to provide the opportunities, to provide

1 direction as to how to, you know, course correct. So  
2 for example, if somebody's income was reduced for  
3 whatever reason, instead of just saying, oh, they  
4 didn't pay their rent, so they've fallen behind by a  
5 month, only behind a second month, and then moving  
6 for proceeding, they go to that resident and they  
7 say, "What's going on? Did your-- you know, what's  
8 the situation here?" And maybe they're not aware  
9 that they can recertify and have their rent adjusted.  
10 So there's a whole suite of recommendations that  
11 we've built into this framework, and we're requiring,  
12 again, all of our development partners to adhere to  
13 this to make sure that evictions are an extreme last  
14 resort.

15  
16 COUNCIL MEMBER OSSÉ: Thanks.

17 CHAIRPERSON AVILÉS: I'd like to follow  
18 up question around this. I mean, obviously, the last  
19 two years we've had an eviction moratorium and  
20 there's severe concern that-- I mean, we are seeing  
21 this all across the private market, which is why  
22 there is such a concern under private management. We  
23 know what the private specter does to low-income  
24 tenants who fall on hard time. They evict them. We  
25 have the highest eviction filings in a long time, so

we're deeply concerned. Are there any particular mechanisms that you can put in place besides be nice to your customers for private management companies.

JONATHAN GOUVEIA: It's more than being nice. We get reporting every month, and we question them, and we make sure that they are adhering to these requirements, and I would say requirements, it's not about being nice. The other thing I would say is development partners have no incentive to evict anybody for financial reasons or other things, because at the end of the day, they can only fill a vacant apartment with somebody off of our wait list. So, it's not as if there's an opportunity to evict someone who runs into some type of issue, and then replace them, you know, charge market rent and bring in somebody else. It's just not possible.

CHAIRPERSON AVILÉS: Got it. So what I have here is Wave Crest has attempted to evict three percent of their residents after conversion. Wave Crest holds quite a number of units outside of the ones that were outlined in the human rights report, which we've all-- Human Rights Watch Report we've all looked at. There also seems to be quite a number of our reporting of [inaudible] eviction warrants being

issued in the years after PACT conversion. At Ocean Bay, 99 warrant executed, and 33 eviction warrants at Betances House after the PACT conversion all held by Wave Crest. So, there's no question there other than a comment of we would like to see what the--

JONATHAN GOUVEIA: [interposing] Sure.

CHAIRPERSON AVILÉS: safeguards are specifically, and ensure-- given the fact that we no longer have an eviction moratorium, and we've seen NYCHA itself have seen the revenues plummet from rent-- significant rental arears, what private companies are going to do in this regard, since we're not out of the pandemic. We are very deeply concerned about this possibility.

JONATHAN GOUVEIA: Absolutely.

CHAIRPERSON AVILÉS: I'd also like to recognize Council-- we were joined by Council Member De La Rosa. Thank you, Council Member, for joining.

COMMITTEE COUNSEL: We'll now take questions from Council Member Sanchez. Council Member Sanchez?

COUNCIL MEMBER SANCHEZ: thank you. Thank you. So, first, thank you Council Member Avilés for chairing this hearing on this critical

topic and to NYCHA folks, good to see you all. We worked very closely on the Fulton process, and so I have two questions. One is on engagement, and the other one is a continuation of Council Member Avilés' questions earlier on developer fees and profit. So, on engagement, you all know, the world knows, I am a true believer in community engagement, resident engagement, in giving folks a seat at the table and respecting folks for the brilliance that we have. Everybody, you know, is coming from a place of expertise, especially when it's about where you live, especially if you live there for many years, right? President Miguel Asavedo was-- his leadership on the Fulton process along with Chelsea and Elliott leaders really carried that process that put residents at the front and center. And I always talk about the Fulton process, which you all started off by doing, but I also want to share with colleagues that it's not replicable, right? You had a City Hall staffer at the time who was ensuring that Deputy Mayor-level folks were engaged, the Deputy Mayor herself was engaged in that process. The Mayor attended some meetings on the Fulton process, and there was a level of attention and concern that I think proved that

community engagement can work and is critical and can be successful, but there was another part of that that is what about when you don't have that level of leadership? And so I, as you all know, have the northwest Bronx bundle, nine developments that are going through RAD and PACT conversion in my district. Well, six of them are in my district. Three of them are in District 15, and many of my buildings are unrepresented, meaning that they are these buildings that Simon talked about earlier, Vice President Simon talked about earlier that are these difficult to reach and difficult to manage buildings, because you know, they were converted at a different time and they just have different realities. I have not knocked on these building doors. I will confess, I didn't completely register that they were NYCHA buildings, but I recently because of a slate of complaints of just people walking into my office about these buildings. That's how they came to my attention, not through the Northwest bundle, not through the RAD conversion. They came to our attention in January because of the complaints, you know, roofs caving in, holes in the floors, refrigerators that were not working for months. So,



two engagement questions is, what happens now? What happens now during the RFEI [sic] process? You're all-- you're preparing to talk to residents, and you're sort of kind of doing it, not very much at my unrepresented developments, which is a different conversation that I'm happy to be having with you. But what about repairs now? Right? Before the conversion, before those millions of dollars in capital influx. And second, you know, for my under-- unrepresented developments, meaning that they don't have a tenant association. You all had a meeting for the Northwest Bronx bundle, and you had one resident of all of District 14 and not from the unrepresented developments. So, how many buildings that are going through PACT are from these unrepresented buildings, and what is your plan? Because you don't have a TA to rely on like Mr. Miguel and like TAs in other buildings. You have to build from scratch, right? That engagement and leadership hasn't been there. So I'll stop there, and if I have a chance for my second one, I'll make that point.

SIMON KAWITZKY: Thank you, Council Member Sanchez. I absolutely agree that residents need to be centered. The reason we're doing this is

1 for them, and so their expertise about their  
2 communities, their goals really need to be integral,  
3 too, whatever plans it is that we collectively  
4 develop together. I also really appreciate your  
5 interest in making sure that the developments in your  
6 community have a seat at the table, and are full  
7 participants in that process from start to end. We  
8 have had conversations in recent weeks about how to  
9 recruit more residents to participate in the review  
10 committees for your unrepresented developments. And  
11 I recently emailed the plan, so we're going to work  
12 on that together with you to make sure that we can  
13 conduct door knocking, distribute more fliers, make  
14 more calls to residents, and try to make sure that we  
15 get more people involved. The challenge with a lot  
16 of our smaller developments, like the ones that you  
17 described are also-- because they're small they tend  
18 to not have resident leadership, you know, formal  
19 resident association leadership, and that is a  
20 challenge that we have had to navigate as well. But  
21 I think the issue that you raised is really important  
22 and we want to make sure that we're recruiting more  
23 people to represent. Leroy, do you want to add to  
24 how we might recruit?  
25

LEROY WILLIAMS: I do want to add that we will be hosting large group meetings in that area. There's a Boys and Girls Club there on University Avenue that's very close to the actual development, and we're now talking to them about use of space. So, the same type of meetings we're having in upper north Bronx and the other side of the scatter sites. We're going to be having meetings. Again, we did send over a plan for engagement where, you know, taking offline nine of the staff members to knock on every door of your entire district during the day and evening times, because of course people go to work and everything else. We want to make sure that we, you know, get as many residents as possible. We're not just talking to them about the Resident Review Committee, but we're also going to be talking about what is PACT as a whole, right? That hopefully leads to people wanting to be involved in the selection of our developers. So, you know, I look forward to further working with you as I worked with you in the past, and I'm-- you know, I'm very for engagement. So, anything that's new and anything that's innovative, please bring it to me and I will make sure that we can do that.

COUNCIL MEMBER SANCHEZ: Thank you. I

don't know how to do sign language to say please

unmute me. No, thank you. Thank you. And I'll just

say, you know, the broader question is how many

buildings that are slated for PACT conversions are--

in these kinds of buildings because they need a

completely different kind of engagement. So thank

you for working with my team on that, but I would

want to see a bigger picture, and honestly, I'm not

going to feel comfortable with moving forward with

the process if it's one tenant or two tenants of all

of these unrepresented developments that are

involved, right? So, I really look forward to

working with you on that. And Chair, if I may, I'll

just turn into a comment and not a question, but to

follow up on your earlier questions about developer

fees and what are they, and you know, what's the

transparency with the public and with the Council and

the profit motives. You know, I just want to say,

you know, we get-- as Council Members and as people

in the public, we get asked all the time to trust,

right? Just trust that the City is structuring this

deal in the best way possible. You know, I get

approached by developers during the ULURP process, we

1 all do, who won't share their formulas [sic] who  
2 won't share their details because of the reasons that  
3 you say. But then don't expect us to trust, right?  
4 Don't ex-- if you don't-- if you don't give us the  
5 information about what the-- what the profit margins  
6 are, what the developer fees are-- we have it on the  
7 Section 9 side. We don't have it on the Section 8  
8 side. So I will join Council Member Avilés in that  
9 push to give us more access and more transparency  
10 into what these fees are and what the financial  
11 structure of these deals are, so that we can have  
12 confidence when we talk to our constituents about,  
13 you know, what-- how the city is structuring these  
14 deals and that we're doing the best. Because I don't  
15 think that the reality is-- has been uniformed  
16 throughout these conversions and, you know, I think  
17 we need that information in order to really stand  
18 with you if that's warranted. Thank you, Chair.

19 CHAIRPERSON AVILÉS: Thank you so much,  
20 Council Member. It looks like we've been rejoined by  
21 Council Member Restler, so we'll take questions from  
22 him now.

23 COUNCIL MEMBER RESTLER: sorry, I've had  
24 some technical difficulties, but I just firstly want  
25

1 to thank our Chair Alexa Aviles for your leadership  
2 here. It was a real-- I really appreciated your  
3 poignant and thoughtful opening and remarks and  
4 questions, and really deeply appreciated you taking  
5 the time to join us in South Williamsburg yesterday  
6 to meet with a few of our tenant leaders and hear  
7 from them about their experience. You were  
8 incredibly generous with your time and asked all of  
9 the right questions, and I just feel very strongly  
10 that we have the right person in the right role with  
11 you as Chair of this committee. And I really  
12 appreciate you holding and prioritizing this hearing  
13 early on in the year, because there are a lot of open  
14 questions and concerns about RAD/PACT conversions.  
15 We've had four of the seven NYCHA developments in our  
16 district undergo conversions just as the pandemic was  
17 about to-- just as the pandemic struck in March of  
18 2020, and there was a fair amount of support from  
19 residents for the conversions. It's-- there's been  
20 definitely some positive developments, new boiler  
21 systems, sewerage back-ups had stopped, we have new  
22 elevators and new roofs going in, and developments  
23 that desperately needed them, but we've had issues as  
24 well. And I wanted to in fact start on the issue  
25

1 that gives me the most agita [sic] which is around  
2 the risk of evictions. And for these four  
3 developments we've, of course, had the eviction  
4 moratorium in place for essentially the entire time,  
5 but to the NYCHA team-- and Jonathan, it's good to  
6 see you-- is there-- is there protection for or a  
7 guarantee of right to counsel for any tenant who is  
8 facing an eviction proceeding in any and all RAD and  
9 PACT development?

11 JONATHAN GOUVEIA: Well, we don't have an  
12 automatic right to counsel, per say, although  
13 residents can access the Legal Aid hotline and  
14 leverage that service that we provided to all PACT  
15 residents, and then as I mentioned before, we don't  
16 want to see evictions happening. We want to minimize  
17 them to the greatest extent possible, which is why--  
18 and I don't know if you were on earlier. You know,  
19 we have done a lot around developing a set of  
20 expectations and requirements and strategies with our  
21 PACT partner to ensure that they're reporting to us  
22 on a monthly basis what is going on in terms of  
23 residents that may be running into some sort of issue  
24 that could theoretically put them on a path to  
25 eviction, and then making sure that they're taking

steps and working with their residents to avoid that outcome.

COUNCIL MEMBER RESTLER: That sounds like a positive thing. I haven't seen it on the ground in the ways that I would hope, and you know, certainly the reports of what occurred in Ocean Bay I think freaked everybody out across the City, and I think NYCHA's done a pretty good job in driving down evictions from NYCHA developments, and but I am-- I am very concerned about what's going to happen in these developments. And I realize that it's not your preference to see people evicted, and I will say when I speak to Arthur [sic] Omni [sic] or the line of progressive, or whatever they call them, their RAD/PACT entities, you know, they say the right things to be, but I don't see the proactive tenant engagement around eviction prevention, and more importantly we all know that the best way to stop an eviction from happening is to provide counsel. And so it has-- and it's a relatively modest expense on the part of these developers at NYCHA, and it is of utmost importance, and if this is not something that has yet been baked into the program despite extensive advocacy, I don't see any choice but to pursue



1 legislative solutions, and I really do hope that, you  
2 know, you'll reconsider and guarantee a right to  
3 counsel, just low-income tenants should have that  
4 same [inaudible] right to counsel citywide. I also  
5 wanted to express my reservations to the ongoing RAD  
6 and PACT conversions. I think that the Trust is a  
7 preferable model t RAD and PACT, and I would strongly  
8 encourage NYCHA while you pursue federal funding and  
9 what is hopefully a successful Build Back Better  
10 slimmed down version and make another push for the  
11 Trust up in Albany next year, to put a hold on RAD  
12 and-- a pause on RAD and PACT conversions for a 12-  
13 month period and try and build as much support as you  
14 can to make that happen. I'll just ask one final--  
15 make one final point in closing, if you wouldn't mind  
16 commenting on that and this final point. In my  
17 experience, some of the areas where we've had--  
18 there's been less deliberate thoughtfulness around  
19 some of the non-core NYCHA functions. So, the  
20 tenant-- the resources for the Tenant Associations  
21 have been very hard to access. We've had  
22 inconsistency even in our own district between  
23 whether PSA continues to take responsibilities for  
24 the RAD and PACT development or not. So some of the  
25

non-core NYCHA functions housing-related I think have been overlooked and not implemented consistently.

And so I really do hope it is your-- that the portfolio is now expanding quite a bit, that that is changing, and that you come back to us in District 33 and address some of the issues that were overlooked during the conversion a couple of years ago.

JONATHAN GOUVEIA: Thank you. Am I permitted to respond? So, two things. On the right to counsel, just to clarify, there is the citywide program so NYCHA residents can avail themselves of that program. Wasn't sure if you meant specific to NYCHA and PACT, but they can avail themselves of the city program. And then as it relates to your request to pause PACT while we work on the Trust and other initiatives, I'd say a couple of things. First, we are going to continue to work on the Trust and other programs and try to get as much capital as possible, because we do believe we need a range of options to bring capital into our buildings. But unfortunately, I don't think we can really-- it's not realistic to stop the active PACT projects. What I'd like to do is work with this committee and other members to continually improve that which we have ongoing. We

1 have about 19,000 almost 20,000 units that are in  
2 some stage of engagement that are in procurement.

3 And I understand we've heard today there's some mixed  
4 feelings about PACT, but we, for the most part, do  
5 have residents who now want to see improvements that  
6 we promised them. So I think we would be doing them  
7 a disservice if we paused those active projects, and  
8 also the buildings are not going to wait for us.

9 They're going to continue deteriorating. So we need  
10 to take action on those buildings as soon as  
11 possible.  
12

13 COUNCIL MEMBER RESTLER: Well, look, I  
14 appreciate-- I appreciate that the conditions are  
15 unacceptable and that we need urgent investment. I  
16 continue to be very concerned about the model of  
17 project management, and clearly it's had uneven  
18 implementation across the City, and I think that-- I  
19 understand if you're mid-procurement on something  
20 that it could be hard to slow down, but to consider  
21 to pursue new RAD and PACT sites when you're trying  
22 to build good will and political support for I think  
23 a better model, I don't-- I think you're undermining  
24 your ability to actually get that done by continuing  
25 to advance what, you know, is a [inaudible]

JONATHAN GOUVEIA: Thank you.

LEROY WILLIAMS: So, I do want to say that we have met with the Police Department, and any development that currently are under the PSA will continue to receive services from the PSA, and if the particular development has a precinct, they'll continue to have the precinct.

LEROY WILLIAMS: We agree. So I don't--

I'm just answering the question that he had--

CHAIRPERSON AVILÉS: [interposing] Okay.

1  
2 LEROY WILLIAMS: about, you know, the  
3 residents.

4 CHAIRPERSON AVILÉS: I mean, it's  
5 suggesting a disruption in service or confusion  
6 around relationship.

7 LEROY WILLIAMS: I think it was just a--  
8 I think it was just a question from residents to ask  
9 when they go over to the Section 8 program, will the  
10 PSA continue, and we wanted to make sure that we're  
11 all on the same page by saying yes, they will. And  
12 we have met with the higher up in the Police  
13 Department, and we all agree that they will continue  
14 to have that service.

15 CHAIRPERSON AVILÉS: Got it. Thank you.  
16 In terms of-- I just want to follow up on Council  
17 Member Restler's observation around the RAD and PACT  
18 program and a call for a pause. I think while we all  
19 feel the urgency, obviously, of the conditions of the  
20 apartments and what tenants are having to contend  
21 with on a daily basis, is it mind-blowing the level  
22 of public investment that we have invested in this  
23 strategy with no real assessment of it to date. And  
24 that to me is deeply concerning, particularly in the  
25 context of a soon-to-be budget where the only

1 additional allocation for strategy is into RAD and  
2 PACT and not into the rest of the-- the rest of the  
3 units that remain outside which are still the  
4 majority of units that are in dire need of capital  
5 repair. So, I think for the record, that's more of a  
6 comment, not a question. I did want to ask  
7 particularly around for the grievance process in  
8 terms of one of the-- one of the things that has  
9 emerged is that the management companies have their  
10 own particular systems of billing and NYCHA has its  
11 own system of billing, and the two systems don't  
12 often communicate, and people are often getting  
13 conflicting or incorrect rental invoices. Can you  
14 tell us how NYCHA engages with that? What are the  
15 standards that are set for the management companies?  
16 And in terms of any grievance procedures for disputes  
17 over overcharging, is there a process for Section 8  
18 tenants to engage in there that is standardized?

19 JONATHAN GOUVEIA: It would be helpful at  
20 another time perhaps to get into some of the  
21 specifics to understand what these issues are so we  
22 can address them head-on. But I would ask Marissa  
23 Schaffer to chime in on some of the process that we  
24 have as it relates to grievance.  
25

MARISSA SCHAFFER: Sure. Thank you. So, NYCHA requires that the PACT partners provide grievance procedures similar to those established under public housing. Recently we established a standard grievance procedure to establish that consistency across all PACT projects. You know, as I think the notable difference is that as a public housing resident before a RAD conversion, all tenant grievances were processed by NYCHA. After the RAD conversion, it depends on the issue. Some grievances will be processed by the new property manager and some by NYCHA. So grievances concerning matters involving Section 8 rental assistance such as adding household members, calculation of rent, reasonable accommodations request. Those will continue to be processed by NYCHA as the agency administering the Section 8 rental subsidy. And then the issues relating to lease issues or lease violations, those would be grieved directly to the property manager.

CHAIRPERSON AVILÉS: Thank you. Certainly, that clarification across developments is sorely needed. Folks do not know where to go. In particular, I mean, this leads to the larger issue of, you know, kind of jurisdictional questions around

1 when management companies are not performing their  
2 duties. Where do residents go? I touched on  
3 earlier, this kind of spiral of death where you call  
4 311. 311 sends you back to NYCHA. NYCHA says  
5 they're not-- it goes back to RAD, and they call the  
6 management company and there's nobody there to answer  
7 the question. Can you for the record make clear  
8 under PACT, who are the management companies  
9 accountable to for repairs?  
10

11 JONATHAN GOUVEIA: So, in terms of-- I'll  
12 take that first part, and then if you wanted more  
13 granular details on repairs, generally-- and I see  
14 Brad is joining because there's probably a compliance  
15 piece here, so we'll touch him as well. But  
16 ultimately to us. I mean, again, we-- as I mentioned  
17 in my testimony, we have a number of units within  
18 NYCHA, both the real estate group, the design and  
19 construction team, the asset management team, and our  
20 Chief Compliance Officer, and everyone is watching to  
21 ensure that these repairs are happening accordingly.  
22 From the minor, seemingly minor, type of things to,  
23 you know, environmental type hazards. I will invite  
24 Brad to sort of talk about some of the bigger stuff  
25



and then we can get into, you know, some of the more granular details if you like.

BRAD GREENBURG: Thanks Johnathan. So, there's a bunch of forums that a resident can come to NYCHA with, a repair request or escalate an issue that they have with their property manager. One is they can call the call center that they're used to when they were a public housing resident which is the CCC 718-707-7771. There's two options that they can press when they call that number. One is they can press two for the Leased Housing Department, which will do a special inspection. The Leased Housing Department also has to do regular inspections every year, and if someone doesn't pass an inspection-- a manager doesn't pass the inspection, their subsidy can be cut off if they don't correct the condition. They can also call my department which is if they press seven at that same number. My department accepts complaints from PACT residents just like we accept complaints from any other resident in the NYCHA portfolio. We'll chase down information about that particular complaint using Jonathan's Asset Management Team, but also the Leased Housing Department, and if we need to, we often call the

resident directly and try to understand exactly what the problem is with the manager, and we'll reach out to the developer and escalate up the chain and the developer as well to understand exactly what the problem is. We also make visits to PACT properties just like we do the NYCHA properties with our investigators to try to understand the business process challenges they're having assessing a complaint. So, those are two NYCHA options that residents have. Like you said, PACT residents can also call 311 and get HPD involved. We also now this month have launched the Ombudsperson Call Center. We have an agreement now with the bias [sic] plaintiffs around how we expect our PACT partners to handle mold and leak complaints, and if a resident feels that their manager is not appropriately assessing mold, remediating mold, or assessing and remediating leak conditions, they should call the OCC. That number is 1-888-341-7152. It functions very similarly to how the resident might have been used to dealing with the OCC when they were a NYCHA resident, and it's a really good program to get really critical repairs done as well. So we do encourage residents to use it. But like I said, yeah, sometimes we give so many

options I understand it can be confusing when there are so many options, almost more confusing than if you just had one. But we do want to give residents the opportunity to use many different forums to escalate a problem they might have with their manager. We're adding people in the compliance Department to this function all the time, because we recognize there's more units [sic] going to the program. I know the Asset Management Team is doing the same thing so that we make sure that, you know, our relationship with the resident doesn't stop when they convert. It continues and we can address any concerns they have.

CHAIRPERSON AVILÉS: How many people are in the Compliance Department?

BRAD GREENBURG: We have 50-- around 50 people in the Compliance Department, not all dedicated to PACT program. People obviously deal with many different components of NYCHA's compliance, including the public housing side as well. We have around 50 people.

CHAIRPERSON AVILÉS: How many of the 50, though, are dedicated to PACT?

BRAD GREENBURG: We don't really think of it that way. We do have a team that does-- we call it our Contract through Equal Opportunity Compliance Team that deals a lot with the PACT program at both the high level and also the very granular level. I'll give you an example of what they've been doing with the recently converted developments. But they will-- when we convert the properties, we hand over work orders that were in our system to the PACT partners. I think the past, I totally acknowledge that there was a gap in making sure the work actually got done upon conversion or tracking it to make sure it got done. So we put every single work order in every unit that had an active mold and leak complaint and a smart sheet, and we go one by one through each unit with the PACT partners. We do weekly meetings with them. We require them to provide us photos, documentation, other documentation. If it's a mold condition, they have to give us a mold assessment, show us the mold remediation took place with a licensed mold assessor, doing the back-up check on the back end as well, and then we call the resident to make sure they're satisfied with the repairs. So we go through that with almost every single unit that

got converted in the last few sites. We had a mighty team of three working just on that project, but they also do other kinds of business process mapping with some of our PACT partners. And then we had complaint specialists on another team that also will take complaints from PACT partners just like they would a public housing side. So, and they spend their time doing both. So it's not like they are only PACT, they're only public housing.

CHAIRPERSON AVILÉS: So, post conversion, what is the auditing look like of the sites?

BRAD GREENBURG: So, I'll talk about the compliance side, and then maybe Jonathan can talk about asset management. On the compliance side, like I said, for the immediate month's right after conversion, which we want to show that this program-- we want this program to provide immediate relief to tenants. So we don't folks to wait two or three years for the rehab to take place. So if you have an active-- like Ms. Coleman and I were just talking earlier. She was showing me a case in Boulevard which converted somewhat recently, and we'll check to see if it's on our sheet for tracking purposes. But like I said, we'll literally go one-by-one. It's not

1 an audit. It's not a sample. We go one-by-one and  
2 see what the conditions of each unit are, and we  
3 track all the documentation. Then, from that point  
4 forward, like Jonathan can talk about-- as the Asset  
5 Management Team collects reporting from each  
6 developer about what the conditions are on terms of  
7 assessing very high-risk repairs like pests,  
8 elevators, heat, mold, and we will now-- we monitor  
9 those reports. We'll take a sample as well from  
10 those going forward, especially on the mold front.  
11 The folks are hitting the 30-day requirements of the  
12 bias [sic] case, will also be doing our own  
13 compliance follow-up on that. I don't know  
14 [inaudible] the Asset Management Team does as well,  
15 but there's a lot of oversight in the repair process  
16 now.

18 JONATHAN GOUVEIA: I mentioned this  
19 earlier, and I think in my testimony, and I think in  
20 response to a couple other questions, but we now have  
21 monthly reporting which has been up for about a year  
22 or so, and it is on a number of factors related to  
23 those conversions. So, operations, we're looking at  
24 the financial health. We're looking at MW-- we're  
25 looking at Section 3 hiring. And as Brad said, you

1 know, we're looking at work orders. We want to make  
2 sure that work orders in particular around things  
3 like pests, mold, elevators, heat, etcetera are being  
4 addressed, number one, and number two, it being  
5 addressed in a timely fashion. Those are sort of the  
6 big categories that our Asset Management Team is  
7 focused on.

9 CHAIRPERSON AVILÉS: And what are the  
10 steps that are being-- that will-- that would be  
11 taken if you find that the property management teams  
12 are not meeting their benchmarks or these repairs?

13 BRAD GREENBURG: So, far we have been  
14 fortunate. We have not seen any significant issues,  
15 and whenever we've had concerns we've had  
16 conversations, and we've seen improvement. However,  
17 if we were ever in a situation in which a partner  
18 just flagrantly was choosing or in-- unable to  
19 actually fulfill their requirements, we do have the  
20 right to remove the partner from the team and bring  
21 in another property manager. That is something that  
22 we can do. We could also look at withholding the  
23 subsidy as an incentive to, you know, course correct.

CHAIRPERSON AVILÉS: Thank you. I'm going to pass it along to my colleague, Council Member Mealy who has questions.

SERGEANT AT ARMS: Time will begin.

COMMITTEE COUNSEL: I believe Council Member Mealy left the Zoom chat.

CHAIRPERSON AVILÉS: Unfortunately, we made Council Member Mealy wait too long. So we will get back to you. In terms of-- I'd like to switch the conversation a little bit to, particularly to staffing. How has RAD impacted the levels of union staff for NYCHA?

JONATHAN GOUVEIA: We did get this question last evening, and we're compiling that information. So, I will turn it to Gillian or Marissa to chime in on some of the details, but generally speaking, you know, the staffing levels are comparable to what they were prior to the conversion. In some cases, of course, where needed staff complements have increased, but I think more than anything what you're seeing is just a different way of doing the work, which is more effective. Gillian or Marissa, if you want to chime in on the exact numbers, that would be great.



MARISSA SCHAFFER: Sure. So we only had the opportunity to pull specific information in a few instances. Since we received your question, but as Jonathan said, in general staffing levels increased by, you know, a margin, not a huge margin, but do increase post-conversion. I would say also significantly following PACT conversions, we're typically able to set aside vacant units for live-in superintendents, which we don't have under NYCHA management. So those are two of the key differences, but if there's any other information you'd like us to provide, we're happy to compile that after this hearing as well.

CHAIRPERSON AVILÉS: Sure. I'd love to know how many of those increases in staffing are union, unionized work. And certainly, what kind of-- what kind of positions are we talking about? Are they part-time, full-time, and are they unionized positions? In terms of-- has RAD had any effect on resident hiring, particularly Section 3? I don't even know if Section 3 applies to RAD conversions. Can you tell us a little bit about that?

JONATHAN GOUVEIA: I does, and our current statistics are-- so total placements are 251

1 jobs through Section 3, and then specifically NYCHA  
2 residents would be 156 across Ocean Bay, Betances,  
3 Twin Parks, and Highbridge/Franklin, Baychester and  
4 Murphy, Hope Gardens, the Brooklyn bundle and the  
5 Manhattan bundle. And obviously we've done more  
6 conversions since the Manhattan bundle, and so we  
7 would expect to see those numbers continue to  
8 increase.  
9

10 CHAIRPERSON AVILÉS: And what would--  
11 what percentage would that represent in terms of  
12 employment opportunities, and I guess compared to  
13 investment, right? Because it's tied to the amount  
14 of subsidy.

15 JONATHAN GOUVEIA: We can compile that  
16 for you and get that for you.

17 CHAIRPERSON AVILÉS: We know often this  
18 is a standard that is not met across NYCHA generally,  
19 so it's particularly important to understand if this  
20 standard is also being met--

21 JONATHAN GOUVEIA: [interposing]  
22 Absolutely.

23 CHAIRPERSON AVILÉS: under PACT. Thank  
24 you for that. In terms of-- let's see. I think we  
25 are-- so many questions, so little time. I'd love to

1 talk a little bit about the wait list process, which  
2 has certainly flagged, been flagged as a pain point,  
3 particularly under RAD and PACT, and a process that  
4 is often described as changing depending on who you  
5 talk to, and very much a passing the buck depending  
6 on who you're talking-- which development you're  
7 talking about. And when I say passing the buck I  
8 mean it's NYCHA, it's HUD, it's the private  
9 management company. Can you specifically walk us  
10 through what the process is for transferring, for  
11 right-sizing in apartments, and also for the wait  
12 list?  
13

14 JONATHAN GOUVEIA: Sure. We've been  
15 doing a lot of work on this, and I'll turn it to  
16 Marissa to talk about the wait list and how we're  
17 currently viewing it. But just on the right-sizing  
18 piece, I will say right out of the gate that it is a  
19 requirement of HUD, both in Section 9 and Section 8  
20 to right-size. It is true that we may not have  
21 timely right-sized under Section 9 over a number of  
22 years, but we do have to do it through the  
23 conversion, not because of the conversion, but  
24 because we would have to do it anyway under Section 9  
25 and Section 8. But what is important here is that in

1 order to do the right-sizing, there has to be an  
2 appropriately sized apartment within the development.  
3 So, it is possible that someone could be in an  
4 apartment that's either too big or too small, but not  
5 be forced to leave or have to leave until an  
6 appropriately sized apartment comes up. So it's not  
7 as if, you know, you just start moving people around,  
8 they have-- the apartment has to be vacated and  
9 available for someone to move in. And then just in  
10 terms of where we are with the wait list, if Marissa  
11 could give a little bit of guidance on that.  
12

13 MARISSA SCHAFFER: Sure. So, NYCHA,  
14 because we're the Section 8 subsidy administrator, we  
15 also manage the Section 8 wait list. So following  
16 the conversion, a Section 8 wait list opens specific  
17 to that development, and folks can add themselves to  
18 that wait list and then be eligible to fill the  
19 vacant units at the development when they open up.  
20 The property manager, they assist residents in  
21 connecting them to NYCHA leased housing to ensure  
22 they're on the wait list, but the property manager  
23 does not manage the wait list in any way, neither  
24 does HUD. There are other HUD Section 8 programs  
25 where HUD does manage the wait list, but not in the

PACT program, because again, we're the Section 8 administrator. That's the role we play.

CHAIRPERSON AVILÉS: Thank you for that. I'm sure we'll get more stories around what it looks like on the ground. In terms of-- in terms of the agreements that are made with social service providers under PACT, here is another pain point that's come to our attention. There's very little clarity around what those contracts are. Who are the social service providers, in fact, accountable to? What are the scope of the projects? Can any of those items be made public so people understand what those relationships are and expectations?

SIMON KAWITZKY: So, thank you for that question. We actually do not contract directly with the social service providers. That is the role of the PACT partner, so the development team. They enter into a contract with the provider, who then provides the services at their development. So they're responsible for paying the provider and working with them to develop a scope and a budget. The services that our partners provide actually recently in the last year and a half or so, we updated our guidance to all of our partners to make

sure that there is consistency across all of our developments in terms of the services that are provided. I'll say first that all the services that are currently available on the site have to remain. So there are a number of community centers that are operated by private, nonprofit community-based organizations at all of our developments, by in large. And we require that our partners retain those operators in the spaces that they currently use. We also have an opportunity through these investments to make important repairs and upgrades to those spaces. So that, you know, to Jonathan's point about how we're not just fixing the brick and mortar of the housing, we can also enhance services and amenities at the development. But one of the key things that we're asking all of our partners to do is really provide dedicated on-site social workers and case managers, and that's a service that NYCHA in the past had provided in a more hands-on way and had moved away from in recent years. We want to make sure that as, you know, our residents are dealing with a lot of different issues, introducing this program and the prospect of pretty significant renovations to their homes, disruptions-- you know, there's no doubt that

1 there's disruptions to people's daily life-- that  
2 they're supported with people who are dedicated an  
3 on-site who can really get to know them and refer  
4 them onto the right kinds of services for their  
5 needs. That is with respect to the renovation  
6 process, but also after the property is finished  
7 construction. If somebody is facing-- you know,  
8 they've fallen behind on their rent and they have  
9 significant arears, or they need referral to health  
10 services, anything like that, the partners are there  
11 and can help provide those-- that assistance.

13 CHAIRPERSON AVILÉS: Thank you for that.  
14 That is very helpful. I will say there are a good  
15 number of sits under PACT where residents have said  
16 they have no idea what the social service providers  
17 are supposed to be doing, nor have they seen them on  
18 campus. So is-- are the social service provisions  
19 elementals subject to compliance review on quality  
20 and service?

21 JONATHAN GOUVEIA: Anything is subject to  
22 our review, so yea, we'll take a look at it. Do you  
23 want to--

24 CHAIRPERSON AVILÉS: [interposing] But do  
25 you do it?

1 JONATHAN GOUVEIA: We have not in the  
2 past with the social service providers. We've mostly  
3 focused on maintenance, which is what we usually get  
4 from residents. I don't know that we've gotten that  
5 particular complaint before, but if you want to touch  
6 base after the hearing, then we can talk about the  
7 sites that you're concerned about. We'll look into  
8 it.  
9

10 SIMON KAWITZKY: and I'll just add that--  
11 we do-- even though I mentioned that that arrangement  
12 is between the partner and the provider, NYCHA does  
13 review and approve all of those arrangements, and  
14 we're playing a much larger role in that now. So,  
15 one of the things that we want to do going forward  
16 for the sake of transparency and so that residents  
17 really understand in writing, you know, all of the  
18 things that are going to come along with this  
19 program, not only the physical investments, but also  
20 the programmatic things, put that down into a  
21 document that they get in their hands prior to  
22 conversion so that all of that hopefully will be  
23 there for all to see and to understand. When it gets  
24 to that point, of course the residents will have  
25 played a role in shaping those plans. So everything



1  
2 in there should be based on their needs and their  
3 guidance, but we do want to make sure that there's  
4 more transparency going forward by memorializing all  
5 that information up front.

6 CHAIRPERSON AVILÉS: Right, because even  
7 at the meeting I was at yesterday, no one knew the--  
8 there was actually quite a lot of positive comments  
9 on the repairs that were made, the speediness of  
10 which they were made over the time of COVID, which  
11 was really truly unheard of, and you know, there are  
12 definitely positive stories here. However, those  
13 residents in the same token also are not only finding  
14 the relationships now with the social service  
15 providers to be very much in question and unclear,  
16 but also how they fare as resident associations under  
17 management, and particularly no guidance around, you  
18 know, TPA funds, how that's distributed, a whole new  
19 layer of expectation around reporting, specifically,  
20 and how to access funding with new layers of like  
21 requirements that TAs have never had, the structure  
22 or the support before with no additional training,  
23 and a management company that's like, "I don't have  
24 any idea about that stuff."

LEROY WILLIAMS: so, I believe Jonathan spoke earlier about a new post-conversion unit maybe in the last year, year and a half that we put together. Their main job is to meet with the resident associations, the community-based organizations on the ground, any kind of community leaders that are there. They're there to assist with, you know, TA funds, because we saw the gap where resident engagement was really assisting them and spending the funding, understanding how to spend and things like that. So we have the post-conversion unit. Just last week they met with the associations and the managements of Boulevard, Linden Houses, and Penn/Wortman so that they could understand what their budgets are, what they can use the funding on, and also to go over how NYCHA did it, talk to them about if this is the same course of action they want to move forward with or do they want to change it, right? So, we want to make sure that whatever the way that it is going to go forth is that the residents are at the forefront of that. So, most have, you know, agreed to try to do the same thing because it's been working for them, and they got the card and being able to access the funding, but

1 because they didn't have that resident engagement  
2 person assigned to them there were some gaps. But  
3 now we have that post-conversion unit, and then  
4 they'll be following them through the duration of  
5 this.  
6

7 CHAIRPERSON AVILÉS: so how does this  
8 particularly work with post-conversions are now  
9 under-- the residents are under private management  
10 company, yet they want to apply for discretionary  
11 funding? City money cannot go to a private  
12 corporation. How have we figured out that process?

13 LEROY WILLIAMS: So, some have-- and  
14 again, this is very new because some of the sites  
15 have not gotten discretionary before and some have.  
16 Some are using their community-based organization  
17 that's on the grounds of their developments to be  
18 that third-party--

19 CHAIRPERSON AVILÉS: [interposing]  
20 [inaudible]

21 LEROY WILLIAMS: Yeah, for the funding.  
22 You know, I just talked to one of the developments on  
23 Barry [sp?] Street about using their social service  
24 provider that's on the grounds as their pass-through.  
25 So we're working with them with that. So if NYCHA

needs to step in, then we'll do so, but because most of these developments have their social service providers and CBOs on the grounds. It will be better for them to get the funding through that way, because again, we are a government agency and it's harder for us to do things than a CBO.

CHAIRPERSON AVILÉS: Yes and no. When it turn-- for private funding or for government funding. Government funding going to a nonprofit who is passing through to an unincorporated entity could be problematic. Government funding also that's going to, I think in the case of these tenants, a higher threshold of reporting, right? Now they're being asked for liability insurance. They're being asked for a whole slew of documentation they never had to do because it was a government to government transaction, and NYCHA as a public entity was taking-- or holding liability. So, there still seems to be very much a disconnect, and what the structure are. How do-- literally, I had this conversation yesterday with residents. So, this is an area clearly there's some work to be done.

LEROY WILLIAMS: Agree.

CHAIRPERSON AVILÉS: Thank you for that.

In terms of resident engagement-- don't go. One of the Council Members mentioned-- I guess I'd like to know how community partners fare into this new engagement model around, you know, PACT conversions quite frankly. We have seen, and NYCHA has a relatively strong track record of not doing great organizing or outreach to residents. We see that in the numbers of people involved, despite very serious attempts. That's not to say that they are not making that effort. Is there any consideration of partnering with community-based providers who have those trusted relationships with tenants to engage in robust outreach around educational efforts?

SIMON KAWITZKY: Yeah, I can speak to that and Leroy can chime in as well. One of the initiatives that we launched recently that Jonathan alluded to in his testimony is called the PACT Resource Team, and that was set up sort of like a fund that NYCHA created so that residents who want to take advantage of independent community-based organizations to help in whatever efforts, whether it's advocating for their needs as part of the PACT planning process, education residents in their

1 community about the program in a way that works best  
2 for them, can use that. So that's a resource we're  
3 making available and we're paying for. It's  
4 administered by LISC NYC and Public Works partners  
5 who lead it. They are responsible for matching  
6 residents up with those partners, and they've  
7 actually created a pool of partners who are  
8 interested in engaging with NYCHA residents on these  
9 tropics. LISC recently published it to their  
10 website, and we're always interested in partnering  
11 with additional organizations. So it's kind of a  
12 rolling application, but there are a lot of great  
13 community-based local organizations on that list, as  
14 well as a lot of, you know, consulting groups and  
15 advocates, and research organizations who have  
16 experience with NYCHA resident. And the residents get  
17 to choose who they would work with.

18  
19 CHAIRPERSON AVILÉS: Got it. And if  
20 through the whole scope, NYCHA, my understanding was  
21 particularly relegated to, you know, the process,  
22 conversion process itself, but you're stating that it  
23 is much broader?

24 SIMON KAWITZKY: It's really broad. We  
25 laid out kind of menu of options just to get, you

1 know, the creative juices flowing round what kinds of  
2 things people could take advantage of. I will say  
3 that this initiative was inspired by our experience  
4 with Fulton and Elliott/Chelsea. Thy had a lot of  
5 support from advocates, elected officials, community-  
6 based organizations with experience doing this kind  
7 of work, and really I felt resulted in a trusted  
8 process, you know, where we were saying things that  
9 residents could then really trust that we're giving  
10 them accurate information because it vetted fully by  
11 their partners that they had there in the room  
12 defending and advocating for them.

14 LEROY WILLIAMS: I do-- I'm sorry. I do  
15 want to add that they meet with the association  
16 presidents and the residents at-large. So, you know,  
17 it's not just, you know, putting someone in a room  
18 with them and just saying this is what's happening,  
19 right? They're really trying to get what their needs  
20 are so that they can come with partners that will  
21 really assist them.

22 CHAIRPERSON AVILÉS: So, in terms of the-  
23 - obviously, LISC it sounds like the administrator of  
24 the program. Are they subcontracting with smaller  
25

1 organizations that residents are choosing and what  
2 are the scale of those subcontracts?

3  
4 SIMON KAWITZKY: Yeah, that's exactly how  
5 it works. So we have a master agreement with LISC,  
6 and they kind of work as a grantee to these  
7 organizations. They serve as the overseer of all the  
8 contracts. The size of those contracts is really to  
9 be determined based on the need of each development.  
10 We procured them through a process that has a not to  
11 exceed amount, which is very high. It's 10 million  
12 dollars over five years, but the amount of funding we  
13 would allocate to each development is really to be  
14 determined based on the need.

15 CHAIRPERSON AVILÉS: Got it, right.  
16 Because this is just starting, this program. Thank  
17 you. Yeah, I think many organizations would-- and  
18 tenants would welcome being able to partner with  
19 longstanding community-based organizations that have  
20 been helping them navigate pre-conversion standard  
21 NYCHA repair issues in a post-conversion environment,  
22 particularly because they're both culturally  
23 competent and generally are multilingual. So I hope  
24 those contracts are actually-- are equitable. They  
25 are often not and not sufficient for the level of



1 outreach and engagement that it requires, and the  
2 expertise quite frankly it requires. So, I'm  
3 encouraging appropriate level of subcontracts. So,  
4 we'll see.

5  
6 SIMON KAWITZKY: Absolutely, I agree.

7 CHAIRPERSON AVILÉS: We'll see. We'll  
8 see. In terms of-- so I guess right now we'll move  
9 forward to public testimony so we can hear from some  
10 of the advocates and residents.

11 COMMITTEE COUNSEL: I would like to now  
12 call Brenda Temple [inaudible], and following that it  
13 will be Danny Cabrera, and [inaudible].

14 BRENDA TEMPLE: Good afternoon, everyone.  
15 Can you hear me?

16 CHAIRPERSON AVILÉS: Yes.

17 BRENDA TEMPLE: Okay. Greetings to all.  
18 Thank you, Chair, and everyone who is opposed to  
19 privatization under any name. My name is Brenda  
20 Temple. I am resident of Oceanside Houses, Far  
21 Rockaway, Queens. [inaudible] a New York City-wide  
22 petition campaign to demand that Eric Adams stop the  
23 privatization of public housing and support residents  
24 to manage their housing developments. We residents  
25 abhor [sic] and HUD and NYCHA have let the conditions

of our homes to over 600,000 New Yorkers decay, rot, and poison our people. Stop the privatization and end of public housing. NYCHA and the City of New York have been implementing RAD and PACT to turn management of public housing over to private developers who will make money, a lot of money on our backs using government guaranteed financial vouchers. Privatization of public housing ends public housing and you know that. NYCHA won't provide oversight of developers, and you know that. Section 9 offers federal protections to residents that developer-run Section 8 won't, and you know that. Privatization is nothing less than a vicious attack on the poor with shoddy repairs, increased rents, evictions and displacements. You know that. You also know that we are the backbone of this society. We have always been essential and without us this city or country would be doomed. Who else will clean your grandparent's bed sores, take care of your children, cook, clean, teach, protect, etcetera. The silence of you, our elected officials, in New York City is deafening. Did you all lack the political will? You say there's no money. Of course there's no money when you're a silent-- when you don't fight on our behalf, your

1 constituents, one in 14 New Yorkers who live in  
2 public housing, and you know that. Where are your  
3 priorities? We demand decent housing. Keep public  
4 housing public. We want the resident manage our own  
5 homes. Will you, the New York City Council, do  
6 something to fight and protect public housing? These  
7 are human, moral, civil right crimes. Fund NYCHA  
8 now, and stop the slow process of-- at the exodus of  
9 the hardworking, low-income residents of our city.  
10 So, there are human rights that are being violated,  
11 and it's steaming [sic] systemic racism. So we are  
12 pushing back, and God bless you to give you the will  
13 to do the next right thing. Thank you.

14 CHAIRPERSON AVILÉS: Thank you, Ms.  
15 Temple. Since you cut out in the audio a little  
16 earlier, just for a couple of seconds, would you  
17 submit your testimony by email?

18 BRENDA TEMPLE: Yes, I have [sic].

19 CHAIRPERSON AVILÉS: [inaudible] Thank  
20 you.

21 COMMITTEE COUNSEL: Next, we'll take  
22 testimony from Danny Cabrera, followed by Dana Eldin  
23 [sp?], and Diana Blackwell.  
24  
25

DANNY CABRERA: Good afternoon. My name is Danny Cabrera, and I'm a Policy Analyst at Citizens Housing and Planning Council. As we all know, NYCHA's in desperate need of more resources, detail a history of disinvestment to address this 40 billion dollar capital repair backlog. To date, PACT/RAD is only currently accessible to what NYCHA has available to substantiality invest in and improve the living conditions of residents. NYCHA residents should not have to worry about whether or not they'll have heat or hot water during frigid winter days. NYCHA residents shouldn't have to worry about whether a never ending possibility of a leak can occur in their apartment. These conditions are unacceptable and they're persistent ramifications of disinvestment that need to stop and be rectified. Our city's public housing residents deserve so much better. As mentioned, the PACT program provides a solution by meeting and exceeding the outstanding capital needs of developments to fully restore and renovate building to provide residents with the housing quality and services they deserve. CHPC is pleased to see NYCHA, and the City understands the success of PACT and the preservation of NYCHA requires

investment and also requires centering resident voices as resident decision-makers in the process of preserving their own homes. CHPC's research from London highlights how London's public housing conditions were radically improved by doing so. Traditionally, we know NYCHA provides its residents with forums to obtain information and address concerns. The degree of involvement allowed residents to be heard, but didn't necessarily position them as decision-makers. However, now, NYCHA's taking a dramatically new approach inspired by resident decision-making in London. Over the past year, NYCHA's proven to be nimble in developing and implementing the PACT resource team and the formation of Resident Review Committees. These are not just welcomed changes to the PACT process, but historic. NYCHA's Resident Review Committees provide residents from developments entering the PACT program with a true seat at the table to evaluate PACT proposals for the developments, interview PACT development teams, and ultimately select the plan and team best-suited for their homes. Residents are directly shaping the future of their homes, and NYCHA's emerging as a national leader in doing so. No other housing

1 authority in the United States of America provide  
2 public housing residents with this level of decision-  
3 making power. Beyond these historic new processes  
4 that ensure residents are decision-makers, through  
5 CHPC's research, we have seen early examples that  
6 PACT/RAD can be successful. In 2018, we conducted an  
7 evaluation of the Tri-Borough Pilot Projects which  
8 utilizes similar structure to RAD's public private  
9 model for six NYCHA properties. CHPC compared work  
10 order for Tri-Borough Properties with a group of  
11 properties that remain under NYCHA control. We found  
12 that after investments were complete and the new  
13 management was in place, the number of work orders  
14 fell, and more importantly, the response times  
15 substantially improved. We also conducted a tenant  
16 survey and found from hundreds of residents and  
17 learned about-- learned from hundreds of residents of  
18 their impressions of the rehab. The results were  
19 unsurprising. When you spend millions of dollars to  
20 modernize a development, tenants-- when tenants get a  
21 new kitchen and new bathroom, new operating system,  
22 residents are happier. However, we also did find  
23 residents in Tri-Borough recorded feeling safer,  
24 rated day-to-day management as more responsive, and  
25

1 experienced quicker repair times than NYCHA residents  
2 in similar NYCHA properties. So while the PACT  
3 program isn't perfect, there are very encouraging  
4 signs here that something new and historic is  
5 emerging. Thank you so much for your time.

6 CHAIRPERSON AVILÉS: Thank you so much  
7 for your testimony.

8 COMMITTEE COUNSEL: Thank you. We'll now  
9 hear from Dana Eldin [sp?] followed by Diana  
10 Blackwell [sp?], and Karen Leeder [sp?].

11 SERGEANT AT ARMS: Your time will begin.

12 DANA ELDIN: Good afternoon. Can you  
13 hear me? Can you hear me now? Okay. Good  
14 afternoon, Councilwoman Avilés, and thank you so much  
15 for this opportunity. There have been so much  
16 discussed this afternoon. I am a Resident President  
17 from South Bronx, from St. Mary's to be precise, and  
18 we are not RAD or PACT. But the proposition has been  
19 approached. We've also been propositioned to be  
20 resident management. The criteria that I see for  
21 residents and the conversion in regards to seniors  
22 and disabled seniors like myself, who's wheelchair  
23 bound. It's unclear and I feel that at the end of  
24 the day that some of us are not being heard, also. In  
25

1 regards to the rent cap of 30 percent, it would not  
2 apply to many of our residents. St. Mary's  
3 originally was a middle-class development where we  
4 had to have a certain amount of income to live here,  
5 until 1980 when the ACLU took us to court and sued,  
6 and we were then open to open residency. At the end  
7 of the day, many of those working professionals are  
8 now in the latter years, some in their 70s, 80s. I  
9 even have a resident who is 104. So they receive  
10 pensions and such besides their social security.  
11 Section 8 is not going to work for them. They're  
12 already paying CLE [sic] rents, and at the end of the  
13 day, even being relocated is not going to work for  
14 them. Such as myself, I live alone so I have no one  
15 that would be able to help me maneuver that type of  
16 fee, and so I fear that those that aren't [sic] in  
17 RAD and PACT will be ignored and insufficiently  
18 treated in regards to those relocations. Also, we  
19 are being forced into Section 8, which I think is  
20 unlawful. We should be able to remain Section 9, and  
21 those that want to be Section 8 will make that  
22 choice. There's nothing legal in this matter, as far  
23 as I'm concerned, to force any resident into a  
24 Section 8 program that they do not want to be in. As  
25



1 a President here, I've seen how Section 8 has treated  
2 my residents, and it is awful. They're being ignored.  
3 Some of their repairs have to wait until they get an  
4 approval. They don't get their inspections done on  
5 time. It's just unheard of how they're being  
6 treated, and I'm totally against it. As far as the  
7 leverage that Section 8 would bring to NYCHA and  
8 these prospective private managements, how much more  
9 could it be that they would force us into a program  
10 that we don't want? I just-- blatantly, I refuse RAD  
11 and PACT. I refuse Section 8 and so do many of my  
12 residents, and I think that we're not being heard.  
13 Now, everybody has a solution, but they're not  
14 talking to us, and I think that's very unfair and  
15 it's criminal actually, to put someone that's over,  
16 you know, over age into a system that they don't want  
17 to be in, and then to move them about while they do  
18 these repairs. And although, you mentioned Betances  
19 being so-- one of those renovated developments that's  
20 now in PACT or RAD. I talk to the residents of  
21 Betances, and they're still having issues with mold  
22 and leaks. Things-- it was just façade that they had  
23 when they replaced the outside. They gave them new  
24 countertops and cabinets and bathroom, but the real  
25

1 problems that they have were not addressed. So, I'm  
2 against this program. I'm against both programs,  
3 RAD/PACT and I'm against Section 8, and that's all I  
4 have to say. Have a great day.  
5

6 CHAIRPERSON AVILÉS: thank you so much  
7 for your testimony.

8 COMMITTEE COUNSEL: Thank you. We'll now  
9 hear from Diana Blackwell followed by Karen Leader  
10 [sp?] and Marquis Jenkins [sp?].

11 SERGEANT AT ARMS: Your time will begin.

12 DIANA BLACKWELL: Good afternoon, Madam  
13 Chair. My name is Diana Blackwell and I'm President  
14 of Fred Samuel in Central Harlem. Today, I'm not  
15 only going to testify for myself but on behalf of  
16 several other developments. I've been on RAD, the  
17 RAD committee from the onset and have remained active  
18 communicating with many of these who have converted  
19 from Section 9 to Section 8 under this program. Some  
20 of the most significant ways that some of the  
21 residents express that they were impacted was when  
22 they started experiencing the quality of life that  
23 they have deserved. Homes are now healthier, safer,  
24 and more secure. Some residents are working who  
25 weren't able to work in the past and now can pay

1 their rents. They're able to access social services  
2 for issues pertaining to health, rental assistance,  
3 mediation, and other services. Overall, they're  
4 proud to be living where they are and can bring  
5 guests and not be ashamed. For me personally, our  
6 development will be a sustainable development, and  
7 I'm very happy about that. On the other hand, there  
8 are those who believe that this process has a  
9 nugatory [sic] effect and has expressed how they wish  
10 they had not left NYCHA in that the services or lack  
11 of them were yet fully operational, noting especially  
12 some senior buildings. Communication with management  
13 is not very responsive. Repairs have been for  
14 internal fixes such as mold, mildew, are repeating  
15 the same way they did under NYCHA management. Now, I  
16 believe, and I'm a supporter of the RAD/PACT program,  
17 but I'm working to see that the work that we did on  
18 the roundtable comes to fruition. Our development,  
19 Samuel City, is in round nine, and I found that there  
20 has been a number of changes since we began. They're  
21 good changes, but they seem to be such as-- I want to  
22 say that resident involvement. We were one of the  
23 first to participate in the resident selection of the  
24 developer. To date, this joint effort is working to  
25

1 the tenants' advantage. Our communication is two-  
2 sided. There listening to us, and we're talking.  
3 They're responding, and we're challenging them. We  
4 know that we won't get everything we ask, but our  
5 tenants won't stop trying. This is a work in  
6 progress. If it is to be successful, it will take a  
7 joint effort between NYCHA, the new developers and  
8 residents. Residents must be the oversight that is  
9 needed to assure that this is working, that it is--

10  
11 SERGEANT AT ARMS: [interposing] Time is  
12 expired.

13 DIANA BLACKWELL: going correctly going  
14 forth. Okay, I'll just conclude right here. It's  
15 critical that we get this right, because to date  
16 there's no other funding sources that can repair  
17 these physical distressed properties nor the lives  
18 that are within them. The program is not perfect,  
19 but it is needed now. Thank you.

20 CHAIRPERSON AVILÉS: Thank you so much,  
21 Ms. Blackwell, and I can't agree with you more. We  
22 must get this right, and there are-- have been a  
23 number of lessons and information that we've gathered  
24 here in the hearing today that we have to be sure to  
25

1  
2 implement and lean into wholeheartedly. So thank you  
3 so much for your testimony.

4 DIANA BLACKWELL: Thank you.

5 COMMITTEE COUNSEL: Thank you. We'll now  
6 hear from Karen Leader, followed by Marquis Jenkins  
7 [sp?], and Latisha McNeil [sp?].

8 SERGEANT AT ARMS: Your time will begin.

9 KAREN LEADER: Good afternoon, Madam  
10 Chair, the members of the Committee on Housing and  
11 are present. My name again is Karen Leader, and I'm  
12 Executive-- on the Executive Board at Cooper Park  
13 Houses, a part of REACT and RPPH. NYCHA residents  
14 remain in opposition of our homes being put into the  
15 hands of another private landlord. Let's call RAD  
16 and the Trust what it is, it's brainwashing [sic].  
17 There is several problems with this RAD conversion.  
18 The new leases are confusing to the residents. They  
19 contain unreliable content, and they also take away  
20 many residents protections. Residents are being  
21 deceived into believing that this conversion is the  
22 best thing since sliced bread. Why is everyone other  
23 than residents ignoring the fact that evictions are  
24 happening at a faster and higher rate under these  
25 private companies. NYCHA believes that RAD and the

1 Trust offers them hope and that there will be a  
2 steady source of funding which includes ability to  
3 borrow money. However, borrowing money means that  
4 collateral is needed. Our homes are being used as  
5 collateral without the necessary legislative  
6 protections in place in the case of a default. It is  
7 said that you, the City, may step in if there should  
8 be default [sic]. However, may mean that there is a  
9 possibility that you may not step in. Instead of  
10 putting your trust in the Trust or in the RAD, we're  
11 asking that you trust residents to own and manage  
12 these properties through the use of subsidies, bonds,  
13 and other sources. The resources are there. If the  
14 Governor can negotiate a new stadium at the cost of  
15 850 million dollars in tax payer dollar, why aren't  
16 NYCHA residents receiving a substantial amount? If  
17 our political leaders have boosted US military  
18 spending, why are we being offered coins to cover our  
19 operational expenses and capital repairs? If  
20 Congress can approve 13.6 billion dollars in  
21 emergency spending to help Ukraine fight against  
22 Russia's invasion, where are our emergency spending  
23 funds? If the City used--

24  
25 SERGEANT AT ARMS: Time expired.

KAREN LEADER: one moment-- can use bonds to fund capital improvement projects and collect property taxes to repay the debt, why isn't something like this being done to assist NYCHA? In closing, we are looking to you to be meaningful voices that you were hired to be to the many families, citizens, tax payers, and veterans living in the only affordable housing provided in New York City for low income New Yorkers. We are counting on each of you to renew our faith in our government. Thank you.

CHAIRPERSON AVILÉS: Thank you so much for your testimony. We hear you loud and clear.

COMMITTEE COUNSEL: We'll next hear from Marquis Jenkins, followed by Latisha McNeill [sp?], and Ronald Topping [sp?].

MARQUIS JENKINS: Thank you. Thank you and good afternoon Council Member Alexa Avilés and all the other Council Members, and thank you for holding this very critical hearing. Over the last five years, the New York City Housing Authority has transitioned over 15,000 public housing apartments into private management due through the Rental Assistance Demonstration and Permanently Affordable Commit Together program. Residents who preserve

public housing and public housing residents citywide have been firmly opposed to any privatization-based efforts to address funding or living conditions at NYCHA. While the RAD and PACT program have been held by some as a solution to the budget and repair issues facing NYCHA and public housing community, there have already been many well-documented reports of many issues residents continue to face during and even after RAD/PACT conversions in their community. local journalism from City Limits [sic], the city, and reports from the Human Rights Watch have uncovered the extensive quality of life concerns for residents in PACT converted communities, including skyrocketed eviction rates, [inaudible] repairs, maintenance issues, and even dire public health concerns such as lead and mold, lacking transparency, communication and accountability between residents and private property management, as well as weakened tenant protections, such as loss [sic] of legal stipulated regulations for lead and mold abatement. As a resident-led organization, we have also heard from a number of members facing similar issues in their community as well as into the shoddy and uncompleted repair work and dangerous conditions for residents



1 living through construction or renovation in their  
2 homes through the pandemic. It is also clear that  
3 the issues are not unique to PACT conversions, but  
4 instead are symptoms of the for-profit motive  
5 embedded in the private market of housing. As  
6 several of the largest property managers involved in  
7 the Path program, Path and the PACT program also have  
8 extensive records of housing violations in their  
9 privately owned and publicly subsidized affordable  
10 housing buildings across the City. It is in this  
11 light that we oppose not only the ongoing RAD/PACT  
12 conversions, but any and all privatization that  
13 empower private interest within public housing,  
14 including the newly introduced public housing  
15 preservation trust legislation that would make NYCHA  
16 beholden to its creditors before its community. To  
17 that end, RPPH is calling on the City Council to  
18 redirect 1.2 billion in funds allocated for the PACT  
19 program in Mayor Eric Adams' Executive Budget onto  
20 NYCHA's capital and operating budget. Much of the  
21 justification for pursuing privatization efforts and  
22 PACT programs in particular have relied on the lack  
23 of public funding for Housing Authority. Yet this  
24 Administration is earmarking over one billion  
25

dollars, not for public housing, but for the erosion and privatization of public housing calls that rationale into question. In the midst of rising rents and crisis of affordability and homelessness sweeping across the City, it is counterintuitive and unconscionable to divest from the only existing program that provides a solution. Truly affordable and permanent housing [inaudible] provided through the New York City Housing Authority. We demand-- and I close with this. We demand that 1.2 billion be allocated instead to NYCHA's existing capital budget and that the 59 million in-- that 59 million increase the Department of Corrections to add 578 new officers is instead allocated to conducting an independent audit and increasing the size of the capital projects division at NYCHA. We applaud the City Council's recent call for the 400 billion investment and to affordable and supportive housing, but without the investment into public housing and NYCHA, these efforts will amount to little more than half measure. Instead, we call on the Council to meet the moment of the City's housing crisis with a total of 2.5 billion in investment in NYCHA's both capital repairs and operating costs. Finally, alongside our call to

1 privatize NYCHA's-- finally, alongside our call to  
2 prioritize NYCHA proper within the City's budget,  
3 RPPH is also advocating for the implementation of an  
4 independent, comprehensive, and forensic audit of  
5 NYCHA's accounting. The pitfalls of privatization and  
6 the need for public funding is clear, but so is the  
7 need for transparency and accountability in NYCHA  
8 Administration. For far too long there has been a  
9 harmful lack of both transparency and accountability  
10 with regards to NYCHA's budget allocations and  
11 spending in particular leading to focus on the  
12 financial mismanagement and while negatively  
13 impacting repairs and maintenance work. In addition,  
14 public housing tenants and resident leadership have  
15 too often been on the outskirts of NYCHA's budget  
16 management and decision-making. RPPH is urging the  
17 City Council to support the creation of an annual,  
18 independent, forensic audit of the New York City  
19 Housing Authority with specific provision for  
20 resident oversight and decision-making. Thank you so  
21 much for my time to speak. I will submit my written  
22 testimony.

23  
24 CHAIRPERSON AVILÉS: Thank you so much,  
25 Mr. Jenkins. We appreciate you.

COMMITTEE COUNSEL: We'll now hear from  
Latisha McNeil [sp?] followed by Ronald Topping  
[sp?].

SERGEANT AT ARMS: Your time will begin.  
You're still muted.

LATISHA MCNEIL: Hi, good evening. If  
you can hear me-- I'm sorry I can't go into detail of  
all of my concerns with the RAD and PACT program. I  
just have a lot of concerns about it. I've heard a  
little-- I got a little bit of information from what  
was said prior to me coming on. I'm in the midst of  
picking up my children, but I still have a lot of  
concerns about it and what it's going to do for NYCHA  
in the future, and other things that I'm concerned  
about. I will present-- I will submit something in  
writing, but right now I cannot speak. I've been on  
this call and I'm picking up my children. But I do  
still have concerns about the program.

CHAIRPERSON AVILÉS: Thank you so much,  
Ms. McNeil. We look forward to hearing your  
testimony, or reading it.

COMMITTEE COUNSEL: Next, we'll hear from  
Ronald Topping [sp?] followed by Lakesha Taylor.

2 RONALD TOPPING: [inaudible] Good evening  
3 everyone. We've waited a long time to get some  
4 testimony in, and some of the testimony, I hope you  
5 all were not on your phones [inaudible] you were  
6 actually paying attention to the residents, because  
7 often times people don't listen to us. They do what  
8 they want, make decisions for us and don't even live  
9 in our community. We oppose the RAD. We oppose the  
10 PACT. We oppose even your Trust, because we don't  
11 trust you, and we're not in for any of that sort of  
12 stuff. We want to have a forensic audit done because  
13 the Comptroller, Scott Stringer, former Comptroller,  
14 did one. So when we talk about looking for a money  
15 stream, there is money out there. It's just they  
16 don't want it. They don't want to use it for us  
17 because we have black and brown communities living in  
18 public housing along with Asians and Hispanics,  
19 etcetera. The problem is you got 400 million dollars  
20 sitting out at Battery Park. Why isn't anybody-- or  
21 getting the Mayor or having lunch with him asking him  
22 to sign off on that money to be released to help  
23 public housing? Why don't we re-earmark the lottery  
24 system that takes in money that builds schools, that  
25 schools are now consolidated and then put us on one

1 side of the highway than the other, versus the other  
2 people? The moment we graduate and get out of those  
3 areas, here you are telling us that we can't get a  
4 bank loan. So why don't we start cutting off the  
5 damn banks who are loaning the developers money whose  
6 trying to displace us? RAD is slow to be a  
7 demonstration, but what it really means is we'll  
8 advance displacement is what it is. So we can read  
9 between the lines. PACT is nothing more-- they say  
10 Permanent Affordable Commitment Together. There's  
11 nothing permanent. There's nothing affordable.  
12 There is no true commitment, and there is nothing  
13 together. So we oppose that. Those programs are  
14 government programs where they want you to do what  
15 government says. To much is given, much is expected,  
16 but they do not realize that there are money streams  
17 out there that can be tapped in to help public  
18 housing. The Reagan Administration put us in this  
19 damn hole, took public housing money, and reverted it  
20 over to transportation with the HUD Secretary Samuel  
21 Pearce [sp?]. Why isn't somebody reviewing that to  
22 find out where the hell that money is? So don't tell  
23 us that you can't do something, and say oh, they're  
24 not going to give you any more money. We demand that  
25

RONALD TOPPING: to what is being said.

And I will close with this. Where there's no justice there will be no peace. We oppose RAD, PACT, the movement, etcetera, and Mr.-- our chairperson who stands to gain the most out of this with [inaudible]. We don't want that development company here in New York. [inaudible] is no damn good as well. So, let's get rid of them. Let's find some money and fix up these buildings, not cosmetic surgery, but let's do the structural surgery for these people. I'm done.

COMMITTEE COUNSEL: Thank you. We'll hear from one additional witness who is joining us via Zoom, and then we have a few members of the public that are present in-person. So, while she's

LAKESHA TAYLOR: Hi. Thank you so much. My name is Lakesha Taylor. I live at Holmes Towers on the Upper East Side. I appreciate you for giving me this time. My plan was also to be there in public, but as we know, things happen in your home. Recently my home was vandalized by a third party vendor. To hear about RAD and PACT, and to understand that NYCHA is giving up our homes to third-party vendors is just disheartening, because again, it's showing how NYCHA is just giving up their power to people who are not as-- not trustworthy, and again, the resident is going to have fight for their rights. A lot of this stuff has already been said. We need an auditor. We need to look at NYCHA's books, because we know that NYCHA cannot be trusted. I had to basically hound NYCHA to give me cash money for all the things that were stolen out of my house. We can-- they put up these pretty little pictures about people who are



1 happy, and sure, there is going to be a percentage of  
2 people who are happy, but there's still a percentage,  
3 a large percent of people who are suffering the same  
4 under NYCHA that are going-- that are suffering when  
5 they enter to these PACT and RAD development deals,  
6 and that is sad, because you're here trying to say  
7 look at what we're going to do, look at what we have  
8 learned, and look at what's happening. The truth of  
9 the matter is, we need money. We need dollars, and  
10 we know-- we have known this from a long time ago,  
11 and we have to make sure that these dollars that we  
12 are supposed to get are going to the right place. It  
13 is sad that people have lived here for generations,  
14 and we have-- we're going to suffer more. You  
15 understand? Our building are crumbling, and you're  
16 just going into deals with snakes and lizards, you  
17 understand? And that's-- it's a false promise that  
18 NYCHA is spelling yet again. And we have to learn  
19 from our mistakes.

20  
21 SERGEANT AT ARMS: Time is expired.

22 LAKESHA TAYLOR: We have to learn from  
23 our mistakes and make sure that we're not going to  
24 put the vulnerable people who have worked hard for  
25 what they have in the same predicament by saying that

these developers or these deals are going to be better, and we know that it's not. If NYCHA does not open up their books and truly show us what they're doing with these dollars, you're truly putting people in a bad predicament, and we, you, have to learn from the mistakes. Thank you.

CHAIRPERSON AVILÉS: Thank you so much for your testimony.

COMMITTEE COUNSEL: Thank you, and now we'll hear from the panelist who are present starting with Sean Campion followed by Elizabeth Gyori and Rafael Moure-Punnett.

SERGEANT AT ARMS: Your time will begin.

SEAN CAMPION: thank you. Good afternoon. My name is Sean Campion. I'm a Senior Research Associate at the Citizen's Budget Commission. We're a nonprofit, non-partisan think tank and watchdog dedicated to constructive change and services, finances, and policies of New York City and New York City governments. Our testimony is available online, so I want to highlight a few things that we speak about in our longer testimony. I really want to note four points we raise about RAD and PACT. First, is that RAD is working. Converting from federal

1 Section 9 public housing funding to more stable and  
2 flexible funding under Section 8 with RAD and PACT  
3 has allowed NYCHA to raise funds for comprehensive  
4 modernization projects across the City as we've heard  
5 about today. over three billion dollars to renovate  
6 more than 15,000 units with another 20,000 in the  
7 pipeline, that's more than halfway towards NYCHA's  
8 goals from converting 62,000 units under RAD. And  
9 these investments have and will continue to  
10 dramatically improve the quality of life for tens of  
11 thousands of residents in these developments. Second,  
12 is that the implementation has protected residents  
13 and actually improved quality of life. As a member  
14 of the Fulton Chelsea Working Group and Co-Chair of  
15 their Subcommittee on Capital Investment, you know, I  
16 can speak to sort of how the PACT program preserves  
17 residents' rights and protections and affordability  
18 rules, and also how now residents have a seat at the  
19 table in the design and the developer selection  
20 process of RAD conversions that they didn't before.  
21 Third, however, is that RAD alone is not enough. It's  
22 only covering 62,000 units under RAD which leaves  
23 another 110,000 units without funding for repairs and  
24 improved property management. And conditions  
25

1  
2 continue to deteriorate faster than NYCHA's ability  
3 to fix them under this Section 9 program, even with  
4 [inaudible] the city and state capital support. And  
5 fourth is that the proposed Preservation Trust is the  
6 best hope for preserving those 110,000 units not  
7 currently in the RAD pipeline. Just to note finally,  
8 you know, that time is not on NYCHA's side. When we  
9 first analyzed NYCHA's capital needs in 2018, we  
10 found that 90 percent of units were at risk of  
11 deteriorating past the point of fixing them by 2027,  
12 and the currently undergoing physical needs  
13 assessment will determine whether the [inaudible]  
14 continues. But [inaudible] the only path of stable  
15 operations and [inaudible] is accommodation of  
16 RAD/PACT and the Preservation Trust. Thank you.

17 COMMITTEE COUNSEL: Thank you. Elizabeth  
18 Gyori?

19 ELIZABETH GYORI: Thank you. Good  
20 afternoon, Chair Avilés, members of the Public  
21 Housing Committee and members of the public. My name  
22 is Elizabeth Gyori. I'm a Skadden Fellow and Staff  
23 Attorney in the Citywide Tenants' Rights Coalition at  
24 Legal Services NYC. LSNY is the largest civil  
25 services provider in the nation and has a history of

1 representing tenants living in NYCHA. As a Skadden  
2 fellow, my project seeks to mitigate the rights of  
3 NYCHA tenants, including those facing privatization  
4 of their units under RAD or NYCHA's Blueprint for  
5 Change, including through direct representation,  
6 affirmative litigation, and a policy advocacy. As  
7 we've heard today, there's an overwhelming need for  
8 the City Council to take steps to ensure that public  
9 housing tenants can live with dignity in their own  
10 homes and have their rights fully protected. I'd like  
11 to thank the Committee for taking-- prioritizing this  
12 critical issues, and I'll move on to make points with  
13 my commentary. In addition my January 13<sup>th</sup>, 2021  
14 testimony which raised concerns about risk of  
15 evictions, lack of repairs in RAD/PACT buildings as  
16 well as tenants mistrust, we have three other main  
17 areas of concern about PACT/RAD. The first is the  
18 inadequacy of NYCHA's RAD/PACT transfer procedures,  
19 especially for those disabled tenants or tenants who  
20 are the victims of domestic violence, sexual assault,  
21 and stalking. The second is the lack of oversight  
22 and accountability relating to the construction work  
23 and its quality in the long-term. And the third is  
24 the lack of transparency and enforcement of tenants'

rights, especially in the context of grievance rights. With reaming time, I'll speak briefly about these issues in turn, and my main commentary is written. In terms of the inadequacy of transfer procedures, we've been told that after a building converts to RAD/PACT tenants can no longer transfer across the entire portfolio. Instead, NYCHA has said that they will simply issue a tenant-based voucher to be used on the private market. This raises three major concerns. The first is that refusing tenants' transfer across the portfolio to another geographic area may violate anti-discrimination laws prohibiting discrimination on the basis of disability. The second is that NYCHA's transfer policy in RAD/PACT amounts to a diminishment of tenants' rights that they had after a conversion in direct contravention of the RAD statute and NYCHA's representation to tenants. And third, the provision of a portable voucher for tenants to use on the private market often fails to address tenants' needs, and a housing market replete with source of income discrimination and rent inflation-- I understand that my time has expired. So I will just say that we have a lot of concerns in terms of the construction oversight.

1 Lack of communication about the schedule of repairs,  
2 safety and health concerns with the way the work is  
3 being carried out, elevator outages, sometimes this  
4 leads to holdovers for-- refusal to provide access.  
5 And finally, in terms of transparency and enforcement  
6 rights, I will say that we would like for there to  
7 be-- the transactional documents to be publicly  
8 disposed along with the financing documents, and more  
9 protections in terms of grievance rights because  
10 tenants have not been able to fully assert their  
11 grievance rights, especially for remaining family  
12 member grievances. Thank you.

14 COMMITTEE COUNSEL: Thank you. We'll now  
15 hear from Rafael Moure-Punnett. And for those that  
16 are joining via Zoom, we'll follow with [inaudible]  
17 Newman followed by Sam Morse.

18 RAFAEL MOURE-PUNETT: Good afternoon  
19 Chair Avilés, and thank you for allowing me to speak.  
20 My name is Rafael Moure-Punnett. I am the Associate  
21 Director for Housing and Programing at the Harlem  
22 Community Justice Center, which is a project of the  
23 Center for Court Innovation. We have 20 years working  
24 with Harlem residents on housing issues, specifically  
25 working with NYCHA, and now working with PACT

residents for the PACT development and the Manhattan bundle which are in Harlem. First, I want to speak about New York City Marshal data on evictions in PACT buildings. I've done an analysis of the first six PACT conversion. So, the first section, the timeline is about half of the total portfolio, and I found 394 warrants for eviction were issued in those buildings post-conversion, and 110 of those warrants were executed by the Marshals. This-- were all focused in the two developments that are being managed by Wave Crest Management, Ocean Bay, and Betances Houses. Ocean Bay had a 10-fold increase in eviction warrants after conversion, and a six-fold increase in eviction warrants execution post-conversion, and Betances had a three-fold increase in eviction warrant execution post-conversion. Which begs the question, what oversight is NYCHA doing over Wave Crest Management if all of the evictions post conversion are being done by only one of the management companies selected in PACT? Which I think is-- Council Member, we'd like to know the answer to. And a concern for the future developments that are selected to work with this management company in future conversion. The next I want to-- and I want to echo part of what Liz



1 Gyori said in her testimony about grievances. You  
2 know, NYCHA was accused of widespread and systematic  
3 rent overcharging in the Fields v. Russ [sic]  
4 settlement, and settled that case which took effect  
5 this year, and put in new protections for tenants who  
6 are challenging rent overcharge. Basically, they  
7 lose their income. The subsidy doesn't adjust for  
8 the loss of income. They're sued for nonpayment in  
9 Housing Court, and NYCHA tells them go get a one-shot  
10 deal, and they get a loan from the City for the rent  
11 that they owe, and then they get-- and then they pay  
12 it off, and this is the system that NYCHA has  
13 historically used instead of accurately adjusting  
14 subsidies to tenant income, right? And we are seeing  
15 this is continuing in the PACT developments. PACT  
16 development are not protected under Fields v. Russ,  
17 because it's a new ownership model, and the nonprofit  
18 providers are perpetuating this issue in these  
19 developments. We have some preliminary evidence of  
20 this in Betances houses and in Twin Parks West where  
21 the nonprofit providers meets with tenants that owe  
22 rent and says to them, "You should get a one-shot  
23 deal," which is a loan from the city for rent arrears  
24 that they may not actually owe, and if they were  
25

1 simply just to be able to file a grievance, which we  
2 now understand has been complicated because there are  
3 two different ways the grievance can go, that would  
4 result in rent arrears. My agency specializes in  
5 this. We've helped residents collect more than  
6 100,000 in money back by doing grievances against the  
7 Housing Authority, and we're very much concerned that  
8 the new nonprofit services on site are just going to  
9 have people take out loans for money they don't  
10 actually owe, and now it's going to be the new system  
11 under PACT. Thank you for your time.

13 CHAIRPERSON AVILÉS: Thank you so much.  
14 I have several questions, but I wanted to ask if you  
15 could expand a little bit on some of the work around  
16 disabled tenants and the transfer process.

17 ELIZABETH GYORI: Yeah, so we've been  
18 told by NYCHA that they will not transfer a tenant  
19 from one RAD building to another RAD building unless  
20 it is the same private landlord and management  
21 company, and so they have to be in the same bundle  
22 when they convert, or they're saying they will not  
23 transfer them to-- for example, from Ocean Bay to  
24 Twin Parks West. That is not possible. They also  
25 have said that they will not transfer tenants from

project-based Section 8 to public housing, even in the instance in which somebody needs an accessible apartment. I recently did an intake with a tenant who was living in a one-bedroom apartment with his disabled brother, and he has to live in-- sleep in the bedroom, and actually can't do physical therapy related to his disabilities, and he was actually on a public housing wait list, and that was actually cancelled. He was taken off the wait list at the time of conversion, despite having been on that wait list, as he tells me, for six and seven years. And so this is a real issue for tenants who are disabled who need to be transferred to accessible departments-- apartments, but also for tenants who may have suffered some sort of a traumatic incident, domestic violence, stalking, a crime, and need to leave the area, and they can't do that right now under this procedures, which we believe is actually in violation of anti-discrimination law, and is a diminishment of tenants' rights which is not allowed under the RAD statute, and is also just not something that NYCHA represents to tenants when they talk about the RAD/PACT program and tell tenants you'll preserve all

of your rights, but this fundamental right is not being preserved.

CHAIRPERSON AVILÉS: thank you so much for that. We absolutely need to follow up on this line of questioning, because this is a critical area of that, I think, when we look at PACT resident protections. None of those are listed are protected classes or what to do in the event of these requirements. So I think it's something we have to drill down on. Thank you so much. In terms of the-- actually, I think I'll leave it there. Thank you. Thank you for your testimony and for your work.

ELIZABETH GYORI: Thank you.

COMMITTEE COUNSEL: Thank you. We will now hear from Lucy Newman, followed by Stan Morse, and Victor Bach.

LUCY NEWMAN: Hi, can you hear me? Good afternoon. My name is Lucy Newman. I'm a Staff Attorney<sup>1</sup> at the Legal Aid Society. I wanted to thank Chair Avilés for her leadership and commitment to public housing residents, especially those who have undergone a PACT conversion. At Legal Aid, similarly with other colleagues who have testified before me, I think we've always believed that it's

important to be at the table representing our clients who live throughout the five boroughs of New York City in NYCHA's public housing stock to ensure that when facing a RAD conversion, which I'm going to now refer to as PACT, because other than Ocean Bay every one of them has been a PACT conversion, that their rights are protected to the fullest extent possible and the issues that are arising, we're able to see and then help advocate for our clients and try and make changes to the program that is, you know, rolling out and rolling out in the future to an even greater extent. We have established a helpline that has been mentioned before, which we help residents who are both pre and post PACT conversion. They can call our helpline and talk to either paralegals who are staffing that helpline or attorneys in our Housing Units to talk about issues that they're facing, again, pre or post-conversion. The good thing about this is that obviously we're seeing a lot of calls coming in. we're getting information about some of the things that people are facing, and we are meeting regularly with NYCHA to address many of the issues that we're seeing, but again, it's obviously a work in progress. I would just say that before

conversion there is a huge amount of, kind of, house-keeping matters that really do need to be addressed to help ensure that residents post-conversion are not being given the runaround on a lot of issues that impact tenants, and then subsequently Section 8 participants. So for example, what we see a lot of is people calling around adding household members, rent recertifications, whether that's an interim recertification because of a change in income, or an annual recertification, transfers, reasonable accommodations, succession claims which also known as remaining family member claims, and language access issues. so we do see a lot of residents being kind of bounced around between NYCHA and the development teams, an that's something that is obviously a huge concern to us because we know that residents ultimately the individuals that bear the brunt of that. So what we would recommend, and this will be in our written testimony that we'll upload later, is a transition team on the ground at a much earlier stage that both the Leased Housing Department and the Public Housing Unit, and the development team so that they can start working together, not simply on the day of conversion, but way before that. We also

1 would like that when there's-- we would like  
2 obviously for a much more resident-led process. That  
3 being said, there was a report that NYCHA did on the  
4 NYCHA Resident Survey in 2021 which had a finding  
5 that 74 percent of the people interviewed for that  
6 didn't actually vote for their Resident Association  
7 and many of them didn't even know that they had a  
8 Resident Association. So, I think it's very  
9 important to expand the residents that are able to  
10 participate in that. Again, I wanted to just  
11 reiterate that with many other people that given the  
12 fact that Build Back Better looks like it's dead in  
13 the water and the promise of 40 billion dollars, the  
14 capital needs has evaporated. We would support the  
15 legislation that's in Albany right now for the  
16 creation of a Preservational [sic] Public Trust and  
17 really urge that it be passed this session, given  
18 just how dire the situation is for NYCHA. They've  
19 added recently opt-in language into that legislation  
20 that would require a resident vote at the  
21 development, so residents would have the choice about  
22 whether or not to go forward with that Trust. But we  
23 would really urge Albany to pass that legislation.  
24 Thank you.

COMMITTEE COUNSEL: Thank you. We will now hear from Stan Morse followed by Victor Bach and Brendan Cheney.

STAN MORSE: Good afternoon. My name is Stan Morse. I am the Co-Founder of the One NYCHA Podcast, as well as community organizer for Justice For All Coalition. I was at the Wise [sic] Towers early conversion when you guys first started that, and the residents did not want it. It was pushed through anyway. I was at Linden Houses during those early meetings when that was being brought to them. They didn't want it. It was pushed through anyway. I got actual footage from my colleague Saundrea Coleman of someone living in Boulevard Houses, you know, it's in horrible conditions. You know, so, and she's calling people like us because she can't get in touch with nobody in management. She can't get answers from anyone. We're going to send that video to Chair Avilés [sic], you know, later on, not today, but tomorrow, and we'll see what happens. But if she's going through that and can't get no services, no help, no nothing, and I mean, her apartment is horrendous, she cannot be the only one. You know, to have folks sit here and say that there's some



oversight and there's really things being done, that's far from the case. I've heard from people from Ocean Bay, same issue. Terrible [inaudible] the mold is bad. The lead paint is bad. All the same problems they face under NYCHA is coming back. They just did a slap [sic] job, and it's all coming back in the same way, worse in some cases. You know, so to think that there's any oversight and think that there's any improvement to these residences being converted into RAD, it's absurd. So when we show this footage, it will speak for itself, more than any words, anybody from NYCHA can ever say t's a win, and if that's one person, you best believe there's a whole, whole lot more living in conditions like that in these buildings that have been converted, that nobody hears from and nobody knows. Now as a community organizer, I'm telling you, the large majority of NYCHA residents do not know about that PACT or the movement, and the ones that do know don't want it. You know, and why would we put something down people's throat in the middle of a pandemic, when people can't even organize, it's outrageous. You know, this should be paused. It should be put on hold. Other things should be happening. Residents

1 should be given the right to manage their own  
2 developments which cannot happen if there's a private  
3 management company--

4  
5 SERGEANT AT ARMS: [interposing] Time has  
6 expired.

7 STAN MORSE: [inaudible]. It should be  
8 stopped completely.

9 COMMITTEE COUNSEL: thank you. We will  
10 now hear from Victor Bach followed by Brendan Cheney,  
11 and Joshua Barnett.

12 SERGEANT AT ARMS: Time will begin.

13 VICTOR BACH: Hi. Good afternoon. I'm  
14 Vic Bach, Housing Policy Analyst with Community  
15 Service Society. What I'd like to do with the few  
16 minutes is put RAD in a broader context. Right now  
17 residents and NYCHA have very options. It's either  
18 RAD or wait for a significant direct government  
19 investment in public housing, and the prospects for  
20 the-- for direct government investment are very dim  
21 at the moment, and I'm not sure they'll lighten up at  
22 any point in the near future. So, residents in NYCHA  
23 are really left with a Hobson's [sic] choice. It's  
24 either RAD or just wait for Washington or another  
25 level of government to come to the rescue eventually.

1 That's why I think I urge the committee to focus its  
2 attention on the Preservation Trust, a proposal that  
3 is now being considered in Albany in this legislative  
4 session. What the Trust does is it adds a third  
5 option, a public option, one that's publicly funded,  
6 one that keeps public housing and the developments  
7 that are converted in public hands, and it's a  
8 concept, a model that has the potential to generate  
9 the full 40 billion dollars that NYCHA needs to  
10 address its capital backlog. In addition, the  
11 legislation as it stands maintains it retains all of  
12 the resident rights and protections that residents  
13 now enjoy under Section 9 public housing. And most  
14 importantly, it has a provision called a resident  
15 opt-in [sic].

17 SERGEANT AT ARMS: Time expired.

18 VICTOR BACH: which provides-- which  
19 requires residents to support the conversion, either  
20 that or the conversion will not move forward. That's  
21 an unprecedented measure that gives residents  
22 enormous leverage in deciding on whether or not they  
23 want to covert. I would urge the committee to focus  
24 its attention on the current legislation by drafting  
25 a resolution, a Council resolution, in support of the

1 Preservation Trust. It will only add options for  
2 residents rather than take anything away, and I  
3 believe it has enormous potential. So I urge the  
4 Committee to draft a Council Resolution that gets to  
5 Albany in support of the Trust. Thank you.

6 COMMITTEE COUNSEL: thank you. We will  
7 now hear from Brendan Cheney followed by Joshua  
8 Barnett, and Kristen Hackett.

9 SERGEANT AT ARMS: Time will begin.

10 BRENDAN CHENEY: Good afternoon. My name  
11 is Brendan Cheney, I'm the Direct of Policy and  
12 Communications at the New York Housing Conference.  
13 I'd like to thank Committee Chair Avilés and the  
14 other members of the Public Housing Committee for  
15 holding this hearing. Like so many others, we are  
16 extremely concerned about the conditions of the New  
17 York City Housing Authority including mold, lead  
18 paint, leaks, and inconsistent elevators, and heat  
19 and hot water. Every year we get closer to a day when  
20 repairing NYCHA units becomes too costly, and if we  
21 lose even one unit of public housing, we'll worsen  
22 our housing crisis. While funding to maintain public  
23 housing should be the responsibility of the Federal  
24 Government, it is unlikely that we will see  
25

significant federal capital funding from Washington. Currently, the Federal Government allocates only 500 million dollars per year for capital funding for NYCHA which needs 40 billion dollars for repairs, grossly insufficient to meet the need. And while there is a brief window of hope last year that congress might come to the rescue, and were leading efforts here to support Build Back Better, it is now stalled and federal housing funding is very unlikely. We at the New York Housing Conference have called on the City and State to provide 1.5 billion per year each for NYCHA's capital repairs. Unfortunately, neither Governor Hochul nor Mayor Adams have agreed to this level of support. We will keep pushing for the City and State to step up. But absent federal funding, absent city and state funding, the Permanent Affordability Commitment Together program utilizing the Federal Rental Assistance Demonstration program has proven to be a necessary and effective way to preserve public housing. Through the PACT program, NYCHA has successfully partnered with affordable housing developers to implement building systems replacement and apartment upgrade that should have been done decades ago. This program has produced

1 results that are impressive including modernizing  
2 antiquated and unreliable heating system, sealing the  
3 building envelopes, refreshing common spaces, and  
4 often updating kitchens, bathrooms and windows in  
5 residents' apartments. NYCHA's also made great  
6 strides in improving outreach and opportunities for  
7 residents to contribute to the scope of work for  
8 repairs and developer selection, and we hope that  
9 they will build on this progress in the Adams  
10 Administration. Thank you for your time, and I'm  
11 happy to answer any questions.

12  
13 COMMITTEE COUNSEL: thank you. Next, we  
14 will hear from Joshua Barnett followed Kristen  
15 Hackett, and then Jeanine [sp?].

16 SERGEANT AT ARMS: Time will begin.

17 JOSHUA BARNETT: Hi. [inaudible] again,  
18 like everybody else wanted very much thank Council  
19 Member Avilés for holding this hearing and being a  
20 leader on public housing. My name is Josh Barnett.  
21 I'm a union representative with Local 375 [sic]  
22 [inaudible] and since 1999 I've been a fulltime  
23 employee in NYCHA as an architect in the Design  
24 Department in Capital Projects Division. And I'm  
25 here to oppose any privatization of public housing,

standing with the residents in that both under RAD and the Blueprint, and I don't say that lightly. You know, we know that repairs are direly needed. It's what the work-- myself and my coworkers deal with in capital projects every day trying to stretch very scarce renovation dollars to the breaking point, but privatization always ends badly in public service. We've seen it in other things like public transportation and public education and certainly public health. We have no reason to think that public housing is going to be any different. We're really worried that this would set a really bad precedent in terms of developing more public housing. We've heard a lot about preserving public housing, but we're living in the city and a country that's horribly gentrified, dealing with affordable housing crisis, facing a wave of evictions. We need a lot more public housing, and once we start going down the route of relying on key [sic] market, we know we're never going to see anything more but luxury market rate houses that's going to only exacerbate poor conditions and homelessness. We're also worried that the worker's voice really hasn't been heard. You know, we're as out of the loop as a lot of the

1 residents feel in terms of development to [inaudible]  
2 hiring. We see a real potential for union busting,  
3 and a reduction of wages and job security and  
4 benefits which we really don't want to see now that  
5 workers are really being burdened by inflation up  
6 here in housing costs, and we don't see any  
7 guarantees in RAD or the Blueprint, by the way, that  
8 all new hires will be civil service, will be union,  
9 will have the same kind of benefits and wages and job  
10 protections that unions really try and fight for.  
11 When we say that RAD is the only public housing  
12 stream, that reflects a lack of political will,  
13 because we know the money is there if we tax Wall  
14 Street, if we tax the rich, if we had mandatory  
15 [inaudible]

16  
17 SERGEANT AT ARMS: [interposing] Time has  
18 expired.

19 JOSHUA BARNETT: between luxury  
20 development and affordable housing. So just in  
21 short, we really want to say that everybody needs a  
22 seat at the table, including the workers. We lost 25  
23 percent of our workers, 50 percent of the people in  
24 my department since I started in '99. We need a  
25 oversight-- like people said, a forensic audit, and



we need a RAD moratorium. And for the sake of everybody and the city, we need more public housing [inaudible]. We'll send a written testimony as well.

COMMITTEE COUNSEL: Thank you. We will no hear from Kristen Hackett, followed by Jeanine.

SERGEANT AT ARMS: Time will begin.

KRISTEN HACKETT: Thanks. Good afternoon everybody. Thank you for your time today and thanks to Madam Chair for hosting this hearing. My name is Kristen Hackett. I'm a PHD student at CUNY studying the plans for public housing, and I organize with neighbors living in public housing with the Justice For All Coalition, Save Section 9, and Neighbors Helping Neighbors in the Rockaways. So there's a few points I want to share today. So, first, RAD has been an absolute policy failure. This is clear in many of the individual testimonies that have been given today as well as in the growing body of research, the research from the National Housing Law Project and Human Rights Watch are both clear, highlighting how RAD leads to tenants' rights abuses and even evictions. But even studies that support RAD as a program from Enterprise Community Partners and even the Citizens Housing and Planning Council,

report mentioned already in this hearing, while they reflect positively on the program, they also find increases in evictions and tenant turnovers. They just gloss over those findings. You know, and it's also clear in general and from this hearing that most policy analysts and researchers pushing RAD and PACT in the blueprint are willing to ignore these issues, and it's also clear on this poll that residents are not, and they're having to speak out over and over and over again about these abuses. Second, elected officials so far have not done enough. Tenants have been ringing the alarm on RAD for years now, and for the most part, elected officials have stood idly by or even endorsed the program. For example, when Fulton Houses residents opposed RAD conversion for over a year and collected signature from 75 percent of neighbors, local elected officials convened that working group that's been discussed already on this call, and eventually-- then that working group actually worked to lock tenants out of the decision-making process. They published an op-ed about how that went down. So people who are lauding that as this amazing, positive example, are lying about what actually happened there. Another good example is in

2019 when City Limits released a study showing the extremely high rate of evictions at Ocean Bay Houses, not one public official made a public comment, let alone took up any official investigation.

SERGEANT AT ARMS: Time is expired.

KRISTIN HACKETT: The same is true following the groundbreaking report from Human Rights Watch, and in the absence of official investigation, tenants in the Rockaways are now taking it upon themselves to survey neighbors at Ocean Bay Houses, and already we've seen the results of that survey and it's not good. So, when are elected officials who represent these tenants going to come forward and stand with them, rather than continuing to work against them and their interest? Third and finally, it's deeply important to note that as bad as RAD is, the Blueprint presents tenants with no better options. Both RAD and the Blueprint are attempts to undermine the robust federal rights [inaudible] public housing residents by transferring all units of public housing in New York City to project-based Section 8, and to end public housing as an institution in New York City. This would be a travesty for our city and would undoubtedly spur

1 privatization nationally which would drive  
2 homelessness and housing insecurity for low-income  
3 and fixed income and working-class households.  
4 Equally so, this would constitute another significant  
5 racialized disposition [sic] provoked by ongoing  
6 disinvestment in black and brown communities and  
7 lives, continuing harmful and violent historic  
8 trends. The only option is to ramp up pressure on  
9 the Federal Government to restore and expand Section  
10 9 housing here in New York City and nationally, and  
11 this is what the majority of tenants on this call  
12 have called for, and that should be respected. In  
13 short, New York City is at a crossroads. Rather than  
14 perpetuating harm, I encourage us to choose to oppose  
15 RAD and privatization wholesale and lead a national  
16 movement to truly address the housing crisis we're  
17 facing here in our city and across the country.  
18 Thank you.

20 COMMITTEE COUNSEL: thank you. We will  
21 now hear from Jeanine followed by Kimberly Combs  
22 [sp?], and if there is anyone else who is still on  
23 Zoom that we have inadvertently missed, please use  
24 the Zoom raise hand function, and we will call on you  
25 at the end.

SERGEANT AT ARMS: Time will begin.

JEANINE: Hi. Good afternoon, everyone.

Hi, my name is Jeanine, and I am an Ocean Bay RAD resident. I've listened to what you guys were saying. A lot of the things are untrue. Here they just put a Band-Aid on everything. The people-- a lot of families have been displaced. There's seniors now on pantry lines because they cannot afford the rent, and it is shameful, and it is shame on you. I know people that had-- was asking for transfers that had domestic violence issues that are still forced and they're stuck here. There's no one that they can go to to help them. And it's sad. I want to know why since we've converted to RAD, we're now filling out lease every six months, which makes no sense while people's rent are going up every so often. I know because I was one of those tenants that it was happening to, too. You-- to complain, we have no one to help us. Who are we to go to? We're in here. You put-- you made it look nice. Granted, why are there locks on the staircase? Now, if me as a resident, I have a key tag to get in my building. I can only get off if I had to walk up to another floor, I can't even use my key tag to get off on

another floor. What am I, a prisoner in my own home? Why are we begin treated like this? Stop with the lies, acting like RAD is great. RAD is not great. RAD has a lot of families displaced, and it's shameful that this is going on. We've tried to contact Bill de Blasio when he was in office, when did all of this, when he was even out here speaking. I was trying to tell him-- tenants was telling him that this was a façade that they were putting on, trying to act like this program was so good. Please help them people, because like I said I see a lot of families that are no longer here. And it needs to be stopped. Management, they're getting better now because they got a little bit of--

SERGEANT AT ARMS: [interposing] Time is expired.

JEANINE: people in there to know what they're doing, but it's still not right. I'm done.

COMMITTEE COUNSEL: Thanks very much. We will now hear from Kimberly Combs [sp?].

SERGEANT AT ARMS: Time will begin.

KIMBERLY COMBS: [inaudible] Hello? Good afternoon.

SERGEANT AT ARMS: Go ahead. We hear you.

KIMBERLY COMBS: Good afternoon. Can you hear me?

SERGEANT AT ARMS: Yes, we hear you.

KIMBERLY COMBS: okay, good afternoon.

My name is Kimberly Combs from Red Fern Houses in Far Rockaway, Queens. And I agree with the last resident from Ocean Bay, because I was a part of the group that did the survey, and there were many that were just in discomfort I would say with the new way with RAD. So, I don't totally agree with RAD. Yes, it is beautiful to the eye, but there were still residents who had complaints with repairs, leaking, and different things of that nature. And as I've learned that Red Fern is supposed to be also under, you know, the beginning stages of RAD. I would hope that all the residents in Red Fern would be able to somewhat sit at the table with decision-making if that was the case. And I'm out and about, I guess you can see. So I really wasn't prepared to really speak, but like I said, I do agree with a few of the residents that got on and spoke, and they-- I don't agree with RAD. If families will be displaced and, you know,-- if I

1 can-- it's beautiful to the eye, but not all the  
2 residents are happy, and there is somewhat of a st--  
3 how you say specific racism going on. So, all the  
4 officials and everyone who will be involved in doing  
5 this RAD need to speak to residents and get their  
6 ideas, and maybe even some solutions. Thank you  
7 again. This is Kimberly Combs with Red Fern Houses,  
8 far Rockaway, Queens. Thank you.

10 COMMITTEE COUNSEL: Thanks very much.

11 This concludes the public testimony portion of this  
12 hearing. I will now turn it back over the Chair to  
13 close.

14 CHAIRPERSON AVILÉS: So, again, first and  
15 foremost, extend my thanks and gratitude for the  
16 generosity of the residents who have both testified  
17 here on Zoom and in-person, but who have been  
18 actively engaged in their developments and fighting,  
19 and quite frankly surviving severely substandard  
20 conditions on a daily basis that should have never  
21 happened to begin with. So, next, I also want to  
22 thank the NYCHA staff who is duly noted remained  
23 during the entire hearing, which is highly unusual,  
24 but absolutely appreciated, and I hope a sign of what  
25 is to come around the importance of having the



1 residents and really taking into account what is  
2 being aid in testimony. I guess what we have seen  
3 today and certainly what you all have experienced,  
4 right, is a tale of many cities and many different  
5 experiences. I will say for the record that I am  
6 still mystified by the slides and the reality that  
7 are painted by so many different residents around  
8 what they are experiencing under conversion. I will  
9 absolutely admit that there are residents who have  
10 been happy with their conversion, but far greater  
11 have I heard a number of deep concerns around the  
12 program and its implementation and calls for a  
13 holding of the program, not full moratorium, but some  
14 are calling for moratorium, but a holding for our  
15 program that to-date has received an enormous amount  
16 of public subsidy, private investment, and yet we  
17 have no real assessment of both what it yields along  
18 multiple dimensions, besides you know, assessments of  
19 capital repairs, a validation of capital repairs and  
20 what they potentially look like on the market, but no  
21 real assessment. So, I would like to see NYCHA do a  
22 full assessment of the RAD and PACT conversion in  
23 addition to the survey and getting resident feedback,  
24 which is obviously critical, but that is in and of  
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itself not a full assessment. I think here we heard today that we're going to be expecting NYCHA to respond to a number of questions which I will not capture all here because there are a good number of them, but certainly, we want to know the total number of dollars that have been invested in PACT. We want to hear follow-up on these transfer procedures that we have heard that are particularly detrimental to residents with disabilities and others facing crisis. It is absolutely unacceptable that we would allow this to continue. So we look forward to hearing what are the standard-- what are the procedures, and how can we ensure protections for residents whether RAD or-- RAD or PACT. I assume it's all under HUD. These are New York City residents and they demand full protection. We want to hear more about their reasonable accommodations policy and procedures that are made around language access plan around the documentation for developer fees and the financing. We'll be expecting more of that reporting back. Reporting on the monitoring activity and obviously the unit that was created. We would like to see what the plans are, what it has yielded. You've heard questions around Wave Crest in particular in those,

1 but we know Wave Crest holds others, and so we want  
2 to really understand what is the monitoring. What  
3 does it look like based on the criteria. We'd also  
4 like to know more about the reporting of selection of  
5 sites and the rubric that is used and how sites are  
6 moved up and down that so that residents and also  
7 elected officials and other stakeholders have some  
8 sensibility around why developments are selected and  
9 how they fall in a process of selection. We're  
10 asking for further information on Section 3. We--  
11 NYCHA did provide some numbers, 125 or maybe not that  
12 exact number, but a roundabout amount, but we would  
13 like more information on really what the types of  
14 jobs that we're talking about, also retention, and  
15 real labor impacts of Section 3. Are these union  
16 work? We are a union town, of course, and we'd like  
17 to see more union effort. You're hearing from the  
18 residents that there is still a real gulf in the  
19 consistent and understanding around policies and  
20 procedures with these various entities, from HUD to  
21 NYCHA to private management. There are still many  
22 areas that we need to be-- have clear information in  
23 multiple languages, because it is still very much  
24 falling through the cracks, and the result of that is  
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1 displacement. It's continued distrust with NYCHA and  
2 all the other governmental entities. We put a value  
3 of the cost on that practice, on us not thinking  
4 through systematically and ensuring that we do no  
5 harm. We are in a perpetual cycle of not only  
6 wasting tax payer dollars for creating systems that  
7 in and of itself will be ineffective because people  
8 do not trust in those systems. And so I implore my  
9 colleagues to continue on these processes. I know  
10 there have been a good number of programs that have  
11 been developed around improving resident engagement  
12 and the process and what that looks like. And I am  
13 happy to see those, and I hope that the facts on the  
14 ground will begin to reflect what these programs are  
15 in their purpose. As of yet, the facts on the ground  
16 do not reflect that. They reflect very much NYCHA of  
17 old, which is I don't know what's happening here. No  
18 one has been in touch, or I called and I get a  
19 roundabout circle. So, of many, many questions  
20 around RAD and PACT, again, I will just say we spent  
21 this hearing looking and trying to understand  
22 jurisdictional issues, financing, monitoring,  
23 oversight, tenant protections and how they fare under  
24 RAD and PACT. I'm deeply disheartened that this  
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Administration has decided it would much rather commit 1.2 billion to RAD and PACT and not have a full-throated investment in budget for the crisis that still 110,000 additional residents are facing across developments in New York City. I think we need to-- particularly when there is no assessment of this program and no clear data. I guess lastly, I will close by saying our duty is to the residents who are New York City residents that we make sure we leverage all of our investments, all of our resources to ensure that they have safe and dignified housing. I do believe public housing is an incredible New York City asset. It is the asset that has ensured that this city remains diverse and that low-income people can live here which we see is an increasing crisis. We must protect public housing. We must ensure that we do right by our public housing residents. so I thank you all for those who are fighting this fight with us, those who will hold and ensure we're speaking truth to power and that the agencies and all the other agencies are ensuring that there is accountability. And so thank you all for your time, for your testimony, for your work. More to come, and we look forward to the reams of paper and information

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that we are going to get from NYCHA regarding all  
these questions and processes and next steps. So,  
thank you. Oh, I got to gavel.

[gavel]

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COMMITTEE ON PUBLIC HOUSING

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 July 11, 2022