

**Testimony of Michael Gilsean**  
**Assistant Commissioner, Bureau of Environmental Compliance**  
**New York City Department of Environmental Protection**  
**before the**  
**New York City Council Committee on Public Housing jointly with the Committee on**  
**Environmental Protection**  
**concerning**  
**Intro. 978-A – In relation to requiring licensure for mold abatement, assessment and**  
**remediation work and setting minimum standards for such work**  
**Miccio Community Center, Brooklyn**  
**May 2, 2017**

Good morning, Chairman Torres, Chairman Constantinides, and members of the Committees on Public Housing and Environmental Protection. I am Michael Gilsean, Assistant Commissioner of the Bureau of Environmental Compliance at the New York City Department of Environmental Protection (DEP). Thank you for the opportunity to testify on Introduction 978-A.

As you know, DEP's mission is to protect public health and the environment by supplying clean drinking water, collecting and treating wastewater, and reducing air, noise, and hazardous materials pollution. Intro. 978-A proposes to establish a licensing program within DEP for mold abatement, assessment and remediation work. While DEP has extensive experience with air and noise pollution as well as asbestos, we have no experience with regulation or enforcement with regard to mold, nor is mold included in our Charter mandates.

It might be assumed that DEP is the correct agency to implement such a licensing program because we oversee asbestos abatement in the City and license asbestos handlers, asbestos handler supervisors and certify asbestos investigators, who are private contractors. However, there are significant distinctions between asbestos and mold that militate against the idea of establishing an analogous program for the licensing of individuals who will perform mold assessment, abatement and removal services. Moreover, as mentioned, regulation of mold is not included in DEP's Charter-mandated powers and duties.

Thank you again for the opportunity to testify today. I would be happy to address any of your questions.

# Congress of the United States

Washington, DC 20515

FOR  
THE  
RECORD

March 15, 2017

Honorable Dr. Ben Carson  
Secretary  
United States Department of Housing and Urban Development  
451 7<sup>th</sup> Street S.W.  
Washington, D.C. 20410

Honorable Mick Mulvaney  
Director  
United States Office of Management of Budget  
725 17<sup>th</sup> Street, N.W.  
Washington, D.C. 20503

Dear Secretary Carson and Director Mulvaney:

We write to you on a matter of pressing concern for the New York City Housing Authority (“NYCHA”) and New York City in general. NYCHA is the largest public housing authority in the nation and plays a pivotal role in New York City’s affordable housing plan. NYCHA provides safe and affordable housing to more than 400,000 working individuals and families in 328 public housing developments across the City’s five boroughs.

President Donald Trump’s proposed budget cuts to the Department of Housing and Urban Development (“HUD”) which have been widely reported and not yet refuted by the administration, threaten the very future of the housing authority and the quality and availability of housing for more than 400,000 New Yorkers that call it home.

Given the inveterate and increasing difficulty of finding an affordable place to live in a crowded, growing and vibrant place like New York City, where our future economic growth is directly connected to our ability to adequately provide affordable housing for our working families and seniors, now is not a time to disinvest further and risk losing valuable affordable housing in New York City and across the country. Due to years of underinvestment, recent estimates indicate that NYCHA has a \$17 billion backlog in needed major capital improvements and repairs. As a result, far too many residents residing in approximately 178,000 NYCHA apartments are struggling with increasingly sub-standard living conditions.

Excessive moisture in NYCHA buildings due to leaky roofs, crumbling bricks, and old piping has led to a severe mold problem in NYCHA units. This is particularly problematic for residents with asthma, as these conditions may aggravate symptoms, which has been found at a higher rate among public housing residents than other populations of the city. In fact, one study found that asthma prevalence among low-income children is nearly two times higher than rates among other children across New York City.

Preliminary budget documents reveal the White House is considering more than \$6 billion in cuts to HUD, and, while we understand that President Trump's official budget request will not be available until later this week, we believe that the President's proposed increase to defense spending—a reportedly historic \$54 billion increase—should not come at the expense HUD's public and other affordable housing programs.

Further review of these preliminary budget documents indicates an approximately 13% reduction in HUD's public housing operating fund and an 66% reduction in HUD's public housing capital fund. HUD's public housing operating fund is expected to be reduced to \$3.9 billion from the FY 2016 enacted level of \$4.5 billion and HUD's public housing capital fund is expected to decrease to \$600 million from the FY 2016 enacted level of \$1.8 billion.

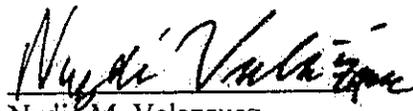
As applied to NYCHA, a 13% cut to the public housing operating fund would result in fewer maintenance staff, longer response times for completing apartment repairs, and acceleration of deterioration of units. Reducing public housing capital funding by 66% would prevent NYCHA from keeping current on basic building repairs, much less moving forward on the authority's five-year capital plan. Cuts to HUD would also exacerbate NYCHA's \$17 billion capital needs backlog and intensify the public health crisis facing its residents.

We urge you not to cut funding to our nation's public and affordable housing programs, which are already being squeezed by sequestration budget caps. NYCHA receives approximately 70 percent of its operating funding and almost all of its capital repair funding from HUD and the impact of these cuts to the working individuals and families in NYCHA units could be dire. HUD's programs are vital to the future stability and sustainability of NYCHA and other public housing authorities around the country. Instead, we urge you to propose targeted increases to HUD's public housing programs in order to improve the lives and living conditions for NYCHA, and all public housing authority, residents.

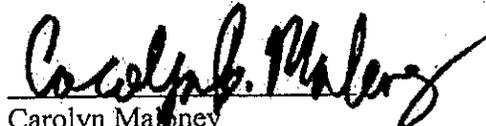
As a former real estate developer, in New York City, President Trump should understand the fundamental role NYCHA plays in our city and how a targeted investment strategy to HUD's public housing programs could not only improve the lives and living conditions for NYCHA residents, but could also be an engine for job creation and urban revitalization—two of his stated priorities.

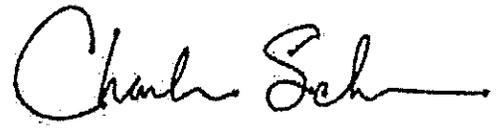
Thank you in advance for your attention to this matter.

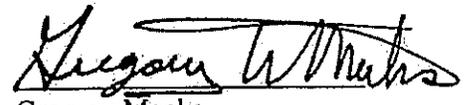
Sincerely Yours,

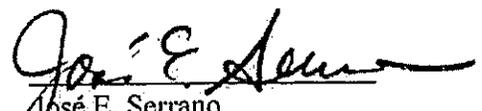
  
Nydia M. Velazquez  
Member of Congress

  
Kirsten Gillibrand  
United States Senator

  
Carolyn Maloney  
Member of Congress

  
Charles Schumer  
United States Senator

  
Gregory Meeks  
Member of Congress

  
José E. Serrano  
Member of Congress

Eliot H. Engel

Eliot Engel  
Member of Congress

Adriano Espaillat  
Adriano Espaillat  
Member of Congress

Joseph P. Crowley

Joseph Crowley  
Member of Congress

Hakeem Jeffries

Hakeem Jeffries  
Member of Congress

Yvette D. Clarke

Yvette Clarke  
Member of Congress

Jerrold Nadler

Jerrold Nadler  
Member of Congress

Grace Meng

Grace Meng  
Member of Congress

# News from Congresswoman NYDIA M. VELÁZQUEZ



Representing New York's 7<sup>th</sup> Congressional District • Brooklyn, Manhattan & Queens  
Ranking Member, House Small Business Committee

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For Immediate Release  
February 8, 2017

CONTACT: Alex Haurek  
202-225-2361

## **Velázquez Advances Housing, Insurance Measures**

*Amendments Would Protect Section 8 Tenants, Address Public Housing Capital Repairs,  
Improve Flood Insurance*

Washington, DC – The House Financial Services Committee has approved three amendments authored by Rep. Nydia M. Velázquez (D-NY). The provisions were adopted as part of the Committee's Authorization and Oversight Plan and would help address pressing issues facing New Yorkers.

"Housing issues are critically important to all New Yorkers and the amendments I authored and my colleagues approved will make important strides for both renters and homeowners living throughout the five boroughs," Velázquez said.

One amendment would ensure that the Financial Services Committee conducts vigorous oversight of landlords participating in the Section 8 program, to ensure they follow rules set out by the Department of Housing and Urban Development (HUD) and to prevent abuse of tenants.

"We've heard numerous stories of unscrupulous landlords allowing units to fall into disrepair to force families out, jack up rents and make more money," Velázquez noted. "This amendment would ensure HUD and the Committee proactively prevent egregious acts like these."

A second amendment requires that the Committee look into targeted funding for capital repairs and upgrades in public housing facilities like the New York City Housing Authority. Velázquez noted that inadequate investment in public housing infrastructure has resulted in serious health problems for residents. For example, one study found that asthma prevalence amongst children living in NYCHA housing is nearly two times higher than rates amongst children living in other types of housing in the City, due to the presence of mold.

"These are fixable problems that can be solved by repairing leaky windows, replacing roofs and make other upgrades," Velázquez noted. "This amendment will ensure the Committee takes these issues seriously and prioritizes these investments."

Velázquez's third amendment seeks to tackle problems in the nation's Flood Insurance Program. After Superstorm Sandy, there were multiple incidents of fraud reported and several studies found the Program lacks internal controls and oversight.

"The Flood Insurance Program needs to function efficiently and transparently in order to ensure help is going to those harmed by catastrophes like Sandy," Velázquez said. "My amendment would ensure the Committee takes steps to implement needed reforms."

The Committee approved a total of eight amendments – three of them Velázquez's - during its consideration of its Oversight plan. The Congresswoman's amendments were approved by voice vote. Velázquez is the third most senior Democrat on the Financial Services Committee and the only New York City Member of Congress to serve on the Housing Subcommittee.

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# Congress of the United States

Washington, DC 20515

April 4, 2017

The Honorable Mario Diaz-Balart  
Chairman  
Subcommittee on Transportation,  
Housing and Urban Development,  
and Related Agencies  
Committee on Appropriations  
United States Congress  
440 Cannon House Office Building  
Washington, DC 20515

The Honorable David Price  
Ranking Member  
Subcommittee on Transportation,  
Housing and Urban Development,  
and Related Agencies  
Committee on Appropriations  
United States Congress  
2108 Rayburn House Office Building  
Washington, DC 20515

Dear Chair Diaz-Balart and Ranking Member Price:

As the Subcommittee on Transportation, Housing, and Urban Development, and Related Agencies (T-HUD) begins its important work on Fiscal Year (FY) 2018 funding, we urge you to restore funding for the Public Housing Capital and Operating Funds. We cannot wait any longer to preserve the nation's most at-risk public housing and improve the health and safety of tens of thousands residents. Federal funding created public housing and is critical to maintaining it in decent and safe condition for our nation's most vulnerable families with children, elderly, and people with disabilities. This investment requires a robust FY 2018 Transportation, Housing and Urban Development, and Related Agencies (T-HUD) 302(b) subcommittee allocation and we urge the Appropriations Committee to increase the allocation.

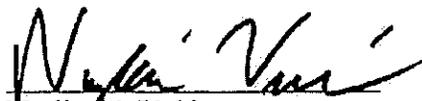
We urge you to halt the deterioration of public housing infrastructure by providing at least \$5 billion to the Public Housing Capital Fund. At least \$600 million of the increased funding should be strategically targeted to capital repairs related to mold, deteriorating lead-based paint, and other hazards that would improve the health of public housing residents. For example, the root cause of mold infestations in public housing includes leaky roofs, crumbling exterior bricks, and old piping. Addressing these issues could improve the health and quality of life for tens of thousands of children, elderly, and disabled residents. Additionally, collaboration between HUD and the Department of Health and Human Services would allow agencies to measure the health impacts and federal cost savings from such a capital investment.

We also urge you to fund the Public Housing Operating Fund at 100 percent proration in order to address the estimated annual operating costs. Funding public housing agencies at 100 percent of the funding needed according to formula would allow PHAs to respond more quickly and efficiently to health and safety-related maintenance issues.

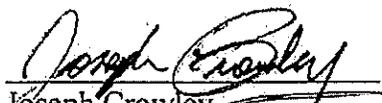
Without these investments, to fill critical funding gaps, public housing authorities across the country are at risk of losing valuable housing units at a faster rate than our current annual loss of 10,000 units per year, and add exponentially to the 200,000 units that have been lost since 2010.

After years of underfunding public housing we are at a cross-road; we can invest and preserve our nation's valuable public housing or we can choose to lose public housing units due to underfunding, decay, and neglect. We urge you to increase funding to preserve public housing.

Sincerely,



Nydia M. Velázquez  
Member of Congress



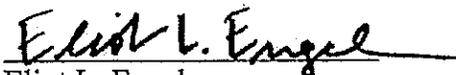
Joseph Crowley  
Member of Congress



Alma S. Adams  
Member of Congress



Carolyn B. Maloney  
Member of Congress



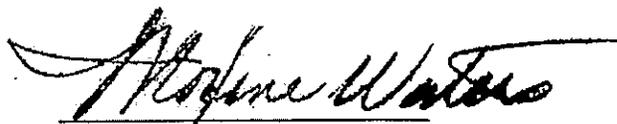
Eliot L. Engel  
Member of Congress



Danny K. Davis  
Member of Congress



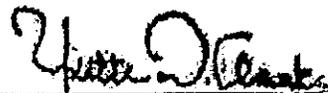
Peter A. DeFazio  
Member of Congress



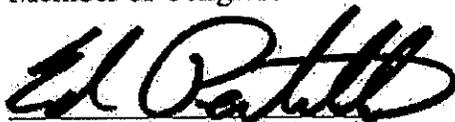
Maxine Waters  
Member of Congress



Gregory W. Meeks  
Member of Congress



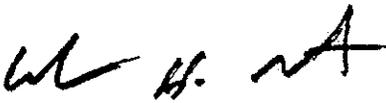
Yvette D. Clarke  
Member of Congress



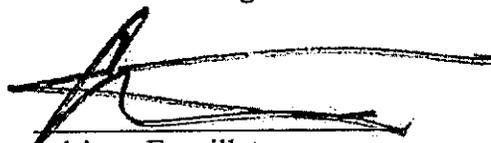
Ed. G. Perlmutter  
Member of Congress



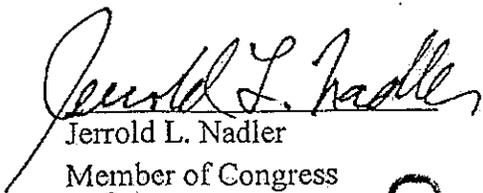
Keith Ellison  
Member of Congress



Eleanor Holmes Norton  
Member of Congress



Adriano Espaillat  
Member of Congress

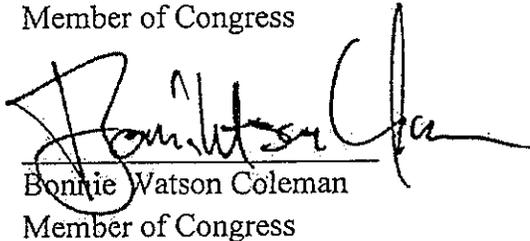
  
Jerrold L. Nadler  
Member of Congress

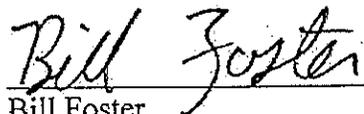


Carol Shea-Porter  
Member of Congress



Ro Khanna  
Member of Congress

  
Bonnie Watson Coleman  
Member of Congress



Bill Foster  
Member of Congress



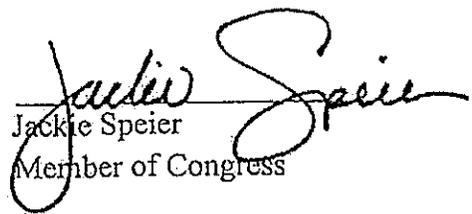
Rosa L. DeLauro  
Member of Congress

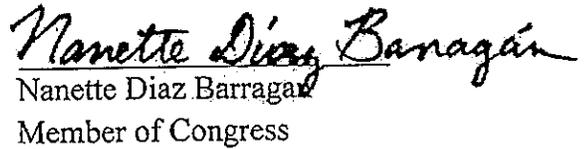


Hakeem S. Jeffries  
Member of Congress



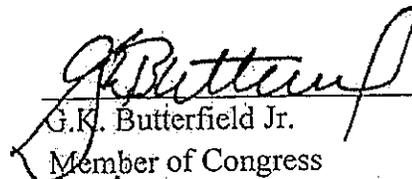
Mark DeSaulnier  
Member of Congress

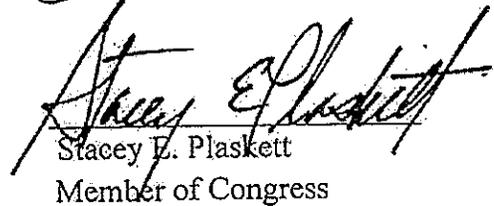
  
Jackie Speier  
Member of Congress

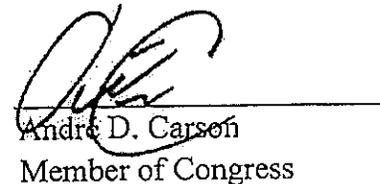
  
Nanette Diaz Barragan  
Member of Congress

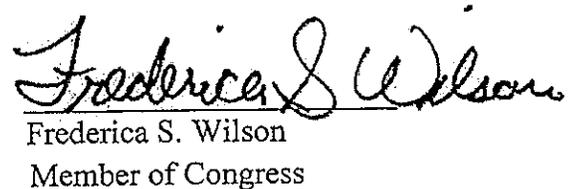


Vicente Gonzalez  
Member of Congress

  
G.K. Butterfield Jr.  
Member of Congress

  
Stacey E. Plaskett  
Member of Congress

  
André D. Carson  
Member of Congress

  
Frederica S. Wilson  
Member of Congress

Cc:

Senator Thad Cochran, Chair, Appropriations Committee, United States Senate  
Senator Patrick Leahy, Vice-Chair, Appropriations Committee, United States Senate  
Representative Rodney Frelinghuysen, Chair, Appropriations Committee, United States House of Representatives  
Representative Nita Lowey, Ranking Member, Appropriations Committee, United States House of Representatives

**Testimony** Sean Brennan, Training Director of the Mason Tenders' Training Fund  
**Committees** Environmental Protection and Public Housing  
**Topic** Intro 978A  
**Date** Tuesday, May 2, 2017

Good morning Mr. Chairman and distinguished members of the committee. My name is Sean Brennan, and I am the Training Director of the Mason Tenders' Training Fund, the training provider for both Asbestos, Lead and Hazardous Waste Laborers' Local 78, and Construction and Building Laborers' Local 79. In addition, I also serve as the chairman of the Health and Safety Committee of the Building and Construction Trades Council of New York.

When the provisions of New York state labor law article 32 were enacted on January 1, 2016, the environmental remediation industry reacted swiftly to comply with its requirements. Our Training Fund alone trained over 1000 members of Local 78, the city's Union environmental workers, who became licensed by the State to perform mold abatement operations to a standard commensurate with the professional methods and procedures in which they were trained. In the end, however, that training and those licenses were essentially all for naught.

The NY State law, you see, has no regulatory teeth.

While I come before you today in wholehearted support of effective legislation that professionalizes the mold remediation industry in the city for the protection of both the workers who abate this material, and also the public in general, I am more importantly here to express in the strongest possible terms that this bill, as written, like the NY State bill before it, is in need of stronger language to have a larger impact on the mold growth issue in the City of New York. In fact, it encourages those presumably intended to be regulated by it to intentionally disregard it by quite easily circumventing it.

Let me explain. In the great majority of cases, mold is discovered incidentally. People notice spots on a wall or ceiling, or notice a musty odor in a room. It is the rare occasion when mold is so overwhelmingly noticeable that one's immediate reaction is to call a professional. In most cases, the owner or a building maintenance worker will address the issue. And while I agree with the limited permissions given to building owners in the bill, I truly believe that all building maintenance workers should be properly trained and licensed to perform this work.

In my estimation, the greatest flaw in the bill lies in the definition of the term "project". In the bill, the definition of the term "project" specifically excludes "routine cleaning, construction, maintenance, repair or demolition of buildings, structures or fixtures undertaken for purposes other than mold remediation or mold abatement." In other words, the very activities most likely to cause incidental discovery of mold, are not subjected to the regulation.

There are no reporting requirements for work that is not a "project". As a result property owners could basically decide for themselves whether the law applies to them. Since property owners already tend to minimize the extent of mold problems within its units and/or development, these excluded operations will continue to take place, disturbing mold and releasing its spores to be inhaled by unprotected workers and building occupants alike. Those most susceptible to becoming ill from exposure to mold, the elderly, the very young, and those with compromised immune systems could easily and unnecessarily be exposed. Think about it, if routine maintenance or even a renovation project were to take place in a NYCHA building, it would not be subject to this regulation. If mold were present and disturbed, the likelihood that mold spores would be pulled into the ventilation system is great. Residents throughout the facility, including newborn babies, toddlers, the elderly and those with weakened immune systems would all be at risk. To go a step further, if a custodian in a kindergarten or daycare center was to disturb or unprofessionally remove mold, young children with still developing immune systems could become sick.

Additionally, Mr. Chairman, unlike with asbestos, even if the term "project" as defined in the bill were to include the activities currently being excluded, there is no provision to require, for example, an inspection prior to commencing the work. Therefore, no trigger mechanism exists to determine when the size of a mold colony has met any pre-determined threshold (in this case four square feet) which would require it to be considered a "project". I recommend mandatory assessments be made as soon as an owner is made aware of the existence of mold either by a person living or occupying the space, or an agent of the owner observes mold or conditions to indicate the existence of mold. In addition, I recommend a mold inspection be required prior to issuance of permits for demolition and other construction related activities.

The reality that two years after the enactment of Article 32 in the NY State Labor law, the need to assess, remediate and abate the underlying source of moisture by licensed professionals still requires enforceable guidelines in the City of New York. Without addressing this need, mold growth will continue to affect thousands of people who live and work in the City of New York, especially low-income families living in the five boroughs. We fear that without proper enforceable guidelines for mold assessment, mold remediation, and mold abatement work, NYC may actually have fallen further behind since the passage of Article 32 in the NYS Labor Law.

In closing, I strongly urge this committee to take the necessary measures to strengthen this bill so that all people working, visiting or living in this city are protected from this dangerous health hazard.

**Testimony** Edison Severino, LiUNA Local 78 – Asbestos, Lead & Hazardous Waste Removal  
**Committees** Environmental Protection and Public Housing  
**Topic** Intro 978A  
**Date** Tuesday, May 2, 2017

My name is Edison Severino, I am the Business Manager of Liuna Local 78, the Asbestos, Lead & Hazardous Waste Removal local, representing a vast majority of environmental workers in the City of New York.

*The regulations around the safe removal of toxic and hazardous materials protect not only the community but also protects workers' both union and non-union.*

When the Twin Towers fell on 9/11, more than 2000 of our members - and countless others, worked tirelessly to put the city back on its feet. We trusted the government's assertion that the air was safe. And although while working inside the buildings around Ground Zero our members wore the necessary protective equipment; outside the work areas or traveling to or from work, during breaks or at lunch, our members were exposed to a toxic cocktail of contaminants that are now wreaking havoc among those men and women. Government told them the air was fine. Now these workers represent the vast majority of the workers participating in the Mount Sinai Health Monitoring program. Why is this relevant you may ask? While we know the pivotal role government plays in the protection & well-being of our communities, we assert its not only its duty but its obligation to protect them at work as well.

Government failed its' workers during the disaster and aftermath of 9/11. We ask that you not to fail them again.

When NY State passed legislation regulating mold, they acknowledged the various health risks of living in mold contaminated homes, the risk faced by workers while removing mold, and the need to train these workers to protect them and the community. However, special interest groups headed by the real estate tycoons in the city, took a hatchet to the bill, stripping it of its ability to do what it was intended to do; which was to provide enforceable guidelines for mold assessment, remediation, and abatement.

I am here to tell you today that workers and the community expect you to do the right thing this time around. In one of the most progressive cities in the country and the richest city in the world, sacrificing worker and community health & safety to put more money in the pockets of billionaires should never happen, not here, not in NYC; not after Sandy; not after the NYC Housing Authority has been taken to court and forced to settle by a judge to clean its mold-infested buildings.

Of course, not in NYC, which claims to have one of the most liberal mayors in the entire nation, where its City Council members, your colleagues and yourselves, represent the diversity of race & ethnicity, and understand the issues facing working families; **we know that you will do better.**

When you are faced with the budgetary dilemma of what to prioritize, you will always choose the health and safety of children, the elderly and workers; **we know you will do better and we expect you to do better.**

Lastly while this bill is not about NYCHA and its' hiring practice, and instead about the safety of those doing the work in their facilities, I'd implore you to put attention to capital improvement in NYCHA. There is a requirement that workers that are NYCHA residents be employed in those projects, which was vehemently enforced by NYCHA, at one point they were even holding payments of contractors that did not comply with Section 3 requirements.

At Local 78, we made changes in our training protocol to allow non-members of the union – all Section 3 workers, to have access to our training fund, and take the 40-hour asbestos training free of charge – which then allowed them to be sent to union jobs & provide them membership into the union. However, about a year ago, the contractor request for Section 3 workers came to a screeching halt. NYCHA simply decided to drop the enforcement on the Section 3 requirement.

I would like to ask you to demand of NYCHA the enforcement of Section 3, so we can continue to provide career opportunities to NYCHA residents. The jobs generated from the passage of this legislation should stay in our communities and we are prepared to work together with community groups and all stakeholders to afford the necessary training and protections to those workers.



**Testimony** Patrick Purcell, GNY LECET  
**Committees** Environmental Protection and Public Housing  
**Topic** Intro 978A  
**Date** Tuesday, May 2, 2017

Good afternoon, my name is Patrick Purcell and I am the Executive Director of the Greater New York Laborers-Employers Cooperation and Education Trust (GNY LECET). Thank you, Council Members Torres and Constantinides, for the opportunity to testify today on behalf of our 15,000 members of the Mason Tenders District Council and 1,500 signatory contractors on Intro 978A and the importance of setting licensing and removal standards for mold.

Similar to the public health crisis New York City saw before asbestos abatement standards were established, the public is being put increasingly at risk by high rates of indoor mold throughout our city. Research from the Institute of Medicine and the Center for Disease Control found evidence linking indoor mold exposure to upper respiratory tract issues, coughing, wheezing, and asthmatic symptoms among individuals at home, schools, hospitals, and public facilities; with seniors, children, and the immune compromised being especially susceptible to the health effects associated with mold exposure. This issue is further exacerbated by the all too common, but incorrect, quick fixes of scraping, bleaching, or painting over mold which puts the workers performing this work also increasingly at risk.

As New York City continues to make every effort to ensure New Yorkers are living in a toxic free city, Intro 978A will compliment these efforts by setting stringent licensing standards that mandate abatement, assessment and remediation procedures, requires the use of personal protective equipment for all workers, and institutes a public notification process for said mold abatement, assessment and remediation work. Altogether, these standards will make sure this hazardous micro-organism is properly handled to ensure New Yorkers aren't continually put at risk when unscrupulous contractors improperly remove mold.

With similar legislation already in effect at the state level, Intro 978A will also ensure at risk communities, like the Red Hook Houses and other Superstorm Sandy effected areas, with severe mold infestations aren't exempted from mold removal standards. Without properly assessing, abating and remediating these structures, damage from this hazardous micro-organism will become increasingly dangerous for the individuals and structures alike.



📍 266 West 37th Street, Suite 1100 | New York, NY 10018 📞 212.452.9300 📠 212.452.9318 🌐 [gnylect.org](http://gnylect.org)

**TRUSTEES:** Paul O'Brien Chair - Management Trustee | Stephen Flanagan Co-Chair - Labor Trustee | Robert Bonanza Labor Trustee  
John O'Hare Management Trustee | Raymond M. Pociino Labor Trustee | Michael Prohaska Labor Trustee | Patrick J. Purcell Jr. Executive Director

**AFFILIATES:** Mason Tenders District Council of Greater New York & Long Island | General Building Laborers Local 66  
Asbestos, Lead & Hazardous Waste Laborers Local 78 | Construction & General Building Laborers Local 79  
Waste Material, Recycling & General Industrial Laborers Local 108 | Laborers International Union of North America, AFL-CIO/CLC  
Contractor Associations | Building Contractors Association (BCA)



Intro 978A's common sense licensing standards will protect New Yorkers from this dangerous micro-organism and continue the City's work on protecting your constituents from hazardous and toxic substances. Thank you again for the opportunity to testify today, on behalf of our 15,000 members and 1,500 signatory contractors, GNY LECET urges the City Council to pass and enact Intro 978A.



📍 266 West 37th Street, Suite 1100 | New York, NY 10018 📞 212.452.9300 📠 212.452.9318 🌐 [gnylecet.org](http://gnylecet.org)

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May 2, 2017

**Testimony of Daniel Carpenter-Gold  
On behalf of New York Lawyers for the Public Interest  
Before a joint hearing of the New York City Council's Committees on Public Housing  
and Environmental Protection**

My name is Daniel Carpenter-Gold, and I am the Healthy Housing Legal Fellow for New York Lawyers for the Public Interest (NYLPI). On behalf of NYLPI, I would like to thank Councilmember Ritchie Torres, Chair of the Committee on Public Housing, and Councilmember Costa Constantinides, Chair of the Committee on Environmental Protection, for conducting this hearing. We also applaud the decision to hold this hearing in Red Hook, enabling the participation of some of those hardest hit by New York City's mold problem.

NYLPI is a non-profit organization that advocates for civil rights using a community-lawyering model, focused on systemic issues and emphasizing the active role of communities in addressing them. NYLPI's Healthy Housing initiative brings together its expertise in its three program areas—Health, Environmental, and Disability Justice—to help New Yorkers protect their rights to safe homes, free of conditions which could harm them. We place particular emphasis on asthma because of its prevalence, disparity of impact, and close relation to housing conditions.

It is especially important to understand the extent to which the asthma epidemic in New York City is a matter of race and economic class. Black and Hispanic children in this city are diagnosed with asthma at a rate more than three times that of White children.<sup>1</sup> Children in the poorest neighborhoods of the City are three times as likely as those who live in the wealthiest neighborhoods to visit the emergency room for asthma-related issues.<sup>2</sup> A similar divide can be seen in the rates at which residents of predominantly White and predominantly non-White ZIP codes are sent to the ER or hospitalized as a result of an asthma attack.<sup>3</sup>

One key factor in New Yorkers' health outcomes is the condition of the environment in which they spend the bulk of their time: their home. For a number of reasons, New York City

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<sup>1</sup> NEW YORK CITY DEPT. OF HEALTH & MENTAL HYGIENE, *Preventing and Treating Childhood Asthma in NYC*, NYC VITAL SIGNS, Vol. 11, No. 4 at 1 (2012) (in 2009, 5% of White children ages 12 or younger in New York City had ever been diagnosed with asthma, compared to 17% of Black and 18% of Hispanic children), available at <http://www1.nyc.gov/assets/doh/downloads/pdf/survey/survey-2012childasthma.pdf>.

<sup>2</sup> *Id.* at 2.

<sup>3</sup> For example, Brooklyn ZIP codes which are more than 50% non-White have an average asthma-related hospitalization rate of about 44 per 10,000 residents, compared to an rate of 15 per 10,000 for those that are majority-White. The asthma-related emergency-department visitation rates for the same neighborhoods are 231 per 10,000 for majority-non-White ZIP codes and only 59 per 10,000 for majority-White ZIP codes. Calculations performed by NYLPI using data from New York State Department of Health's SPARCS database (data from 2012–2014) and the 2014 American Community Survey.

residential buildings face extensive mold infestations, which can cause breathing difficulty and asthma attacks.<sup>4</sup> As a result, many people with severe asthma live every day in an environment that is unhealthful and could even prove deadly. Mold and dampness may also be a cause of asthma development,<sup>5</sup> meaning that children who grow up in poor housing conditions could be at risk of a lifetime of illness.

Mold conditions, like asthma incidence and impact, are much worse in high-poverty than low-poverty neighborhoods,<sup>6</sup> and are particularly egregious in New York City's public housing. Mold in NYCHA developments is both prevalent and persistent, but NYCHA's typical approach to remediation is to give it no more attention than a quick wipe and, on occasion, a new coat of paint. The inadequacy of this response is well demonstrated in the Red Hook Initiative's recent report, *The Impact of Mold on Red Hook NYCHA Tenants: A Health Crisis in Public Housing*,<sup>7</sup> which I commend to the Committees' attention. We at NYLPI have also seen, through the eyes of our clients, the extreme difficulty which NYCHA tenants face in receiving even basic maintenance services. Time and again, I have heard the same story from people living in NYCHA developments: You can file a ticket, you can get an inspection, you can even get a court order to remediate, but nothing will make NYCHA do more than wipe and paint.

The mold problem at the center of this hearing, therefore, is a health issue of primary importance to New York City tenants, and particularly residents of NYCHA developments. Mold is not just an aesthetic problem: It has a substantial impact on the ability of residents to manage their asthma, and possibly also on whether a person contracts asthma in the first place. The severity of the problem calls for a strong response that protects tenants from mold conditions and takes aim at the extreme disparity in asthma rates now seen in our city.

Unfortunately, although Introduction 978A is for the most part helpful, it is not the sort of aggressive action for which the current asthma epidemic calls. This bill ensures that, where mold remediation is performed, the work will conform to a minimum standard of quality. But it does not actually require mold remediation, nor does it guarantee that a remediation project will be successful in permanently eliminating a mold condition. Thus, while Intro 978A may effectively address untrained or unscrupulous contractors, the more fundamental problem—that landlords, and especially NYCHA, refuse to do the work in the first place—will remain. Furthermore, because the bill will improve the quality of work only in cases where landlords are already addressing mold, it will not narrow the racial or economic gap in health outcomes.

All the same, NYLPI believes that, with improvements, the bill could serve as a useful foundation for future action on the mold problem. In partnership with Turning the Tide—a collaboration between the Red Hook Initiative, Fifth Avenue Committee, FUREE, and the Southwest Bronx Industrial Development Corporation—NYLPI has prepared a set of recommended amendments to Intro 978A. These recommendations, prepared with extensive

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<sup>4</sup> THE NAT'L ACAD. OF SCIENCES, *Executive Summary*, in DAMP INDOOR SPACES AND HEALTH 1, 10–11 (2004), available at [https://www.nap.edu/nap-cgi/report.cgi?record\\_id=11011&type=pdfxsum](https://www.nap.edu/nap-cgi/report.cgi?record_id=11011&type=pdfxsum).

<sup>5</sup> *Id.*

<sup>6</sup> NEW YORK CITY DEPT. OF HEALTH & MENTAL HYGIENE, *Adults Reporting Mold in the Home* (2012), <http://a816-dohbsp.nyc.gov/IndicatorPublic/VisualizationData.aspx?id=2101.719b87.36.Disparities,Percent,years=2012,dataLink=Neighborhood%20Poverty>.

<sup>7</sup> Available at [http://rhicenter.org/wp-content/uploads/2016/10/ImpactofMold\\_RHI\\_-FINALREPORT\\_10.27.16.pdf](http://rhicenter.org/wp-content/uploads/2016/10/ImpactofMold_RHI_-FINALREPORT_10.27.16.pdf).

input from the residents of Red Hook Houses, would strengthen important elements of the bill while eliminating problem areas. A short summary follows; I refer you to the written testimony of the Red Hook Initiative for the full report.

- *Conflict with the Baez settlement:* The most alarming change which Intro 978A appears to make is to require a 14-day delay between submittal of the pre-remediation assessment and the start of remediation. This would create unavoidable conflict with the terms of the consent decree in *Baez v. NYCHA*, 13-cv-8916 (S.D.N.Y. Dec. 20, 2013), which requires NYCHA to maintain an average service time of 7 days for simple, and 15 days for complex, mold projects. We recommend eliminating this language.
- *Transparency:* It is currently difficult to obtain information on the mold problem in New York City, particularly with regard to three areas: mold prevalence, landlord responses, and the extent of NYCHA's compliance with relevant local-hire and -contract requirements in undertaking remediation work. Intro 978A's requirement that the Department of Environmental Protection publish pre-remediation assessments online would help remedy this problem; we recommend extending this requirement to post-remediation assessments, including local-hire reporting, and establishing a mandatory timeline for publication.
- *Landlord assessments:* The bill as written would allow landlords to conduct the assessment work on a project using their own employees, so long as a third party performs the remediation. We note that NYCHA has already proposed creating its own "Mold Busters" unit, which would apparently conduct both remediation and assessment. Because the work-standards aspect of the bill relies almost entirely on an impartial assessment of the needed scope of work and the sufficiency of the remediation, we recommend barring landlords from undertaking this part of the process.
- *Comprehensive assessment:* The language of Intro 978A would, in places, commit a substantial amount of discretion to the assessor. We recommend cabining this discretion by eliminating the exception for "routine cleaning" in the definitions section, along with standards such as "to the extent feasible" and "where practicable," and requiring additional steps in the pre-remediation assessment to ensure that underlying defects that cause mold recurrence are detected.
- *Communication with residents:* Poor communication between landlords and residents is a perennial problem that creates inefficiencies in remediation work. In the public-housing context, NYCHA management and residents each indicate that the other misses scheduled work times; NYCHA has even threatened to break into homes if residents are not present. Along the same lines, because of a cookie-cutter approach to education on mold issues, residents may be unaware of steps they could take themselves to prevent mold growth. We recommend establishing scheduled work periods as part of the work plan, and providing customized education on resident mold-prevention practices.
- *Mandatory assessments:* Finally, we recommend that Intro 978A include a provision for mandatory assessment if a mold problem is brought to the attention of the landlord. This proactive measure would help ensure that the protections provided by the bill do not vanish simply because a landlord chooses to ignore a mold problem in its building.

I thank you very much for your attention to this important issue.

**TESTIMONY OF GUILLE MEJIA, MPH CHES**

**DIRECTOR, SAFETY & HEALTH DEPARTMENT, DISTRICT COUNCIL 37, AFSCME**

**IN SUPPORT OF**

**PROPOSED INT. NO. 978-A**

**The New York City Council**

**Committees on Environmental Protection & Public Housing**

**May 2, 2017**

My name is Guille Mejia, and I am the Director of the Safety and Health Department of District Council 37, AFSCME. On behalf of the 125,000 members and 50,000 retirees of District Council 37, the everyday heroes that make New York City run, I want to thank Chairman Constantinides, Chairman Torres, and the members of the New York City Council for the opportunity to provide testimony today.

District Council 37 is the City's largest public employee union, and I am here to speak on behalf of our members who are employed in over 1,000 job titles in dozens of city agencies and thousands of worksites throughout the five boroughs of New York. In addition, some 15,000 DC 37 members are NYCHA residents. DC 37 supports adoption of Proposed Int. No 978-A, which would extend the important protections of licensing requirements and minimum work standards to include mold projects performed in the city's public buildings.

Nearly every week, city employees who are members of DC 37 contact the Safety and Health Department with concerns about exposure to mold in their workplaces. Often, members are unnecessarily alarmed because of incomplete information. Sensational media reports about the dangers of mold combined with poor communication from the employing agency can lead city workers to suspect a serious problem where none exists. On the other hand, our members working in Custodial and related titles are often assigned the task of cleaning up mold, and there is wide variation in the degree to which appropriate training, equipment, and work practices are in place. The adoption of uniform licensing requirements and work standards in public buildings will reassure building occupants and strengthen health and safety protections for city workers.

Mold is an occupational hazard for public and private sector workers alike, and an environmental hazard for residents of both public- and privately-owned housing. Therefore, DC 37 supports Int. 978-A so that city workers and public housing residents can enjoy equal protection under the law.

Thank you.

**TESTIMONY FROM SENIOR ADVISOR SHIREEN RIAZI KERMANI**  
**EXAMINING NYCHA'S RECORD IN REMOVING MOLD FROM PUBLIC HOUSING**  
**COMMITTEE ON PUBLIC HOUSING WITH THE COMMITTEE ON ENVIRONMENTAL**  
**PROTECTION**

**TUESDAY, MAY 2, 2017 – 10:00 AM**  
**MICCIO COMMUNITY CENTER, 110 WEST 9<sup>TH</sup> STREET, BROOKLYN, NY**

Chairs Ritchie Torres and Costa Constantinides, Council Member Carlos Menchaca, members of the Committees on Public Housing and Environmental Protection, and other distinguished members of the City Council: good morning. I am Shireen Riazzi Kermani, NYCHA's Senior Advisor to the General Manager. Joining me today are Brian Clarke, Senior Vice President for Property Management Operations, and David Farber, General Counsel and Executive Vice President for Legal Affairs. Also with us today are Chris D'Andrea, Director of the Environmental Health Assessment and Communications Program at the City's Department of Health and Mental Hygiene, and Michael Gilsenan, Assistant Commissioner of the Bureau of Environmental Compliance at the New York City Department of Environmental Protection.

Through our long-term strategic plan, *NextGeneration NYCHA*, we're changing the way we do business, including how we address mold at our developments. Mold has been a constant challenge at NYCHA over the years. We now have a better approach to tackle the issue with new strategies, the latest technology, and staff training, with the ultimate goal of improving residents' quality of life and the health of our buildings. Thank you for this opportunity to discuss the progress we're making.

### **A Challenge Long in the Making**

Before I describe our current efforts, I'd like to provide some important context. Decades of federal government disinvestment have left our buildings needing \$17 billion worth of major repairs. And the outlook is far from rosy – President Trump's skinny budget proposes a more than \$6 billion cut to HUD, a loss to

NYCHA of hundreds of millions of dollars this year alone from Washington, our primary funder.

How does this relate to mold? The majority of our buildings are more than 60 years old. Many of them haven't had their roofs replaced in 20 years. Mold is a symptom of our ailing buildings, a consequence of a severe lack of funding to properly maintain and repair aging infrastructure, replace leaking roofs and crumbling pipes and old ventilation systems, and hire sufficient staff to keep up with the mold that results from these conditions.

Mold is a challenge for any building owner, especially those owning and operating large, multi-family buildings. At NYCHA, the issue is twofold. We lack the funding to make all the capital repairs that are needed. And identifying the source of mold is not straightforward. The moisture that promotes mold growth can come from a leaking roof, leaking pipes, or another apartment. The most persistent cases often result from condensation that isn't being properly evacuated by the ventilation system. If the source, or sources, are not identified, the mold will probably come back. Once the source is identified, the correction can sometimes involve costly repairs to address it or full capital replacements (and the funding for that may not be fully available).

To overcome these challenges, we are developing a smarter, more systematic and cost-effective approach to mold – one that is based on data and the latest research, tools, and materials – so that we can provide the safe, clean, and decent homes our residents deserve.

### **A Better Approach**

I've seen firsthand, including here at Red Hook, some of the mold conditions our residents have reported. We owe it to our residents to do a better job in addressing these conditions, and we are committed to doing just that. We have developed new timelines for completing mold-related work orders and we

produce daily reports to assess our progress in meeting them. We identified three common issues related to mold at our developments, beyond those requiring major capital repairs: malfunctioning roof fans, missing pipe insulation, and toilets with excessive condensation. We are addressing those issues with preventive maintenance protocols that we've developed or are in the process of developing. For instance, we issued guidance to staff on when to install mold-resistant pipe insulation. Also, we will provide every maintenance worker with an anemometer, a tool that will enable them to determine whether there are ventilation issues involving a roof fan or an obstruction. Staff will also begin inspecting and sealing toilet bases, a common source of excessive moisture due to condensation. Monthly building inspections, during which rooftop fans are checked, will be tracked digitally, ensuring more accountability and transparency in the process.

We now survey residents 60 days after the completion of mold work orders involving areas greater than 10 square feet (and we do quality assurance re-inspections of a sample of these work orders). Based on these initial surveys, we found that mold was recurring about a third of the time after repairs were completed. Last year, the court appointed a Special Master to work with us to better identify the sources of mold at our developments and reduce its recurrence. Our collaboration with the Special Master will continue for at least another year.

### **NYCHA's Mold Pilot: More Effective, Efficient Strategies**

With the assistance of the Special Master, a mold expert, and building systems experts, we developed an aggressive mold pilot program – “Mold Busters” – that started May 1. The pilot will enable our staff to become more adept at investigating the source of mold as well as remediating it. Its five key components, which are focused on finding and correcting the source of mold, mark a significant evolution in our approach.

- 1) **New tools:** Our staff are being equipped with new, high-tech tools that

will provide them with information vital to determining the source of the excessive moisture which is causing the mold. This includes moisture meters specially designed to differentiate between condensation moisture (which is related to ventilation) and moisture within the wall, from a leak or water infiltration. Other tools are anemometers, which measure ventilation; hygrometers, which measure relative humidity; and boroscopes, which provide a less invasive view into the wall. Finding the right source, or sources, of the excessive moisture is the first step to correcting the underlying condition causing the mold.

- 2) **New materials:** We are testing a mold-inhibiting paint in some of our toughest mold cases related to shower condensation and ventilation, where we often see mold recurrence.
- 3) **New strategies:** All of this vital information is being recorded in a new inspection format, designed with a mold expert and enhanced by our IT staff. This new format is on staff's handhelds, and it guides them through recording the information and then choosing the next steps and remediation methods, all with system-guided checks along the way. In the end, this produces a documented project plan with information that can be passed along to each craft involved in completing the work.
- 4) **New training:** Our staff received new, enhanced mold assessment and remediation training through eight hours of classroom training and a hands-on field training day at each development. In addition to training the superintendents and assistant superintendents, we included skilled trades representatives so they could learn the new remediation methods alongside the staff who would be directing them.
- 5) **New accountability:** The new protocol requires photos taken of the area involved, from the first work order to the last, at each step and new craft involved, providing a documented remediation plan. Additionally, after all the work is completed, the superintendent or assistant superintendent is then required to complete a follow-up inspection, certifying the work was done and also documenting it with a photo.

The 10 management sites for the pilot, encompassing 38 developments, were chosen by a Columbia University professor and research professional who is assisting NYCHA with evaluating the results. The locations were randomly selected by the research professional to ensure a representative sample of the following variables: development age, mold work orders, recurrence, the management type, and mechanical ventilation versus window ventilation.

As I mentioned, the pilot officially kicked off this month. It will continue for a year, in part because the mold expert and Special Master would like us to analyze how seasonal changes affect mold recurrence and remediation, including the mold-inhibiting paint. We'll review the results with the Special Master, the Columbia University researcher, and mold expert, and get staff feedback throughout the duration of the pilot so that we can refine the program before it's rolled out to all of our developments starting next year. We will also conduct follow-up and quality assurance observations during the pilot to ensure proper use of the tools and adherence to the new protocols.

With this new program, which is efficient as well as thorough, we expect to see a significant reduction in mold recurrence at the pilot sites, staff will become better "mold source investigators," and our process to combat and remediate mold will become more methodical and effective. The program will also improve the overall health of our buildings and potentially prevent future mold sources from taking hold. But we want to get this right – the pilot provides the opportunity to make sure that what we've designed will work.

### **Moving Forward**

While the pilot will run for a year, this does not necessarily mean we will wait for a year to implement the new protocol, in part or in whole. We intend to establish an improved and tested program as quickly as possible, in consultation with the Special Master.

As part of the mold pilot's evolution into an Authority-wide program, all relevant staff will be trained on the new mold assessment and remediation protocols and will be equipped with the new instruments. Additionally, we are conducting a business process review of our skilled trades.

Again, we cannot overstate the connection between capital funding, residents' quality of life, and the long-term preservation of our properties. Fortunately, the Mayor and City Council understand this relationship, and the implications of insufficient federal funding. Mayor de Blasio recently increased his investment in our roof replacement campaign to a total of \$1.3 billion over 10 years, so we can attack one of most egregious capital sources of mold at more than 950 of the most deteriorated roofs in our portfolio, to the benefit of 175,000 residents. So far, we have already repaired nearly 70 roofs with this unprecedented support. And just last week, the Mayor committed an additional \$355 million toward façade repair, which will help eliminate leaks that create favorable conditions for mold. We hope that HUD Secretary Dr. Carson, who has spoken about the connection between housing and health, will help ensure that public housing gets the federal investment it needs to support healthy communities.

### **NYCHA's Opinion on Introduction No. 978-A**

We would also like to comment today on Introduction Number 978-A, a bill that proposes requiring licensing for mold abatement, assessment, and remediation work. We are in the midst of working with a Special Master to develop a new program that will address the unique challenges that NYCHA faces in regard to mold. This bill focuses on cleaning mold rather than getting at its source. Our new approach of going after the source of mold systematically and with accountability is the most effective way to truly tackle the problem. To reduce recurrence, NYCHA must direct its limited resources on the sources of mold – and the bill impedes rather than aids this work. It would upend our efforts to combat mold in the quickest and most cost-effective manner, negatively impacting our residents and our organization. Furthermore:

- 1) The bill would slow down NYCHA's efforts to address mold quickly by requiring the filing of work plans with DEP at least 14 days before work commences. So we would not be able to start addressing mold, even clean it, until at least 14 days after a complaint is made.
- 2) Licensing requirements will lead to increased dependence on third-party vendors to perform mold-related work, which will increase NYCHA's costs at a time when it is least able to absorb them.
- 3) NYCHA would be prevented from utilizing its employees in the most flexible and efficient manner because of the strict division between assessment and remediation.
- 4) The bill defines mold projects as anything greater than four square feet, so the requirements would be applicable for even very small projects.

In sum, this bill would add time and costs to our mold eradication efforts, hampering rather than aiding our work and delaying resolution for residents; it only addresses the "surface," not the source. We believe that the best way forward is our new mold program, which equips staff with the tools, training, and procedures needed to make a real difference for our residents and enables us to deploy our limited staff more efficiently and effectively.

## **Conclusion**

The safety and well-being of residents is our top priority, and we're committed to creating safe, clean communities. With *NextGeneration NYCHA* as our guide, we're working to become a better landlord, by operating more efficiently despite limited resources. Our new mold program is just one example of the progress we're making under Chair Olatoye's vision for a strong, modern organization that delivers better service to residents. By addressing mold at its source – and reducing recurrence – we will improve the quality of life of residents and the health of our buildings, and will free our staff to address other vital building issues.

But it must be reiterated that there's a direct correlation between federal government disinvestment and public health – quite simply, public housing requires more capital funding to preserve its buildings and provide the quality of life that residents deserve. Thank you for your support as we navigate challenging, uncertain times, with Washington threatening even more brutal funding cuts to public housing rather than providing the investment it needs.

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



**Testimony of Alisa Pizarro, Red Hook Initiative, before the NYC Committee on Public Housing and NYC Committee on Environmental Protection on NYCHA's record removing mold from public housing in Red Hook**

Tuesday, May 2nd 2017, Red Hook, Brooklyn

Good afternoon Chairpersons and Council Members. Thank you for the opportunity to speak today.

My name is Alisa Pizarro and I've been living in Red Hook for 26 years at 80 Dwight St. apartment 14G. I also work as the Referral Specialist at the Red Hook Initiative. I'm here today to speak with you about the issue of mold in Red Hook.

For the past 3 months I have been the point person for tenants to come with their mold complaints and report to NYCHA. This is a process that Red Hook Initiative and NYCHA started together after RHI released a report on conditions of mold in Red Hook Houses. We are happy that NYCHA is taking this issue very seriously.

Tenants come to me to tell me about their mold issues. They give me ticket numbers, pictures, and information about the complaint. I call the tenant back 7 days after their ticket is filed and if the situation has not been resolved, I report the case to NYCHA. In most of my cases, tenants do not get a response from NYCHA and I report the issue to 250 Broadway.

By the time tenants come to me they have often been dealing with mold for years. Our mold report found that of those who reported their mold condition to NYCHA, only 59% received a response, and less than 16% of those got a positive outcome and relief from mold through the assistance of NYCHA. It is often difficult for me to get tenants to even open a new ticket because they are tired of opening ticket after ticket and seeing no work done. Tenants are tired of a waiting game and of being accused of not being home after taking off work to be present for their appointments.

Our system of reporting with NYCHA has revealed that often the communication of our contact at 250 Broadway is very different than what the tenant communicates to me. On several occasions I visit the tenant's house and see that no work has been done after we heard back from NYCHA that the work was complete.

I know what the tenants are feeling when they come to me because I have dealt with the same run around when I report repair issues. These issues persist as our rent goes up each year.

NYCHA must improve their process of responding to mold complaints and communication with the tenants. This is a public health issue and it can not wait. We know many people are getting sick while living with mold in their apartment. Living with mold is unsafe and must stop now. Thank you very much for your time and the opportunity to speak today.

**Alisa Pizarro**

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**Testimony of Jill Eisenhard, Executive Director, Red Hook Initiative, before the NYC Committee on Public Housing and NYC Committee on Environmental Protection on NYCHA's record removing mold from public housing in Red Hook**

Tuesday, May 2nd 2017, Red Hook, Brooklyn

**Summary**

Red Hook Initiative (RHI) is a community based organization in Red Hook; we have been working in the community for 15 years. I'm here today to testify on the work our agency has been doing to address the mold issue in Red Hook and to connect NYCHA resident priorities with limitations to 978-a legislation.

***RHI's top priority is to improve conditions of mold in NYCHA Red Hook Houses, especially as it relates to resident health.*** The legislation 978-a speaks to an important concern of worker licensing. Although we see both worker qualifications and resident health as part of the overall mold issue, is important to distinguish the two. We hope that all members of the Committees will recognize that this legislation is not an answer to the public health crisis of mold in public housing and that the bill will put an added strain and longer wait times on NYCHA and residents. **We need a wide variety of stakeholders to ensure a long term solution, including the labor priorities in the bill, changing the process of reporting mold, and addressing the capital issues and funding gaps causing the mold crisis.**

**Background**

At RHI we have seen the extreme health effects of mold both before and after Superstorm Sandy. In response to a call-to-action from the community, RHI initiated a campaign in early 2016 to understand the issue of mold, the impact on resident's health, what NYCHA's response has been, and the reasons for under-reporting by residents.

In March of 2016 we formed a team of 10 residents to develop, implement, and analyze a survey. Through the survey we discovered three major findings:

- 1) Mold is rampant in Red Hook Houses,
- 2) Residents do report the issue and do not get an adequate response from NYCHA, and
- 3) Mold is affecting the health of residents and their children.

Once we had data directly from residents, we used a process of community meetings and roundtable discussions to develop a set of recommendations:

- 1) Immediately address con-compliance of Baez by NYCHA management staff,
- 2) Improve the process of reporting mold (including having a clear definition of what triggers a NYCHA response, improve communication from NYCHA on the status once a ticket is open, having defined outcome parameters, and having a transparent system of oversight and accountability),
- 3) Determine the cost of addressing Red Hook's mold crisis and define the commitment of multiple stakeholders in a long-term solution for residents.

Following our report, NYCHA made notable progress on addressing gaps in the Baez settlement and showed a renewed commitment to modify the system of reporting and responding to mold complaints. NYCHA retrained all of their Red Hook staff. They have worked with our organization to track mold reporting and to ensure mold complaints are addressed within the 7 to 14 day timeline outlined by Baez. Progress made on the system of reporting by NYCHA is evident from the recent news of the "Mold Busters" pilot program, although the pilot does not include Red Hook and it is likely our community is many months away from benefitting directly.

Our report found that many residents were not reporting mold cases because of inadequate response or ongoing recurrence. We now have a RHI designated staff who accepts and tracks mold ticket numbers and communicates issues directly with NYCHA leadership. This process has revealed that many of the mold complaints are due to complex underlying issues requiring extensive work. The partnership allows an RHI staff member to intervene and communicate unaddressed issues with NYCHA leadership. While we commend NYCHA for their commitment to resolving this issue and also recognize that this type of individual oversight is challenging and consuming, and a long term solution is needed. We would like to see the level of commitment dedicated to the pilot program here in Red Hook.

### **Proposed Legislation**

The proposed legislation, 978-a, provides an opportunity to address resident concerns of mandating a transparent response from NYCHA, but the legislation would add gaping loopholes and an administrative burden to the Housing Authority that may inhibit any potential progress. The bill, as written, includes a timeline requirement that would create a violation of the mandate of the Baez settlement.

Attached you will find a set of recommendations compiled by New York Lawyers for the Public Interest and *Turning the Tide*, a partnership of RHI, Fifth Avenue Committee, Pratt Center, and Southwest Brooklyn Industrial Development Corporation.

As outlined in the recommendations, RHI sees the potential for changes to this bill to address loopholes. The administrative burdens however will remain an issue and threaten to impede progress made. Our recommendations include addressing the underlying issues of mold, a practice that NYCHA has stated it is committing to as part of its new pilot system. The proposed legislation 978-a is an important step toward ensuring the safety and effectiveness of workers addressing mold issues, but major changes must be made to ensure that resident needs are prioritized.

The mold crisis is not solved with this legislation. **We urge the Committees on Public Housing and Environmental Protection to review the recommendations of our coalition, and to continue a dialogue with resident leadership, community groups, and NYCHA to ensure that the legislation doesn't inhibit NYCHA's progress and increase resident wait times.**

Jill Eisenhard  
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# Executive Summary

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## A Call For Action

From March through August of 2016, the Red Hook Initiative (RHI) came together with Red Hook residents, through Participatory Action Research, to explore the impact of mold on tenants of the Red Hook Houses of the New York City Housing Authority (NYCHA). The decision to develop a survey on NYCHA residents' experience with mold in their homes came from an urgent community call for action. Red Hook NYCHA tenants have suffered from the health hazards associated with mold for years with no respite despite similar findings in the past, including the [2009 Red Hook Community Health survey](#) and the [2014 Weathering the Storm: Rebuilding a More Resilient NYCHA post-Sandy](#). While Hurricane Sandy exacerbated mold problems in deteriorating NYCHA buildings, exposure to mold and its harmful effect on health have plagued residents in Red Hook Houses for years. Mold is contributing to a public health crisis.

Four years after Hurricane Sandy, Red Hook residents continue to suffer from a crisis that existed before the storm and continues today. Research shows that long-term exposure to mold can make healthy people sick.<sup>1</sup> The outcomes of our survey demonstrate a public health crisis for Red Hook residents and the need for a comprehensive response.

## Findings

**1. Mold and leaks are rampant in Red Hook NYCHA apartments and cause extensive damage.**

Damage from leaks and mold was reported to interrupt daily living for tenants and in many ways made their apartments difficult to occupy.

**2. Mold has a severe impact on individual and family health, especially for children.**

Residents reported mold problems contributing to high levels of stress. According to those surveyed children are particularly vulnerable to illness caused by mold.

**3. Tenants DO reach out for help but find NYCHA to be unresponsive.**

Of those who reported their mold condition to NYCHA, only 59% received a response, and less than 16% of those yielded a positive outcome and relief from mold through the assistance of NYCHA.

1. Institute of Medicine (IOM) of the National Academies. "Report Brief: Damp Indoor Spaces and Health." May 2004. [www.nationalacademies.org/hmd/~/media/Files/Report%20Files/2004/Damp-Indoor-Spaces-and-Health/dampindoor2pagerforPDF.pdf](http://www.nationalacademies.org/hmd/~/media/Files/Report%20Files/2004/Damp-Indoor-Spaces-and-Health/dampindoor2pagerforPDF.pdf)

## Recommendations

### 1. **Immediately improve the process for residents seeking mold-related repairs.**

NYCHA should establish and adhere to a clear timeline from the time a tenant reports a mold problem until the time of inspection and should take preventative measures to assess mold in all NYCHA developments, before problems are reported.

### 2. **Address gaps in Baez v. NYCHA enforcement.**

In the immediate, NYCHA should train NYCHA staff in Red Hook on reasonable accommodations requests and Baez v. NYCHA outcomes. Management offices are giving out incorrect information to residents about reasonable accommodations requests for mold and asthma conditions.

### 3. **Determine the cost of addressing Red Hook's mold crisis and define the commitment of multiple stakeholders in a long term solution for residents.**

RHI calls on multiple stakeholders to address the mold crisis in public housing.

## Conclusion

We are seeking an improved process for mold related repairs and a strengthening of the enforcements made through the Baez v. NYCHA settlement. In addition to demands for NYCHA, Red Hook Initiative calls on multiple stakeholders to respond. Through a collective effort, we are calling on several New York City decision makers to prioritize the issue of mold in public housing and commit to a comprehensive solution.



## NYC Committee on Public Housing and NYC Committee on Environmental Protection on City-wide mold Bill

Tuesday, May 2nd 2017, Red Hook, Brooklyn

### Summary

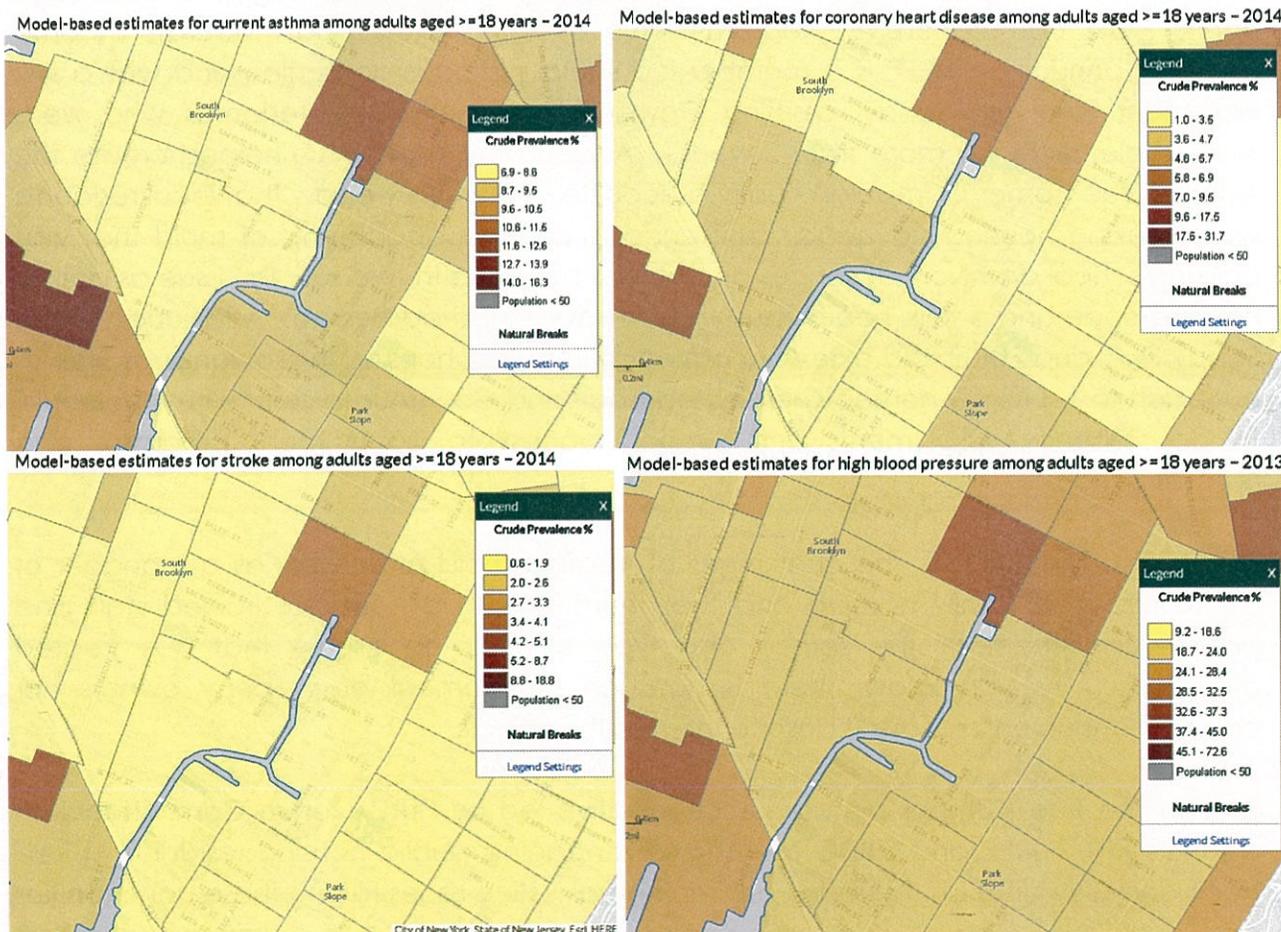
Thank you for the opportunity to testify today and for coming to Red Hook to hear first-hand how this community and its residents continue to be severely impacted by poor indoor air quality due to mold. Fifth Avenue Committee is a 39 year old comprehensive community development corporation whose mission is to advance economic and social justice. FAC accomplishes our mission through a range of programs that include affordable housing development and management and organizing and advocacy efforts. Our comprehensive programs serve over 5,500 low and moderate income residents annually. FUREE is a member led social justice organization and was a first responder following Sandy, assisting Gowanus Houses NYCHA residents who were without electricity for more than 2 weeks. As you may know, FAC helped create the Asthma Free Homes Campaign nearly a decade ago when we saw that local residents were seeking housing advocacy assistance to rid their apartments of mold that was causing school and work absences and overall poor health. We saw the issue as both a housing code and public health issue that needed to be addressed. Additionally, Post-Sandy FAC and FUREE did extensive outreach in public housing in Gowanus as well as outreach to 1-4 family homeowners in Red Hook and Gowanus to assist with muck-outs, to do resiliency assessments and support access to government programs and reconstruction.

FAC is also familiar with the challenges of treating mold effectively as a manager of affordable multi-family housing and that there is both a need for trained staff and proper assessment of the source and type of mold to ensure that it is treated effectively. As you know, there is no such requirement of property owners nor comprehensive enforcement despite the health impacts.

Turning The Tide (T3) is a climate justice initiative led by Fifth Avenue Committee with partners RHI, FUREE and SBIDC focused on engaging public housing residents in Red Hook and Gowanus on the many environmental justice issues facing these communities and our City. One of T3's top priorities is to advocate and increase awareness

regarding environmental issues and equity in public policy decisions impacting public housing residents in our communities. The legislation 978-A speaks to the important concern of worker licensing to improve mold conditions in homes, which we know impacts health and indoor air quality. The intersection of public health needs and any proposed mold legislation needs to be well understood.

There are significant existing public health concerns in housing, including public housing, throughout NYC. In Gowanus and Red Hook, as this map using NYC Department of Health data shows, many residents – most of whom live in the NYCHA developments in Gowanus - have health conditions which are exacerbated by poor indoor air quality. T3 hopes that members of the Committees recognize that this legislation is not an answer to the public health crisis of mold in public housing. **We need a wide variety of stakeholders to ensure a long term solution, including the labor priorities in the bill, changing the process of reporting mold, and addressing the capital issues and funding gaps causing the mold crisis. No legislation will be effective absent sufficient resources to address the problem effectively and timely or absent improved trust between NYCHA and residents to ensure that the problems are reported.**



Source: 500 Cities Project: Local Data for Better Health. Centers for Disease Control (CDC). <https://www.cdc.gov/500cities/>

Our Turning the Tide collaborative recently completed an 8 month curriculum on Environmental Justice and T3 members are very aware of the mold crisis in Public Housing Developments.

We know that mold is rampant in the City especially in Public Housing and that it has an adverse effect on our families. We are also aware that many residents have given up on reporting this matter to NYCHA because they do not get a timely response. They also stated that the problem comes right back and that they are unable to eradicate the mold once and for all.

NYCHA is earnestly trying to address the issue of water penetration and mold and has new design guidelines under its NextGen initiative, such as addressing window and roof replacement, and flood proofing basements. (See attached excerpt from NYCHA's recently released publication: *DESIGN GUIDELINES Rehabilitation of NYCHA Residential Buildings*). Currently all of these planned, but not yet enacted, measures are aimed at the building envelopes, but we have yet to see a concerted and funded plan to assess the interior remediation's needed. We are also concerned about the sequencing of repairs with interior efficiency upgrades as well because it is possible a resident could receive a water reducing shower head before their bathroom mold source problem is properly addressed adding to delays and prioritizing cost over health concerns.

In regards to Section 3 Jobs, training and Business Concerns no matter what vendor, contractor or worker is ultimately selected for mold remediation work, or any other NYC work, be it union or non-union, we want to see Section 3 applied and enforced. Mold remediation work, green infrastructure work and any other public work happening near or at any NYCHA development should provide employment opportunities for residents.

### **Proposed Legislation**

The proposed legislation, 978-a, provides an opportunity to address resident concerns of mandating a transparent response from NYCHA, but the legislation would add gaping loopholes and an administrative burden to the Housing Authority that may inhibit any potential progress. The bill, as written, includes a timeline requirement that would create a violation of the time mandate in the Baez settlement.

Provided you will find a set of recommendations compiled by New York Lawyers for the Public Interest, who along with the Pratt Center, is supporting *Turning the Tide* and our partners.

As outlined in the recommendations, T3 sees the potential for changes to this bill to address loopholes. The administrative burdens however will remain an issue and

threaten to impede progress made. Our recommendations include addressing the underlying issues of mold, a practice that NYCHA has stated it is committing to as part of its new pilot system. The proposed 978-a legislation is an important step toward ensuring the safety and effectiveness of workers addressing mold issues, but major changes must be made to ensure that resident needs are prioritized.

The mold crisis will not be solved with this legislation. **We urge the Committees on Public Housing and Environmental Protection to review the recommendations of our coalition, and to continue a dialogue with resident leadership, community groups, and NYCHA to ensure that the legislation doesn't inhibit NYCHA's progress and increase resident wait times.**

Thank you for the opportunity to testify today.



**TO:** Council Member Carlos Menchaca  
Lucia Gomez, Local 78

**RE:** *Recommended changes to Introduction 978A*

### **1. Eliminate the “routine cleaning” exception from definition of “project”**

The licensing and work-standards requirements of Intro 978A apply only to “projects.” “Project” is defined in subdivision (a)<sup>1</sup> to exclude “routine cleaning,” meaning that any mold work which that is “routine cleaning” is exempt from the bill’s requirements. Since the term “routine cleaning” is not further defined, and there are no reporting requirements for work that is not a “project,” landlords and NYCHA could basically decide for themselves whether the law applies to them. Since NYCHA already tends to minimize the extent of mold problems in its developments, we expect them to take full advantage of the exception.

*Recommendation:* Delete reference to “routine cleaning” in the definition of “Project” in proposed subdivision (a), so that the subdivision reads—

The term “project” means mold abatement, mold assessment or mold remediation, of areas greater than four square feet, but does not include ~~(i) routine cleaning or (ii)~~ construction, maintenance, repair or demolition of buildings, structures or fixtures undertaken for purposes other than mold remediation or mold abatement.

### **2. Prevent landowners from performing assessments on their own property**

Under the current language, it would be possible for a large institutional landlord like NYCHA to employ its own staff of assessors for work on its properties. This would allow the landlord to define both the scope of the necessary work and the criteria on which it is to be judged, as well as to make the after-the-fact determination of whether the work lives up to those standards. The assessor has a wide scope for determining whether to clear a project because of the vague standard for the clearance report (the remediation must have “successfully addressed” the mold). This is a particularly substantial problem for the transparency aspect of the bill, since the only people required to have the report are the landlord and the assessor herself. If one is the employee of the other, then there is no reason to think that any oversight could be exerted on the project.

*Recommendation:* Insert paragraph (d)(6) after paragraph (d)(5)—

6. No licensee shall perform mold assessment on a project in a building owned by such licensee or by such licensee’s employer.

<sup>1</sup> All references are to the proposed § 24-140.

Renumber paragraph (d)(6) as (d)(7).

**3. Require all assessments to include discussion of underlying sources of moisture**

Chronic mold is typically caused by a persistent source of moisture which encourages mold growth, allowing the mold to return after the surface has been cleaned. It is therefore vitally important that mold remediation include the detection and elimination of any such sources. But Intro 978A requires initial assessments to identify moisture sources only “[w]here practicable,” and requires post-remediation assessments to determine whether such sources have been removed only “to the extent feasible.” Both of these caveats are vague and undefined standard not applied to any other element of the assessor’s work, making it easy for assessors to simply leave out those steps. While it is likely true that requiring identification of moisture sources in all cases would create additional work for assessors, failing to do so could make the entire process an exercise in futility.

*Recommendation:* Delete the phrase “Where practicable” from clause § 24-154(d)(1)(a)(9), so that the clause reads—

(9) ~~Where practicable,~~ The underlying sources of moisture that may be causing the mold and a recommendation as to the type of contractor who could remedy the source of such moisture; and”

Delete the phrase “to the extent feasible” from subparagraph (d)(3)(a), so that the subparagraph reads—

(a) Conduct a post-remediation assessment as described in section 947 of the labor law to determine whether the site of the project is free from all visible mold, whether all work at such project has been completed in compliance with the plan prepared pursuant to paragraph 1 of this subdivision and, ~~to the extent feasible,~~ whether the underlying cause of such mold has been addressed so that it is reasonably certain that such mold will not return to such site;

**4. Eliminate the required 14-day waiting period between initial assessment and start of work**

Subdivision (d)(1)(b) requires a licensed assessor to provide their initial plan for mold remediation or abatement to the client “[a]t least 14 days before such work commences.” This appears to create a mandatory 14-day waiting period between the assessment and the actual work to eliminate the mold hazard. This would harm tenants by delaying desperately needed repairs. It would also directly conflict with NYCHA’s responsibilities under the consent decree entered in *Baez v. NYCHA*, which requires NYCHA to maintain an average service time on its mold remediation work orders of 7 days for simple repairs and 14 days for complex repairs. Since Intro 978 would apparently require mold-remediation projects to take a *minimum* of 14 days, there would be no way for NYCHA to conform to both requirements.

*Recommendation:* Delete subparagraph (d)(1)(b) and renumber subparagraph (d)(1)(c) as (d)(1)(b). Delete the reference to subparagraph (b) in the new (d)(1)(b), so that the subparagraph reads—

(b) The department shall promptly make each plan it receives pursuant to ~~subparagraph (b) of this paragraph~~ publicly available online in a searchable format.

Insert at the end of paragraph (d)(1) the words, “and to the department,” so that the paragraph reads—

Before mold abatement or mold remediation begins in connection with a project, a mold assessment licensee shall prepare a plan for such project as described in section 945 of the labor law and provide such plan to the person for whom such work will be performed and to the department.

**5. Require publication of post-remediation assessments, and require publication of assessments within a specified period of time**

Intro 978 requires assessment of a mold-remediation site both before and after the actual remediation occurs; the first assessment, results in a plan that guides the remediation work, while the second serves to determine whether the remediation followed that plan, and was otherwise “successful.” The initial plan would be submitted to DEP, which would publish it on its website. But the post-remediation assessment would go to the landlord only, meaning that the landlord could choose not to release it to the city or to the public. Because this second assessment indicates both whether the work has been done according to the law and whether the remediation actually succeeded in removing the mold hazard, its publication would be very valuable for enforcement and for transparency. And since the assessors would have to submit, and DEP publish, the initial assessments anyway, requiring publication of the post-remediation assessment creates very little extra work for either side.

Additionally, a specific timeline, rather than “prompt” publication, will eliminate confusion and prevent delay in publication of both the initial and the post-remediation assessments.

*Recommendation:* Insert new subparagraphs (d) and (e) after subparagraph (d)(3)(c)—

(d) Within 14 days of issuance of a passed clearance report or final status report to the person on whose behalf the project was undertaken, such licensee shall provide such passed clearance report or final status report to the department, together with the post-remediation assessment prepared for the project.

(e) Within 7 days of receiving a passed clearance report, final status report or post-remediation assessment pursuant to subparagraph (d), the department shall make such report or assessment publicly available online in a searchable format.

Replace subparagraph (d)(1)(c) with the following subparagraph—

(c) Within 7 days of receiving a plan pursuant to subparagraph (b) of this paragraph, the department shall make such plan publicly available online in a searchable format.

NB: If this Recommendation and the previous are both followed, there will be no § 24-154(d)(1)(c), and § 24-154(d)(1)(b) should read—

(b) Within 7 days of receiving a plan pursuant to this paragraph, the department shall make such plan publicly available online in a searchable format.

## **6. Increase and further specify the inspection requirements for the initial assessment**

Although subparagraph (d)(1)(a) includes a long list of requirements for the plan to be produced by an initial assessment, it does not require consultation of prior work orders or inspections. Examining prior work done on a building can be of immense assistance in determining the scope of work which should be done to resolve a mold complaint. In particular, the extent and frequency of prior mold remediation or related work can indicate whether an underlying condition may exist: A number of mold complaints made with regard to the same area, or otherwise related to the complaint which the assessor is investigating (such as water damage or mold complaints in apartments directly above or below the apartment), are an important clue to the likelihood and nature of an underlying source of moisture (such as a leaky pipe). A similar requirement was used to good effect by Local Law 11 of 1998, which requires façade inspections to include “a complete review” of the last inspection report produced for the building. This would impose only a minimal additional burden on the assessment, since the bill already requires landlords to retain records on mold work in their buildings, and Local Law 11 requires records on mold work to be retained by DOB.

*Recommendation:* Insert “, including photographs documenting the location of any mold in such rooms or areas” at the end of clause (d)(1)(a)(2), so that the clause reads—

(2) The rooms or areas where such work will be performed, including photographs documenting the location of any mold in such rooms or areas;

Renumber clause (d)(1)(a)(10) as (d)(1)(a)(11), and delete the word “and” at the end of clause (d)(1)(a)(9). Insert new clause (d)(1)(a)(10)—

(10) An attestation that such mold assessment licensee has reviewed all records retained pursuant to paragraph (e)(3) of this section and all reports submitted to the commissioner of buildings pursuant to § 28-302.4 of this Code, as they are available and as they relate to potential underlying causes of the mold; and

## **7. Require proactive steps to detect mold conditions**

While Intro 978A addresses questions of *how* to address and remediate mold conditions, it does not supply any standards as to *when* to perform such work. Thus, whatever licensing or work standards the City Council applies to such remediation can easily be rendered useless by the failure of landlords or NYCHA actually to undertake such remediation. Delaying mold

remediation not only threatens tenants' health, but can also compound the harm, making the eventual repair work more involved. Inspections triggered by reporting are recommended here because they allow tenants more control over when mold work will occur, but other options (such as annual inspections) are possible.

*Recommendation:* Insert subdivision (e)—

e. Mandatory assessments.

1. The owner of a unit shall cause a mold assessment to be made of such unit within 14 days of the date on which the owner knows of the existence of mold in the unit.

2. For the purposes of paragraph 1 of this subdivision, the owner of a unit knows of the existence of mold in a dwelling unit if—

(a) The owner receives a report of the existence of mold in a dwelling unit by a person living in such dwelling unit;

(b) An agent of the owner designated by the owner to receive or respond to reports on conditions in such unit receives a report of the existence of mold in a dwelling unit by a person living in such dwelling unit; or

(c) An agent of the owner designated by the owner to perform maintenance work observes in such unit mold or conditions which, in such agent's judgment, indicate the existence of mold.

Renumber current subdivisions (e)–(h) to (f)–(i).

**8. Improve communication with tenants**

If Intro 978A is to improve the lives of tenants, it should engage them as stakeholders in mold remediation. At the very least, tenants need to know what work will be done when, in order to ensure that they are prepared to allow access to the apartment and to any rooms or spaces necessary. Past experience shows that confusion and disputes over access times has been a source of inefficiencies in the process of mold remediation in NYCHA developments. Requiring access to be scheduled ahead of time, within a narrow window, and to be confirmed with a phone call, will save time and effort on the part of mold workers as well as prevent unnecessary disruptions to the lives of tenants. Informing tenants as to the status and course of the work will enable them to raise any concerns with the landlord or NYCHA.

*Recommendation:* Insert the phrase, “and to the inhabitants of any dwelling units affected by such work” immediately before the first semicolon of subparagraph (d)(2)(a). Move all language in subparagraph (d)(2)(a) after “such work plan shall” to new clause (d)(2)(a)(1). Insert additional clauses (d)(2)(a)(2)–(3), such that subparagraph (d)(2)(a) reads—

(a) Prepare a work plan providing instructions for the mold remediation or abatement efforts to be performed on the project and provide such plan to the person for whom such work will be performed and to the inhabitants of any dwelling units affected by such work; provided further that such work plan shall ~~comply with the requirements of the plan prepared for such project pursuant to paragraph 1 of this subdivision;~~

(1) Comply with the requirements of the plan prepared for such project pursuant to paragraph 1 of this subdivision; and

(2) Include the date and time, accurate to within two hours, of all work to be performed within a dwelling unit.

Insert language at the end of subparagraph (d)(2)(b), to read—

(b) Ensure that the project complies with such work plan, except that the dates and times specified pursuant to clause (2) of subparagraph (a) of this paragraph may be amended if notice of such amendment is given to each resident at least 24 hours in advance of the original date and time or the amended date and time, whichever is earlier;

Insert the phrase, “and to the inhabitants of any dwelling units affected by such work” at the end of paragraph (d)(1), such that it reads—

1. Before mold abatement or mold remediation begins in connection with a project, a mold assessment licensee shall prepare a plan for such project as described in section 945 of the labor law and provide such plan to the person for whom such work will be performed and to the inhabitants of any dwelling units affected by such work.

Insert the phrase, “and to the inhabitants of any dwelling units affected by the project” before the first semicolon of subparagraph (d)(3)(b) and reword the final clause of the subparagraph such that it reads—

(b) If such licensee determines that the project successfully addressed such mold, such licensee shall issue a written passed clearance report to the person on whose behalf the project was undertaken and to the inhabitants of any dwelling units affected by the project; provided that, if such licensee determined that the underlying cause of such mold had not been addressed so that it is reasonably certain that such mold would not return to such site, then such licensee shall, include in such clearance report a recommendation together with such clearance report, make a recommendation to the person on whose behalf the mold abatement or remediation was performed as to the type of contractor who could remedy such underlying cause;

## **9. Require reporting on satisfaction of local-hire requirements where relevant**

By imposing a licensing requirement on some types of work, Intro 978 will likely eliminate some jobs and create a set of new, higher-skilled positions. This change could have a negative or positive impact on the economic development of communities where the work takes

place, depending on the extent to which the new positions are made available to members of those communities. While imposing additional local-hire requirements is likely beyond the scope of the bill, affected entities that receive funding through specific HUD programs, including NYCHA, may already have such requirements linked to any new hiring or contracting they do to comply with Intro 978A. Information on compliance with these requirements is difficult to find, making monitoring and enforcement difficult. If Intro 978A requires release of this information, it will be easier to ensure that NYCHA and other affected landlords are following the law, and therefore that some of the economic benefit created by the bill returns to the communities in which work is performed and rent is paid.

*Recommendation:* Insert new paragraphs (e)(4) and (e)(5)—

4. If the owner of a property that is the site of a project is under a legal obligation to target any specific geographic area or demographic group with any hiring, contracting, or other expenditure of funds in relation to a project, such owner shall provide to the department a report, stating the nature of such obligation and the extent to which such obligation is met in relation to each such project.

5. The department shall promptly make each report it receives pursuant to paragraph (4) of this subdivision publicly available online in a searchable format.

NB: If Recommendation 7 is adopted, these will be paragraphs (f)(4) and (f)(5) instead.

#### **10. Educate tenants on practices for preventing mold growth in the home**

While much mold growth is caused by physical defects in the room or building in which it occurs, some is caused by the behavior of the room's or building's occupants. For example, the steam from baths, showers, and air-dried clothes or towels can encourage mold growth if a bathroom is not aired out regularly. Educating residents on the behaviors which allow mold growth can therefore be an effective means of preventing such growth and protecting those residents from the harmful effects. Most such behaviors, and preventive measures against them, can be communicated through regular informational meetings, but in some cases one-on-one consultation with a mold professional will be necessary to explain the issue.

*Recommendation:* Move reference to contractor recommendation in clause (d)(1)(a)(9) to new item (d)(1)(a)(9)(i), and preface with the phrase, "if any sources of moisture are caused by physical defects". Insert new item (d)(1)(a)(9)(ii)—

(9) Where practicable, the underlying sources of moisture that may be causing the mold and, (i) if any sources of moisture are caused by physical defects, a recommendation as to the type of contractor who could remedy the such sources, and (ii) if any sources of moisture are caused by any inhabitants of the building in which the project will occur, any practices which such inhabitants may employ to remedy such sources of moisture;

NB: If Recommendation 3 is accepted, clause (9) will read, "(9) ~~Where practicable,~~ The underlying sources of moisture . . ."

Insert new subdivision (e)—

e. Resident education. The owner of a multiple dwelling, as defined in § 27-232 of this Code:

1. Annually shall make available to the inhabitants of such dwelling a course, approved by the commissioner and taught by at least one licensed mold assessor, on practices which such inhabitants may employ to prevent mold growth in their dwelling units; such course shall be made available at a place, date, and time that allow the maximum number of such inhabitants to attend;

2. Shall, if a plan submitted to such owner pursuant to subparagraph (d)(1)(b) of this section within the last year identifies practices which inhabitants may employ to remedy a source of moisture pursuant to clause (d)(1)(b)(9), make available to any inhabitant of such dwelling individual consultation with a licensed mold assessor as to such practices, at a mutually agreeable place, date and time;

3. Shall not impose any fee, charge, rent increase, or other monetary exaction on any of such inhabitants in connection such owner's obligations under paragraphs (1) or (2) of this subdivision.

Renumber subdivisions (e)–(h) as (f)–(i).

NB: If recommendation 7 is followed, the new subdivision should be numbered (f) and subsequent subdivisions should be numbered (g)–(j).

For the Records

Altagracia Cruz, Testimony for May 2<sup>nd</sup> NYCHA Meeting. Recorded 4/28/17 at the RHI

My name is Altagracia Cruz. I have lived in the Red Hook Houses for 13 years. My address is 428 Columbia St. #3B.

I started noticing leaks at the floor level, along the wall in my kitchen, living room and bedroom about 1-2 years ago. From classes I took at RHI, I realized that these leaks (that were getting worse) might lead to mold, so in August of 2016, I started submitting tickets to NYCHA to examine and fix. Between August, 2016 and January, 2017, I submitted 5 tickets on this issue with no response. Because I received no response, my friend Juana helped me take the issue to court on February 6, 2017. The court ordered an inspection for February 14<sup>th</sup>, 2017. The inspector conducted their assessment on that day, and filed a report, as far as I am aware, as I never received a copy of the report. The court follow-up on February 22<sup>nd</sup> about the inspector assessment indicated that NYCHA should address the leaks and mold, and work should begin by March 8<sup>th</sup>, 2017. As no one from NYCHA showed up on March 8<sup>th</sup>, I called the number I was given of (718) 923-8250. I went back to court on April 18<sup>th</sup>, and the judge repeated the order for NYCHA to do the work to fix the leaks and mold, this time starting on April 24<sup>th</sup>. No one came on that day either, and now they are scheduled to come on Friday, May 5<sup>th</sup>, and I'm scheduled to go back to court on May 10<sup>th</sup>.

These leaks and mold need to be fixed as soon as possible. I have health issues, including asthma and emphysema that are both made worse by the mold.

It is ridiculous that I have been submitting tickets since August of last year, been to court 2 times, and have to go again, and still no work has been done. Please help me get these leaks and mold fixed!

In the future, NYCHA should do a better job of doing the work without me and other tenants having to go to court so many times and do so much legwork just to get a response. Going to court is very difficult and stressful.

Thank you to the Council and the Chair

**Department of  
Housing Preservation and Development  
Division of Code Enforcement  
(Form A-B)**

**TENANT'S REQUEST FOR INSPECTION**

Civil Court Index No: LT/HP 2000 B/17  
 County of: KINGS  
 Housing Part: U Room 101  
 The case of Altagracia Cruz  
 vs. NYCHA Red Hook West

Tenant's Name: Altagracia Cruz  
 Tenant's Address: 428 Columbia Street  
Brooklyn, NY 11231  
 Apt. No. 3-B Floor: 3rd  
 Tenant's Phone #'s: Home: ( ) 718-855-7971  
 Work: ( ) \_\_\_\_\_

will appear on the Court Calendar on:  
2-22-17 at 9:30 AM/PM

Is there a child under the age of 6 residing in this apartment? Yes  No   
 If yes, please provide name and age or date of birth for each child.

Name	Age/Date of Birth
_____	_____
_____	_____
_____	_____

You may gain access by contacting: SPANISH Altagracia Cruz 718-855-7971

Apt. No. (Or Public Area)	Which Room?	TENANT'S ALLEGATION OF VIOLATIONS	DIVISION OF CODE ENFORCEMENT
		Conditions(s) - Be Specific	Inspector's No: _____ Date: _____  Signature REPORT
<del>3B</del> 3B	Kitchen	1. walls plaster water damaged	
3B	Living room	2. black mold growth on walls	
3B	Living room	3. walls plaster water damaged	
3B	Bedroom	4. walls plaster hole and peeling paint	
		5.	
		6.	
		7.	
		8.	
		9.	
		10.	

In connection with the above mentioned case in the Civil Court of the City of New York, I, the tenant of the apartment referred to, wish to call the Court's attention to the conditions listed above-which I allege are violations, and request that an inspection of the property be made to verify my allegations.

Date of Request: 2/16/17 Tenant's Signature: Altagracia Cruz

INSPECTION DATE An inspector will come to inspect these conditions on: <u>Feb 14, 2017</u>	INSPECTION TIME <input checked="" type="checkbox"/> 10 AM - 2 PM <input type="checkbox"/> 2 PM - 6 PM <input type="checkbox"/> 5 PM - 9 PM <input type="checkbox"/> Weekend 10 AM - 3 PM <input type="checkbox"/> Staten Island 10 AM - 2 PM
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Civil Court of the City of New York

County of KING

Part u

Index Number

200013/17

Altagracia Cruz

Claimant/Plaintiff/Petitioner(s)

NYCHA Red Hook West

Defendant/Respondent(s)

**EX PARTE ORDER**

**GRANTING LEAVE**

**TO PROCEED AS A POOR PERSON**

**AND TO WAIVE COURT FEES**

Upon the annexed affidavit of Altagracia Cruz

sworn to on 2/6/17, and it appearing that said applicant has a good and

meritorious cause of action for Housing Maintenance Code Violation and that s/he is unable to pay the costs, fees and expenses necessary to proceed in this action, and that there is no other person beneficially interested in the recovery sought, it is hereby

ORDERED, that the applicant is permitted to proceed in this action as a poor person, and it is further

ORDERED, that where a formal complaint is necessary it is waived, and it is further

ORDERED, that: any and all statutory fees for the defense or prosecution of this action are waived,

the statutory fee for filing a Notice of Appeal in this action is waived,

and it is further

ORDERED, that in the event of any recovery in favor of the applicant, the recovery shall be paid to the Clerk of the Court to await distribution pursuant to Court Order and that the Order of Distribution shall provide for the payment of the costs and fees which would have been paid had the applicant brought this cause of action other than as a poor person, and it is further

ORDERED, that service by the applicant of this Order and supporting papers upon the adversary party(ies), if any, and upon the Corporation Counsel of the City of New York at 100 Church Street, New York, NY 10007, by First Class mail with Certificate of Mailing shall be sufficient.

This ORDER is signed without prejudice to the Corporation Counsel's right to controvert poor person status.

2-6-17

Date

Hon. C. Wilke

Judge, Civil/Housing Court

**Civil Court of the City of New York**

COUNTY OF KINGS

Housing Part <sup>u</sup>

Index No. HP

2000 B/17

**ORDER TO SHOW CAUSE  
DIRECTING THE  
CORRECTION OF VIOLATIONS  
(H.P. Action)**

Altagracia Cruz  
Tenant(s)/Petitioner(s),  
against  
NYCHA Red Hook West

Premises:

428 Columbia Street, Apt 3B  
(Street Address & Apt. No.)  
Brooklyn, NY 11231  
(Borough & Zip Code)

Landlord(s)/Respondent(s) Name and Address  
and

The Department of Housing Preservation and Development,  
(DHPD)

2-6-17

Upon the annexed Verified Petition of the above named Petitioner(s), sworn to on \_\_\_\_\_:

Let the Respondent(s) or Respondent's attorney(s) show cause at the:

**Civil Court of the City of New York**

Housing Part: <sup>u</sup>

Located at:

On:

88 Visitation Place  
Brooklyn, N.Y. 11231  
2-22-17 at 9:30 AM,

or as soon thereafter as counsel may be heard, why an Order should not be made:

DIRECTING the Respondent(s) to correct the violation(s) alleged in the annexed Verified Petition, and upon failure to do so within the time set for certifying the correction of such violation(s) pursuant to Section 27-2115(c) of the Administrative Code of the City of New York, for an order directing the DHPD to enter a judgment against the Respondent(s) for the penalties stated in Section 27-2115(a) of the Administrative Code and/or granting such other and further relief as may be just.

Service of a copy of this Order, together with the annexed Verified Petition, upon the Respondent(s) (by Certified Mail, Return Receipt Requested/personally) and also upon the Department of Housing Preservation and Development by Certified Mail, Return Receipt Requested, on or before 2-7-17, as permitted by Section 27.2115(j) of the Administrative Code, shall be deemed good and sufficient. Proof of such service may be filed in the Clerk's Office of Housing Part before the return date of this Order to Show Cause, or on the date of trial with the Clerk in the Part indicated above.

If the Respondent is registered with the Department of Housing Preservation and Development, personal service or mailing may be made to the Respondent at the address indicated in such registration.

Mailing to the DHPD shall be made to the:  
Department of Housing Preservation and Development  
Housing Litigation Bureau  
100 Gold Street  
New York, NY 10038

2-6-17  
Date

Han C. Walker  
Judge, Housing/Civil Court

Civil Court of the City of New York  
COUNTY OF KINGS

[PLEASE PRESS HARD]

Housing Part u

Index No. HP 2000B/17

Altagracia Cruz  
Tenant(s)/Petitioner(s),  
against

NYCHA Red Hook West  
Landlord(s)/Respondent(s)  
and

The Department of Housing Preservation and Development,  
(DHPD)

VERIFIED PETITION IN SUPPORT OF AN  
ORDER TO SHOW CAUSE  
Directing The Correction of Violations  
(NYCCCA, Section 110(a) and Administrative  
Code of the City of New York, Section 27-2115)

428 Columbia Street  
(Address of Tenant/Petitioner)

Brooklyn, NY Apt. # 3B

PETITION

- I, Altagracia Cruz, the Petitioner, am the tenant of the above apartment.  
Print Tenant's Name
- The Respondent(s) is/are the owner(s) or agent(s) of the owner of the subject premises.
- The Respondent(s) has/have violated the Administrative Code of the City of New York in that the following condition(s) presently existing in my apartment has/have not been corrected: (List condition(s)).  
(1) Kitchen walls plaster water damaged (4) Bedroom walls plaster hole, needing paint  
(2) Living room black mold on walls (5) \_\_\_\_\_ (8) \_\_\_\_\_  
(3) Living room wall plaster water damage (6) \_\_\_\_\_ (9) \_\_\_\_\_
- Administrative Code of the City of New York, Section 27-2115. Allegations.

Tenant's Initials

I have filed a complaint with the Division of Code Enforcement. The Division issued a Notice of Violation. More than 30 days have elapsed. Said violation has not been cured nor has a Certification of Correction been filed with the Division of Code Enforcement.

I have filed a complaint with the Division of Code Enforcement. More than 30 days have elapsed. The Division has failed to issue a Notice of Violation.

In accordance with the Directive of the Department of Housing Preservation and Development of February 11, 1977, and because the above listed conditions constitute an emergency or a danger to the life, health and safety of the tenant(s), I request that prior notification to the Department of Housing Preservation and Development be waived.

- I have requested of the Clerk of Housing Court that an inspection of the premises by the Division of Code Enforcement be ordered. I further request that:
  - if no inspection report is available on the date of the hearing, that testimony be taken and a violation be placed.
  - an order be made directing the owner to correct the violation, and upon the failure to do so within the time set for certifying the correction of such violation pursuant to 27-2115(c) of the Administrative Code, for an order directing DHPD to enter the judgment against the respondent for the penalties stated in Section 27-2115(a) of the Administrative Code.
  - permission be granted to serve these papers myself.
- I have/have not made prior application for the relief sought herein.

2/6/17

Date

Altagracia Cruz  
Signature of Tenant/Petitioner

VERIFICATION

State of New York, County of Kings, ss.:

Altagracia Cruz, being duly sworn, deposes and says:

that s/he is the petitioner named above, that petitioner has read the petition and knows the truth of the contents thereof except as to those matters alleged to be on information and belief, and as to those matters petitioner believes them to be true.

Sworn to before me this 6 day of February, 20 17

[Signature]  
Signature of Court Employee and Title

Altagracia Cruz  
Signature of Tenant/Petitioner

Civil Court of the City of New York

County of KING

Index Number

200013/17

Part a

In the matter of the Application of

Altagracia Cruz

to prosecute as a poor person against

NYCHA Red Hook West

**AFFIDAVIT IN SUPPORT OF  
AN APPLICATION TO PROCEED  
AS A POOR PERSON  
AND TO WAIVE COURT FEES**

State of New York, County of KINGS ss.:

Altagracia Cruz

PRINT YOUR NAME

, being duly sworn, deposes and says:

1. I am the party named as Petitioner in the above titled action.

2. I reside at 428 Columbia Street, Apt 3B

3. I seek to proceed in the above titled action.

4. I have a good and meritorious cause of action in that landlord failed to make repairs

5. I request that an Order be granted:

- waiving any and all statutory fees for the defense or prosecution of the action..
- waiving the fee for the filing of a Notice of Appeal
- other (Specify) \_\_\_\_\_

6. I make this application based on CPLR §1101. I do not have, nor am I able to obtain, the funds needed to pay for the court fees. I will be unable to proceed unless the Order is granted.

7. ~~I am~~ am-not a recipient of Public Assistance from the Department of Social Services of the City of New York.   
 (strike one)

8. I have no income other than the sum of \$ 840 per month from social security and expenses including \$ 224 monthly rent, \$ \_\_\_\_\_ monthly utilities and \$ \_\_\_\_\_ other itemizable expenses.

9. I own no property of any kind except necessary personal wearing apparel and \_\_\_\_\_

[Indicate other property and the value of such property]

10. No other person is beneficially interested in the recovery sought.

11.  a) I have not made a previous application for this or similar relief  
 b) I have made previous application(s) for this or similar relief, but I am making this further application because last HP case in 2013, but landlord has failed to make repairs for new issues

Sign your name Altagracia Cruz

Print your address 428 Columbia Street, Apt 3B  
Brooklyn, NY 11231

Telephone Number 718-855-7971

Sworn to before me this 6 day of February, 2017

[Signature]  
SIGNATURE OF COURT EMPLOYEE AND TITLE

CIVIL COURT OF THE CITY OF NEW YORK

County of Kings

Date 2/02/17

Part 4

Index No. L&T: 200013/17

Page      of     

Hon. Calabrese

Altagracia Cruz  
428 Columbia St #3B  
Bklyn NY 10231

Petitioner(s)

RHW

Respondent(s)

STIPULATION OF SETTLEMENT

The parties understand that each party has the right to a trial, the right to see a Judge at any time and the right not to enter into a stipulation of settlement. However, after review of all the issues, the parties agree that they do not want to go to trial and instead agree to the following stipulation in settlement of the issues in this matter.

Party (please print)

Added/Amended or Deleted

Appearance

No Appearance

No Answer

Petitioner Altagracia Cruz

Respondent 1 RHW

ADJ 4/19/17

Respondent 2

proper

Respondent 3

**HOUSING REPAIRS:  
718 923 8250**

1. NYCHA, to repair as per HPD inspectors report dated 2/14/17.

a) Mold - East wall room 1<sup>st</sup> from East, West Wall @ room 4<sup>th</sup> from East

b) Plaster - East wall @ room 1<sup>st</sup> from East, West wall @ room 4<sup>th</sup> from East

c) Leak bathroom wall - from bathroom next to apt

T initial Access 3/8/17  
Contact # (718) 855-7971

HRC# 718-923-8250 (11)

Gov

Altagracia Cruz  
Petitioner

HA

NYCHA

CIVIL COURT OF THE CITY OF NEW YORK

County of King  
Date 4/18/17 Part 4

Index No. L&T: 200013/17  
Page of  
Hon. Calabrese

Altagracia Cruz  
428 Columbia St #3B  
Brooklyn NY 11231 *against*  
Petitioner(s)  
RHW Respondent(s)

**STIPULATION OF SETTLEMENT**  
The parties understand that each party has the right to a trial, the right to see a Judge at any time and the right not to enter into a stipulation of settlement. However, after review of all the issues, the parties agree that they do not want to go to trial and instead agree to the following stipulation in settlement of the issues in this matter.

Party (please print)	Added/Amended or Deleted	Appearance	No Appearance	No Answer
Petitioner <u>Altagracia Cruz</u>				
Respondent 1 <u>RHW</u>				
Respondent 2	<u>5/10/17</u>			
Respondent 3				

1. NYCHA to complete the following remaining repairs

- a) Plaster - East wall @ room 1<sup>st</sup> from East, West wall @ room 4<sup>th</sup> from East - 5/3/17, including bedroom, living room & kitchen
- b) Leak - Bedroom wall - 5/18/17 - ~~5/18/17~~ 5/1/17
- c) Re-treat mold - 4/24/17

Access 4/24/17 - 5/1/17 5/3  
Contact # (718) 855-7971

HRC # 718-923-8250  
H.A.

Altagracia Cruz  
Petitioner

[Signature]  
NYCHA

HOUSING COURT

RED HOOK COURT OF THE CITY OF NEW YORK

Docket Number Arraignment Date Arraignment Judge

You are to appear in Court on 4-19-17 by 9:30 A.M. at Part APAR 6 AP Y 1 PART 88 PART 8 located at 88 VISITATION PL BROOKLYN

Your bail has been fixed at 11231 \$ Insurance Company Bail Bond or Cash Bail.

If you are released and you fail to appear at the time, date, and place indicated above, A Warrant for your Arrest will be issued. Your Bail, if any, will be forfeited. You may be charged with the crime of Bail Jumping.

If you are committed: You have the right to communicate with relatives or friends by letter or telephone free of charge. You have the right to the aid of counsel at every stage of the proceedings.

If you desire counsel and are financially unable to obtain counsel, counsel shall be assigned to you.

PLEASE BRING THIS NOTICE WITH YOU WHENEVER YOU APPEAR IN COURT.

CORTE RED HOOK DE LA CIUDAD DE NUEVA YORK

Numero de Inscripcion Fecha Juez

Usted debe comparecer en la corte en el 4-19-17 a las 9:30 A.M. en la Parte APAR 6 AP Y 1 situada en 88 VISITATION PL BROOKLYN PART 88 PART U

Se le ha fijado una fianza de 11231 un bono de \$ de una Compania Aseguradora. o \$ fianza en efectivo.

Si lo sueltan a Usted y Usted deja de comparecer a esa hora y fecha, y en el sitio indicado: Una Orden de Arresto sera expedida en contra suya. Su Fianza, si la hay, se perdera. Podria ser acusado del delito de haber violado las condiciones de su libertad.

Si lo encarcelan: Usted tiene el derecho de comunicarse con sus parientes o sus amigos por carta o por telefono gratis. Usted tiene el derecho a la ayuda de un abogado en cada etapa de los procedimientos.

Si Usted desea un abogado y sus condiciones economicas no le permiten obtener un abogado, se le asignara un abogado.

POR FAVOR TRAIGA ESTE AVISO CUANDO COMPAREZCA EN LA CORTE.

**RED HOOK COURT OF THE CITY OF NEW YORK**

Docket Number	Arraignment Date	Arraignment Judge
	5.10.17	APAR 6 AP Y 1 PART 80 PART U
You are to appear in Court on _____ by 9:30 A.M. at Part _____ located at		
<b>88 VISITATION PL BROOKLYN</b>		
11231	\$ _____	Insurance Company Bail Bond.
Your bail has been fixed at		or
	\$ _____	Cash Bail.

If you are released and you fail to appear at the time, date, and place indicated above,  
 A Warrant for your Arrest will be issued.  
 Your Bail, if any, will be forfeited.  
 You may be charged with the crime of Bail Jumping.

If you are committed:  
 You have the right to communicate with relatives or friends by letter or telephone free of charge.  
 You have the right to the aid of counsel at every stage of the proceedings.

If you desire counsel and are financially unable to obtain counsel, counsel shall be assigned to you.

**PLEASE BRING THIS NOTICE WITH YOU WHENEVER YOU APPEAR IN COURT.**

**CORTE RED HOOK DE LA CIUDAD DE NUEVA YORK**

Numero de Inscripcion	Fecha	Juez
		APAR 6 AP Y 1 PART 80 PART U
Usted debe comparecer en la corte en el _____ a las 9:30 A.M. en la Parte _____ situada en		
<b>88 VISITATION PL BROOKLYN</b>		
11231	un bono de \$ _____	de una Compania Aseguradora.
Se le ha fijado una fianza de	0	
	\$ _____	fianza en efectivo.

Si lo sueltan a Usted y Usted deja de comparecer a esa hora y fecha, y en el sitio indicado:  
 Una Orden de Arresto sera expedida en contra suya.  
 Su Fianza, si la hay, se perdera.  
 Podria ser acusado del delito de haber violado las condiciones de su libertad.

Si lo encarcelan:  
 Usted tiene el derecho de comunicarse con sus parientes o sus amigos por carta o por telefono gratis.  
 Usted tiene el derecho a la ayuda de un abogado en cada etapa de los procedimientos.

Si Usted desea un abogado y sus condiciones economicas no le permiten obtener un abogado, se le asignara un abogado.

**POR FAVOR TRAIGA ESTE AVISO CUANDO COMPAREZCA EN LA CORTE.**

for the record

Juana Narvaez, Testimony for May 2<sup>nd</sup> NYCHA Meeting. Recorded 4/28/17 at the RHI

My name is Juana Narvaez, and I have lived in the Red Hook Houses for 40 years. My apartment is 31 Center Mall, Apt 3D.

My bedroom and bathroom both had leaks coming from the ceiling for 2 years. About 1 year ago, I filed a ticket with NYCHA to address the leaks, and got no response. I went to court to try to get the problems acknowledged, and finally got a response. In October of 2016 I received letters saying that NYCHA would be "addressing the mold and mildew" and required access to my apartment. The first letter indicated that the date of this NYCHA visit would be October 7<sup>th</sup>, but no one showed up that day, so I went back to court and received the second letter indicating that the date of the NYCHA visit would be October 17<sup>th</sup>. Again, no one showed up on this day. I called the # that the court had given me for housing repairs (718) 923-8250, and spoke with them to arrange for someone to come. They came, and did some of the work required, including removing the moldy walls and putting in replacement walls.

At this time, however, the work was not, and is not finished, and I returned to court in December to follow up on NYCHA finishing the work (painting). I received a letter scheduling an appointment in January, but again no one showed up. I am left with unfinished, unpainted walls.

My request is that NYCHA shows up and finishes the work. The walls need to be painted. It's stressful to have to live with this unfinished work and to have to follow up with court appointments to try to get it addressed.

In the future, NYCHA needs to pay more attention, get things done in a timely fashion, and take responsibility for their actions without blaming tenants.

Thank you to the Council and the Chair



NEW YORK CITY HOUSING AUTHORITY  
Red Hook East Houses

---

62 Mill Street  
Brooklyn, NY -11231

Office (718)852-6771 Fax (718)522-5119

October 4, 2016

Juana Narvaez  
31 Centre Mall, Apt. 3D  
Brooklyn, NY 11231

Dear Resident:

We are in the process of addressing the mold and mildew in your apartment and require access to your apartment on **OCTOBER 7**, 2016 between 8am - 4pm. Also, make sure that you remove all items from the kitchen area so the work can be completed.

Please be advised that your Resident Lease Agreement provides that we have the right to enter your apartment to perform repairs.

Based upon the terms of your lease, we are providing you with advance notice that we will be exercising our right to enter your apartment on **OCTOBER 7**, 2016 between **8am-4pm** to perform repairs. If we do not gain access on **OCTOBER 7**, 2016, we will attempt to gain access to your apartment by drilling the cylinder for access. Your cooperation in this matter is greatly appreciated.

Management

THIS IS A MANDATORY APPOINTMENT AND MUST BE KEPT. If you cannot be home, please have someone 18/older to provide access.



NEW YORK CITY HOUSING AUTHORITY  
Red Hook East Houses

62 Mill Street  
Brooklyn, NY 11231

Office (718)852-6771 Fax (718)522-5119

*Jorge Hamar 10-17-16 Hora 1:26pm vino  
pregunta*

October 12, 2016

Juana Narvaez  
31 Centre Mall, Apt. 3D  
Brooklyn, NY 11231

Dear Resident:

We are in the process of addressing the mold and mildew in your apartment and require access to your apartment on **OCTOBER 17**, 2016 between 8am – 4pm. Also, make sure that you remove all items from the bedroom area so the work can be completed.

Please be advised that your Resident Lease Agreement provides that we have the right to enter your apartment to perform repairs.

Based upon the terms of your lease, we are providing you with advance notice that we will be exercising our right to enter your apartment on **OCTOBER 17**, 2016 between **8am-4pm** to perform repairs. If we do not gain access on **OCTOBER 17**, 2016, we will attempt to gain access to your apartment by drilling the cylinder for access. Your cooperation in this matter is greatly appreciated.

Management

**THIS IS A MANDATORY APPOINTMENT AND MUST BE KEPT. If you cannot be home, please have someone 18/older to provide access.**

CIVIL COURT OF THE CITY OF NEW YORK

County of KINGS

Date 10/12/16 Part 4

Index No. L&T: 200060/16

Page 1 of 1  
Hon. Calabrese

Juana Narvaez  
31 Centre Mall #3B Petitioner(s)  
BKLYN, NY 11231 against  
RHECHA Respondent(s)

STIPULATION OF SETTLEMENT

The parties understand that each party has the right to a trial, the right to see a Judge at any time and the right not to enter into a stipulation of settlement. However, after review of all the issues, the parties agree that they do not want to go to trial and instead agree to the following stipulation in settlement of the issues in this matter.

Party (please print)

Petitioner Juana Narvaez

Respondent 1 RHE

Respondent 2 \_\_\_\_\_

Respondent 3 \_\_\_\_\_

Added/Amended or Deleted \_\_\_\_\_

Appearance No Appearance No Answer

**HOUSING REPAIRS**  
**718 923 8250**

**718 923 8250**

**HOUSING REPAIRS**

1) NYCHA to repair as per HPD inspectors report dated 9/28/16.

a) Paint - Apartment

b) Remove illegal double cylinder key lock set @ entrance floor.

c) Repair kitchen window.

Initial Process 10/24

Contact # 917 776-0102

HRC 718 923-8250

So [unclear]

[Signature]

HA

[Signature]

NYCHA

Juana Narvaez  
Petitioner



NEW YORK CITY HOUSING AUTHORITY  
RED HOOK EAST  
62 MILL STREET, BROOKLYN, NY 11231  
718-852-6771

<http://nyc.gov/nycha>

NEW YORK CITY  
HOUSING  
AUTHORITY

SHOLA OLATOYE  
CHAIR AND CHIEF  
EXECUTIVE OFFICER

December 27, 2016

Juana Navarez  
31 Centre Mall, Apt. 3D  
Brooklyn, New York 11231

RE: Index # 200060/16

Dear Resident:

Please be advised that this notice is to advise you that NYCHA requires access to your apartment on January 3, 2017 from 8 am to 4 pm for the painters for the bedroom to make the necessary repairs that you requested as part of your stipulation.

If you are unable to be at the apartment, please have an adult, at least 18 years of age, to be in the apartment while the repair is being addressed.

Please feel free to contact the management office at 718-852-6771 to speak to your housing assistant.

Thank you for your attention.

Very truly yours,

Red Hook East Houses  
Management

*EB*

*Lunes*

*1-9-17 viernes*

CIVIL COURT OF THE CITY OF NEW YORK

County of Kings

Date December 7 Part U 43-3D

Index No. L&T: 200060/16

Page      of     

Hon. Calabrese

Juana Narvaez

Petitioner(s)

against

New York City Housing Authority

Respondent(s)

RHE

STIPULATION OF SETTLEMENT

The parties understand that each party has the right to a trial, the right to see a Judge at any time and the right not to enter into a stipulation of settlement. However, after review of all the issues, the parties agree that they do not want to go to trial and instead agree to the following stipulation in settlement of the issues in this matter.

Party (please print)

Added/Amended or Deleted

Appearance

No Appearance

No Answer

Petitioner

Juana Narvaez

Respondent 1

RHE

Respondent 2

Respondent 3

1. NYCHA to complete the following remaining repair  
1. Paint in Bedroom

Access - 12/22

Contact # (718) 855-8271

HRC # 718-923-8250

Juana Narvaez

Petitioner

HA

NYCHA

RED HOOK COURT OF THE CITY OF NEW YORK

Docket Number Arraignment Date Arraignment Judge
APAR 6
AP Y 1
PART 20
PART U
You are to appear in Court on by 9:30 A.M. at Part located at
88 VISITATION PL BROOKLYN
11231
Your bail has been fixed at \$ Insurance Company Bail Bond.
or
Cash Bail.

If you are released and you fail to appear at the time, date, and place indicated above,
A Warrant for your Arrest will be issued.
Your Bail, if any, will be forfeited.
You may be charged with the crime of Bail Jumping.

If you are committed:
You have the right to communicate with relatives or friends by letter or telephone free of charge.
You have the right to the aid of counsel at every stage of the proceedings.

If you desire counsel and are financially unable to obtain counsel, counsel shall be assigned to you.

PLEASE BRING THIS NOTICE WITH YOU WHENEVER YOU APPEAR IN COURT.

CORTE RED HOOK DE LA CIUDAD DE NUEVA YORK

Numero de Inscripcion Fecha Juez
APAR 6
AP Y 1
PART 20
PART U
Usted debe comparecer en la corte en el 12-07-16 a las 9:30 A.M. en la Parte situada en
88 VISITATION PL BROOKLYN
11231 un bono de \$ de una Compania Aseguradora.
Se le ha fijado una fianza de \$ fianza en efectivo.

Si lo sueltan a Usted y Usted deja de comparecer a esa hora y fecha, y en el sitio indicado:
Una Orden de Arresto sera expedida en contra suya.
Su Fianza, si la hay, se perdera.
Podria ser acusado del delito de haber violado las condiciones de su libertad.

Si lo encarcelan:
Usted tiene el derecho de comunicarse con sus parientes o sus amigos por carta o por telefono gratis.
Usted tiene el derecho a la ayuda de un abogado en cada etapa de los procedimientos.

Si Usted desea un abogado y sus condiciones economicas no le permiten obtener un abogado, se le asignara un abogado.

POR FAVOR TRAIGA ESTE AVISO CUANDO COMPAREZCA EN LA CORTE.



# NEW YORK CITY CENTRAL LABOR COUNCIL AFL-CIO

President  
**VINCENT ALVAREZ**

Secretary-Treasurer  
**JANELLA T. HINDS**



## Testimony in Support of Int. No. 978-A New York City Central Labor Council, AFL-CIO

### New York City Council Committee on Public Housing

May 2, 2017

Good afternoon, my name is Alex Gleason, and I am the Policy Associate at The New York City Central Labor Council, AFL-CIO. Comprised of 1.3 million workers across 300 affiliated unions, the Central Labor Council **strongly supports Int. No. 978-A**. Per research published by the American Academy of Allergy, Asthma, and Immunology, there is evidence mold causes adverse human health effects through three distinct mechanisms: (1) generation of a harmful immune response, (2) direct infection by the organism, and (3) toxic-irritant effects from mold byproducts<sup>1</sup>. This conclusion mirrors a report authored by the Institute of Medicine in conjunction with the Center for Disease Control, which found sufficient evidence<sup>2</sup> linking indoor mold exposure to upper respiratory tract (nasal and throat) issues, coughing, wheezing, and asthmatic symptoms<sup>3</sup>. With such overwhelming, credible evidence, it is clear New York City must act to protect workers, tenants, and building owners from dangerous mold.

The creation of a licensing system for mold abatement, assessment, and remediation gives the City a mechanism to enforce universal health and safety standards. A license guarantees a base standard of knowledge and experience to mitigate some of the hazards associated with long-term occupational exposure to mold. Under the Commissioner's review, the City and State can modify the coursework and training required for a license, which will give workers the most prudent skills necessary for the job, and mandates employers provide appropriate equipment.

The externalities of untreated mold can have dire consequences on communities, workers, and their families. The long-term consequences of developing asthma or other complications associated with occupational mold exposure can impede on quality of life and increase the cost of healthcare; this can be intimidating for working families struggling to get-by. Likewise, the long-run opportunity cost for a child exposed to mold (at school, at home, etcetera,) can be permanent. Research published in the *Journal for Clinical and Experimental Allergy* finds several different factors—mold spore concentration, temperature, and air circulation—can put children at risk of chronic respiratory problems later<sup>4</sup>; this will have a long-term opportunity cost and impact on a child's life. Understanding mold's danger, the City should do everything it can to curtail the problem.

Blatant adverse health effects to mold exposure require action to protect workers, tenants, and landlords. Int. No. 978-A implements commonsense solutions to ensure mold is entirely removed, and creates a system of accountability. Licensing is used in a myriad of professions spanning many industries—it makes sense to include workers dealing with hazardous conditions like mold. The New York City Central Labor Council strongly supports this important legislation, and encourages the City Council to pass this bill.

1 Bush, Robert K., MD, Jay M. Portnoy, MD, Andrew Saxon, MD, Abba I. Terr, MD, and Robert A. Wood, MD. "The Medical Effects of Mold Exposure." AAAAI. February 2006. Accessed April 14, 2016. <http://www.aaaai.org/Aaaai/media/MediaLibrary/PDF Documents/Practice and Parameters/Mold-2006.pdf>. Position Paper

2 In addition to symptoms with sufficient evidence, IOM also found limited or suggestive evidence of respiratory illness, as well as the development of asthma in susceptible persons, and in some cases even cancer.

3 Clark, Noreen M., PhD, and Et Al. *Damp Indoor Spaces and Health*. Page 253. Washington, DC: National Academies Press, 2004. Available for Download Here: [http://www.nap.edu/download.php?record\\_id=11011](http://www.nap.edu/download.php?record_id=11011)

4 Garrett, Rayment, Hooper, Abramson, and Hooper. "Indoor Airborne Fungal Spores, House Dampness and Associations with Environmental Factors and Respiratory Health in Children." *Clin Exp Allergy Clinical Experimental Allergy* 28, no. 4 (1998): 459-67. doi:10.1046/j.1365-2222.1998.00255.x.

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

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

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Dan Wiley

Address: Congresswoman Velazquez

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 978 Res. No. \_\_\_\_\_  
 in favor  in opposition

Date: 5/2/17

(PLEASE PRINT)

Name: Pat Roccell

Address: \_\_\_\_\_

I represent: Greater NY DECET

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

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

Date: 5/2/2017

(PLEASE PRINT)

Name: Jill Eisenhard

Address: 767 Hicks St. Brooklyn 11231

I represent: Red Hook Initiative

Address: jill@rhicenter.org

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

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

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

Date: 5/2/17

(PLEASE PRINT)

Name: MICHAEL J CAPUTO

Address: \_\_\_\_\_

I represent: ECA ENVIRONMENTAL CONSTRUCTION ASSC

Address: 261 W 35 ST NY NY 10001

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

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

Date: 5-2-17

(PLEASE PRINT)

Name: MORRIS NAPOLITANO

Address: 511 CANAL ST NY NY

I represent: ECA

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

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

*with community*  
Date: 5/2/17

(PLEASE PRINT)

Name: BOB AVALTRONI

Address: 152 DALTON AVE ST N.Y

I represent: ECA Advisor

Address: STAN 2

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

*w/consent* Date: \_\_\_\_\_

(PLEASE PRINT)

Name: MARK DROZDOV

Address: 39 W 37<sup>TH</sup> ST.

I represent: ECA

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 5-2-17.

(PLEASE PRINT)

Name: Karen Broughton

Address: 9 Lorraine Street, 3D

I represent: Assemblyman Felton W. Ortiz

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 978 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 5/2/17

(PLEASE PRINT)

Name: Dr. Jim Melius

Address: \_\_\_\_\_

I represent: NYS Laborers' Health & Safety Fund

Address: \_\_\_\_\_

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

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 978 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 5/2/17

(PLEASE PRINT)

Name: Wally Bazemore

Address: Re

I represent: Resident

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Michael Gilseman, Assistant Commissioner

Address: \_\_\_\_\_

I represent: DEP

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Michael Gilseman

Address: GILSEMAN

I represent: Assistant Commissioner

Address: NYC DEP

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

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Chris D'Andrea

Address: \_\_\_\_\_

I represent: DOHMH

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 978 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 5/2/17

(PLEASE PRINT)

Name: Mark Drozdov

Address: \_\_\_\_\_

I represent: CES Training Ctr

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Daniel - Carpenter

Address: \_\_\_\_\_

I represent: NYCPI

Address: \_\_\_\_\_

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

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Karen Blondel

Address: 444 Columbia St

I represent: ~~RBI~~ T3 - Turning the Tide

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Catherine Mc Bride

Address: 767 Hicks

I represent: RHI

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Sabine Aronowsky

Address: 671 Degraw

I represent: Fifth Ave Committee

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 978 Res. No. \_\_\_\_\_  
 in favor  in opposition

Date: 5/2/17

(PLEASE PRINT)

Name: Morris Napolitano Robert Alvarado

Address: and Michael Caputo

I represent: Environmental Contractors' Assoc.

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. 978A  
 in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Anne Valdez

Address: Coney Island

I represent: Community Voices Heard

Address: 4115 E 106th St

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

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

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Alisa Pizarro

Address: 80 Dwight St. 14G

I represent: Residents

Address: \_\_\_\_\_

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

**THE COUNCIL  
THE CITY OF NEW YORK**

*Appearance Card*

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

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Rebecca Fishburne

Address: 100 Dwight St

I represent: Residents

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

*Appearance Card*

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

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Sheryl Braxton

Address: 442 Columbia St apt 2C

I represent: Village of Red Hook

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

*Appearance Card*

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

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Deborah Goddard

Address: \_\_\_\_\_

I represent: NYCHA

Address: \_\_\_\_\_

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

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Brian Clarke, Senior VLT

Address: \_\_\_\_\_

I represent: NYCHA

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 5/2/17

(PLEASE PRINT)

Name: Ray Lopez

Address: 409 E 118th St NYC 10035

I represent: Manhattan Together

Address: 125 E 105th St NYC 10029

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Steve Edwards

Address: 51 Madison Avenue NY NY 10021

I represent: Baez class

Address: \_\_\_\_\_

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

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 978 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 5/2/17

(PLEASE PRINT)

Name: Dr. James Melius

Address: \_\_\_\_\_

I represent: Laborers Tri Fund

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 978 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 5/2/17

(PLEASE PRINT)

Name: Doan Brennan

Address: \_\_\_\_\_

I represent: Mason Tenders Training Fund

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 978 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 5/2/17

(PLEASE PRINT)

Name: Elison Sereno

Address: \_\_\_\_\_

I represent: Local 78

Address: \_\_\_\_\_

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

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 978 Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Harold Hefl

Address: \_\_\_\_\_

I represent: Annova / Redstone

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Shireen Razi Kermani, Senior Adviser

Address: \_\_\_\_\_

I represent: NYCHA

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: David Eric Finkler, General Counsel

Address: \_\_\_\_\_

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

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