

THE NEW FLINT



February 2018

The New Flint

Introduction

Over the years, the Independent Democratic Conference has been instrumental in exposing poor conditions found at New York City Housing Authority developments. Through various investigations, reports, and past legislation, the IDC has consistently detailed how NYCHA is the worst landlord in the city. We have continuously been at the forefront to hold NYCHA accountable by pushing common sense legislative solutions to address the mistreatment of NYCHA's residents. In the wake of the most recent revelations concerning public officials falsifying documents regarding lead paint inspections, the IDC is taking the lead to address the city's failure to protect its most vulnerable residents.

Lead poisoning occurs when lead accumulates in the body. Even trace amounts of lead exposure can lead to serious health problems. Children under the age of six are particularly vulnerable to lead poisoning, which severely affects mental and physical development. At high levels, lead poisoning can be lethal. Notably, lead-based paint and lead-contaminated dust in older buildings are the most common sources of lead poisoning in children. Other sources include contaminated air, water, and soil. Elevated blood-lead levels have plagued New York City's children for decades and in the most recent incident, the Department of Investigation announced that NYCHA falsely claimed to have performed years of requisite lead paint inspections, proving that this serious issue continues.

Key Findings

- Of those who had lead paint found in their homes, 79% responded that NYCHA did nothing to address the issue
- 80% of those surveyed responded that their children have not been tested for lead
- Of those who called NYCHA for repairs, 54% are still waiting for them to show up
- 63% of responders said they have chipped or peeling paint in their apartments
- Over 82% responded that NYCHA made no efforts to educate them about lead paint

Background on Lead Exposure in NYC

The threat of lead exposure is a historically recognized problem in New York City. In 2004, the city took action against the hazards of lead exposure and passed the Childhood Lead Poisoning Prevention Act (Local Law 1 of 2004). The law requires landlords to identify and remediate lead-

based paint hazards in the apartments of young children, using trained workers, and safe work practices. Lead-based paint is presumed to exist in a multiple-dwelling unit if:

- (1) The building was built before 1960 (or between 1960 and 1978 if the owner knows that there is lead-based paint); and
- (2) A child under the age of six lives in the apartment.

Property owners of buildings where lead-based paint is presumed to exist must follow certain protocols. These protocols include, first, investigating lead-based paint hazards throughout the premises. Second, landlords must remediate those hazards upon turnover of the apartment. Third, landlords must complete annual investigations of units where children under six reside. Finally, annual investigations of common areas in the property to find peeling paint, chewable surfaces, deteriorated sub-surfaces, and friction and impact surfaces are required.

Strikingly, in 2017, a city probe found that NYCHA stopped inspecting individual apartments pursuant to Local Law 1 in 2012. Between 2012 and 2016, these required inspections were not properly executed by NYCHA officials. However, during that time, NYCHA's former Chairman John Rhea, and current Chairwoman Shola Olatoye, signed off on documents filed with the U.S. Department of Housing and Urban Development certifying that they completed all necessary inspections. Specifically, it has been alleged that Chairwoman Olatoye became aware that the agency was not in compliance with the city's own lead-paint laws in April 2016 and with Federal laws in July 2016. Subsequently, despite knowing there were gaps in inspections, she signed off on the documents stating the agency was in compliance in October 2016.

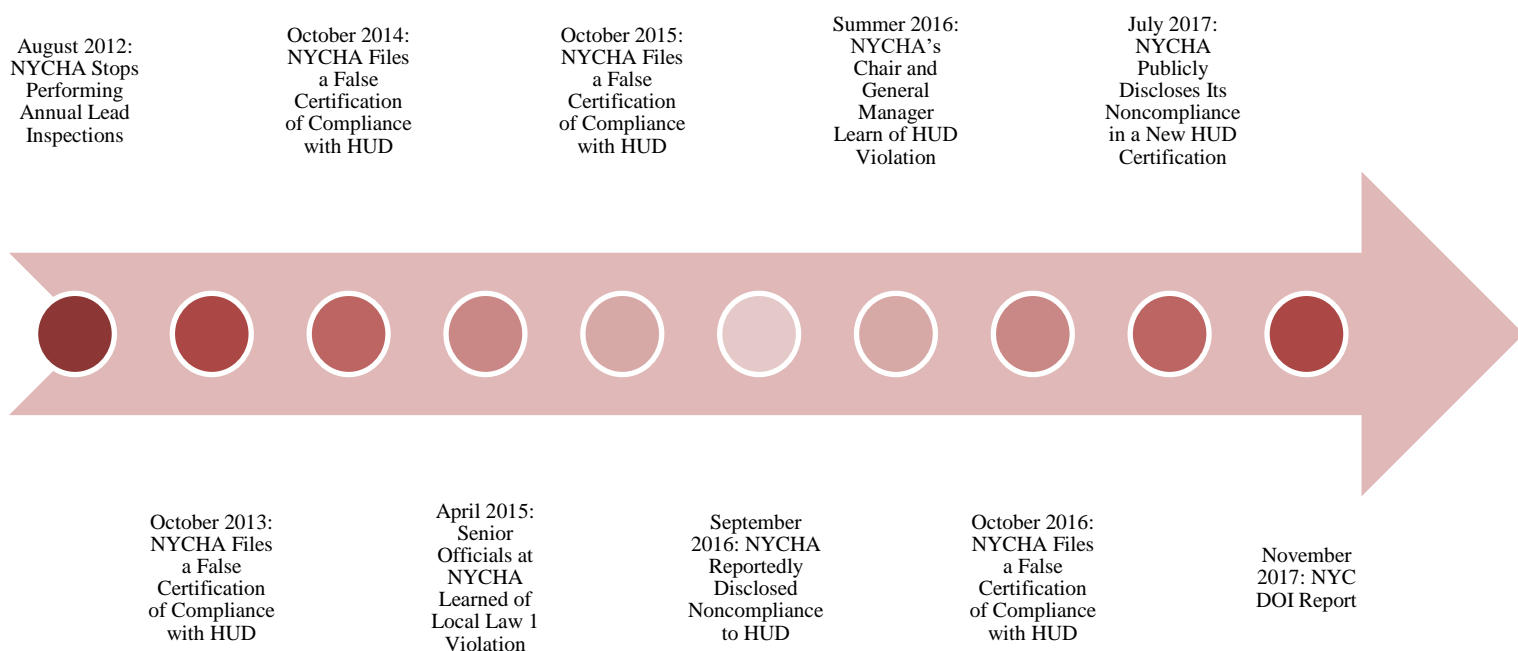
In November 2017, New York City's DOI revealed that NYCHA falsely claimed to have performed all requisite inspections over the course of several years. On November 30, Manhattan Federal Judge William Pauley ordered the Housing Authority to allow a lead paint expert monitor some of NYCHA's inspections. Attorney Corey Stern requested the order in conjunction with the class-action suit he filed on behalf of NYCHA-tenants targeting the authority's lead-paint inspection failures. Significantly, Corey Stern is the same attorney that brought the class-action suit in Flint, Michigan. The lead plaintiffs in the class action suit are two mothers of children living in NYCHA apartments who registered elevated blood-lead levels.

In 2017, news broke that NYCHA residents experienced substantial lead paint exposure. On December 5, Chairwoman Olatoye testified that visual inspections in 4,200 apartments were completed by workers who were certified by HUD. Even when the Chairwoman was asked directly, she affirmed that inspectors were certified with the proper HUD credentials. However, a report by DOI found that "none of the inspections were conducted by employees who NYCHA reported as having the HUD certification."¹

¹ New York Post, Michael Gartland *available at* <https://nypost.com/2018/01/23/nycha-head-gave-false-testimony-on-lead-paint-scandal-letter/>

NYCHA is being accused of falsifying reports about investigating for lead paint in its housing units. Because the public officials falsified these documents, thousands of children are at risk of being exposed to dangerous levels of lead-based paint. New York City is in a major crisis over how to remediate lead paint in public housing, test children for elevated blood-lead levels, and correct this enormous gap in holding public officials accountable for this huge lapse in judgment.

The following infographic represents the timeline of the NYCHA scandal. This shows that the cover-up occurred over a long period of time until DOI finally took notice and reported upon the neglect of the authority.



From Flint to NYCHA

New York City and Flint, Michigan both share similarities in the fact that individuals in public positions failed to properly act, consequently putting thousands at risk. In addition, those most impacted by these egregious oversights are mostly low-income and minority citizens. Advocates for Flint claim that if it had not been a predominantly African American city with 40% being low-income, then remedial efforts would have been expedited.² NYCHA residents are also low-income and predominantly minority. The most glaring difference here is when Flint, Michigan saw this

² <https://www.cnn.com/2016/01/26/us/flint-michigan-water-crisis-race-poverty/index.html>

extreme crisis, every household in America was talking about it and it received national news coverage. In response to the issue with NYCHA, not even all New Yorkers are aware of this issue.

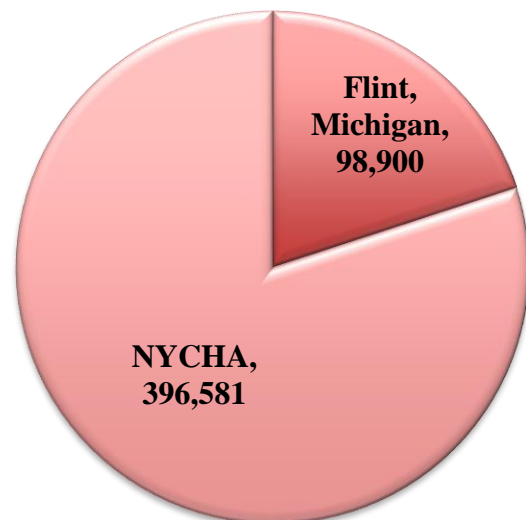
In Flint, Michigan as of 2014, the population was 98,900, whereas in New York City, NYCHA has 174,282 families and 396,581 authorized residents as of 2017. Meaning, more than three times the amount of our most vulnerable citizens are at risk of exposure compared to what America sees as one of the worst lead exposures in national history. What happened in Flint, Michigan was a crisis of extreme proportions. Merely looking at the possible number of impacted residents of Flint compared to NYCHA is why the IDC is calling this scandal The New Flint.

The Flint Water Crisis was one of the worst lead exposure issues our country has faced. In Flint, the water supply was severely contaminated by lead because of poor water treatment and unprotected pipes. About 100,000 people were exposed to dangerous levels of lead in their water.

From 1967 through 2014, the city of Flint contracted with Detroit Water and Sewerage Department (DWSW) for their water supply. Subsequently, Flint joined the Karegnondi Water Authority (KWA). However, the water supply pipeline was not projected to be operational until 2016. Therefore, Flint needed to secure a different water source. DWSW terminated the supply contract. Finally, in 2014, the city of Flint began using the Flint River as its primary water source, as a last resort.³

Shortly after, residents began complaining about the water quality. The Environmental Protection Agency (EPA) and Virginia Tech began water-testing in 2015 and found dangerously high levels of lead. A class-action lawsuit charged that the state was not treating the water with an anti-corrosive agent, in violation with federal law. Consequently, the water was eroding the iron water mains, turning the water brown. In addition, about 50% of the service lines to homes in Flint are made of lead. Because the water was not properly treated, lead began leaching into the water supply. New York City is now facing a similar dilemma with lead paint exposure in public housing. Clearly public

Possible Population Impacted



³ <https://www.cnn.com/2016/03/04/us/flint-water-crisis-fast-facts/index.html> Updated November 2017

authorities across the nation face the same issues with lead exposure and the failure to address them adequately. This demonstrates that New York State must spearhead the initiative to prevent another crisis like Flint, and now also NYCHA, from occurring again.

New York City's Response to NYCHA Lead-Paint Scandal

In regards to the NYCHA lead-paint scandal, New York City's response has been underwhelming, at best. Not only does Mayor Bill de Blasio continue to drag his feet with holding the authority accountable for misconduct, he also continues to defend Chairwoman Olatoye. For example, according to Politico, DOI sent a letter to Council Member Ritchie Torres stating that Olatoye "gave false testimony before the City Council about the type of training received by workers inspecting for lead at NYCHA apartments."⁴ The Mayor defended Olatoye by saying "I don't always believe the Department of Investigation has it right either."⁵

The only reasonable solution the city has offered is free blood lead level testing. On December 18, 2017 NYCHA and NYC Health and Hospitals announced that it will offer free blood lead level testing for the 3,000 children between the ages of 6 months to 8 years who live in the 2,300 developments that were painted in 2016 by workers without proper certification. The plan states that the authority will put a letter under every door and call each household offering information about how to schedule an appointment with NYC Health and Hospital locations across all five boroughs.

Alarming, very few children are actually being tested through this program. According to an article in the Wall Street Journal, "[m]ore than a month after New York City began offering free lead testing to nearly 3,000 children living in public housing apartments in the wake of a lead-paint scare, only 73 children have been tested under the initiative, city officials said."⁶ Clearly the city recognizes that testing these children is a major priority, however, the follow through of the plan does not exist.

An example of a successful outreach program is seen with Senator Hamilton's local free lead testing campaign in which he is sponsoring free lead testing for children, which was first offered between the months of December and January and then later extended into February due to its success. Hamilton's office partnered with Kāmin Health Urgent Care in Crown Heights and Empire City Laboratories to conduct the testing. In addition, this campaign has currently tested over 100 children through thoughtful community outreach and flexible time frames for testing. The IDC believes that stronger measures need to be taken regarding testing children's blood lead

⁴ Politico NY Dana Rubinstein and Brendan Cheney *available at* <https://www.politico.com/states/new-york/albany/story/2018/01/29/in-rhetoric-and-disrepair-nycha-is-de-blasios-mta-221677>

⁵ *Id.*

⁶ Wall Street Journal, *Mara Gay available at* <https://www.wsj.com/articles/few-children-take-free-lead-tests-offered-by-new-york-city-1516888800>

levels, including stricter requirements across the state. Without action being taken, and taken now, children will continue to live in risk of being exposed to lead paint in NYCHA buildings.

NYCHA Residents Take a Stand

Due to the city's lackluster efforts to address the issues at NYCHA, current residents have begun to take a stand on their own. A glaring example lies in a recent case in The Bronx. On January 29, 2018 Tiesha Jones was awarded \$57 million after a jury found that NYCHA was responsible for the elevated blood-lead levels in her daughter. Jones' daughter, Dakota Taylor, was four years old at the time her blood tested at nine times the acceptable lead level. Her blood registered a level of 45 micrograms per deciliter of lead.

Jones won her case after the DOI investigation found that NYCHA failed to conduct lead paint safety inspections. Notably, the jury took merely an hour to decide the case in her favor. Jones stated, "I want the Mayor to fire the Commissioner," referring to Chairwoman Olatoye. Dakota Taylor is now 12-years-old and is in special education classes, where she will remain for the rest of her life.⁷ Dakota Taylor is only one example of dire consequences lead poisoning can have on a child and it is likely that more families will be coming forward in regards to NYCHA's negligence.

Dangers of Lead Exposure

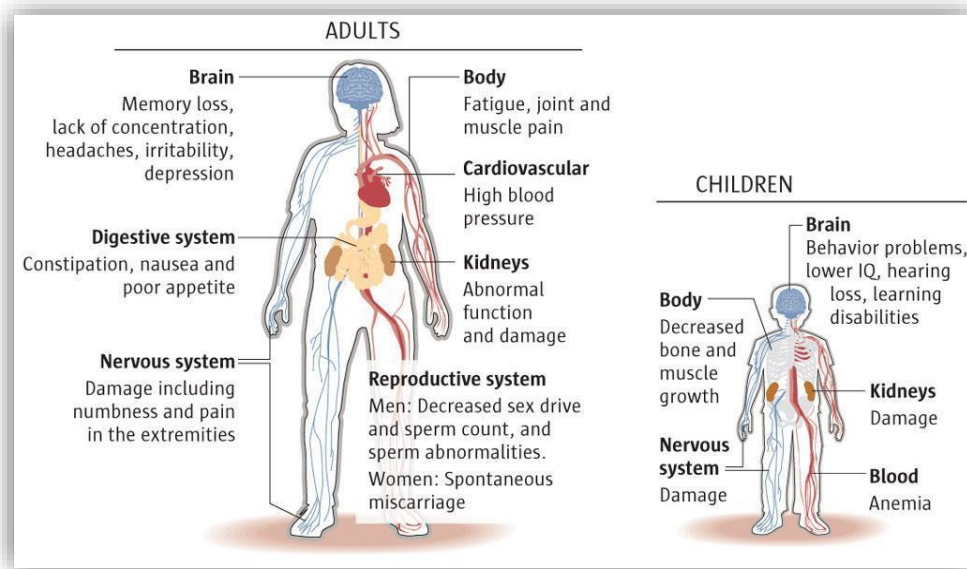
Over-exposure to lead is dangerous, and frightening, because lead poisoning can damage almost every organ in the human body. Even acute exposures can cause gastrointestinal disturbances, hepatic and renal damage, hypertension, and neurological effects that may be fatal. Children are at a higher risk regarding lead exposure; however, it is also dangerous for adults – especially pregnant women. In adults, lead poisoning can cause long term damage to the brain and the nervous system, the stomach, the kidneys, and reproductive organs. It can also lead to high blood pressure and have negative consequences for the entire body. Finally, when pregnant women are exposed to high levels of lead it can cause miscarriage, stillbirth, premature birth and low birth weight, and minor malformations.

If children are over exposed to lead and suffer from lead poisoning, they can be left with lifelong health issues. According to the World Health Organization (WHO), "young children absorb 4–5 times as much lead as adults (apart from pregnant women). Infants, young children (especially those less than 5 years of age) and pregnant women are most susceptible to the adverse effects of lead." The reasons children are more vulnerable to the adverse effects of lead exposure include: 1) the intake of lead per unit body weight is higher, 2) more dust may be ingested, 3) lead absorption

⁷ PIX 11 News Monica Morales *available at* <http://pix11.com/2018/01/29/bronx-mom-awarded-57-million-in-nycha-lead-lawsuit/>

in the gastrointestinal tract is higher, 4) the blood–brain barrier is not yet fully developed, and 5) neurological effects occur at lower levels than in adults.

Importantly, according to WHO, “[t]he most critical effect of lead in young children is that on the developing nervous system. Subtle effects on intelligence quotient (IQ) are expected from blood-lead levels at least *as low* as 5 µg/dl (50 µg/l), and the effects gradually increase with increasing levels of lead in blood.” Lead poisoning negatively affects growth and development. A child’s capability to learn, as well as their behavior, can be altered forever by even minimal levels of lead. At the most drastic levels, lead poisoning can cause seizures, comas, and death.



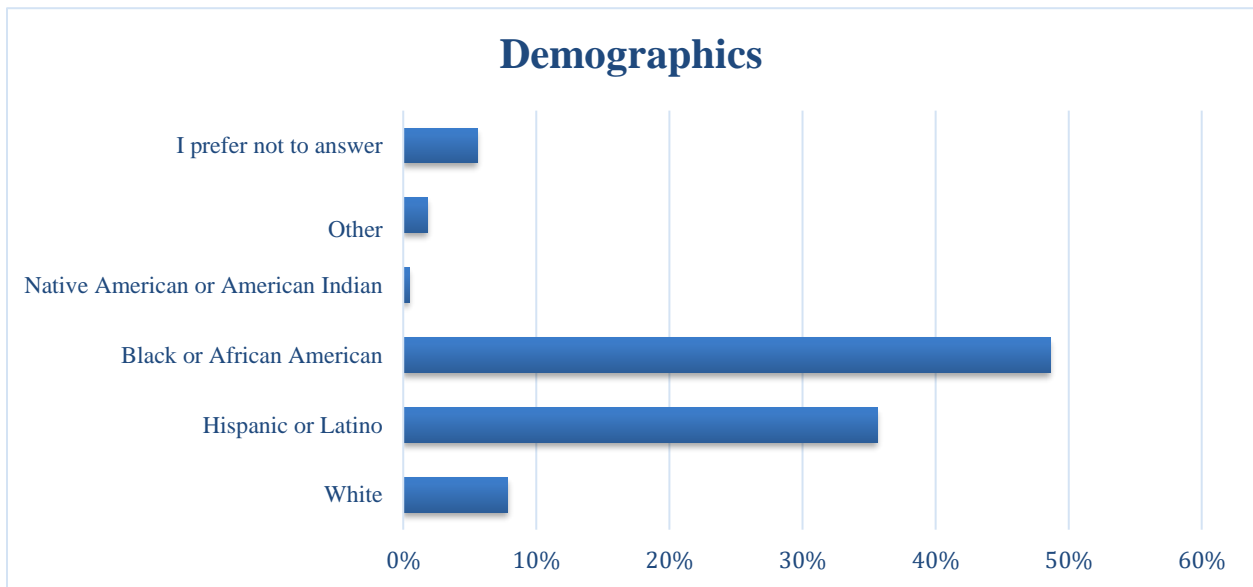
Lead poisoning is particularly terrifying because it often occurs without any obvious symptoms. With symptoms, at times being impossible to test, it makes it more important that our state takes action to properly abate and control environments that are particularly at risk for lead, such as old buildings.

Survey

The IDC recognized that NYCHA has been remiss in investigating or inspecting buildings for lead. Therefore, the IDC designed a survey for NYCHA residents about the conditions in their homes. Specifically, we looked at lead issues within their apartments and buildings. The survey asked about the conditions of the homes, time it took to respond to problems, and medical issues related to lead experienced by residents within the developments with potential lead issues. The survey was administered in person by staff members of the New York State Senate and was sent also to residents in all five boroughs. In total, we surveyed 227 NYCHA residents in all five boroughs..

Demographics

IDC staff surveyed a wide array of NYCHA residents in all five boroughs of the City. Of the residents surveyed, 8% were white, 36% were Hispanic or Latino, and 49% were Black or African American. Furthermore, 33% of the individuals surveyed were employed for wages, 32% were retired and 20% were unable to work.



NYCHA Remediation Efforts

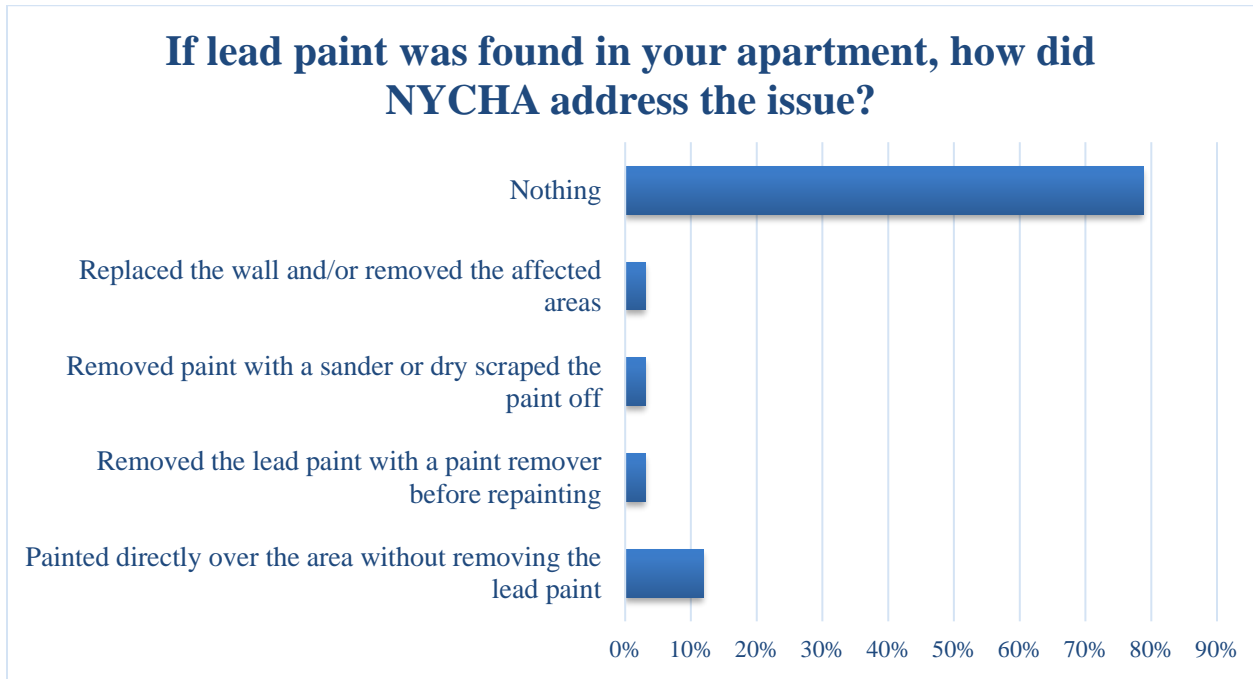
As we now know, NYCHA has failed to properly inspect units as required under law. Therefore, the IDC wanted to ask NYCHA residents directly to learn about their experiences with NYCHA. Clearly the authority failed to adequately inspect the developments, and the IDC spoke to the residents concerning NYCHA's remediation efforts, or lack thereof.

Under Local Law 1, it is presumed that lead-based paint exists in a multiple-dwelling unit if (1) a building is built prior to 1978 and (2) it is known that a child under six is living there. Through our survey, we asked whether there were children under the age of six living in the building AND if anyone inspected their building for either lead (or mold). Our results showed that 68% of buildings with children under six were not even visually inspected.

Conditions of the Apartments

A response that is often heard concerning NYCHA is their inability to answer and address complaints regarding a maintenance issues in a timely manner. This inability to properly address maintenance problems is one of the reasons why NYCHA residents are in their current

predicament. The IDC thus asked residents directly “**If lead paint was found in your apartment, how did NYCHA address the issue?**” The below chart shows how long residents have been waiting for NYCHA to fix these problems.

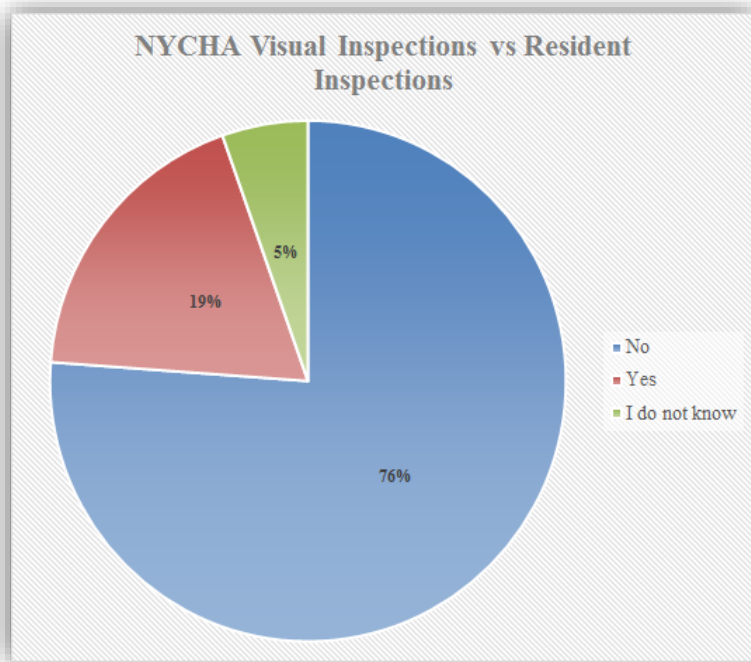


According to the IDC Lead Paint Survey, about 79% of residents who found lead paint in their home responded that NYCHA did “nothing” to address the issue. Lead paint abatement is the only way to remediate and protect children from further exposure. It is worrisome that the vast majority of those surveyed responded that NYCHA is openly neglecting their duty to repair these harmful issues.

One of the causes related to lead poisoning in children is ingesting paint chips or dust from peeling lead-based paint in residential buildings. While some people would not view chipped paint as a potential hazard, when combined with buildings that have not been properly inspected in years, paint chips can become an unforeseeable deadly hazard. Due to this concern, staff also asked residents “**Is the paint peeling or chipped on your walls or ceilings in your apartment or have you found paint chips?**” Almost 63% of respondents said that they found peeling or chipped paint on their walls or fallen paint chips.



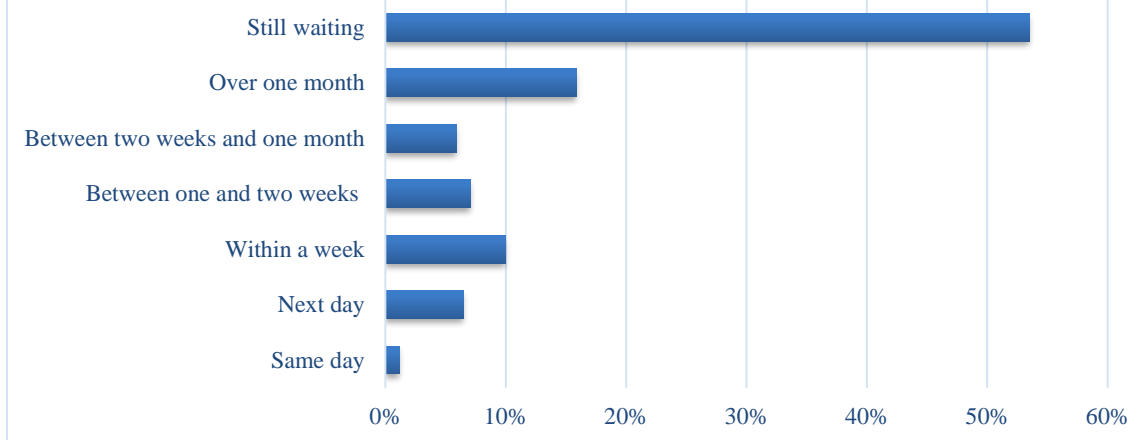
As seen from the photos above the problem of chipped paint is a serious issue. This degree of deterioration is a valid reason for maintenance to address a resident's problems, particularly in light of NYCHA's lead-paint neglect.



It is NYCHA's duty to complete visual inspections, especially when a resident complains about an issue. Our survey results found that due to their failure to oversee buildings properly, multiple homes where residents have reported chipped paint are failing to be inspected by the authority. Of the individuals surveyed, 76% of residents that have chipped paint in their homes have not had their homes officially inspected by NYCHA.

Furthermore, as seen by the chart below, over 54% of people surveyed by the IDC responded that they are still waiting for NYCHA to inspect and fix their issues. It is shocking to see so many people still waiting for NYCHA to take any action.

How long did it take for NYCHA to come and inspect and fix your issues?



Lead Screening for Children

As addressed earlier, one of the biggest concerns involving lead exposure are the health ramifications attached to it - especially when it concerns children. The IDC therefore asked survey takers that had children about problems they are noticing with children. The below chart shows the health and mental health issues children in NYCHA buildings with lead are facing.

Included in our survey were questions regarding behavioral and health issues facing children in these buildings. This is due to the fact that the children exposed to lead paint in NYCHA buildings have been experiencing an array of health issues that lead exposure typically causes. Without proper inspections by NYCHA, it is unknown what kind of long-term consequences these children will face.

In response to NYCHA's grave oversight, Senator Hamilton introduced S.6971 related to lead screening of children entering kindergarten, second, or fourth grade. The bill requires that any parent or guardian residing in a city with a population of one million or more must provide evidence that their child has been screened for lead. If no evidence exists, the elementary school must provide the parent or guardian with information on lead poisoning, lead poisoning prevention, and refer them to a primary care provider or local health care authority. The bill requires the health officer of the county of residence to perform the lead test if they are unable to obtain testing themselves. Finally, the bill requires the public health district to develop and implement a fee schedule for households with incomes in excess of 200% of the federal poverty level for lead screening.

Hamilton's bill aims to protect children past the current regulations of lead testing between ages 1-2. This would ensure that parents are aware of their children's lead levels for a longer period of time. In addition, this provides parents resources regarding the dangers of lead poisoning and how to prevent exposure.

Another issue the IDC's survey discovered is that over 61% of children under the age of six residing in NYCHA developments have not been tested for lead exposure to their knowledge. Under current law, every child under the age of two-years-old are required to be tested for elevated lead blood levels. In addition, if a child is on Medicaid, any child under the age of six is required to be tested for lead annually. This means that either these children are not being tested by their primary care physicians, or that they are not seeing their primary care physicians at all.

Historically, NYCHA has posed various issues for its residents. These include dismal living conditions, faulty wiring, lost heat or hot water during winter months, and untimely responses. The current lead-paint scandal is just one of the many issues NYCHA residents face. The IDC's survey shows the magnitude of the lead-paint scandal that is currently plaguing New York City.

Governor's Proposal

In the Governor's 2018 budget proposal he addressed the issue of safeguarding children across the state from exposure to lead paint. This move acknowledges the severity of lead-exposure in NYCHA developments because it addresses housing authorities specifically. The plan directs the Department of Health (DOH) and the New York State Homes and Community Renewal department to develop a system to ensure that all private landlords and housing authorities protect children against lead exposure. The plan also acknowledges that NYCHA failed to protect and abate lead paint in addition to failing to notify residents of the issue. Specifically, his plan includes updates to the current lead paint and fire codes in housing laws.

The plan aims to reduce the risk of exposure by strengthening lead paint regulations and requiring municipalities to report inspection and remediation outcome summaries to DOH. Additionally, the proposal requires state agencies to collaborate to verify inspection of residential and non-residential properties to further ensure that the requisite remediation measures help reduce the risk of lead exposure. The Governor's proposal complements the IDC's legislative solutions to increase lead abatement through the Repair Certificate Program, allow for expanded complaint reporting with the 311 Hotline, expand the notification process with the Occupant Protection Program, and protect children with extended multi-tiered screening options.

Legislative Solutions

Current Legislative Solutions

- S.1989 (Klein) - Requires City Council oversight of NYCHA
- S.1990 (Klein) - Enacts the Repair Certificate Program which gives zoning benefits to developers who make capital repairs to NYCHA
- S.5788 (Klein)- Requires an independent monitor for NYCHA buildings
- S.6805 (Alcantara)- Provides a real property tax abatement for voluntary lead paint removal
- S. 6971 (Hamilton) which requires evidence of lead screening of children entering kindergarten, second, or fourth grade to be provided to public schools
- S.7633 (Hamilton) Relates to New York City housing authority lead paint inspections and hiring tenants to repaint apartments.

Incentivize NYCHA Repairs and Lead Abatement

The Mayor's Housing Plan calls for upzoning large tracts in the five boroughs in exchange for deeper and wider affordability requirements. In many cases, such as Astoria Cove, further exactions are also secured, such as an investment in public transit infrastructure. The concept is simple: since upzoning creates significant value to the developers, the City is in a position to ask for substantial exactions in return. The IDC believes that private developers can assist NYCHA to expedite certain critical capital repairs. In order to give private developers an incentive to make these repairs faster, we plan to create a Repair Certificate Program.

With the extreme cuts to HUD on the federal level, now, more than ever, it is imperative that we enact the Repair Certificate Program in New York. On the federal level, Donald Trump's budget includes drastic cuts to public housing authorities and directly targets New York. The public operating funding would be cut by 37% under his plan. This falls particularly hard on New York because NYCHA receives about \$2 billion from federal funds. This could cost NYCHA \$466 million from the operating fund alone, in addition to the \$346 million from HUD's budget. These cuts are a direct attack on New Yorkers.

Additionally, the budget proposes to eliminate the cap on the Rental Assistance Demonstration (RAD) program and make it a permanent program. The FY 2017 omnibus spending law increased authorization from 185,000 public housing units to 225,000 public housing units and extended program authorization for public housing conversions to 2020. Furthermore, the request provides \$100 million incremental funding to facilitate such conversions and would authorize RAD conversions of Section 202 properties. It is anticipated that the FY 2018 omnibus spending bill

will also authorize RAD conversion of Section 202 properties, but it is unclear what, if any, incremental funding will be provided. Without action being taken, public housing will continue to fall into a disarray.

The IDC's proposal, **S.1990**, by Senator Klein, allows for private developers to conduct repairs directly at NYCHA, leveraging their expertise and efficiency with construction contracts. A NYCHA RFP takes 20 months on average, whereas private real-estate firms could complete the necessary service in a fraction of that time. How much money is raised for NYCHA repairs using this program would depend on how widely it was used, and the value of the increased development rights that developers would have access to. The IDC will also work with developers to identify training opportunities for NYCHA residents so that they can pursue meaningful careers.

The IDC also recognizes that to incentivize landlords to eradicate lead paint from dwellings, a system needs to be put in place to encourage them to act voluntarily. Therefore, Senator Alcantara proposed a bill, **S.6805**, to provide landlords a partial tax abatement of real property taxes if they remove or repair lead paint. Tax incentives are a successful tool to encourage private actors to implement safeguards for residents without harsh mandates.

Greater Oversight

The IDC believes that it is critical for NYCHA to submit itself to greater oversight. The IDC supports giving the New York City Council the power to demand and receive information from NYCHA, ensuring that the Authority's operations remain transparent (**S.1989**/Klein). It is also apparent that there needs to be an independent monitor put in place to oversee the city public housing authority, since the current oversight is not working. An Independent Monitor at the state level would provide the necessary checks and balances on NYCHA and would ensure that they are fulfilling all of their obligations to the public (**S.5788**/Klein).

In addition to addressing these issues particular to NYCHA, the IDC also recognizes that this is a statewide issue. Therefore, various pieces of legislation introduced by conference members are expanded to address the issue on a more global scale. For example, Senator Hamilton's bill, **S.7633**, requires that NYCHA submit an annual lead based paint report to the legislature. This transparency bill aims to address the current lead paint crisis through a comprehensive report of inspections on a yearly basis for more effective oversight. This bill will protect the general health and welfare of residents.

New IDC Proposals

- Requiring housing authorities to create an Occupant Protection Plan to protect the residents from exposure to any lead-based paint hazards through education and notification
- Requiring 311 to accept calls from NYCHA residents to report housing violations and other complaints
- Requiring multi-tiered follow up by primary care providers when screening children with elevated blood lead levels

NYCHA 311 Hotline

The IDC proposes legislation to require 311 to accept calls from NYCHA residents to report housing violations and other complaints. Currently, NYCHA administers its own hotline for tenant complaints. However, without public access to these complaints it is unclear how they are processed. By requiring 311 to establish a NYCHA hotline, residents will have a better opportunity to report issues, such as chipped or peeling paint, and the process will be recorded with public access. In addition, the complaints will be filed within the appropriate agency in a timely manner to ensure faster remedial efforts. Finally, by filing with 311, there will be an accessible public record of all NYCHA complaints.

Create the Occupant Protection Plan

The IDC recommends creating an Occupant Protection Plan to protect the building occupants from exposure to any lead-based paint hazards. The bill would require putting in place a plan for developments built on or prior to 1978, or when lead paint is otherwise found in a public housing authority development. The plan would require that such buildings be re-inspected for lead paint if they were inspected between 2012-2018. NYCHA must develop this plan within three months after it is enacted. Finally, the plans must be reviewed on an annual basis. The plan would include:

- (a) Notification to appropriate authorities
- (b) Notification to the inhabitants of the building
- (c) Information on how/where to get free lead exposure blood tests
- (d) Prevention methods that can be taken by the residents
- (e) Lead paint testing and removal schedule
- (f) All of the aforementioned information requirements shall be presented to residents in poster form and posted in a “conspicuous area”

Extended Multi-Tiered Follow-up Requirements

Children are at the highest risk when exposed to lead paint. Once exposed to dangerous levels of lead, there is no remediation available to help them. To ensure that our children continue to be safe, there must be multiple levels of follow up required by law to prevent further exposure. The IDC proposes a bill that will require multi-tiered follow up. First, the bill requires that primary care providers recommend follow up blood-lead level screening for children testing with elevated blood-lead levels of not less than 15 µg/l through 24.00 µg/l. Second, the bill requires that, automatically, if a child tests with a level of 25 µg/l, the state must ensure that a full environmental inspection of the child's home has been properly executed. If the state finds that the inspection has not been completed, the Department of Health must complete the inspection immediately.

Conclusion

NYCHA housing is the largest single collection of affordable apartments in New York City, which makes it a critical asset. Time and time again, New York City has seen these public houses deteriorate and cause serious harm to residents. NYCHA itself has been allowed to provide poor services to its tenants for too long. The IDC's NYCHA survey found that NYCHA continuously fails to address problems of NYCHA residents, does not educate NYCHA residents on lead, and seemingly also does not work with their residents when their are potentially risks of lead exposure.

The IDC is pushing for multiple proposals to give tenants a voice and protect children. By educating them about the serious health impacts of lead exposure, residents can help themselves as NYCHA continues to fall short. In addition, by continuing to test children, we will be able to protect them from these perils of lead exposure. The 311 Hotline will allow tenants to report these issues to an agency that is equipped to help, independent from the clearly corrupt NYCHA officials, and allow the city to have greater oversight over housing issues. The IDC stands ready to work with residents, advocates, fellow legislators and officials, and with NYCHA itself to ensure that we do everything necessary to protect our public housing. We will advocate for greater public investment to maintain, repair, and upgrade this critical public asset. It is now up to the state to take action to help protect the vulnerable populations and children living in NYCHA buildings.