



NEW YORK STATE SENATOR

Jeffrey D. Klein

New Scathing Report & Survey on Mold in NYCHA Unveiled by the Independent Democratic Conference, NYCHA Tenants & Advocates

JEFFREY D. KLEIN March 8, 2018

| ISSUE: [NYCHA](#), [INVESTIGATIONS](#), [PUBLIC HEALTH](#), [HOUSING](#)

While mold remains unabated, Senators fight for legislation to protect NYCHA tenants

New York, NY — Senators Jeff Klein (D-Bronx/Westchester) and Marisol Alcantara (D-Manhattan), joined by tenant leaders, NYCHA mold victims, the Citywide Council of Presidents, At Risk Community Services, the Black Institute and advocates, issued a new, disturbing report, “Break the Mold: Cleaning Up NYCHA’s Mess.”

This report comes on the heels of the Independent Democratic Conference’s report, “The New Flint,” which compared the lead scandal at NYCHA to the lead-water crisis in Flint, Michigan. The new investigation and survey looked at mold and lack of remediation efforts in NYCHA buildings across all five boroughs.

More than 59% of NYCHA residents surveyed said they had problems with mold, which could result in serious lung and respiratory problems.

“NYCHA lets our tenants live in the most squalid, unlivable conditions imaginable and we must stand up on behalf of the 400,000 people who live there and demand that they clean up their act. Mold, lead and leaks lead to serious health problems and NYCHA tenants, living in the city’s largest affordable housing stock, deserve better. These human rights violations will

not be tolerated and I will continue to fight for the safety and rights of these tenants,” **said Senator Klein.**

“The problems in NYCHA in multiple areas including lead paint, life-threatening mold, and failing boiler maintenance expose the complete culture change that is required at the agency. Public housing residents and elected officials alike deserve answers, not more of the same complacent attitude and disrespect which NYCHA officials have given them. My Occupant Protection Plan bill would require NYCHA to post signs when areas of lead poisoning are found, giving NYCHA residents the ability to take their own precautions and hold NYCHA accountable,” **said Senator Alcantara.**

The IDC surveyed NYCHA residents in all five boroughs regarding mold and the authority’s response.

Key Findings

59% of those surveyed reported that they have found mold in their apartment

56% reported that it took more than two weeks to respond, or never did respond

24% of those surveyed responded that it took management more than a month to remove the mold

24% responded that someone in their household suffers from asthma

52% responded that they have had or have leaking roofs, windows, or pipes that has caused water to leak into the apartment

Mold exposure, even at 24 to 48 hours, could result in health issues like itchy and watery eyes. Prolonged exposure leads to serious lung and respiratory problems, and exacerbates problems for asthma sufferers, making it important to remedy mold and the moisture issues that create mold immediately.

The Authority does not employ professionals trained in mold remediation, and had itself removed from a law that required certified workers perform such work. The IDC wants to close this loophole.

The IDC will be advocating for legislation for the state to declare a state of emergency at NYCHA and for design build in NYCHA buildings to expedite repairs.

The New York State Senate passed the IDC's legislation to install a state-appointed independent NYCHA Monitor, who would be a watchdog and ensure money invested in public housing is spent appropriately, this independent monitor would report to the Assembly, Senate and Governor.

Senator Klein would like residents to have input on the Independent Monitor's selection and called on the Council of Presidents to convene to discuss the selection of a candidate for the job.

To clean-up the mess NYCHA has left residents with the IDC has proposed a package of legislation including:

- **Closing the NYCHA Mold loophole** - NYCHA cut itself out of a law requiring certified professionals to abate mold. The IDC wants to close that loophole and mandate that licensed professionals perform mold remediation in NYCHA apartments.

- **City Council oversight** - The New York State Senate also passed legislation to increase transparency by empowering the New York City Council to get the information they seek from NYCHA when their members request it.
- **Requiring 311 to accept NYCHA complaints** - Currently NYHCA complaints are fielded directly by NYCHA and there is no public record or accountability. Requiring 311 to take and track complaints would provide transparency and allow residents to better track action.
- **The Repair Certificate Program** - With buildings in dire need of repair, we need experienced developers to make quality, expedited fixes. In exchange experts would receive zoning bonuses for other projects.
- **Lead Based Paint Reports** - This legislation would require NYCHA to submit lead based paint reports to the legislature, which would include valuable information on lead paint inspections by the authority.
- **Property tax abatements for lead removal** - This legislation incentivizes the removal of lead paint from buildings by providing owners with a tax abatement to keep their tenants safe.
- **Mandatory lead screening for children** - This legislation would require children to be screened for lead when they enter kindergarten, second or fourth grade.
- **Follow-ups for children who test for elevated blood levels** - Primary care physicians would be required to conduct follow-up tests to monitor blood lead levels if a child tests for elevated lead levels. In addition, the state must ensure there is a full environmental review of the child's home if elevated blood lead levels are found.

- **The Occupant Protection Plan** - Buildings inspected between 2012 and 2018 would have to be re-inspected for lead paint. All buildings constructed in 1978 or earlier would have to develop plans to protect occupants from the hazards of lead paint.

“What NYCHA is doing is simply HORRIFIC. Close to 400,000 low income and poor residents are being poisoned, and NYCHA is solely responsible for doing nothing and blatantly lying about this dire situation. Black and Brown people are suffering from this lead paint epidemic. TBI believes that these six (6) proposed legislative solutions are a very necessary step in the right direction to begin protecting the residents of NYCHA and we will be active in this ongoing fight to better the lives of all NYCHA residents,” **said Bertha Lewis, Founder of The Black Institute.**

“CCOP has heard the cries of the Residents of Public Housing and we will stand TOGETHER AND SPEAK IN ONE VOICE to say, ‘ENOUGH IS ENOUGH.’ We will not continue to sit by and accept the deplorable conditions that the Residents have been forced to endure for so many years. We the Residents of Public Housing are truly Living a tale of the Two Cities. However we too have a voice and we are speaking out,” **said Daniel Barber, Chair of the Citywide Council of Presidents.**

“The problems regarding NYCHA mold remediation are well known. This goes for mold as well as lead, vermin and a host of other issues the tenants are facing every day. The lawsuit that was jointly filed on behalf of At-Risk Community Services, Inc. and CCOP, against NYCHA, is specifically focused on getting them to step up and fix all of the things that are broken, including mold,” **said Elie Hecht, attorney-spokesman of At Risk Community Services.**

“With alarming frequency I hear about mold infestations throughout my development. Nobody should be subjected to these very avoidable conditions, and I'm thankful that Senator Klein and the IDC continue to expose this recurring problem. The next step to help alleviate this issue is to ensure certified professionals remediate the mold, which is exactly

what the legislation mentioned today aims to do,” said **Monique Johnson, President of Throggs Neck Resident Council**.

"The people who live in NYCHA housing are entitled to live in the same standards that those in Park Slope or on the Upper Eastside are entitled to. Gracie Mansion isn't complaining about mold issue nor should NYCHA residents," stated **Community Advocate Tony Herbert/Chair of The NAACP-NYCHA Branch's Citywide Civic Engagement Committee**.

RELATED LEGISLATION

2017-S1989

- Introduced
- - In Committee Assembly
 - In Committee Senate
- - On Floor Calendar Assembly
 - On Floor Calendar Senate
- - Passed Assembly
 - Passed Senate
- Delivered to Governor

- Signed By Governor

-

Authorizes the New York city council to oversee the activities of the New York city housing authority

January 11, 2017

In Assembly Committee

Sponsored by Jeffrey D. Klein

Do you support this bill?

2017-S5788

-
- Introduced
 - - In Committee Assembly
 - In Committee Senate
 - - On Floor Calendar Assembly
 - On Floor Calendar Senate
 - - Passed Assembly
 - Passed Senate
 - Delivered to Governor

- Signed By Governor

-

Establishes an office of independent monitor for the New York city housing authority, within the division of housing and community renewal, to oversee such authority

April 28, 2017

In Assembly Committee

Sponsored by **Jeffrey D. Klein**

Do you support this bill?

2017-S1990A

-
- Introduced
 - - In Committee Assembly
 - In Committee Senate
 - - On Floor Calendar Assembly
 - On Floor Calendar Senate
 - - Passed Assembly
 - Passed Senate
 - Delivered to Governor

- Signed By Governor

-

Establishes the New York city housing authority repair certificate program to grant zoning benefits to developers which perform capital repairs to housing projects

January 11, 2017

In Senate Committee [Rules](#)

Sponsored by [Jeffrey D. Klein](#)

Do you support this bill?

2017-S6805

-
- Introduced
 - - In Committee Assembly
 - In Committee Senate
 - - On Floor Calendar Assembly
 - On Floor Calendar Senate
 - - Passed Assembly
 - Passed Senate
 - Delivered to Governor

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-

Provides tax abatement related to the removal of leaded paint

June 19, 2017

In Senate Committee [Local Government](#)

Sponsored by [Marisol Alcantara](#)

Do you support this bill?

2017-S6971

- Introduced
- - In Committee Assembly
 - In Committee Senate
- - On Floor Calendar Assembly
 - On Floor Calendar Senate
- - Passed Assembly
 - Passed Senate
- Delivered to Governor
- Signed By Governor

-

Relates to lead screening and lead poisoning prevention; includes kindergarten students

December 15, 2017

In Senate Committee [Health](#)

Sponsored by [Jesse Hamilton](#)

Do you support this bill?

2017-S7633

- Introduced
- - In Committee Assembly
 - In Committee Senate
- - On Floor Calendar Assembly
 - On Floor Calendar Senate
- - Passed Assembly
 - Passed Senate
- Delivered to Governor
- Signed By Governor
-

Relates to New York city housing authority lead paint inspections and hiring tenants to repaint apartments; and makes an appropriation therefor

February 01, 2018

In Senate Committee [Finance](#)

Sponsored by [Jesse Hamilton](#)

Do you support this bill?