

# Ombudsperson Call Center Report – Q4 August 1, 2020 – October 31, 2020

STOUT RISIUS ROSS, LLC

*Baez, et al. v. New York City Housing Authority (NYCHA),*  
No. 13-cv-8916 (WHP)

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On April 17, 2014, Judge William H. Pauley of the United States District Court for the Southern District of New York (the “Court”) approved a consent decree obligating NYCHA to abate mold and excessive moisture and their root causes in a timely and effective manner (the “Consent Decree”). In July 2018, the Court approved the Revised Consent Decree, which among other things, included the appointment of an independent Ombudsperson.

On September 20, 2019, the Court appointed César de Castro as the Ombudsperson. Mr. de Castro has been approved to serve in this role through December 31, 2020, to address NYCHA residents’ complaints about leak, mold and excessive moisture repair orders. Included in the Order, the Court also appointed and directed Stout Risius Ross, LLC (“Stout”) to operate the Ombudsperson’s call center (“OCC”) for a period contemporaneous with that of the Ombudsperson’s appointment and to file quarterly reports with the Court.

The OCC and the Ombudsperson, working collaboratively with the *Baez* Plaintiffs, plaintiff organizations, the Special Master, the court-appointed Independent Data Analyst (“IDA”), the court-appointed Independent Mold Analyst (“IMA”) and NYCHA (collectively herein as the “Parties”), has been successful in its efforts to assist NYCHA residents with mold and leak related complaints and identify opportunities for systemic operational change at NYCHA. The OCC was developed to assist residents in situations where their mold and leak related complaints were not being adequately addressed or resolved by NYCHA. NYCHA residents can now reach an independent party which offers effective and empathetic listening, proactive communication and timely case management to ensure their complaint is addressed. Throughout this process, the OCC seeks to have resident complaints promptly resolved by NYCHA and works with NYCHA to use OCC resident complaints as opportunities to refine and transform its culture and operational responses.

The OCC launched on November 4, 2019. This report provides an update and overview of the OCC operations, activities and call center metrics for the fourth reporting period from August 1, 2020 through October 31, 2020 (“Quarter 4” or “Q4”).

Pursuant to the Court’s September 20, 2019 order, this report is filed independently from the Ombudsperson.

## I. Executive Summary

On March 12, 2020, New York City Mayor, Bill de Blasio, declared a state of emergency in response to the COVID-19 pandemic which remained in effect during the duration of Q4. During the COVID-19 pandemic NYCHA revised its work order guidelines for remediation of resident reported mold and emergency leak complaints.<sup>1</sup> Despite the COVID-19 pandemic, NYCHA was committed to continuing its operations to service resident reports of mold and severe leaks and the OCC remained operational across the entire NYCHA portfolio.

As of October 31, 2020, the OCC had assisted 4,415 NYCHA households with mold and leak related complaints.<sup>2</sup> The OCC has been found to be a very successful outlet for NYCHA residents to seek the help they need towards living in a healthier home, particularly during the COVID-19 pandemic.<sup>3</sup> The demand for OCC assistance increased 99% this quarter, due (in part) to:

- The completion of the portfolio-wide rollout of the OCC;
- NYCHA's challenges in responding to and remediating resident reported conditions in an expedited timeframe (due in part to the severity and complexity of the required repair work); and
- An increase of resident awareness about the OCC attributed to NYCHA's Customer Contact Center ("CCC") communications with residents reporting a complaint in regards to mold and other referrals (including word of mouth from NYCHA residents such as neighbors, NYCHA's Compliance department, tenant organizers, legal providers, the Federal Monitor team, 3-1-1, etc.).

At least 65% of the resident complaints received by the OCC in Q4 (from all 5 boroughs) reported severe conditions and/or lack of the necessary repair work.

- These include unresolved on-going leaks and/or severe mold, often times resulting in deteriorated walls, pest infestations, and unhealthy living conditions.
- For many of the reported complaints, residents were left with broken or missing fixtures such as sinks, cabinets, toilets, and/or showers or exposed holes in the wall due to wall breaks required to repair a leak.
- Many of the resident complaints received by the OCC require substantial repair work that requires scheduling of several appointments, follow-up communication, and quality assurance checks to ensure the work was successfully completed.

The independence of the OCC and the Ombudsperson has been and will continue to be an important element of the success of the OCC to ensure accountability by NYCHA to conduct the proper repair work and develop trust with residents to allow NYCHA to conduct the necessary repair work.

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<sup>1</sup> Refer to **Appendix C** for more information regarding NYCHA's COVID-19 guidance in relation to mold and leak work order remediation.

<sup>2</sup> Refer to **Figure 1** for the distribution of complaints by status.

<sup>3</sup> In Q4, over 500 residents reporting complaints to the OCC were living with respiratory health concerns that may have been caused by, or exasperated by, their current living conditions (as communicated by the residents).

See below for examples of the conditions originally reported by residents to the OCC in Q4. Progress has been made on each of these complaints, therefore, these pictures do not reflect current conditions.<sup>4</sup>



César de Castro, the Ombudsperson, has been actively involved in, and instrumental to the success of, the OCC. Mr. de Castro has been able to effectively communicate the significance of his appointment, the obligations he has under the Consent Decree, and the actions he can take if NYCHA does not use its best efforts to resolve resident complaints to the OCC. In Q4, the Ombudsperson emphasized the need for prompt responses from the development staff to assist and aid in the scheduling and completion of the necessary repair work. Additionally, he participated in dialogue with NYCHA regarding staffing limitations and impacts due to COVID-19 and need for proactive communication with residents to set reasonable expectations of repair activity.

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<sup>4</sup> Refer to **Exhibit 1** for additional pictures.

Key Highlights of NYCHA's Progress in Responding to Resident Mold and Leak Complaints in Q4:

- NYCHA's Office of Mold Assessment and Remediation ("OMAR") secured \$16 million of funding for vendor contracts to prioritize mold and leak related work (in lieu of hiring additional resources due to complications arising from COVID-19). As of the end of the quarter, OMAR retained 6 contracts with a total of 75 resources.
- NYCHA's Mold Response Unit ("MRU") hired 29 of the 30 Resident Community Associates ("RCA", previously referred to as Resident Communication Coordinators or "RC"s), which will better position NYCHA to offer a more-continuous level of prompt, detailed, resident-focused responsiveness to all complaints reported to the OCC.
- MRU created a formal and transparent process for NYCHA's management offices to identify developments with a lack of responsiveness in regard to its communication with MRU or its inability to prioritize OCC mold and leak related complaints and necessary repair work. This will offer transparency and individual accountability necessary to effectuate cultural change at NYCHA regarding prompt and effective mold and leak remediation.
- OMAR enlisted the court-appointed IDA to create and share a data platform for each development that provides data regarding OCC ticket activity (and escalations), reports of severe conditions, and metrics associated with open work order volumes and backlogs, showing a commitment to data strategy and to identify continuous opportunities for improvement.
- NYCHA's Compliance department (including various sub-groups regularly collaborated with the OCC, OMAR, and MRU to provide increased oversight of work order activity associated with mold and leak complaints to ensure that standard procedures are being followed and proper remediation steps are being taken.

If NYCHA is able to continue to make progress on the factors explained in **Section III** (below), it will be able to effectively reduce the number of resident reported complaints to the OCC.

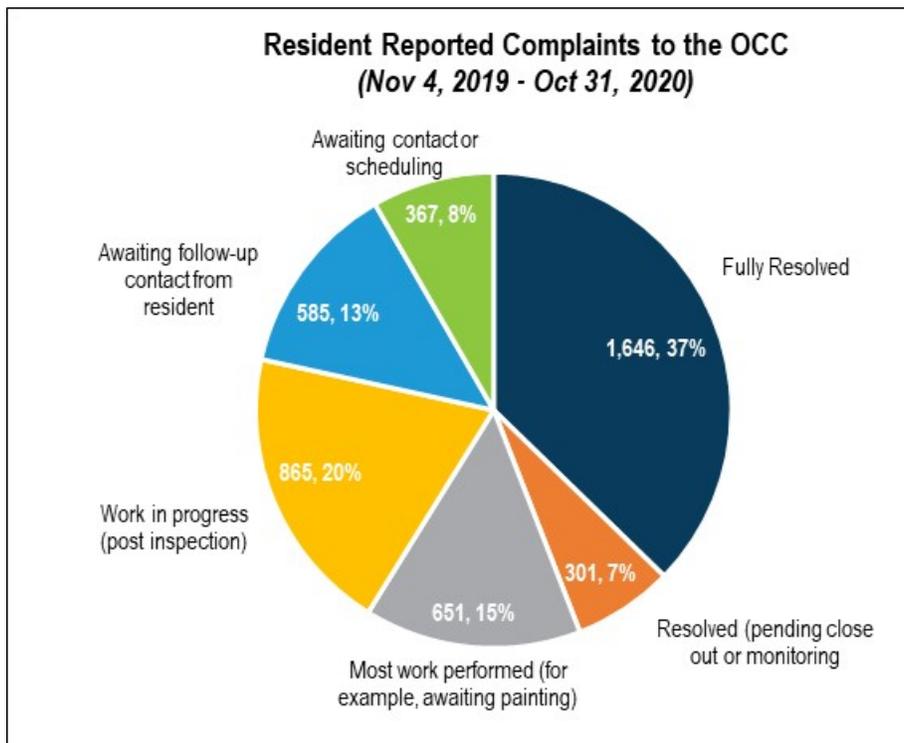
This will require substantial effort by NYCHA to better serve residents through effective resident communication, individual accountability and commitment to conduct the proper repair work (including effective and appropriate use of vendors to overcome staffing limitations or complex repairs) and a commitment to operational oversight via data strategy and operational processes.

## II. OCC Resident Complaint Metrics in Q4<sup>5</sup>

### A. Resident Reported Complaints to the OCC

Since the OCC launched in November 2019, the OCC has assisted 4,415 households across the entire portfolio. Figure 1 shows the distribution of resident complaints reported to the OCC, as of the end of the quarter.

Figure 1

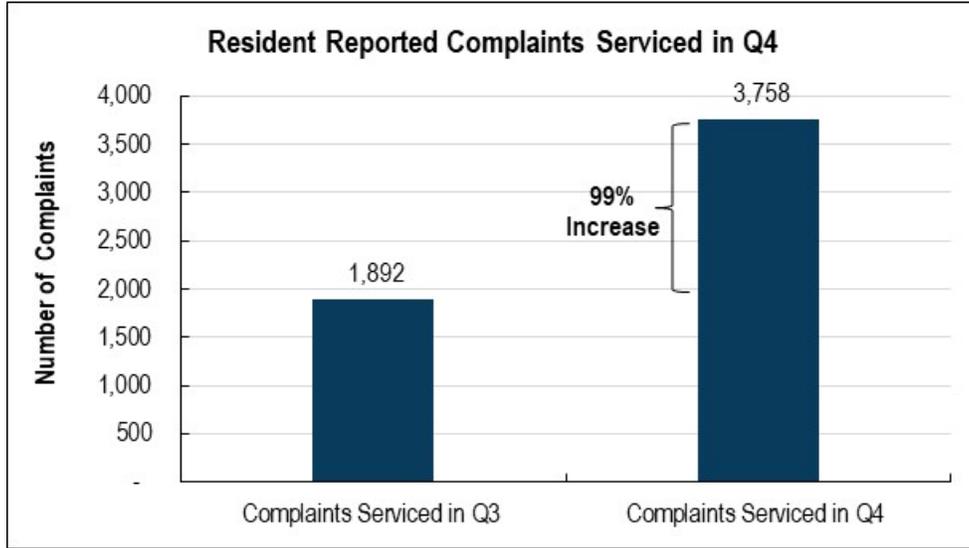


In Q4, there were 3,758 resident complaints worked on or “serviced” in the quarter, which were either open at the end of the prior quarter (1,617) or opened within the quarter (2,141). Of the 3,758 resident complaints serviced in the quarter, 1,169 were resolved in the quarter and 2,777 remained open (or unresolved) at the end of the quarter. Figure 2 shows the 99% increase in the number of resident mold and leak complaints reported to the OCC that were serviced in the quarter, from 1,892 in Q3 to 3,758 in Q4.

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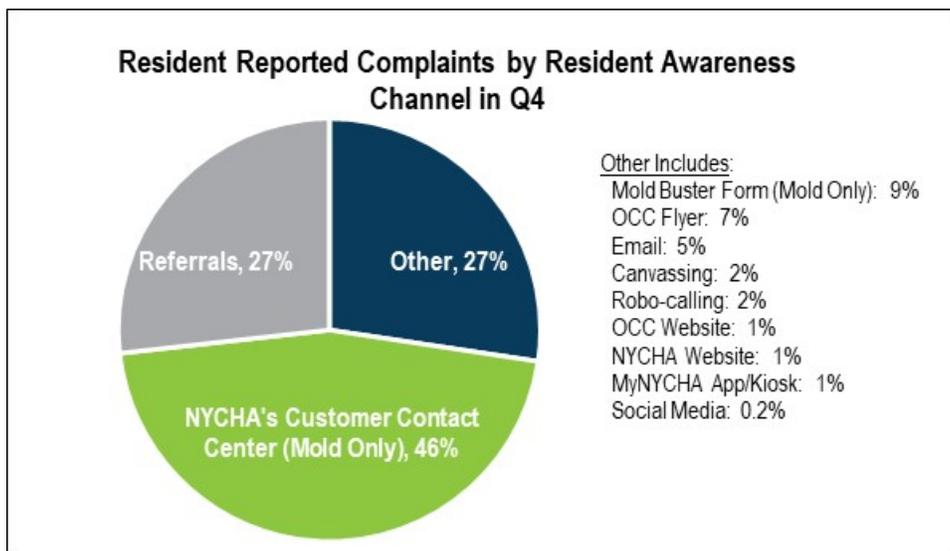
<sup>5</sup> Refer to **Exhibit 2** for the resident complaints to the OCC metrics for this quarter. The OCC evaluates call volumes, issues raised, escalations required, number of resident interactions, etc., to identify process refinement opportunities that could create operational improvements and efficiencies. Since adjustments to the data fields and methods of recording the data have been and continue to be modified and enhanced, it is possible that certain metrics are understated or not entirely representative of the actual activities conducted in the quarter. The OCC relies on MRU to populate the necessary data fields for MRU activity tracking. We have been informed that due to MRU staffing limitations and training of new resources, data fields were not always populated and therefore some reported metrics are likely understated.

Figure 2



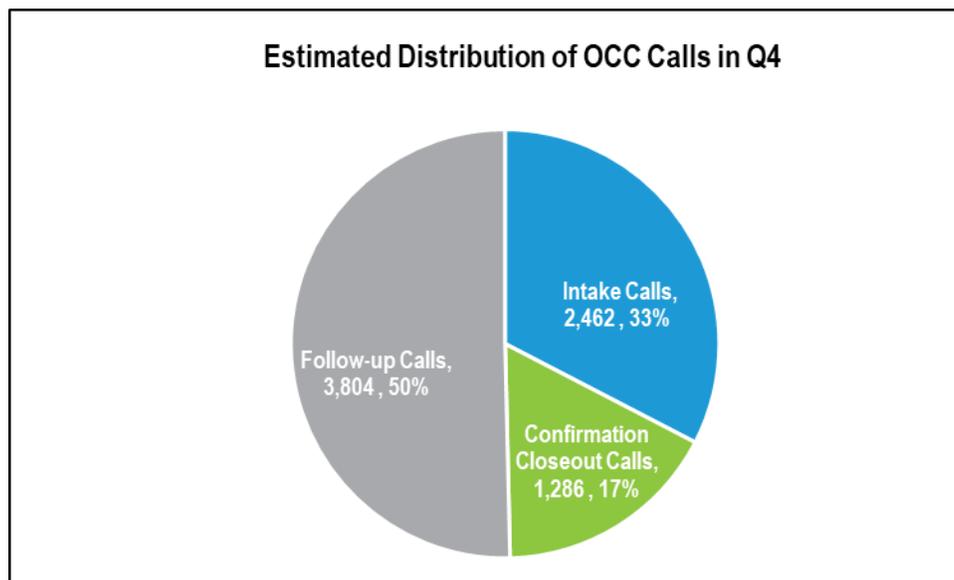
The number of new resident reported complaints to the OCC ranged from 129 to 202 per week, with an average of 153 per week (increase from 118 in Q3) or approximately 714 per month. Figure 3 shows the concentration (accounting for 73%) of reported complaints sourced from representatives that are aware of the OCC including CCC and Referrals such as from tenant organizers, the HUD Monitor, 3-1-1, NYCHA's Compliance department, and other residents. This is an indication that resident awareness of the OCC is likely low and further outreach by NYCHA is needed to increase resident awareness of the OCC, as discussed below. The other forms of targeted outreach including social media posts, flyering, canvassing robo-calls, email communication, mailers, etc., collectively accounted for the remaining 27% in Q4. NYCHA's Compliance department referred 42% (191 complaints) of its complaints related to mold and/or leaks to the OCC (increase from 43 complaints in Q3).

Figure 3



In Q4, the OCC had 7,552 calls with residents, an average of 120 calls per day (60 of which were follow-up calls for open complaints). Figure 4 shows the distribution of calls received in the quarter that were associated with conducting intake for a newly reported complaint or seeking confirmation that the work has been completed to the residents' satisfaction versus follow-up calls with residents. The residents are requested to follow-up with the NYCHA RCA for any follow-up questions about remediation activity or scheduling. However, the resident is also informed that they can follow-up with the OCC if they have any questions or concerns that the RCA could not appropriately address. Therefore, the OCC follow-up calls should be limited to a small percentage of calls where the resident is returning an OCC call for intake or confirmation of close out. In Q4, many residents contacted the OCC to indicate that they had not yet heard from the RCA or were unable to reach the RCA and wanted an update from the OCC. It is our understanding that these communication issues were due, in a large part, to RCA staffing limitations in Q4.<sup>6</sup> If NYCHA RCAs can more effectively and promptly communicate with residents, a significant proportion of the follow-up calls to the OCC can be prevented in Q5.

**Figure 4**



In Q4, there were resident reported complaints created in each borough grouping including: Brooklyn - 27%; Manhattan - 20%; NGO-1 - 17%; Bronx - 16%; Mixed Finance - 13%; and Queens/Staten Island - 7%. The distribution of languages included 86% of residents spoke English, 13% spoke Spanish, and 1% spoke other languages (including Russian and Chinese).

Of the resident complaints made to the OCC in Q4, 47% (compared to 40% in Q3) were associated with mold repairs, 17% (compared to 36% in Q3) were associated with leak repairs, 32% (compared to 21% in Q3) were associated with both leak and mold repairs, and 4% (compared to 3% in Q3) were associated with other repairs not directly associated with leak or mold (e.g, ceiling damaged or paint).<sup>7</sup> The increased mold related

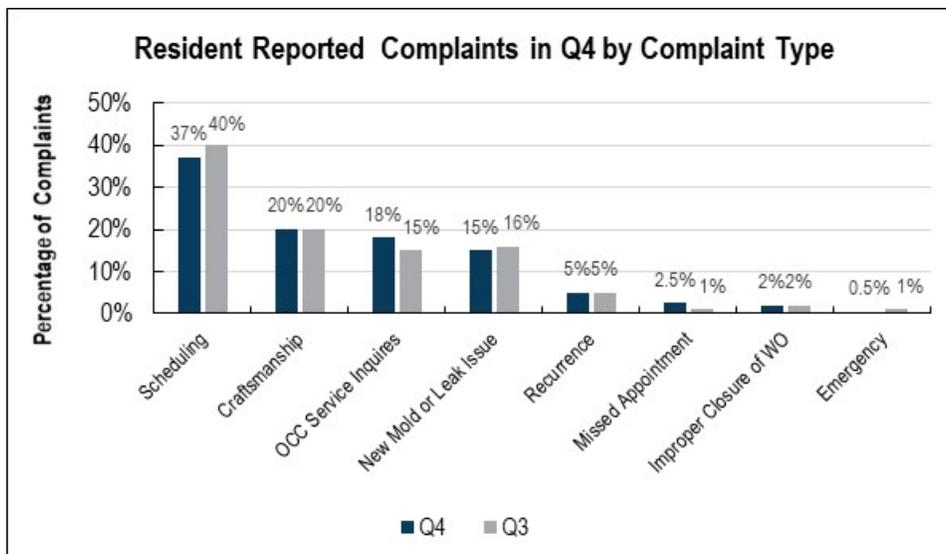
<sup>6</sup> Refer to **Section III** of this report for further information regarding NYCHA's efforts to address the staffing limitations of the RCA position.

<sup>7</sup> The reported work order type is determined after the inspections have been completed, therefore, all complaints filed in the quarter may not be included in this metric.

complaints is due (in larg part) to the NYCHA CCC informing residents of the OCC when they contact the office with a report of mold or excess moisture (rather than leaks).<sup>8</sup>

Figure 5 shows the distribution of resident complaints made to the OCC by initial complaint type in Q4. While the distribution below reflects the residents' initial complaint to the OCC, the OCC found that residents reporting complaints often had several open leak and mold related work orders needing repair (not all of which they were initially complaining about).

**Figure 5**



Many of the complaints received by the OCC involve reports of severe conditions, lack of proper repair work in the past, or complexities involving active lawsuits between the resident and NYCHA. These complaints often require substantial repair work that requires scheduling of several of appointments, interaction with a variety of departments within NYCHA, and quality assurance checks to ensure the work was successfully completed. In Q4 there were:<sup>9</sup>

- 602 resident complaints to the OCC where the resident reported over 20 Sq. Ft. of mold;
- 319 resident complaints to the OCC where the resident reported a severe and/or active leak;
- 147 resident complaints to the OCC where the resident reported an inoperable or missing sink, toilet, cabinet, etc.;
- 149 resident complaints to the OCC that required complex building line leak investigations;
- 254 resident complaints to the OCC that required work in other units in the building;
- 144 resident complaints to the OCC that involved poor ventilation in inspection findings for complaints of mold in the bathroom;
- 78 resident complaints to the OCC that required extensive exterior building repair work (54 required roof repair work and 24 required façade repair work); and

<sup>8</sup> The CCC does not currently advertise the OCC to residents that contact them with a report of a leak. Refer to **Section III** of this report for further information.

<sup>9</sup> Metrics include both resolved and unresolved complaints.

- 227 resident complaints to the OCC where the resident was also involved in a Court case against NYCHA.

As a result of the complexities and the required repair work, the following requests and activities were completed in Q4:<sup>10</sup>

- Recommended re-inspections of a work orders due to resident dissatisfaction of previous work performed for 382 resident complaints to the OCC;
- Conducted virtual inspections for 37 resident complaints to the OCC;
- Sought information or feedback from the Independent Mold Analyst for 5 resident complaints to the OCC;
- Recommended that NYCHA's Compliance department conduct a review or investigation into 44 resident complaints to the OCC of improper closure of work order(s) or reports of possible misconduct;
- Recommended that NYCHA have a 3<sup>rd</sup> party, independent of the development, attend an inspection due to conflict between the resident and the development staff for 11 resident complaints to the OCC;
- Used OMAR's vendor contracts for an inspection for 4 resident complaints to the OCC; and
- Requested an immediate (urgent) action taken for 80 resident complaints to the OCC (e.g., abate flooding conditions, immediate temporary repair, etc.).

In Q4, nearly 20% of resident complaints to the OCC (over 700) experienced delays in work order inspection or remediation activities due to COVID-19 (compared to 15% in Q3), as described below.<sup>11</sup>

- Delay in complete remediation due to COVID-19 work order guidance and related limitations of in unit work, materials or PPE constraints – 455 resident complaints to the OCC;
- Work order placed in 'Temporary Deferred' status or resident requested delay of work – 211 resident complaints to the OCC; and
- Delay in work due to development staffing constraints (and/or missed appointments) – 45 resident complaints to the OCC.

## **B. OCC Escalations and Resident Reported Complaints Requiring the Ombudsperson**

In Q4, the OCC was able to service 1,340 (or 36%) resident reported complaints without the assistance of MRU (compared to 46% in Q3) due to the nature of the complaints (such as providing the resident with an upcoming scheduling date that has already been set). MRU was required to assist with the remaining 2,418 (or 64%) complaints serviced in the quarter, due to the complaints involving requests for assistance from various NYCHA departments.

Of the 2,418 resident complaints to the OCC that required MRU's assistance, the OCC monitored the complaint activity to ensure the RCA communicated with the resident and scheduled the necessary inspection(s) and repair work. The OCC requested that the RCA reach out to the resident within 1-business day of assignment to the RCA and schedule the next step within 2-business days after speaking to the resident (or a later agreed upon time with the resident). If the OCC did not receive an update of progress

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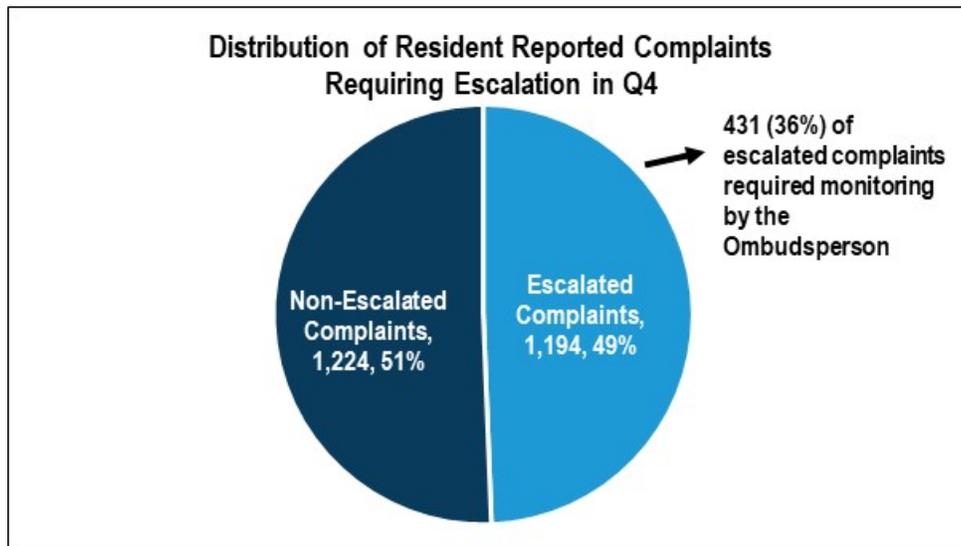
<sup>10</sup> Metrics include both resolved and unresolved complaints.

<sup>11</sup> Metrics include both resolved and unresolved complaints. "Work orders placed in temporary deferred status" are those that are not within NYCHA's current COVID-19 work order guidance.

made or received a follow-up call from a resident regarding a lack of responsiveness, the OCC would “escalate” the complaint by informing the RCA assigned to the complaint and MRU. The OCC would also escalate resident reported complaints that involved reports of severe conditions such as a flooding condition, mold growth of greater than 20 sq. ft., mold or leak issues involving several rooms of the unit, or other possible health hazards that did not indicate progress. That is, an escalation of a resident reported complaint was triggered by severe conditions, lack of MRU responsiveness to the resident, or lack of scheduling or progress by the development.

In Q4, the OCC escalated 1,194 resident reported complaints to MRU. As shown in Figure 6, this accounted for nearly 50% of complaints serviced in the quarter. Of the 1,194 escalated complaints, there were over 430 that required escalation more than once and were placed under monitoring through the Ombudsperson. These resident reported complaints required immediate action by NYCHA and frequent updates on the progress made or information regarding why such progress was not attainable. Those complaints were overseen by OMAR and required extensive conversations with the developments and management staff to ensure progress was made. Even under close monitoring and reporting to the Ombudsperson, it took over 6 weeks to get those complaints all back on track with scheduling dates and remediation plans. If NYCHA can more effectively and promptly communicate with residents and conduct the necessary repair work in a reasonable period of time, a significant proportion of the follow-up communication and administrative burden can be prevented in Q5.

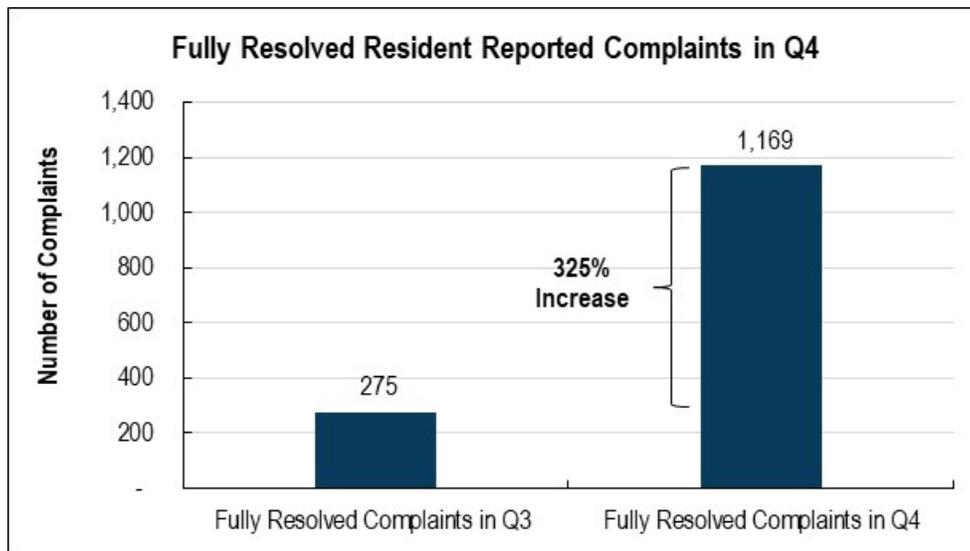
**Figure 6**



### C. Resolved Resident Reported Complaints to the OCC

There were 1,169 resident reported complaints in Q4 that were fully resolved (31% of complaints serviced within the quarter) in Q4. As shown in Figure 7, fully resolved resident reported complaints increased 325% quarter over quarter.

Figure 7



Additionally, there were 301 resident reported complaints that were resolved (pending resident confirmation) and 333 resident reported complaints that were placed on-hold (due to remaining work being outside of NYCHA's work order guidance due to COVID-19). In total, 1,803 resident reported complaints were resolved, accounting for nearly 50% of the complaints serviced within the quarter.

Of the 1,169 fully resolved resident reported complaints, the resolution type included:

- Remediation completed for reported mold or leak issue – 71% (compare to 73% in Q3);
- Responded to resident questions (or assistance in opening a work order ticket with NYCHA) – 26% (compare to 23% in Q3); and
  - This increase was due to (in part) to increased volumes of improper referrals to the OCC from CCC, which is discussed later in this report.
- Referred to NYCHA's Compliance department or the resident was relocated – 3% (compared to 4% in Q3).

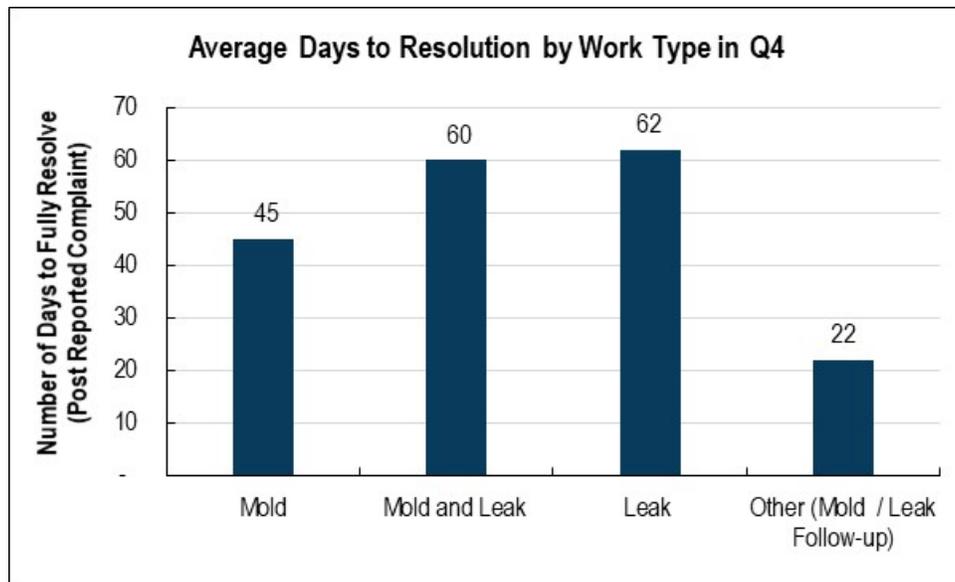
Of the resolved resident reported complaints in Q4, the overall average number of days to resolve a complaint was 31 days (as compared to 29 days in Q3). Nearly 32% of all resolved resident reported complaints were closed within 1 day, 14% within one week, 21% within a month, and 33% over 30 days.

- NYCHA's COVID-19 work order guidance has (and will continue to) impact the number of days to resolve resident reported complaints in situations when the only remaining work is outside of NYCHA's current work order guidance due to COVID-19 (e.g., painting or non-emergency leak).
- The OCC observed that resident reported complaints involving extensive repair work within in several rooms within the unit (where resident relocation may be required) took over 80 days to resolve (on average).

- The OCC also observed residents' requests for advanced scheduling to accommodate their work schedules and concerns regarding COVID-19 contributed to the timeframe for resolution.
- The OCC and MRU also observed staffing limitations in certain developments that required scheduling delays of 2+ weeks. The OCC found that so long as the resident was informed of the next scheduling date and the reason for the delay, they did not raise a concern as to the proposed timing of remediation activities, particularly once the mold cleaning or immediate leak issue had been resolved and only follow-up work was required (e.g., painting).

As shown in Figure 8, resolved resident reported complaints regarding leak work required the longest time to resolve (on average 62 days). Many of these complaints required leak inspections to identify the root cause (involving other units within the building) and remediation activities that included multiple skilled trade workers (e.g., maintenance, plumber, plaster, painter) and multiple visits to the unit to complete the repair.

**Figure 8**



#### D. Feedback From Residents

The OCC received positive feedback, gratitude and appreciation from nearly 70 residents throughout the quarter, as highlighted (and paraphrased) in Figure 9.

Figure 9

- ***“I am so thankful for the OCC, the work was done the correct way this time! If it wasn’t for your office they would have just plastered and within a week it would be leaking again.”;***
- ***“The plumber came over to my apartment and did a great job fixing the leaking problem. The leaking was causing me problems for half a year and it was finally fixed. If the previous workers that came before him had done a job as good as he just did, the leaking would not have grown to be such a big problem. I was very worried about the dangers of the unsanitary leaking, especially because of COVID-19. Thank you and everyone who was involved in helping me solve this problem.”;***
- ***“Once the OCC got involved the remediation went quickly”;***
- ***“Without the OCC the work wouldn’t have been completed. Please keep helping us!”;***
- ***“I am very pleased with the work that NYCHA did, the paint work even matched. Thank you so much!”;***
- ***“I know people that have waited 2 years for similar work that you guys help push to be completed in a few months. I am so thankful.”; and***
- ***“I really appreciate all you guys, cause you don’t really understand how long I have been dealing with these issues.”***

#### E. Unresolved Resident Reported Complaints to the OCC

There were 2,777 resident complaints to the OCC in Q4 that were unresolved by the end of the quarter, of which 49% were created in the quarter (as shown in Figure 10).<sup>12</sup> Of the unresolved resident reported complaints in Q4, the overall average number of days open was 87 days at the end of the quarter (which was impacted by NYCHA’s COVID-19 work order guidance).

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<sup>12</sup> Unresolved resident reported complaints to the OCC created prior to Q3 (6%) are complex complaints requiring monitoring for relocation, complex repair work being conducted by a vendor, or are delayed due to a resident’s request. The Ombudsperson is monitoring the activity associated with some of these complaints.

Figure 10

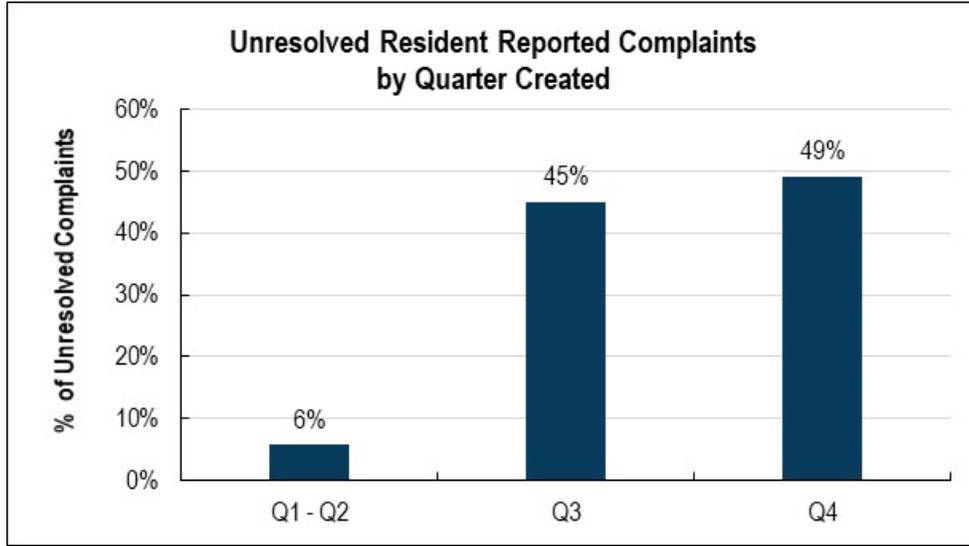
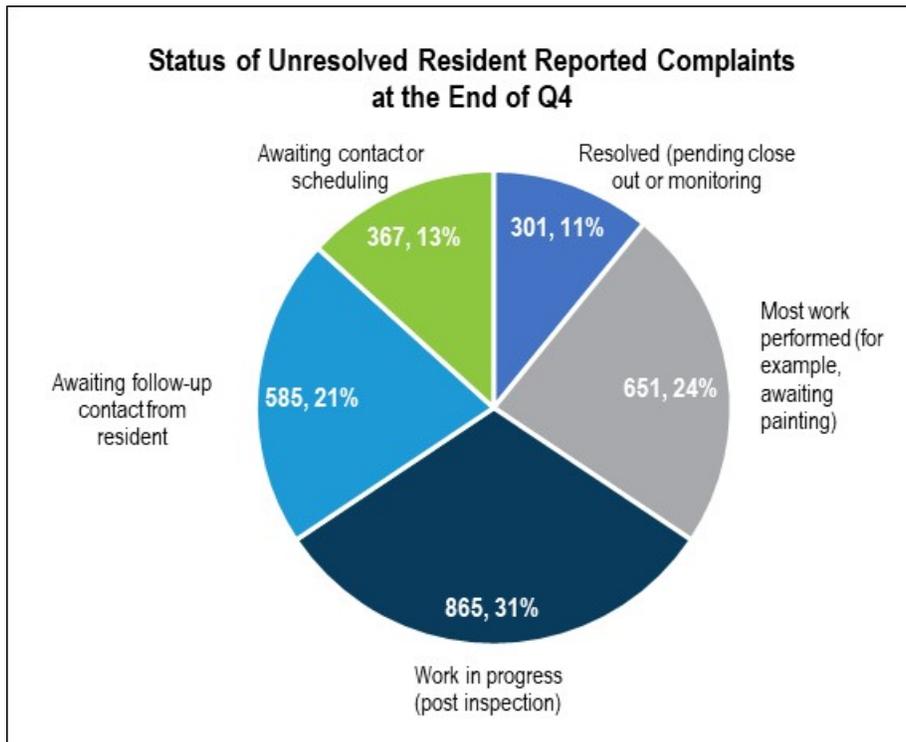


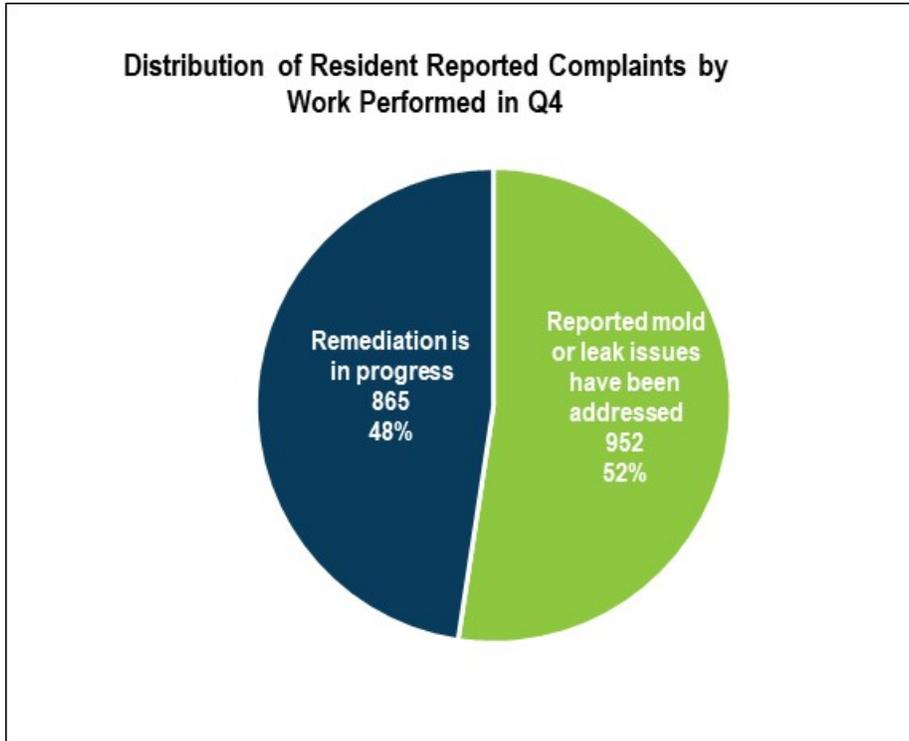
Figure 11 shows the status of unresolved resident reported complaints to the OCC at the end of the quarter, of which 21% were awaiting follow-up contact from the resident to finalize the intake process with the OCC or NYCHA, 13% were awaiting scheduling contact or scheduling of their inspection, and the remaining 66% had activity occurred (e.g., inspection has been completed and remediation plan has been created).

Figure 11



Of the 66% of unresolved resident reported complaints where activity has occurred, over 950 complaints (or 52%) have had the mold or leak issue resolved, with only follow-up work remaining, as shown in Figure 12.

**Figure 12**



### III. Factors Necessary For Continued Success

#### A. NYCHA's Responsiveness to Resident Complaints to the OCC

The OCC was developed to assist residents in situations where their mold and leak related complaints were not being adequately addressed or resolved by NYCHA. The OCC interacts directly with NYCHA's MRU to assist in the facilitation and scheduling of inspections, the creation of the remediation plan, and scheduling of the repair work. For all resident complaints to the OCC where a resident has had an open mold or leak work order for more than 7 or 15 days (depending on the repair) prior to contacting the OCC, a RCA is assigned to the resident to ensure proper levels of communication and case management.<sup>13</sup> The OCC relies on MRU to provide prompt, resident-focused responses to all resident complaints to the OCC throughout the complaint process and ensure that the resident is being informed of progress on their ticket. The OCC monitors the complaint and remains available to assist the resident if they have any questions or concerns that the RCA cannot address. MRU must interact with various stakeholders at NYCHA for each complaint (such as property management staff, borough schedulers, skilled trade management staff, NYCHA's Legal Department, vendors, labor workers, etc.). To effectively resolve resident complaints to the OCC, a continuous level of prompt, detailed, resident-focused responsiveness to all resident reported complaints is required from both MRU and the various stakeholders MRU interacts with. In addition, the RCA must provide the OCC responses to questions raised during intake and maintain a log of recent activity, including the root cause of the issue, the remediation plan, and upcoming scheduling dates.<sup>14</sup>

#### OCC Interaction with MRU

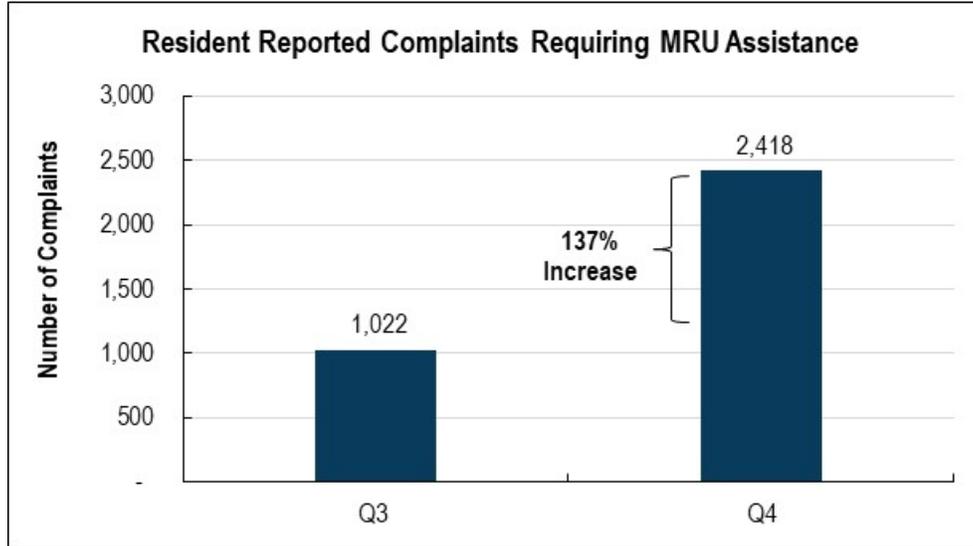
Overall, MRU has demonstrated a commitment to resolve resident complaints to the OCC in Q4. As shown in Figure 13, MRU had an 137% increase in requests for assistance on resident reported complaints this quarter (due to the increase of complaints and other factors discussed above) while hiring and training additional resources. MRU is in a unique position where it does not have control over the volume of complaints provided to it, nor can it control the rate of responsiveness that it will receive from the developments to take action. In Q4, MRU dedicated time and resources to create processes, procedures, tools and templates to create efficiencies and prioritization plans for its internal workflow to best serve residents.

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<sup>13</sup> The RCA position was created by NYCHA's MRU department in Q1 with a singular focus and responsibility to communicate with residents and relevant teams within NYCHA (e.g., property management staff, maintenance workers, MRU, etc.) to ensure successful completion of resident complaints to the OCC. The RCA position is a dedicated resource to service mold and leak related complaints.

<sup>14</sup> To effectively resolve resident complaints to the OCC, and ensure transparency regarding active cases and new developments, the OCC facilitates a weekly coordination call with various departments including OMAR, MRU, Compliance, EH&S, Quality Assurance, and the CCC.

Figure 13



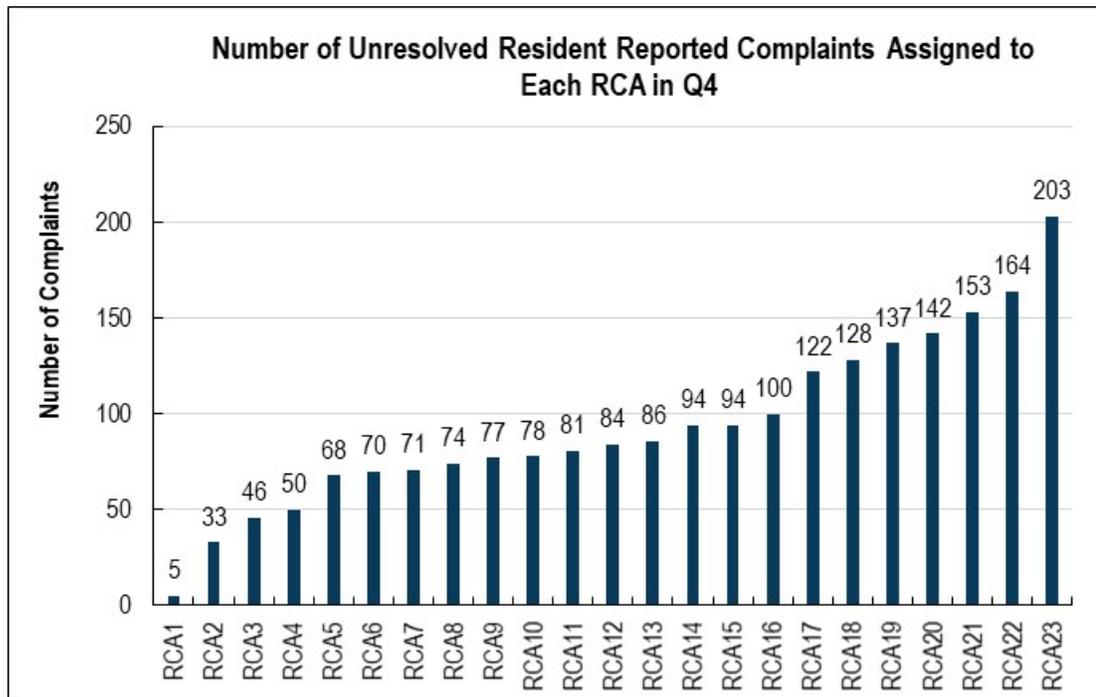
The OCC is hopeful that the increased MRU staffing and new operational tools will streamline follow-up communications and related resources required of the OCC in Q5.

Please see below for additional information regarding progress and opportunities identified this quarter:

- **MRU Resources (Hiring Plan)** – In Q1, NYCHA received funding to hire 30 RCAs to respond to resident complaints to the OCC. In Q3, MRU had hired 18 RCAs. It is our understanding that by the end of Q4, MRU had hired 29 of the 30 RCAs (6 of which were NYCHA residents) and promoted 3 of the RCAs to regional supervisor roles. MRU’s dedication to hiring the RCAs in Q4 is notable.
  - In Q4, the OCC assisted MRU with the development of operational tools to oversee and manage the RCA activity and OCC resident reported complaint volume. The OCC also worked with MRU to provide feedback on training materials and resources for the RCAs to better serve residents.
  - It is our understanding that in Q5, the regional supervisors will transition into their new roles to ensure there is proper oversight and management and that the additional RCA position will be filled. It will be important for MRU to analyze the OCC resident reported complaint volumes that each RCA can effectively manage to ensure they are appropriately staffed to meet the demand of resident reported complaints to the OCC.
- **RCA Staffing Constraints** – As discussed above, there was a 137% increase in resident reported complaints to the OCC requiring MRU’s assistance in Q4. In Q4, MRU worked to fill the 12 vacant RCA positions and by the end of the quarter had 23 RCAs assigned to unresolved resident reported complaints. As shown in Figure 14, at the end of Q4, complaints assigned to each trained RCA ranged from 5 complaints to 203 complaints (depending on the level of experience per

RCA and complexity of the complaints), with an average of 94 complaints per RCA.<sup>15</sup> Despite MRU's best efforts to promptly respond and process each resident reported complaint assigned to it, there were delays in responsiveness in Q4, requiring nearly 50% of all complaints to be escalated and monitored by the OCC. If NYCHA is able to schedule the necessary repair work and promptly respond to MRU requests, such delays, and related resources, could be considerably reduced.

Figure 14



- In Q4, the OCC and MRU worked collaboratively to develop automated reports to identify resident complaints to the OCC that had a lack of responsiveness in resident communication or a lack of progress in scheduling the next step in the remediation plan by NYCHA. These automated reports are intended to provide a reminder to the RCA to take action and if action is not made, the complaint will be flagged for escalation within MRU. In addition, the OCC and MRU have been working collaboratively to identify opportunities to streamline the case management process by developing workflow prioritization protocols and process views, modifications to data collection processes, and a feedback system to share OCC ticket activity with the developments.
  - In Q5 it will be important for MRU to evaluate its productivity and determine if it has the appropriate resources to meet the demand of ongoing and expected resident complaint volumes. It will also be important to ensure there is a greater level of ticket oversight by the regional supervisors. The OCC is hopeful that in Q5, there will be an increase in proactive communication to the OCC and Ombudsperson regarding ticket activity, level of

<sup>15</sup> RCAs are initially assigned to a resident complaint based on the location of the resident reporting the complaint. Some complaints may require little or no assistance while others may be complex and open for a longer period of time. Therefore, the number of complaints assigned to one RCA may vary based on the distribution of complexity and other factors.

backlog/non-responsiveness, delays and responsiveness concerns at certain developments, notable activity on open complaints, etc.

- **RCA Communication with Residents** – There is currently no process in place for MRU to monitor RCA communication (or lack thereof) with residents. The importance of this has been amplified by remote working during COVID-19 and is increasingly important given the volume of resident reported complaints since Q3.
  - In Q1, on the request of NYCHA, the OCC developed technology for all RCAs to communicate with the resident through the call center platform, which provides complete transparency of call volumes and records the conversations, but the technology has not been implemented by NYCHA. In Q4, MRU have been working internally to enable this technology and plans to test and evaluate the technology for outbound calls in Q5.
    - The OCC is hopeful that the RCAs will utilize the outbound calling technology so that there is a greater level of transparency of resident communication by RCAs, enabling MRU to identify opportunities for improved resident communication.
  - In Q4 (consistent with Q3), the OCC received complaints from some residents that, at times, the RCAs were not reachable (*via* live phone or the ability to leave a voicemail). In other situations, residents appeared to be confused about whether the RCA or the OCC were contacting them. The OCC conducted two phone audits in Q4 and found that several RCAs did not have voicemail boxes set-up or did not have the ability to leave a voicemail. During this review the OCC also observed that the RCAs did not have personalized greetings or voice messages that clearly indicated that they were a representative from the MRU. MRU implemented the OCC’s recommendation for revisions to standardized greeting and processes around maintaining voicemails. The OCC requested that MRU conduct weekly (or at least monthly) audits of the RCAs adherence to such policies. MRU agreed to conduct future audits and share the results with the OCC.
    - In Q5, the OCC is hopeful that there will be an increase in MRU phone audits and that as a result, follow-up calls to the OCC will decline.

Towards the end of Q4, the OCC received complaints from some residents that contradicted the information that was shared to the OCC from the RCA (e.g., resident was informed of an upcoming scheduling date or resident confirmed that NYCHA completed the work). In these situations, the OCC is required to follow-up with the RCAs to determine the status of the complaint and bridge the gap in communication.
- **MRU Demand for Spanish Language** – In Q4, 13% (or nearly 500 complaints) required Spanish language interaction. It is our understanding that MRU retained 2 RCAs with Spanish language capabilities in Q4. Additionally, it is our understanding that the other RCAs use language services to communicate with residents that require Spanish language but there have been some inefficiencies in doing so. MRU may want to consider retaining additional Spanish speaking RCAs for any further expansion (or through attrition) to ensure prompt, effective resident responsiveness.
- **RCA Training** – MRU hired most RCAs in the last 6 months. It is our understanding that MRU developed an extensive training and shadowing program to on-board new RCAs. Such training includes resident interaction techniques, responding to and reporting updates to the OCC, data field updates and case management, interacting with developments and the need for prompt escalation, understanding NYCHA’s work order data system, and use of tools and technologies to gain efficiencies. In Q4, the OCC observed new RCAs meeting the demand of this new role. However,

the OCC also observed the need for additional training and oversight associated with data field population, case management and workflow prioritization, and responding and reporting updates to the OCC (including sharing of resident communication, pictures, and other important information).

- The OCC is hopeful that in Q5, as new RCAs adjust to their role(s), the OCC will see an increase in RCA productivity and adherence to MRU processes and procedures which will reduce the level of follow-up interactions that are currently required by the OCC.
- **Complex Resident Communication Circumstances** – In Q4, there were 34 resident reported complaints to the OCC that involved communication barriers between the OCC, MRU and the resident. These were situations whereby the resident did not agree with the inspection results (or remediation plan) associated with the reported complaint or the resident was not satisfied or willing to allow NYCHA to conduct the repair work. In many of these cases, the OCC suggested that MRU have a 3<sup>rd</sup> party from outside the development participate in the inspection and/or remediation activities (e.g., MRU representative, OMAR, representative, Compliance representative, Quality Assurance representative or the IMA). NYCHA supported all of these requests in Q4 and it found it to be a good use of resources to circumvent resident refusal of scheduled appointments. In other cases, the OCC will suggest that MRU communicate with the resident *via* email (rather than telephone) if there is a lack of responsiveness from the resident or refusal to engage. In some of these complaints, other departments may be involved to assist in the facilitation of communication with the resident or family member (e.g., Property management office, NYCHA Social Services, or NYCHA Family Services). However, there have been resident complaints where these efforts have not been successful and agreed upon next steps have not been determined. It is our understanding that in Q5 NYCHA will begin to create guidelines on how it will define its “best efforts” to support resident reported complaints involving complex circumstances.

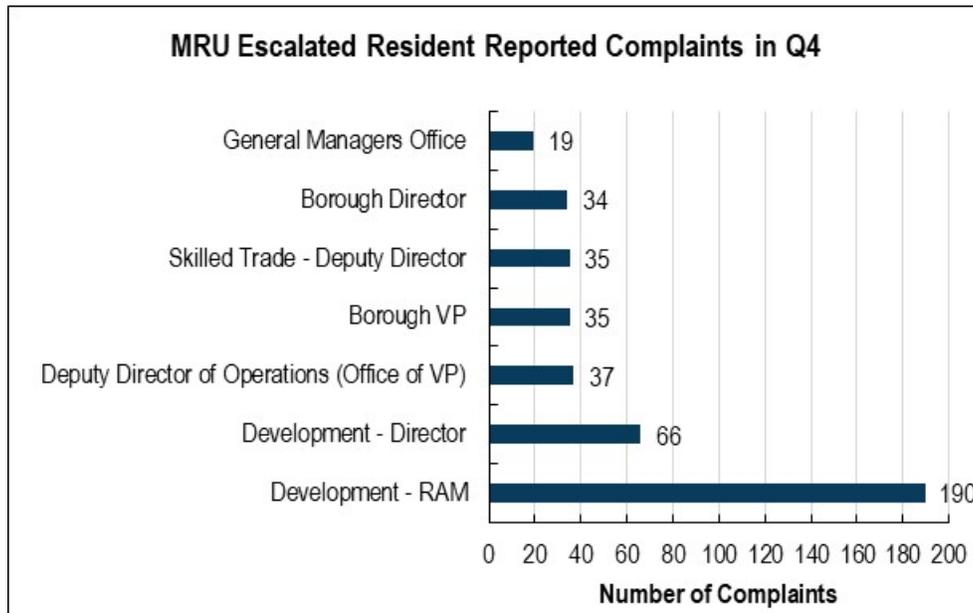
### **Overall Responsiveness with NYCHA Stakeholders**

As discussed above, there were a total of 3,758 resident reported complaints to the OCC serviced in Q4. There were, thus, thousands of requests of NYCHA developments to assist in the inspection or remediation of work that was already typically outstanding for 7 or 15-days. In Q4, MRU indicated that there had been on-going responsiveness issues at many developments requiring substantial efforts and follow-up communication (including internal escalations) to receive the necessary information needed (e.g., scheduling date, updated remediation plan, question regarding a missed appointment, verification of work being completed, or ensure the proper information is logged and created in the data system) to respond to the OCC and provide an update to the resident. As discussed below, MRU recorded in the call center platform that they needed to follow-up with the development at least 2,540 times for complaints serviced in the quarter. While it is our understanding that some of these delays in responsiveness have been due to staffing and management constraints associated with COVID-19, there will need to be a greater level of prompt and continuous, detailed, resident-focused responsiveness for all resident reported complaints handled by the MRU.

In Q4, MRU refined its internal escalation process in its efforts to ensure that prompt action is taken on all complaints and offering transparency to the development on the next steps if appropriate action is not taken. As a result, Figure 15 shows MRU escalations for resident reported complaints through 7 different management offices among the 5 boroughs, whereby 19 complaints were escalated to NYCHA’s highest level (General Manager’s (“GM”) office). In certain situations, MRU had to enlist resources outside the development to conduct mold or leak inspections due the persistent lack of responsiveness of the

development (e.g., the Amsterdam development in Manhattan and the Jackson development in the Bronx). In Q4, MRU also sought the assistance of the Compliance department to assist in persistent staffing concerns at certain developments. Increased responsiveness of the developments will be critical for the success of MRU and the OCC.

**Figure 15**



In addition to the internal escalations, MRU recorded the following activities associated with interactions with NYCHA developments in Q4:

- MRU had to follow-up with the development to seek a response regarding inspection findings or remediation plans for nearly 900 resident reported complaints (37% of complaints requiring its involvement), of which some were escalated to senior leadership (e.g., Regional Asset Manager, Director of Operations, Deputy Director of Skilled Trades, Borough Vice President, General Manager's office), due to a lack of responsiveness from the development (after multiple follow-up attempts by MRU);
- MRU had to reach out to the development (or skilled trades) in regards to 663 resident reported complaints (27% of complaints requiring its involvement) due to a lack of adequate information included in the remediation plan, inspection findings, notes with the Maximo data system, and/or an upcoming scheduling date; and
- MRU requested expedited scheduling or a revision to the remediation plan for 561 resident reported complaints (23% of complaints requiring its involvement).

See below for additional information regarding progress and opportunities identified this quarter:

- **Feedback Sessions with Developments** – It is our understanding that in Q4, MRU worked with many of the borough groups to identify constraints and limitations in order to develop plans and strategies to reduce the number of follow-up requests required in the quarter. MRU held several listening sessions with the borough groups to hear about their experiences working with MRU and servicing resident complaints to the OCC. During these sessions MRU provided feedback on resident

communication best practices, need for responsiveness (and number of escalations), scheduling difficulties, and capital repair constraints. The OCC and the Ombudsperson were not invited to participate in these conversations in Q4 despite being involved in past quarters.

- Strategies developed and implemented to reduce the number of follow-up requests in Q4 included:
  - Greater transparency at the senior leadership level of resident reported complaints experiencing non-responsiveness from NYCHA to take action, with a listing of all open work orders associated with that unit;
  - Creation and access to an executive dashboard that the OCC provides for each borough grouping with data regarding OCC activity (and escalations) associated with the resident reported complaints, reports of severe conditions, and metrics associated with open work order volumes and backlog; and
  - Creation of a data flag in Maximo for OCC work orders so the development can query live reports of open work orders.
- Development limitations or concerns raised:<sup>16</sup>
  - Vacancies at the staff and management levels;
  - Delays regarding planned capital repairs;
  - Lack of vendor contract funding;
  - Staff reluctance and/or refusal to conduct in-unit repair work due to COVID-19 despite work order guidelines in limited developments (due to personal or health-related concerns);
  - Inability to provide a response to OCC requests (to MRU) in a reasonable amount of time with appropriate action steps due to competing demands of an unreasonable work load (based on resources available) and a large number of competing requests from other internal and external parties (such as NYCHA's Compliance department, Quality Assurance department, General Manager's office, and MRU and external parties such as the Monitor team, Mayors office, court mandates, etc.).
- **Executive Dashboard for Operations** – In Q4, the OCC and the court-appointed IDA worked with NYCHA to create new data platforms (including within NYCHA's data environment) to provide greater visibility and clarity to NYCHA regarding open and closed work orders in combination with feedback from residents contacting the OCC. In Q4, the executive data analytic dashboard for each borough grouping was finalized and became available for all borough groups. This data platform contains data regarding work order trends, resident reported complaint trends, and data associated with the strategies identified above.
  - We are hopeful that in Q5, MRU will facilitate recurring meetings with the borough groups to offer opportunities for collaboration and further discussions regarding best practices and strategies to reduce the number of follow-up requests required by MRU.
- **Participation from Other Departments (Legal, Family Partnerships, Social Services)** – In Q4, MRU (with the support of the Ombudsperson and OCC) worked with various departments to ensure certain resident reported complaints could be effectively resolved. The OCC found that there are situations whereby the resident's complaint to the OCC can be linked to, or associated with, other

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<sup>16</sup> OMAR's Senior Director has been very responsive to the feedback provided from each development and it is our understanding that the department has taken the feedback under advisement to determine next steps.

situations beyond the mold and leak complaint (on-going legal cases, disputes between the resident and development, and/or cases with Social Services or Family Partnerships). These departments have helped ensure that proper protocols and appropriate actions are being taken to best serve the resident. Such activities included:

- Providing feedback on protocols for interaction with residents (including instructions to development for scheduling and staffing repair work), notice to the resident (two weeks in advance, two days in advance, etc.), and procedures for access dates;
- Written reports of resident legal cases and associated legal documentation (e.g., complaint, rulings, etc.);
- Written reports or interoffice memos from Family Partnerships on activities, history of complaints/referrals, and emergency points of contact; and
- Assisting MRU with effective communication with residents.

It is our understanding that in Q4 the Legal department was involved in 4 resident complaints to the OCC, Family Services was involved in 3 resident complaints to the OCC, and Social Services was involved in 1 resident complaint to the OCC.

Through MRU's continued support and oversight, the OCC is hopeful that cultural and operational changes will continue to take effect resulting in more effective communication with residents (and within NYCHA) and continued improvement in the accountability and commitment needed to ensure proper repair work is completed and addressed promptly.

## **B. Need for Continued Effective, Empathetic Resident Communication**

As discussed in prior quarters, NYCHA needs to continue to evolve to a more customer-centric culture through increased communication with residents regarding root cause issues, remediation plans and scheduling of work. It still remains that nearly all resident reported complaints to the OCC have involved a breakdown of communication between the resident and NYCHA. Residents were often unaware of the Mold Busters remediation standard procedure, the status of the repair work needed in their unit or the next scheduling date.<sup>17</sup>

In order for MRU to operate effectively and efficiently, there will need to be continued culture change at NYCHA to effectively communicate with residents (and internally) the accountability and commitment needed to ensure that the proper repair work is completed. Such effective resident communication activities would include, but are not limited to:

- NYCHA listening to the residents' description of health concerns, safety concerns, and prior experiences with NYCHA;
- NYCHA listening to the residents' description of the current complaint (diagnosis of the historic problem, not just the current situation and ensuring the proper classification of the reported conditions);
- NYCHA responding immediately, with commitment and accountability, to the results of inspection findings and the conditions identified within the unit (e.g., sharing virtual inspections and/or pictures)

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<sup>17</sup> It is our understanding that in Q4 NYCHA retained a vendor to create a resident awareness campaign regarding the Mold Busters program.

and the sense of urgency to internally escalate severe conditions to supervisors and upper management (as needed);

- NYCHA carefully and empathetically discussing with the resident the findings of any inspection, the series of activities / work that need to be completed to effectively remediate the situation, any unknowns or uncertainties that are still being reviewed, whether a relocation may be necessary (and if so, what that process will be and why), when they will hear from someone regarding the next step in the process (and who that person will be), and what they can do if they have any questions or concerns about what was discussed or about work that is completed later; and
- NYCHA feedback from residents *via* survey (or other methods) to gauge the effectiveness of the communication efforts being implemented and to offer the residents the ability to provide feedback.

Please see below for information regarding progress and opportunities identified this quarter:

- **Difficulties Associated with Relocations and Reasonable Accommodation Requests** – The OCC has observed that there are some complaints that require a significant number of complex work orders that can take a long time to effectively repair or where the severity of the conditions in the unit renders it uninhabitable and requires the resident to relocate, either temporarily while the necessary repair work is being conducted or permanently.
  - In Q4 (consistent with past quarters), resident relocations were each handled differently based on the facts and circumstances of the ticket, often times involving the Property Manager, the Compliance department, and/or the GM's office. The OCC has observed that there are often complexities associated with these complaints regarding the location of the relocation (requiring the identification of one or several units, the costs associated with the relocation, and other complexities regarding lease agreements).
  - NYCHA needs to create clear guidelines and policies regarding relocation criteria, moving expenses, temporary lease agreements, and the resident's responsibilities to promptly respond.
- There are also situations where a resident files a Reasonable Accommodations Request to relocate due to a health or safety concern (e.g., breathing condition / asthma as a result of mold). The OCC has found that residents who get to this point are often placed on a long waiting list (often lasting months or years) for a transfer due to a lack of available vacant units, particularly those that are 3+ bedrooms or larger. These residents do not appear to always be provided information about their location options and variations of estimated wait times based on the availability and number of people on the waiting list. The OCC has also found that some residents did not have an open request, despite their belief that they were actively on the waiting list.
  - NYCHA needs to develop alternative solutions for residents who require relocation to ensure their health and safety concerns are being addressed (within reasonable expectations) and ensure that all communication is provided and understood by the resident.
    - NYCHA indicated that based on individual circumstances, residents may be placed in temporary units due to health concerns. In addition, thru cooperative dialogue, and based on their need, residents are informed of their transfer options.
  - It is our understanding that the Compliance department created a cross-functional working group to review the current relocation and reasonable accommodation policies, procedures, and resident communication materials and is currently being co-led by the GM's office.

- In Q4, NYCHA reported that the working group held meetings with Operations, Family Partnerships, Resident Engagement and other stakeholders including external agencies. This team developed a comprehensive survey and distributed it across NYCHA's four pillar areas (including Pests, Asbestos, and Healthy Homes including Lead Hazard Control and OMAR). Since receiving responses to the surveys, it drafted a sample resident intake form, checklist for resident relocation conversations, estimate of staffing needs and job descriptions. The working group is working to refine its data in order to address the volume of relocations needed and expect to receive that information in Q5.
- **Recording Resident Satisfaction in Maximo** – In Q3 the OCC learned that NYCHA has a data element within the Maximo work order system to record resident satisfaction, including for mold and leak work orders. Based on feedback from MRU, it appears that this data field is not being used consistently across NYCHA. Recording and understanding resident satisfaction, and how that might change over time, will be instrumental to ensure there is consistent, effective, empathetic resident communication across the authority.
  - The OCC has not been informed of any update or progress on this topic in Q4. We are hopeful that in Q5, NYCHA will develop an operational strategy to review, respond to, and oversee the results of this data element (associated with mold and leaks).
- **Resident Satisfaction Robo-Call Survey** – In Q3 the OCC learned that NYCHA conducts an automated robo-calling survey to record resident satisfaction, including for mold and leak work orders. Based on feedback from MRU, it appears that this survey is not being used consistently across NYCHA to understand resident satisfaction and identify areas for improvement or best practices. In Q4, the court-appointed IDA created data visualizations to help NYCHA identify high and lower performers (individuals, developments, consolidations and boroughs).
  - The OCC has not been informed of any update or progress on this topic in Q4. We are hopeful that in Q5, NYCHA will develop an operational strategy to review, respond to, and oversee the results of this survey (associated with mold and leaks).

### C. Transparency and Individual Accountability are Necessary to Effectuate Culture Change

As discussed in prior quarters, NYCHA needs to continue to increase oversight of work order activity to ensure that standard procedures are being followed and proper remediation steps are being taken through on-going training and staff development. In addition, NYCHA needs to prioritize the completion of the Leak Standard Procedure to properly identify and repair complex leaks.<sup>18</sup>

In Q4 (consistent with prior quarters), the OCC has received extensive feedback from residents indicating that they reported mold and leak issues to NYCHA in the past and nothing was done to fix the issue. Through our review of these cases, the residents' reports are almost universally correct. For all resident reported complaints, there is an increased level of case management and oversight of work performed, which provides

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<sup>18</sup> It is our understanding that in Q4 NYCHA launched a pilot project at select developments. NYCHA did not provide the OCC with advanced notice of this pilot (in regards to any possible resident complaints to the OC) and did not seek any feedback from the OCC on resident reported complaints or feedback at these developments.

accountability for each worker involved in the remediation process. The OCC will not close a complaint until the resident has indicated that the work has been performed to their satisfaction. There have been situations where the resident does not report satisfaction and the OCC will go back to NYCHA to understand what happened and seek additional work or a re-inspection, if needed. In addition, the OCC will provide a referral to Compliance for any resident reported complaint where there is an indication of improper proper repair work. The goal is that with increased individual accountability to conduct the proper remediation steps, resident satisfaction will increase and cause a decline in resident reported complaints to the OCC.

See below for information regarding progress and opportunities identified this quarter:

- **Re-inspections** – For situations where the resident contacts the OCC dissatisfied with repair work, the OCC requests that MRU conduct a re-inspection of the work to determine the root cause and ensure the appropriate remediation plan is created. The OCC has on several occasions requested that NYCHA conduct a thorough leak investigation for complaints of leak recurrence or non-visible leaks. The OCC has stressed the importance for NYCHA to identify situations where the root cause of an issue cannot easily be identified so that outside resources (such as the court-appointed IMA or vendors) can be enlisted. The OCC has found that the necessary investigation and remediation required for these complex complaints take a very long time for NYCHA to repair and requires substantial follow-up from the OCC to ensure progress and effective resident communication.
  - In Q4, the OCC requested re-inspections for 382 resident reported complaints (over 10% of complaints serviced in the quarter). The OCC is hopeful that the implementation of the Leak Standard Procedure will improve NYCHA’s ability to properly identify and repair complex leaks and reduced the need for re-inspections.
  - For certain developments with extensive leak-related issues, advanced training for leak investigation and remediation repair solutions for underlying root causes should be offered to maintenance workers and an emphasis to maintenance workers that non-visible leaks need to be investigated.
  
- **Recommendations to NYCHA’s Compliance Department** – The OCC continues to receive feedback from residents indicating they reported mold and leak issues to NYCHA in the past and nothing was done to fix the issue. Residents noted they would create work order tickets (on the MyNYCHA app or through the CCC) but they would be closed without ever hearing from anyone (which could be seen on the MyNYCHA app or would be communicated to the resident from the CCC if the resident followed-up on the scheduling date). The OCC has been able to conduct work order reviews in these situations and has found that there are often cases where work orders were recorded as closed for “no work done,” “resident not home,” “resident refusal,” or “unfounded”. The OCC has also learned of instances where according to residents they were informed that a wall break was needed but was not performed (and the work order was closed as “unfounded” or “no work done”). For these situations, the OCC will recommend that MRU consider a referral to the Compliance department to review and/or investigate the activity associated with the complaint.<sup>19</sup>
  - In Q4, the OCC recommended that 44 cases be referred to Compliance for review or investigation. It is our understanding that as of October 28th, MRU had referred 29 cases to Compliance and the remaining were under advisement of MRU. It is our understanding that

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<sup>19</sup> The Compliance department has access to all resident complaints to the OCC and participates on a weekly standing call with the OCC, MRU, and other NYCHA departments.

as of that date, Compliance determined that corrective action was required for 2 cases, 27 cases were under review and/or awaiting investigation reports, and the remaining cases were being monitored or were addressed.<sup>20</sup>

- In Q4, Compliance has been very responsive to all OCC referrals and requests to investigate worker activity.
- **Resident Reported Follow-up Complaints to the CCC** – Towards the end of Q3, the OCC received feedback from numerous residents that they reported a complaint to CCC in regard to a missed appointment (or unsatisfactory repair work) but nothing was ever done. During the conversation with the CCC, the resident would be informed that someone from NYCHA would reach out to them to reschedule or inspect the situation. In some situations, residents reported that they followed-up with the CCC several times prior to contacting the OCC to assist with scheduling their mold or leak work order ticket. Scheduling of repair work is the first step in the process and it is essential that the CCC is equipped to be able to resolve these issues directly with the resident. Additionally, NYCHA needs to take immediate action on all resident reported follow-up complaints to avoid the unnecessary involvement and resources of the OCC or Compliance. As discussed later, this caused an increase in improper referrals to the OCC in Q3.
  - In Q3, this issue was raised with MRU, OMAR, Compliance, and the CCC and preliminary interviews were conducted.
  - In the beginning of Q4, the OCC worked with NYCHA to better understand the operational processes and procedures associated with processing CCC follow-up complaints and the mechanisms for the developments to review and respond to such complaints. Based on the information gathered there does not appear to be an operational process or strategy to ensure accountability and oversight of these complaints or understand the magnitude of the volume within the NYCHA developments. The OCC and court-appointed IDA recommended that immediate action should be taken to address these resident complaints.
  - It is our understanding that in Q4, Compliance was working with the IT department to create business rules associated with the development of a report to review and extract these complaints. It is our understanding that IT has yet to develop such report.
    - The OCC is hopeful that this will be prioritized by NYCHA in Q5.
- **Additional Training for Workers** – In Q4, 20% of resident complaints to the OCC involved the craftsmanship of the work previously completed (consistent with Q3). In these situations, the mold or leak repair was made but the work was unsatisfactory or did not solve the problem. Based on these findings and feedback from property management and the court-appointed IMA, NYCHA began offering additional Mold Busters field training to each borough grouping during the month in which the OCC launches at that location. In Q3, due to COVID-19, all Mold Busters training was placed on-hold. In Q4, this training has since resumed, in a limited capacity due to COVID-19 social distancing requirements. As of the end of quarter, there were over 600 current staff members that were awaiting Mold Busters training and were currently unable to conduct any mold inspection or remediation work. The OCC has observed staffing constraints in Q4 due, in part, to current staff inabilities to assist in mold inspections due to a lack of training. It is our understanding that this could take several months (if not longer) to train the workers due to the limited size classes and frequency

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<sup>20</sup> It is our understanding that Compliance may recommend additional Mold Busters training and/or take employee corrective action, including but not limited to verbal warnings, instructional memoranda, or counseling memoranda.

that the course is offered. It is our understanding that NYCHA has developed a prioritization plan to provide this training to those with the highest demand. NYCHA should consider ways to expedite this training to all required staff.

- NYCHA should also be closely monitoring Mold Busters Quality Assurance (“QA”) inspections for the identification of training opportunities for NYCHA staff. It is our understanding that NYCHA is keeping track of the areas in which additional training is needed to aid in developing supplemental training materials for staff. It is our understanding that the court-appointed IMA is also developing a supplemental training bulletin for NYCHA workers regarding certain mold and leak remediation activities (such as wall breaks). As discussed above, NYCHA is also in the process of piloting and implementing a new leak standard procedure which will provide additional opportunities to train staff with regard to leak investigations and remediation. This will be critical to NYCHA’s ability to conduct proper leak remediation for NYCHA residents.
  - In Q4, the court-appointed IMA prepared a report of 68 inspections conducted within the quarter. The results of this report showed that 30 of the 68 inspections conducted failed, indicating that additional training for these workers may be required. The report also concluded that there is a high proportion (50-60%) of resident reported mold complaints that are being closed as “unfounded” with no work performed that actually do have mold conditions that need to be remediated.<sup>21</sup>
- **Need for Better Data Recording** – In Q4 the OCC observed that (similar to prior quarters) there were several instances where NYCHA would indicate that work was completed for a work order but there would be no indication of any progress in the Maximo data system.<sup>22</sup> In situations where there were complex leak investigations, there was no information in Maximo to understand what investigative steps had been completed, where access was denied, and what the next steps were to resolve the issue. This creates significant inefficiencies for NYCHA as people will eventually have to confirm that the repair work was completed and delays the completion of sequenced work for the completion of the Mold Busters Quality Assurance check, if applicable. Feedback from property management and borough schedulers indicated that there is a need for better training and reinforcement to record detailed notes and pictures in Maximo. It was also communicated that some workers do not have access to hand-held devices to enter such information and they needed to go back to the office to record the information.
  - The OCC also observed that in Q4 (consistent with prior quarters) there were several instances where NYCHA would create a child work order for a remediation plan but not link it to the parent inspection.<sup>23</sup> In Q4, MRU conducted an analysis of 93 resident complaints to the OCC and determined that 64 (nearly 70%) were affected by this. This creates significant inefficiencies for

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<sup>21</sup> It is our understanding that IMA failed inspections are referred to Compliance to review for deviations from the Mold Busters standard procedure and recommendations for possible corrective action.

<sup>22</sup> This was also found through the court-appointed IMA’s mid-stream quality assurance inspections where the data indicated that there were wall-breaks conducted with no follow-up repair work. However, upon inspection, the wall breaks were completed and repaired. This was also found through the Resident Engagement department targeted phone-call efforts to residents with open work orders (as discussed above) but when the Resident Engagement department contacted the resident, it was reported that the necessary repair work had been completed.

<sup>23</sup> It is our understanding that in these situations, the RCA requested that the development re-link the child work order to the parent inspection.

MRU to track and maintain progress of the remediation plan and can complicate compliance metrics and the QA process.

- In Q3, feedback from property management indicated that there is a need for better training on how to create a child work order in the hand-held after an inspection has been completed.
  - In Q4, MRU had to reach out to the development (or skilled trades) in regards to a resident reported complaint for 663 resident complaints to the OCC due to a lack of adequate information included in the remediation plan, inspection findings, notes with the Maximo data system, and/or an upcoming scheduling date. MRU provided feedback to the management staff regarding the administrative burden that can be alleviated when appropriate information is proactively populated.
  - NYCHA should consider conducting regular formal training on the importance of updating tickets real-time, providing more detailed notes in the system and uploading pictures for each work order. NYCHA should also consider conducting quarterly assessments of physical inventory to ensure staff have the proper equipment and materials available to complete the repairs at each development.
    - The OCC has not received an update on any progress made on this in Q4.
- **Process to Reduce Missed Appointments** – As discussed in prior quarters, the OCC found that missed appointments continue to be a common reason for a resident complaint to the OCC. Based on conversations with NYCHA, it appears there are no data reporting processes in place to notify the property management office or borough scheduler of appointments scheduled for the day for each worker.<sup>24</sup> Therefore, there is no automated efficient process to review and prioritize work orders, identify capacity constraints, and reschedule any anticipated missed appointments. In Q1 of the OCC, the court-appointed IDA created the architecture of an automated daily user report of scheduled work orders to provide to the property management office, borough schedulers, and/or RCAs the ability to prioritize and communicate any anticipated rescheduling demands in advance of a missed appointment. It is our understanding that NYCHA is in the process of building this report in its operating environment. The creation of a new process to reduce the number of missed appointments will positively impact all residents (not just those that reached out to the OCC) and will likely reduce the number of resident complaints to the OCC regarding missed appointments.
    - It is our understanding that in Q3, NYCHA was working to develop and integrate an automated daily user report of scheduled work orders but it had not yet been operationalized.
    - It is our understanding that in Q3, RCAs sent proactive emails at the beginning of each week to each development to inform them of their upcoming scheduled appointments for residents who reported a complaint with the OCC. However, in Q4, the OCC received over 120 follow-up calls from residents indicating that their scheduled appointment was missed. The OCC is unaware of whether the RCAs were sending proactive scheduling emails in Q4.
  - **Proactive Efforts to Remediate and Close All Open WOs** – In Q4 (similar to prior quarters), the OCC found that many residents had several open parent work orders related to mold and leaks within the same unit (and room). For these situations, the OCC asked that MRU coordinate and resolve all open work orders in a given room. Ongoing efforts to resolve all open work orders related to mold and leak will help NYCHA reduce its backlog of open work orders.

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<sup>24</sup> It is our understanding from OMAR that the property management supervisory staff can create a query in the data system to identify work order tickets that have a past scheduled date without a proper labor record to identify missed appointments.

- In Q4, the court-appointed IDA and the OCC also conducted an outbound calling survey for residents who had a long-term open work order to confirm if the issue had since been resolved. Over 450 residents were contacted and for those with an issue still present, they were referred to the OCC and MRU to assist in scheduling the necessary repair work.
- **Data Strategy to Develop Operational Processes and Procedures** – NYCHA needs to use data to develop regular operational processes, procedures, and responses to effectively monitor and prioritize inspection, work order and Q&A activity, resident reported complaints, and requests from internal and external stakeholders. NYCHA needs to develop iterative processes to address new issues that arise with effective strategies and goals to best utilize current resources, identify opportunities for change, and ensure accountability.
  - In Q4, the court-appointed IDA identified several analyses and data visualizations for MRU and Compliance’s review that are intended to allow NYCHA the ability to monitor individual accountability and compliance such as resident satisfaction survey responses, children work orders closed with no work done, repeated unfounded work orders, QA failures, etc. It is our understanding that Compliance is interested in using these tools in its daily operations.
  - The OCC has not received an update on any progress made on this in Q4.

#### D. Critical NYCHA Resource Constraints Necessary to Overcome to Ensure the Continued Success of the OCC

As discussed in prior quarters, NYCHA needs to retain additional resources to remediate mold and leak complaints promptly including maintenance workers and skilled trade resources such as plumbers, painters, and carpenters. In addition, NYCHA should also utilize virtual inspection technology to ensure efficient use of current staffing available. It is our understanding that NYCHA had planned to invest \$7.7 million in additional staffing in 2020 to prioritize mold and leak work but that has not come to fruition. It is our understanding that NYCHA plans to use vendor contracts in lieu of hiring permanent positions (as discussed above), that could include up to \$16 million in contracts over a multi-year period.

Please see below for information regarding progress and opportunities identified this quarter:

- **Vacant Management Positions** – There are currently vacant management positions across NYCHA developments, such as Property Manager, Supervisor of Caretakers, etc. Because these management positions are unfilled, the existing management staff is required to complete all required inspections, scheduling and follow-up work, and interaction with the RCAs for resident reported complaints. It is our understanding that these vacant management positions were further strained due to COVID-19 and NYCHA sent temporary relief (or floating staff) to help alleviate the constraints, when possible. While temporary support was encouraging, the OCC found that there appeared to be a breakdown in communication associated with the knowledge transfer regarding resident remediation plans, resident communication, and coordination with the RCAs. NYCHA has indicated that there are often staffing constraints or delays to conduct mold inspections due to the lack of management positions on site on a given day due to alternative working schedules (AWS) (e.g., only one superintendent or assistant superintendent on staff because they rotate weekend availability and there are no maintenance worker available then to aid in the inspection).

- In Q3, the Bronx Borough Grouping leadership indicated that there are vacancies at 10 developments within the borough that is limiting their abilities to promptly address OCC/MRU requests and conduct the necessary mold initial and QA inspections. It is our understanding that OMAR has taken this feedback under advisement.
    - The OCC has not received an update on any progress made on this in Q4.
  - In Q4, MRU informed Compliance of developments with vacant management positions that were persistently unable to prioritize mold inspections (or utilize temporary relief) within a reasonable amount of time. It is our understanding that in Q4, Compliance was investigating the situation and would create an action plan with the development to ensure that they conduct the necessary mold inspections pending at the development.
  - It is our understanding that there were hiring restrictions due to COVID-19 that were expected to be resolved in Q4 for the Superintendent and Assistant Superintendent positions.
    - The OCC has not received an update on any progress made on this in Q4.
  - For NYCHA and the OCC operations to be efficient and effective, these management positions will need to be filled promptly.
- **Staffing Constraint – Maintenance Workers** – All developments across NYCHA have a significant number of open work orders. Many of the open work orders are complex, requiring two maintenance workers to work together (across different units) to identify root causes and repair the issue(s). Based on feedback from NYCHA, there are severe staffing constraints at the maintenance worker level due to turnover and inability to replace the positions. In a meeting with NGO-1 (in Q2), the Ombudsperson and OCC were also made aware of staffing limitations due to a lack of funding for overtime and loss of available workers due to other demands such as pest programs. In addition, NYCHA’s COVID-19 work order guidance has (and will continue to) created a severe backlog of open work orders for non-emergency leaks that will need to be addressed when the current work order restrictions are lifted.
    - For NYCHA and the OCC operations to be efficient and effective, these vacant positions will need to be filled promptly.
    - The OCC has not received an update on any progress made on this in Q4.
  - **Staffing Constraint – Skilled Trades** – Many developments across NYCHA have a significant number of complex work orders that can take a long time to effectively repair. NYCHA noted that many of the work orders require pipe repairs and that nearly all pipes in certain buildings require asbestos abatement. In addition, many work orders involve multiple units, requiring more time to investigate and repair these complex circumstances. NYCHA indicated that the skilled trade resources are very short staffed in all skilled trade positions, most importantly plumbers, painters, and carpenters. Such work orders can require 2 or 3 different skilled trades and each trade often has a backlog (sometimes up to weeks away). These work orders often require work in more than one apartment so scheduling and sequencing the work by skilled trade becomes a challenge. However, it should also be noted that, as indicated in NYCHA’s Capital Improvement Plan, significant investments in capital repairs and infrastructure are required across the NYCHA portfolio. The current state of the building infrastructure, especially plumbing, will give rise to complex leaks. Supplemental skilled trade and property staff resources will be required for the related remediation but may not take the place of the need for these significant capital repairs and infrastructure investments. In addition, NYCHA’s COVID-19 work order guidance has (and will continue to) created a severe

backlog of open work orders for non-emergency mold and leak related repairs that will need to be addressed when the guidance lifts.

- For NYCHA and the OCC operations to be efficient and effective, adequate skilled trade resources will need to be available in each development.
- **COVID-19 Work Order Prioritization and Resource Planning** – As discussed in Q2, NYCHA must ensure prioritization and remediation of mold and leak related work orders that are not able to be addressed within the COVID-19 work order guidance that will have to be scheduled and repaired when the work order guidance is lifted.
  - In Q3 and Q4, the OCC observed that in some situations NYCHA was completing mold and leak parent and child work orders that were considered to be outside of guidance (such as non-emergency leaks, tub enclosures, etc.). However, despite NYCHA's efforts, NYCHA reported that there were over 43,100 open parent and child mold and leak work orders that NYCHA will have to address when the work order guidance lifts (as of the end of Q4).
  - In Q3, the court-appointed IDA assisted NYCHA with an analysis of the open mold and leak work order volumes and projections for when the work order guidance is lifted, to aid in NYCHA's resource planning. In Q4, these analyses and visualizations were revised for updates to the work order guidance.
    - The OCC has not received an update on any progress made by NYCHA on this in Q4.
- **Virtual Inspection Technology** – In Q2, the OCC launched a virtual inspection pilot and has since conducted nearly 100 virtual inspections of apartments to assess severity of mold and leak issues. Virtual inspections will enable NYCHA to better serve residents while also prioritizing the health and safety of the NYCHA residents and workers. In Q4, the OCC conducted 37 virtual inspections for resident reported complaints and received very positive feedback from residents who participated in them. The OCC has found virtual inspections to be a very effective method to expedite repair work and/or resident relocation because the internal escalation process (within NYCHA) allows for transparency of the conditions. Virtual inspections can also create efficiencies for NYCHA by reducing the time spent conducting inspections, identifying necessary materials for repairs, accelerating the creation of work orders, assist with remote training or complex triage, etc. In Q3, a working committee for virtual inspections was formed consisting of representatives from different teams within NYCHA (including OMAR, Compliance, and EH&S) to consider how to integrate virtual inspections for a variety of use cases including reports of simple complaints (that a worker could walk the resident through the repair), reports of resident dissatisfaction of repair work performed, pre-remediation inspections or assessments (for vendors or skilled trade), virtual unit walk throughs for relocations, oversight of common space cleanliness, opportunities for training, etc.
  - In Q4, the OCC memorialized the pilot with a document regarding insights and recommendations for implementation in NYCHA's operations including sections on technology, use cases, process details for conducting virtual inspections, and spreading awareness of virtual inspections. In Q4, representatives from NYCHA's IT department (on behalf of Compliance) met with the OCC to review the insights and recommendations. It is our understanding that in Q4, NYCHA retained the Zoom technology to conduct virtual inspections internally and Compliance added a question about virtual inspections to their intake form for resident reported complaints.

- NYCHA has been committed to the pilot and is working with leadership to evaluate the integration of the technology into its operations. The OCC continues to use virtual inspections in certain situations.

## E. Effective Use of Vendors

As discussed in prior quarters, NYCHA must effectively use vendors (and have the appropriate contracts in place) to overcome temporary staffing constraints. NYCHA reported that at the end of Q4, there were over 72,500 open mold and leak work orders (parent and child) (increase from 60,000 in Q3), of which nearly 90% had been opened for over 7 or 15 days as of the end of the quarter.

Please see below for information regarding progress and opportunities identified this quarter:

- **Vendor Backlog** – Due to limited availability of skilled trade resources, use of vendors is increasingly important for leak related complaints. Based on the open work order data, the average days a work order is pending awaiting vendor work is very long. NYCHA’s property management has indicated that there was a 6 to 8-week backlog for certain vendors (pre COVID-19), such as plumbers. These vendors can only be utilized to assist with leak related work orders, not mold remediation due to State laws.
  - In Q3, OMAR was considering the use of vendors to conduct the remaining repair activity for resident complaints to the OCC with only paint work remaining. It is our understanding that it is the responsibility of the vendor to communicate with the resident regarding scheduling of work and the responsibility of the property superintendent (and/or OMAR and MRU) to monitor completion of the work and closing of the work order, depending on the vendor contract. It will be important for NYCHA to monitor such activity to ensure vendor(s) are appropriately communicating with residents and the superintendent is promptly reviewing such activity and updating work order information.
    - At the end of Q4, the OCC had 333 complaints placed on-hold indicating that the mold and/or leak remediation work had been completed and the only remaining work remaining is outside of NYCHA’s current work order guidance due to COVID-19 (e.g., painting or non-emergency leak). In Q3, OMAR was considering the use of vendors to assist those complaints with only paint work orders remaining whereby the resident was interested in having their entire unit painted (not just the affected room). OMAR conducted outreach to these residents and 40 residents agreed to have the work done in September. It is our understanding that this work will be begin in December 2020 (due to work order logistics, vendor delays, and releasing of funds).
  - In Q4, the OCC observed continued vendor backlogs, particularly as a result of COVID-19 and the levels of open long-term pending work orders.
    - In Q4, the OCC observed severe staff shortages for plumbers in Mixed Finance (Borough Group) with scheduling delays of 4 to 8 weeks. Once this issue was raised to OMAR, it agreed to utilize vendor contracts to conduct the necessary. It is our understanding that at the end of Q4, scheduling of the work orders was delayed, despite several follow-ups from MRU to expedite the work.

- **OMAR’s Mold Assessor and Remediator Contracts** – NYCHA has executed two Mold Assessor and two Mold Remediator contracts to remediate and repair complex cases of mold (where conditions impact multiple rooms, involve repair work in a ceiling or wall cavity, and require multiple skilled trades to satisfactorily resolve).
  - In Q3 and Q4, OMAR used these contracts on 11 resident complaints to the OCC that required substantial repair work. While this is a great resource to remediate severe conditions, the OCC has observed that these contracts take a long period of time to schedule an inspection and develop a scope of work (weeks or months), prior to even beginning the repair work.<sup>25</sup>
    - For one of the resident complaints to the OCC utilized by this contract, the OCC requested an independent inspection in July. That inspection was conducted in August and the inspection report was provided at the end of September. As the end of Q4, the scope of work was still pending (despite several follow-ups) and the resident was still residing in the apartment. In addition, the asbestos inspection had not been sent for scheduling until the end of Q4 for the end of November (in Q5). The anticipated date to begin repair work for this apartment remains unknown. It is our understanding that the GM’s office has been working with the resident in regards to relocation options since August.
  - It is our understanding that OMAR was planning to retain 3 additional vendors and add additional scope of work lines to the contracts in its efforts to expedite the timeline to conduct work in Q4. It is our understanding that those contracts had not been finalized as of the end of the quarter.
  - It is our understanding that OMAR was in the process of awarding 2 additional vendor contracts for a total of \$10 million to address leak repairs in Q4. The OCC has not been informed of any update or progress on this topic in Q4.

For the OCC operations to be efficient and effective, management must prioritize skilled trade resources to mold related work orders and increase the availability of vendor contracts to conduct remediation work on leak issues. There must be a greater level of oversight and management of the vendor contracts to ensure that the repair activity is expedited.

#### F. The Commitment to Data Strategy, Individual Accountability at NYCHA, Collaboration and Resident Engagement Creates Significant Opportunities for Improvement

As discussed in prior quarters, NYCHA must maintain a commitment to data strategy, individual accountability, collaboration and resident engagement with a continuous pursuit of opportunities for improvement.

The OCC’s resident engagement, findings from detailed work order reviews, and collaboration with various internal and external stakeholders (including the Parties and Tenant Associations) has already provided significant opportunities for operational changes across the NYCHA portfolio. This combination of perspectives, activities and processes informs standard procedure, use and interpretation of data, resident communication, and the effective use of NYCHA resources. Understanding the feedback from both the

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<sup>25</sup> It is also our understanding that these contracts may be very costly to NYCHA, reaching hundreds of thousands of dollars for just one unit.

residents' perspective as well as the operations perspective offers a unique opportunity for ongoing and sustainable transformative change in NYCHA's response to mold and leaks, and its efforts to effectively prevent recurrence.

Please see below for information regarding progress and opportunities identified this quarter:

- **IDA Initiatives Identified through the OCC** – In Q4 (and prior quarters), the court-appointed IDA worked with NYCHA (OMAR, Compliance, EH&S, and Operations) to identify and/or implement data tracking and/or information provided to residents in regard to mold and leak remediation including, but not limited to:
  - Discrepancy between resident provided scheduling time frame on the MyNYCHA app (8:00 a.m. – 12:00 p.m. or 12:00 p.m. – 4:00 p.m.) and NYCHA worker provided scheduling time frame (8:00 a.m. – 4:00 p.m.) which can lead to missed appointments and resident frustration;
  - Identification of long-term pending work orders that have been resolved but are recorded as being open in the system;
  - Identification of improper CCC communication to residents and lack of calls being recorded by the CCC agents;
  - Identification of resident satisfaction survey response data that does not appear to be operationalized or utilized by OMAR, MRU or Compliance;
  - Identification of CCC follow-up ticket data for reports of missed appointments or unsatisfactory work that does not appear to be operationalized or utilized by OMAR, MRU or Compliance;
  - Identification of children work orders that are not associated with the leak or mold parent work order, which may be understating NYCHA's compliance with the *Baez* consent decree;
  - Identification of concerns with how CCC was classifying certain conditions which has caused significant inefficiency and confusion that frequently occurs when NYCHA staff arrive at a unit expecting one condition only to learn that it is very different condition that the resident is experiencing (e.g., peeling paint or flaking plaster);
  - Identification of priority building lines (and individual floors) that are in the most need of repair work based on the history of created parent work orders for both mold and leaks.
  - Dust wipe child work orders creating an administrative hold on the completion of paint work orders; and
  - Data tracking and need for an operational monitoring process to ensure proactive inventory re-stocking for tub enclosures, cabinets, etc.
  
- **Preventing Resident Complaints to the OCC** – While NYCHA works on the systemic factors outlined in this report to reduce resident reported complaints and prevent the need for residents to contact the OCC, NYCHA has the opportunity to utilize data strategy to identify residents that may have a higher propensity to have a complaint (e.g., long term open work order, recurring mold and leak work orders, open or exposed wall, awaiting the repair or replacement of a sink, toilet, shower, or cabinets, several open work orders etc.) and proactively reach out to ensure the proper repair work is conducted.
  - We understand that in Q2 NYCHA planned to conduct proactive outreach to residents that have several open mold and leak work orders to lower the number of resident complaints to

the OCC, but this has been delayed due to COVID-19 work order guidance limitations, and staffing and resource limitations.

## G. Short-Term Solutions for Capital Repairs

As discussed in prior quarters, NYCHA needs to properly address resident recurrence complaints associated with capital needs repairs (e.g., roof repairs, façade or exterior brickwork repairs) and develop interim solutions to ensure the health and safety concerns raised by the residents and reduction of duplicative work currently required by NYCHA.

Please see below for information regarding progress and opportunities identified this quarter:

- **Interim Repairs and Routine Inspections** – In Q4, 5% of resident reported complaints to the OCC were recurrence related, whereby NYCHA had completed the mold or leak repair in the past but the resident reported that the problem had returned within a year. These are often situations related to poor ventilation within the unit or lack of root cause remediation due to capital needs (such as needed roof repair work, pipe replacement work, façade or exterior repair work) that is left unfinished which leads to a recurrence of the reported mold or leak condition. For many of these complaints, the OCC has been informed that capital repair work is required and despite any remediation work, there is a higher likelihood of recurrence.
  - In Q3, MRU worked with the developments with these capital repair issues to develop interim solutions to ensure the health and safety of the resident. Such solutions included temporary roof repair work and waterproofing the unit to try and prevent recurrence. It is also our understanding that routine inspections will be conducted by the development on a bi-annual or annual basis to ensure the conditions are remediated if they return.
  - As shown in Figure 16, the OCC observed situations in Q4 whereby MRU's requisitions for water proofing (as an interim prevention repair for the pending capital repair façade work) was rejected by the development and therefore not completed. A few months later, the OCC was informed by the resident (during an OCC follow-up call) the mold had recurred. As a result, the OCC created a follow-up complaint for this resident and requested a re-inspection and re-requested that the waterproofing be conducted.<sup>26</sup>

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<sup>26</sup> It is our understanding that the development has approved of the waterproofing for this resident in Q5.

Figure 16



- In prior quarters, the OCC suggested that NYCHA should consider conducting an analysis of all mold and leak work orders affected by capital repairs and offer residents of those buildings with interim solutions and create a process for regular inspections.
  - The OCC has not been informed of any update or progress on this topic in Q4.

#### H. Continued Awareness of the OCC

In Q4, there was an improvement of NYCHA's efforts in regards to increasing awareness of the OCC compared to Q3. However, in Q4, there continued to be a lack of awareness for the timing of distribution of outreach and use of communications that were inconsistent with the communications provided to the OCC and Ombudsperson for review and comment. As emphasized in Q2, NYCHA needs to continue to raise awareness of the OCC to all residents using multiple communication channels, with frequent distribution. The OCC and Ombudsperson provided feedback to NYCHA and the Parties regarding concerns about NYCHA's communication efforts and concerns about clearly demonstrating that the Ombudsperson (and OCC) is independent from NYCHA. The OCC shared its comments and feedback regarding NYCHA's ongoing efforts to raise awareness about the OCC. NYCHA has indicated its commitment to ensuring residents are made aware of the OCC and the importance of regular, multi-channel outreach, with advanced notice and use of approved content.

Please see below for information regarding progress and opportunities identified this quarter:

- **NYCHA Communication with Residents Regarding the OCC** – It will be important for NYCHA to reinforce the independence of the Ombudsperson and OCC to residents as well as the fact that NYCHA is taking action to become more resident-focused and accountable. Residents have expressed confusion in calls to the OCC, and the Parties, about whether the OCC is part of NYCHA, creating the potential for lack of engagement from residents because of factors such as skepticism or fear. The fact of its independence has been an important element of the OCC's communication with residents and provides an opportunity for dialogue and trust with the resident. The Ombudsperson and the OCC have emphasized to NYCHA that it must communicate to residents that the OCC and the Ombudsperson are independent of NYCHA. The Ombudsperson and the OCC

have been working with NYCHA to ensure that all written communication to residents includes such language.

- **Outreach Concerns** – In Q4, the NYCHA Department of Communications (the DOC) was also faced with unprecedented challenges related to the COVID-19 pandemic. The DOC was working to communicate with residents on a wide variety of urgent issues including, but not limited to, new cleaning protocols at NYCHA properties, health and safety practices residents should follow, new work order guidance, and rent payment and modification procedures. In the midst of these other urgent communication needs during the pandemic, the DOC also expressed a willingness to share communication with residents regarding OCC, a recognition of the health and safety intersection between leak and mold complaints and the pandemic. As a result of these many competing priorities for the DOC, there were instances when activities were performed later than anticipated and without advanced notification for the OCC or where communications were distributed using content inconsistent with versions shared with the OCC and Ombudsperson. When these instances were identified (either by OCC review of social media account or by resident feedback regarding a message they had received) the OCC contacted OMAR and Compliance to request that more advanced notice regarding DOC messaging about the OCC, the development of a calendar of DOC activity about the OCC and a consensus about communication content or best practices. During Q4, Compliance and MRU was able to continue to work with the DOC to develop the requested calendar of activities and to incorporate content requests and best practices for OCC communication into the messaging used by DOC about the OCC. The OCC is continuing to work with Compliance, MRU and the DOC to facilitate effective and efficient communication when planned messaging is unable to be completed when expected, so as to ensure the OCC and MRU are aware of when messaging about the OCC is provided to residents.
  
- **New Outreach Channels** – In Q1, in coordination with the Ombudsperson and OCC, NYCHA developed a monthly communication plan to inform residents about the OCC and to clearly demonstrate that the Ombudsperson is independent from NYCHA. The communication plan contemplated multiple communication channels (over several weeks) for each borough grouping launch. In Q4, the following new outreach channels were developed:<sup>27</sup>
  - NYCHA flyer regarding outlets to file a complaint (created by Compliance).
  
  - OCC contact information has not yet been made accessible to residents on:
    - MyNYCHA app for reports of leaks.
      - Residents who report mold conditions through the app are notified that if the resident has a complaint after opening the work order the OCC can be contacted. However, reports of leaks or moisture conditions included in the Baez Revised Consent Decree are not provided this notification in the app at this time. It is our understanding that NYCHA plans to re-consider this once the Leak standard procedure has been implemented and MRU is adequately staffed.
    - NYCHA’s Customer Contact Center (CCC) interactive voice response (“IVR”) system for reports of leaks.

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<sup>27</sup> Refer to **Appendix B** for outreach examples.

- Residents who report mold conditions through the CCC are notified that if the resident has a complaint after opening the work order the OCC can be contacted. However, reports of leaks or moisture conditions included in the Baez Revised Consent Decree are not provided this notification at this time. It is our understanding that NYCHA plans to enable this once the Leak standard procedure has been implemented.
  - NYCHA residents who have a mold inspection conducted that is considered “unfounded” and informed that no mold is present. As mentioned above, the court-appointed IMA estimated that nearly 50-60% of mold inspections that are closed as “unfounded” may be overstated and therefore do have a mold or excess moisture problem.
    - It is our understanding that the OCC contact information is provided on the mold inspection review form (shown in Appendix B) which is only provided to residents when the inspection results are “founded” and require a remediation plan.
    - NYCHA should consider adding the OCC contact information to the Mold Inspection Receipt form which indicates whether the mold is “founded” or “unfounded” to ensure all residents whom report mold conditions are provided with the OCC contact information.
- **Monthly Recurring Multi-Channel Outreach Plan** – NYCHA will need to clearly and consistently communicate with residents, resident associations, and property management staff on a regular basis to ensure awareness among residents about the OCC. This communication will need to utilize multiple channels of communication (flyers, posters, rent bill inserts, in-app notifications, discussions at resident association meetings, social media, emails, automated phone outreach, etc.). NYCHA will need regular supplemental communication to new residents and those who may not be aware of the OCC.
  - In Q4, NYCHA did not conduct any supplemental outreach aside from social media posts and an intergovernmental electronic newsletter (which collectively accounted for less than 1% of new resident reported complaints created in the quarter). In prior quarters NYCHA utilized multiple channels of communication strategy. In Q4, the following outreach efforts were not conducted:
    - Distribution of the OCC flyer around the common spaces of buildings or under resident doors;
    - Distribution of the OCC flyer in the rent insert;
    - Automated phone outreach;
    - Email notification to residents; or
    - Targeted phone outreach to residents or tenant association leaders.
  - In Q4, NYCHA requested that the OCC and Ombudsperson develop the social media content for Q5 (within a very brief period of time) for NYCHA’s consideration. This activity has been completed and is awaiting NYCHA’s review and operational distribution plan as of the end of the quarter.
  - In Q5, the OCC is hopeful that NYCHA will raise awareness of the OCC to all residents using multiple communication channels, with frequent distribution, while providing advanced notice and use of only approved materials based on plans developed and implemented.

- **Ombudsperson Video** – In Q4, the Ombudsperson created an independent video message for NYCHA residents. This video message explains the Ombudsperson’s role, how to reach the OCC office, and what to expect when filing a complaint. This video stresses the importance that the Ombudsperson and OCC are independent from NYCHA and offers clarity to the OCC’s activities and NYCHA’s activities when addressing the resident’s complaint. This video was created (in part) to help reduce the some of the resident reported confusion that the OCC has received in past quarters regarding its role being separate and independent from NYCHA. The video has been posted to the OCC’s website and will be used in future quarters for outreach purposes.
  
- **OCC Virtual Awareness Summit** – In Q4, the plaintiff organizations, Ombudsperson, the OCC, and NYCHA residents worked collaboratively to prepare and organize a virtual summit to increase awareness of the OCC. The virtual summit was hosted by Metro IAF (one of the plaintiff organizations) on October 27<sup>th</sup> and had nearly 200 people in attendance. The summit included representatives from across the 5 boroughs, Tenant Associations, representatives from elected officials, community based organizers, and NYCHA residents to offer an overview of the OCC, initial findings since launch, and hear from residents directly about their experience with the OCC and solicit feedback from those who are able to attend. Many of the attendees indicated that they had not previously been informed of the OCC and would reach out to file a complaint.
  
- **Compliance Referrals** – In Q4, NYCHA’s Compliance department referred 42% (191 complaints) of its complaints related to mold and/or leak to the OCC (increase from 43 complaints in Q3). In July, Compliance also began referring the OCC resident complaints that were received from the Federal Monitor team, accounting for 48 (of the 191) complaints received in Q4. The majority of these complaints are scheduling related and Compliance is requesting the OCC’s assistance to ensure proper communication between the resident and the development.<sup>28</sup>
  - Towards the end of Q4, the Compliance web submission portal, used to file a complaint, became unavailable due to system upgrades that were implemented during the 2<sup>nd</sup> week in October. As of the end of the quarter, NYCHA was working to resolve the issue but indicated that residents (or other parties) could submit a complaint through NYCHA’s CCC phone number. During this time, the OCC sent all referrals directly to Compliance via email.
  
- **Improper CCC Referrals** – In Q3, the CCC provided a script to inform residents of the OCC when reporting mold. As a result, the OCC received nearly 300 complaints in Q3 (July only) and 600 complaints in Q4. However, based on feedback from residents, nearly 20% (over 100 complaints) of the referrals were a deviation from the approved script which caused an influx of improper requests which led to resident frustration and confusion. The OCC has created a process to regularly share these examples with the CCC so that they can audit the calls with the residents and offer training or disciplinary action (as needed). Such examples included that the “CCC no longer handles mold complaints”, contact the OCC for “emergencies” or if “nobody shows up.”<sup>29</sup> During CCC’s review of these complaints, it realized that some of its staff were not recording phone conversations within the system. It is our understanding that NYCHA’s IT department has been working to resolve the issue

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<sup>28</sup> Compliance has full access to all referral complaints to the OCC and can monitor progress accordingly.

<sup>29</sup> The OCC was not present for the calls that the resident had with the CCC agent and therefore the information is open to interpretation that the OCC was not able to verify.

but was on-going at the end of the quarter. It is our understanding that CCC conducted additional training sessions to its staff and has taken disciplinary action, in some situations. As discussed above, the OCC also learned that many residents reported follow-up complaints regarding missed appointments or unsatisfactory work that went unaddressed. It will be important for NYCHA to address these issues to ensure that proper actions are taken by the CCC prior to being referred to the OCC.

**Exhibit 1 –Resident Reported Complaint Examples to the OCC**

**I. Brooklyn Residents**



**J. Manhattan Residents**



**K. Queens and Staten Island Residents**



**L. Bronx Residents**



**M. Mixed Finance Residents**



**N. NGO-1 Residents**



O. Before and After Example



P. Recurrence Example

BEFORE  
OCC



AFTER  
OCC



RECURRENCE - 5 MONTHS LATER  
(CAPITAL REPAIR PENDING)



**Exhibit 2 – OCC Metrics (Q4 – August 1, 2020 – October 31, 2020) <sup>30</sup>**

**A. Resident Reported Complaints Summary**

<b>Created Tickets - YTD</b>	<b>Resolved Tickets - YTD</b>
4 415	1 646

<b>Created Tickets</b>	<b>Resolved Tickets</b>	<b>Open Tickets</b>
2 141	1 169	2 777

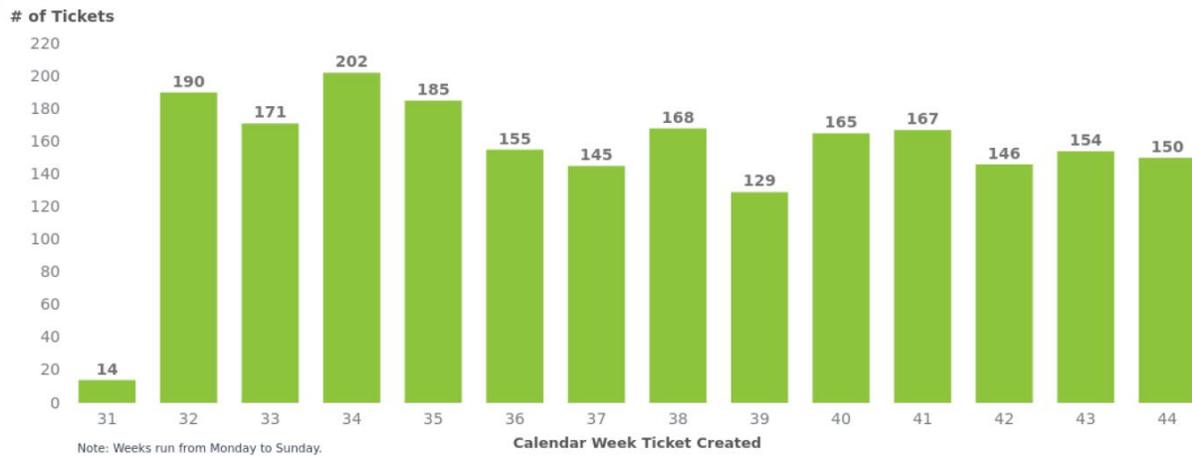
**Tickets Created by Month**



<b>Avg Monthly Tickets Created</b>	<b>Avg Weekly Tickets Created</b>
714	153

<sup>30</sup> Totals on select metrics may not reconcile based on the create date of the ticket, current status, and/or data field being populated or available.

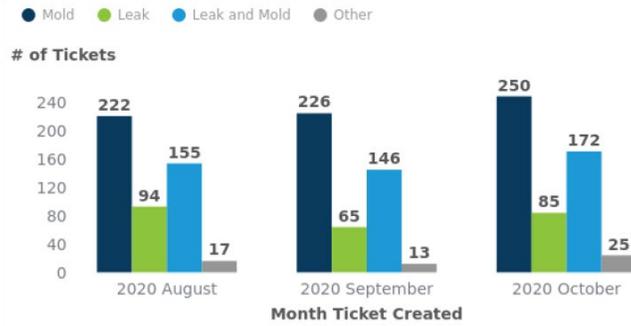
### Tickets Created by Calendar Week



### Tickets Created by WO Type



### Tickets Created by WO Type by Month

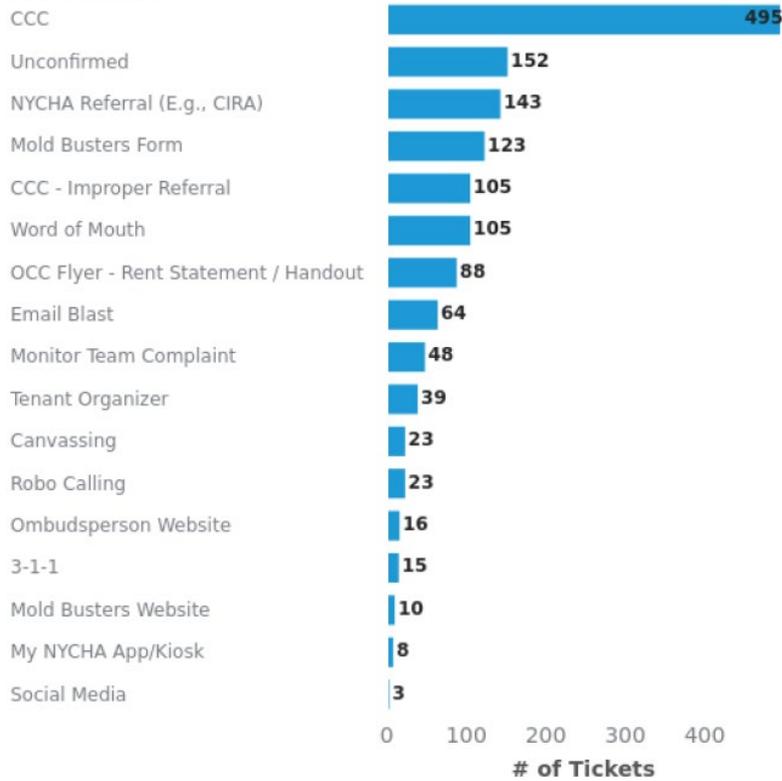


### Tickets Created by Swimlane

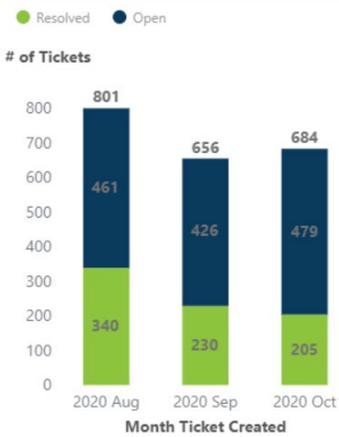
Swimlane	# of Tickets	% of Total
Scheduling	594	37%
Craftsmanship	322	20%
OCC services inquiries	288	18%
New mold or leak related issue	249	15%
Recurrence	77	5%
Missed appointment	41	3%
Improper closure of work order (within 1 month)	26	2%
Incorrect classification	15	1%
Emergency	8	0%
Non-mold or leak	3	0%
Resident question - work order number / remediation plan	1	0%

## Tickets by Method of OCC Awareness Q4

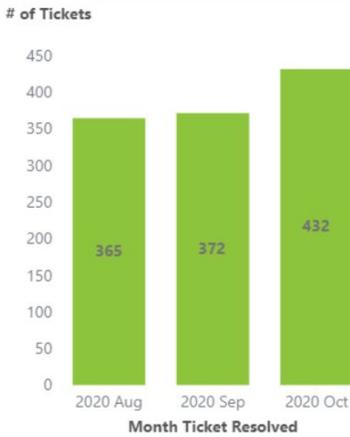
### OCC Channel



### Current Ticket Status by Month Created



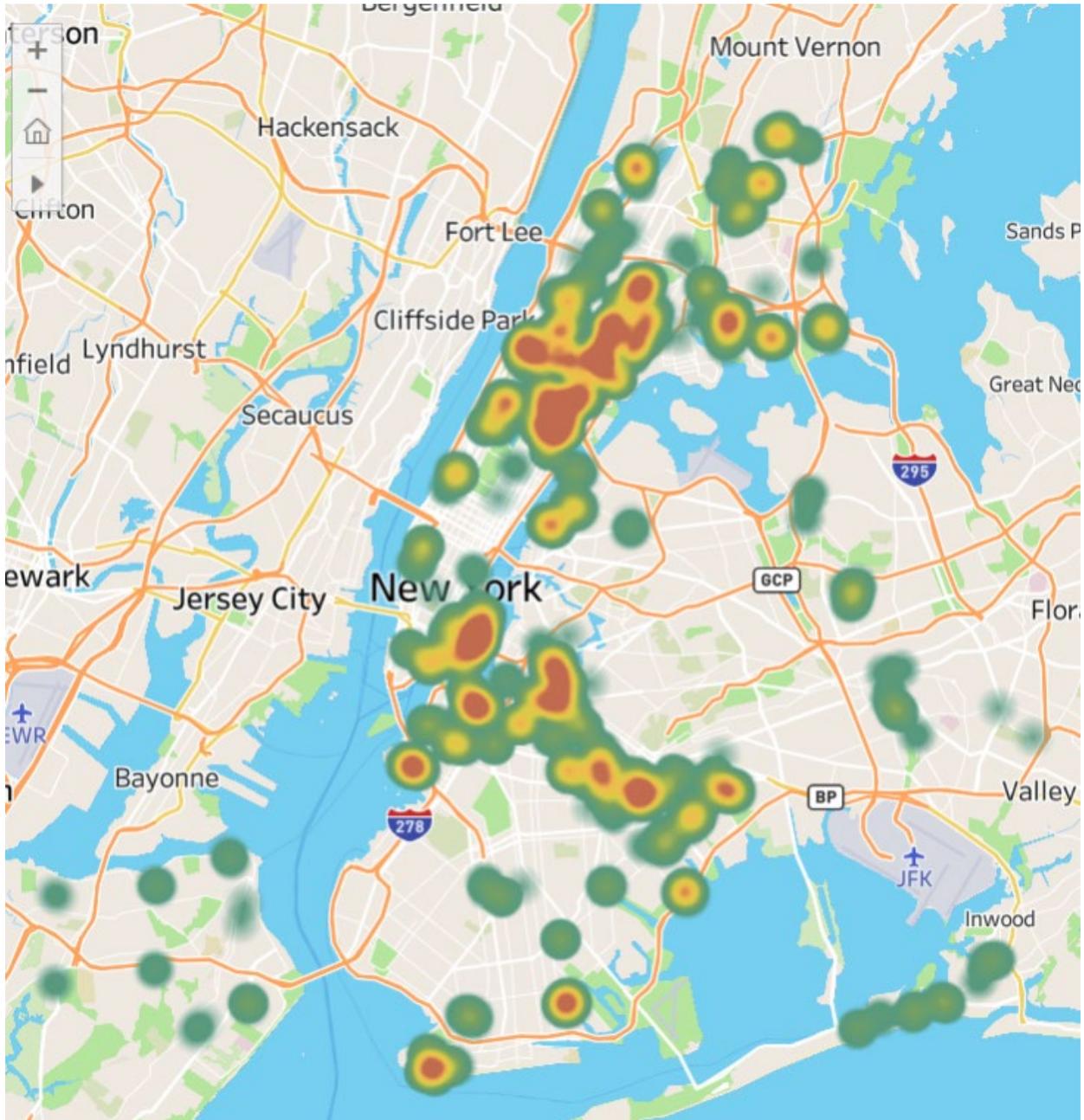
### Resolved Tickets by Month Resolved



### Tickets by Creation Channel

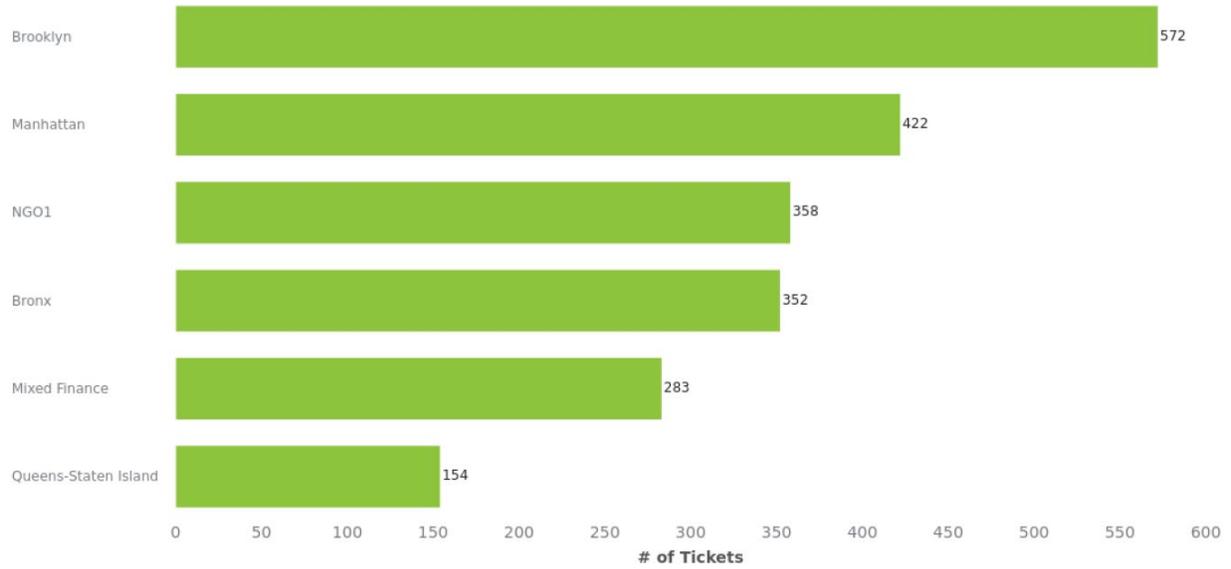


## B. Resident Reported Complaints by Geography



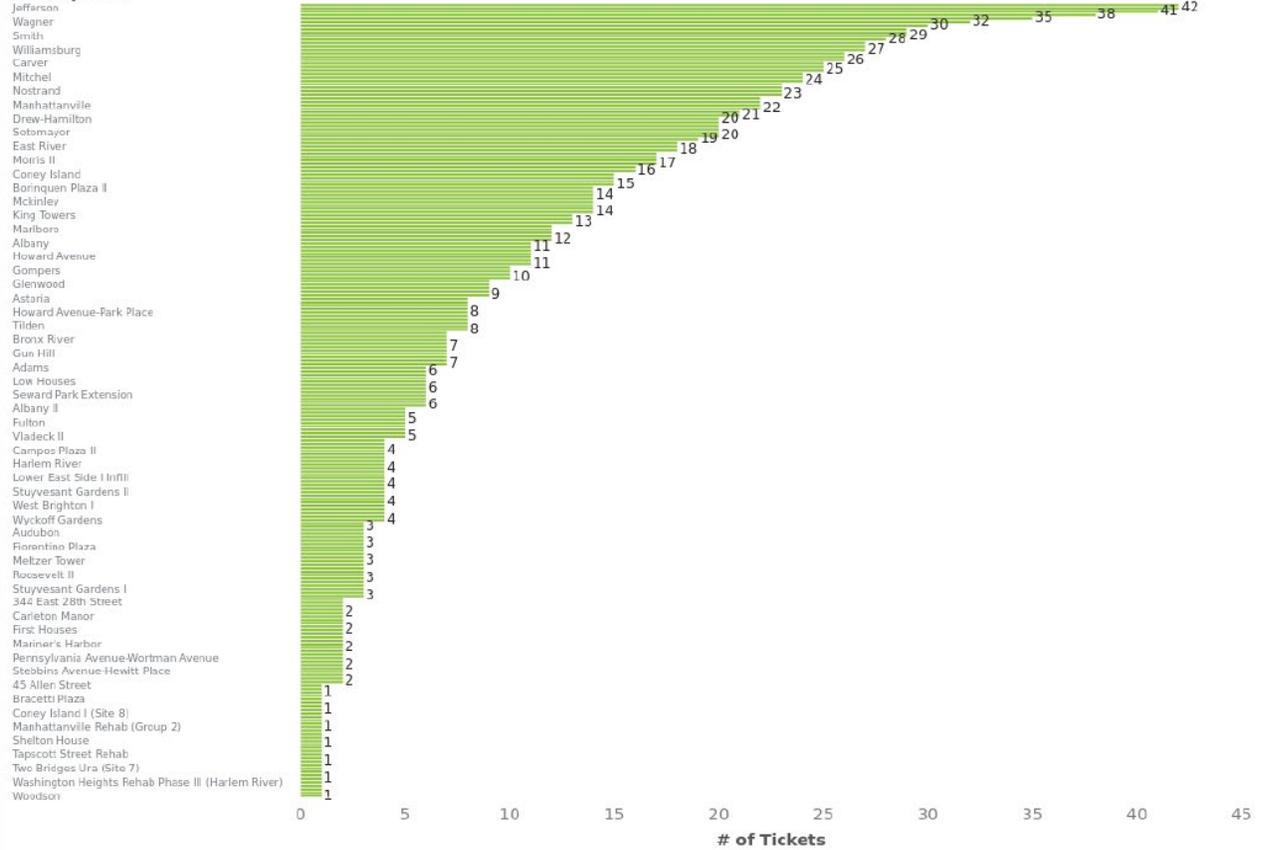
## Tickets Created by Borough Grouping

### Borough Group



## Tickets Created by Development

### Development



### C. Resident Report Complaint Metrics

Tickets Updated by OCC Work Performed	# of Tickets
Reviewed Automated Unit History Report	3,179
Requested Scheduling Date	2,108
Reviewed Maximo Work Order Data	2,093
Recommended Re-Inspection	382
Recommended Re-opening a Work Order	83
Recommended NYCHA Compliance Department Conduct Review/Investigation	44
Conducted a Virtual Inspection	37
Recommended Temporary Repair	36
Requested Tenant Documentation	16
Recommended 3rd Party Attend Inspection/Remediation	11
Conducted Work Order Investigation	8
Sought Information from Independent Mold Analyst	5
Requested NYCHA Documentation	1

Tickets Updated by OCC Intake Flags	# of Tickets
Reported Mold > 20 SQ FT	602
Child in Unit	532
Resident Notes Respiratory Concern	467
Reported Hold in Wall	332
Senior	329
Reported Active Severe Leak	319
Inoperable / Missing Sink, Cabinets, Toilet, etc.	147
Pictures Provided	114

Tickets Updated by Ticket Considerations	# of Tickets
Repair Work Involves Other Units	254
Resident Involved in Court Case	227
Complex Leak Investigation	149
Resident Reports Additional Complaint	105
Roof Repair Work Required	54
Resident Requests Delay in Scheduling	51
Use of 48 Hr. Notice - Other Residents	41
Communication Barriers	34
Facade Repair Work Required	24

Tickets Updated Regarding COVID-19	# of Tickets
Delay in Work Due to Covid-19 Guidelines	437
Work Order(s) Placed on Hold	148
Resident Requested Delay in Work	56
Delay in Work - Development Staffing Constraints	15
Plasterer - Missed Appointment	10
Rescheduled due to PPE Constraints	9
Painter - Missed Appointment	8
Delay in Response or Work Due to Lack of Management Availability	7
Resident Refused Appointment	7
Worker Showed Up but Didn't Do Work	6
Maintenance - Missed Appointment	4
Delay in Work - Materials Constraints	3
General Inquiry Regarding Covid-19 Non-Mold / Leak Related Issues	2
Plumber - Missed Appointments	1

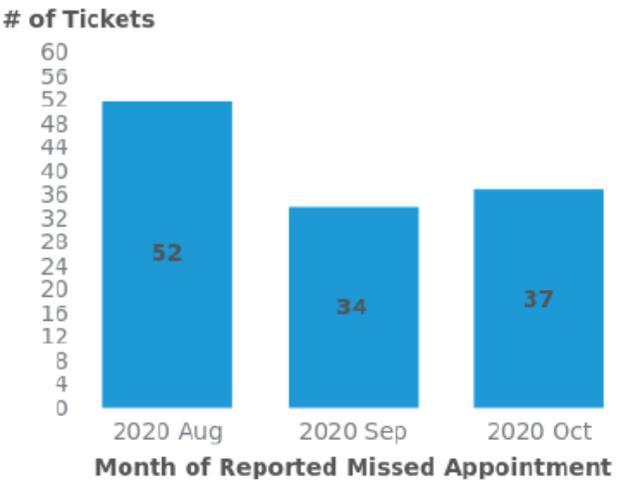
Tickets Updated by OCC Escalation	# of Tickets
MRU Supervisor	1,194
Monthly Ticket Review - Sept	320
MRU	136
OMAR	61
Compliance	41
EH&S	17
Operations - RAM	14
GM	3
Ombudsperson	2

Tickets Updated by MRU Work Performed	# of Tickets
Followed-up with Labor Worker(s) / Investigated Situation	899
Followed-up with Development Regarding Remediation Plan / Inspection	663
Revised Remediation Plan / Expedited Scheduling	561
Sent Building Supervisor to Conduct Immediate Inspection	44
Determined Reason for Missed Appointment	14
Ordered Temporary Relocation / Reasonable Accommodation Request	6
Refer Independent Mold Analyst for Inspection	4
Use of OMAR CM / Vendor Contact for Inspection or Remediation	4

Tickets Updated by MRU Escalation	# of Tickets
Development - RAM	190
Development - Director	66
OMAR	60
Deputy Director of Operations (Office of VP)	37
Borough VP	35
Skilled Trade - Deputy Director	35
Borough Director	34
Compliance / CIRA / EH&S	33
GM	19
Legal	4



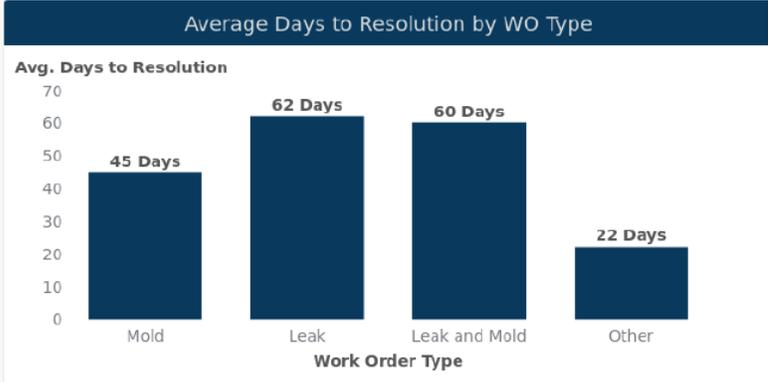
Tickets with Reported Missed Appointments by Month



## D. Resolved Resident Reported Complaints

Resolved Tickets  
**1 169**

Average Days to Resolution  
**31 Days**

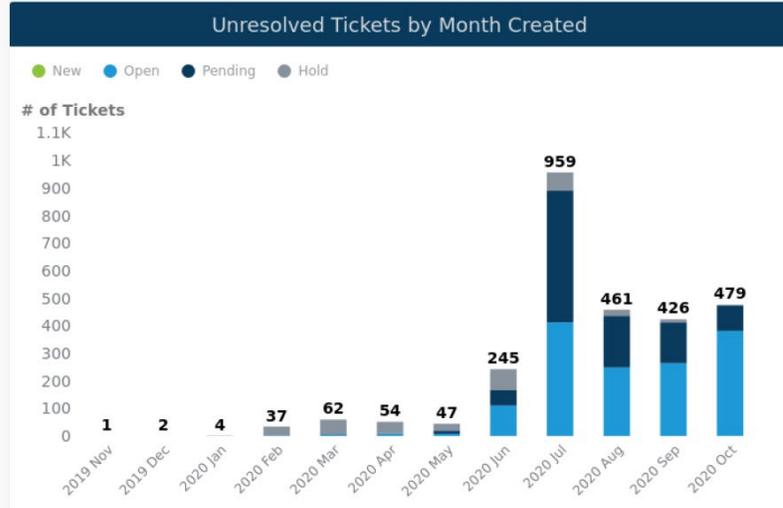
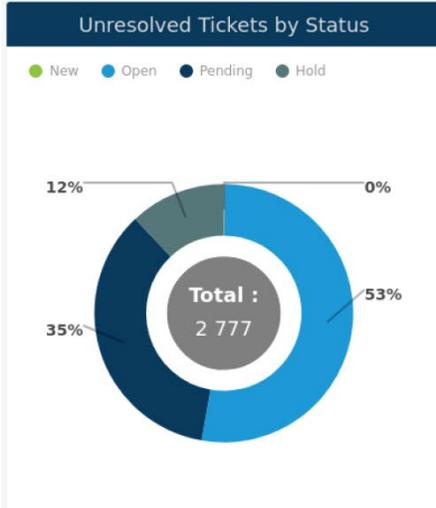


**Resolved Tickets by Swimlane**

Swim Lane	# of Resolved Tickets	% of Total	Avg. Days to Resolution
Scheduling	205	29%	65 Day(s)
OCC services inquiries	188	26%	26 Day(s)
New mold or leak related issue	168	24%	35 Day(s)
Craftsmanship	97	14%	70 Day(s)
Recurrence	20	3%	63 Day(s)
Improper closure of work order (within 1 month)	15	2%	62 Day(s)
Missed appointment	7	1%	29 Day(s)
Emergency	5	1%	30 Day(s)
Non-mold or leak	3	0%	13 Day(s)
Incorrect classification	2	0%	75 Day(s)

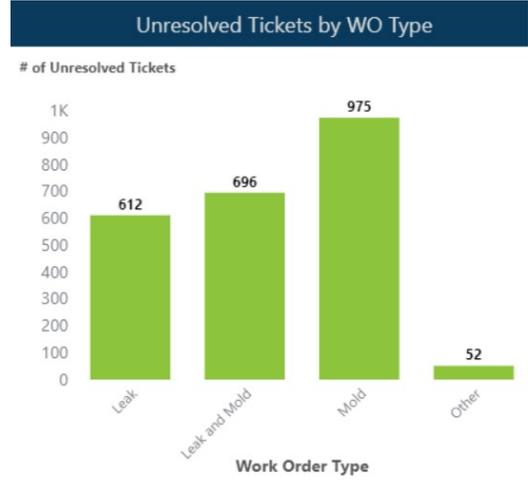
## E. Unresolved Resident Reported Complaints<sup>31</sup>

Unresolved Tickets	Average Ticket Age
2 777	87 Days



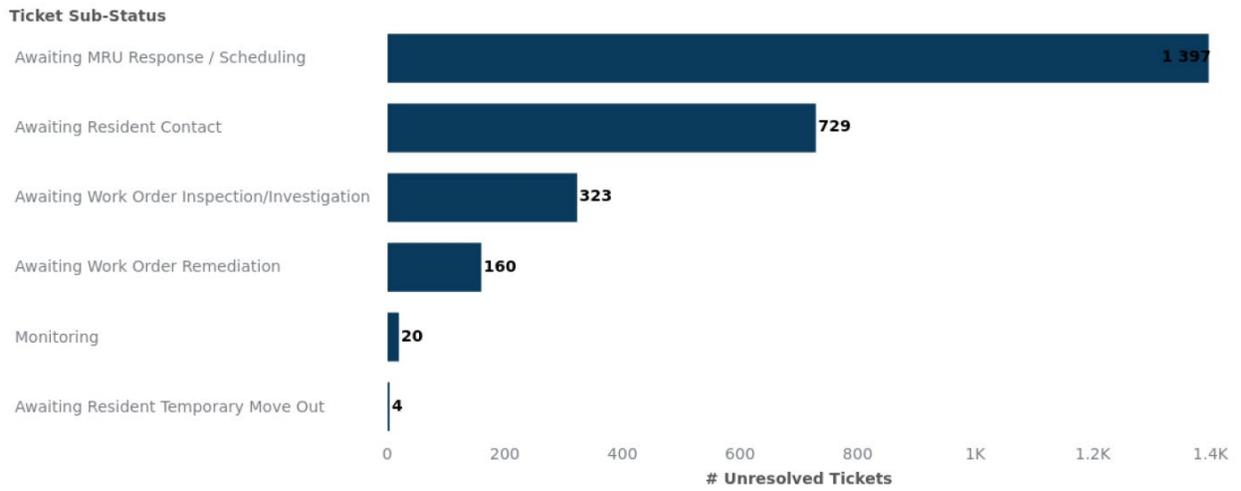
### Unresolved Tickets by Swimlane

Swimlane	# of Tickets	Avg. Days Open
Scheduling	1 011	91 days
Craftsmanship	583	88 days
New mold or leak related issue	355	97 days
OCC services inquiries	338	78 days
Recurrence	137	88 days
Missed appointment	52	69 days
Improper closure of work order (within 1 month)	51	91 days
Incorrect classification	16	53 days
Emergency	13	85 days

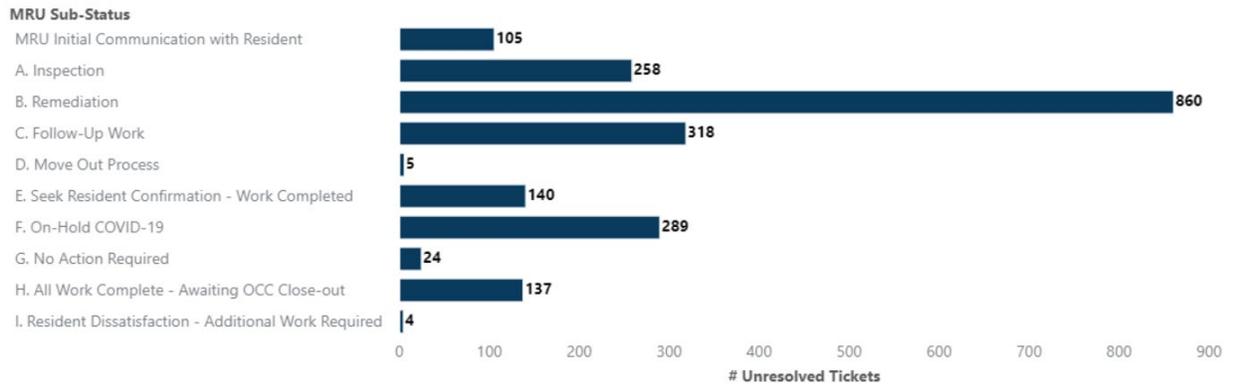


<sup>31</sup> Resident reported complaints in “New” or “Pending” status may be excluded from metrics.

### Unresolved Tickets by Sub-Status

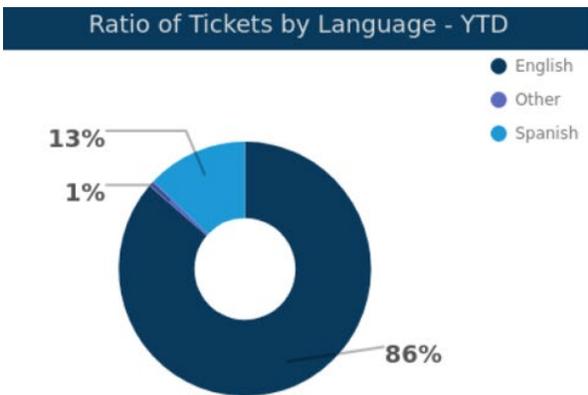
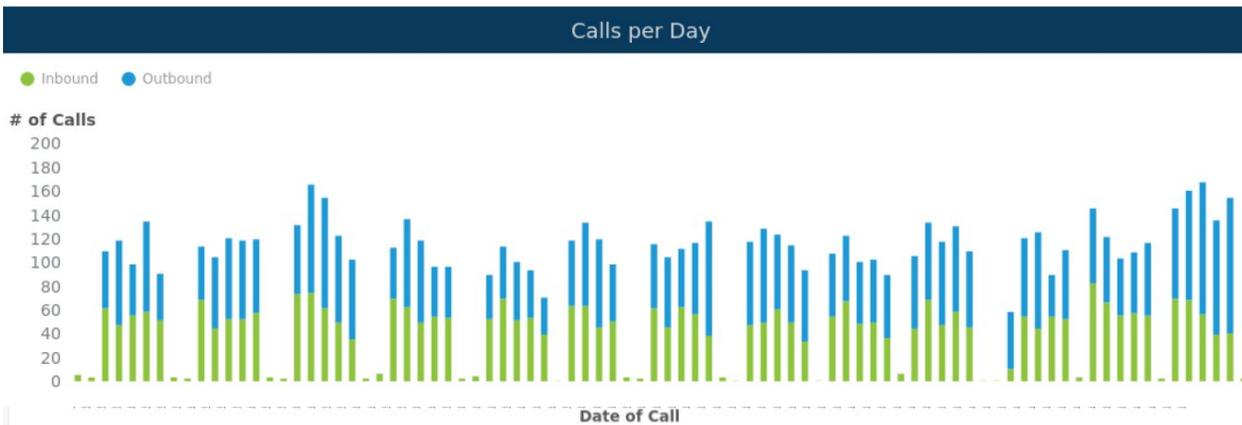


### Unresolved Tickets by MRU Sub-Status



## F. Call Metrics

Inbound Calls	Outbound Calls
3 565	3 987



### High/Low Calls per Ticket - YTD

Ticket ID	Calls/Ticket
High	27
Low	1

## **Appendix A - OCC Operation Overview**

The OCC has been created to receive complaints from residents who have already contacted the NYCHA Customer Contact Center (CCC) but still have concerns about mold, leaks and any associated repairs that has not been completed properly or has not been completed on time. Complaints can be submitted to the OCC via phone (Monday – Friday 9am – 5pm) at 1-888-341-7152 or through a web-form at [www.ombnyc.com](http://www.ombnyc.com).

The OCC's operations are guided by this general process:

- Provide an independent and supportive resident experience through effective and empathetic listening, proactive communication and establishment of trust.
- Determine the process needed to seek resolution to the resident's satisfaction (based on the resident's complaint).
- Ensure there is timely case management and escalate the complaint if there is a lack of responsiveness or willingness to resolve the issue raised. A complaint will not be closed until the remediation of the work has been completed to resident's satisfaction or a relocation has been conducted.
- Evaluate and investigate resident complaints through data analysis of NYCHA's Maximo work order database and offer observations and recommendations to NYCHA's Mold Response Unit (MRU), Compliance department and/or Environmental Health and Safety (EH&S) department.<sup>32</sup>
- Perform strategic data collection and recommend operational enhancements.

Common reasons for residents to contact the OCC include:

- A resident scheduled a mold inspection or the repair of a leak and NYCHA did not show up for the appointment (Missed appointment complaint).
- NYCHA conducted a mold inspection but did not tell the resident the next step in the repair process (Scheduling complaint).
- NYCHA scheduled a mold or leak repair and it has taken longer than the required 15 days to complete the repair and this is causing a problem for the resident (Scheduling complaint).
- NYCHA started the mold remediation process and/or leak repair work but did not complete it and did not provide the resident with a follow-up appointment date to complete the repair (Scheduling complaint).
- NYCHA completed the mold or leak repair but the work was unsatisfactory or did not solve the problem (Craftsmanship complaint or Improper closure of a work order complaint).
- NYCHA completed the mold or leak repair but the problem came back again even though NYCHA tried to repair it (Recurrence complaint).
- A resident who has a report of mold or a leak related issue but does not have an open work order (New mold or leak related issue complaints).
  - In these situations, the OCC assists the resident in opening a mold or leak work order with the CCC, if requested. If the resident, however, experiences any issues (discussed above) after opening the work order with NYCHA, they are advised to contact the OCC back.

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<sup>32</sup> NYCHA supports this data analysis by extracting mold and leak data twice a week to populate a Tableau report that allows OCC call center representatives and NYCHA's RCAs to rapidly view a unit's history of mold and leak complaints by inputting easy-to-obtain resident information: name, address, etc.

- The OCC also receives service inquiries to better understand what the OCC is and how it can help them (OCC service inquires complaints).

The OCC interacts with NYCHA’s Office of Mold Assessment and Remediation (OMAR) unit. OMAR developed a specialized task force, the Mold Response Unit (MRU) within OMAR that monitors complaints received from the OCC to ensure successful resolution and closure. For all resident complaints to the OCC where a resident has had an open mold or leak work order for more than 7 or 15 days (depending on the repair) prior to contacting the OCC, a NYCHA Resident Community Associate (“RCA”) (formally known as a Resident Coordinator or “RC”) may be assigned to the resident to ensure proper levels of communication and case management, if needed.<sup>33</sup>

Once the OCC receives the complaint from the resident, they will contact the resident to discuss the proposed next steps for anything that cannot be resolved during the initial intake. The OCC’s objective is to have an actionable next step for the resident within 1 business day. Such next steps may involve the OCC to request:

- OCC and/or NYCHA to receive photos, video, and/or conduct a virtual inspection with the resident to better understand the issues they are facing;
- NYCHA RCA to contact the resident within 1 business day of OCC intake and assignment;
- NYCHA immediately schedule and conduct a re-inspection of prior work performed;
- Expedited scheduling for work orders that have been open for longer than 7 or 15 days;
- NYCHA to reach out to the resident to discuss the results of the Mold Busters initial inspection and/or associated remediation plan; or
- Referral of the complaint to NYCHA’s Compliance or EH&S departments depending on the circumstances.

The length of time to resolve a complaint is contingent on a variety of factors including the complexity of the repair, the scheduling availability (and preferences) of the resident, and the staffing constraints, scheduling limitations, and inventory of materials at NYCHA.

In response to the COVID-19 pandemic, the OCC provides NYCHA residents with information about COVID-19 on its website, including NYCHA’s policies during these times. The OCC also informs residents of the current guidance, makes sure the resident is comfortable with having repair work scheduled and conducted, and provides the resident with feedback on what to expect regarding social distancing and the need for wearing a face covering.

The OCC completed the phased portfolio-wide launch on July 1, 2020. Throughout the launch, the Parties facilitated meetings with each borough grouping (before and after the launch) to identify staffing limitations and resources that NYCHA will need to address resident complaints to the OCC. For the OCC to continue to be successful, NYCHA will need to continue to assess the staffing limitations and other resource constraints at each development and work to ensure those positions are filled or other resource solutions are identified. Effective (and regular), multi-channel communication and collaborations within various departments within NYCHA, will be critical to the continued success of the OCC.

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<sup>33</sup> The RCA position was created by NYCHA’s MRU department in Q1 with a singular focus and responsibility to communicate with residents and relevant teams within NYCHA (e.g., property management staff, maintenance workers, MRU, etc.) to ensure successful completion of resident reported complaints to the OCC. The RCA position is a dedicated resource to service mold and leak related complaints.

## Appendix B – OCC Outreach Examples

### A. OCC Flyer

The flyer features a background image of a multi-story brick apartment building under a blue sky with clouds. A yellow diagonal banner runs across the top. In the top right corner, the text "MOLD BUSTERS AT NYCHA" is written in bold, with "MOLD" and "AT NYCHA" in black and "BUSTERS" in yellow. In the top left corner, there is a small logo for the Housing Authority of the City of New York, which consists of a stylized building icon above the words "HOUSING AUTHORITY".

**MOLD BUSTERS AT NYCHA**

**What is Mold Busters?**

Mold Busters is NYCHA's program to effectively and efficiently remediate mold. It is a vital part of NYCHA's commitment to providing residents with the healthy and safe homes they deserve.

To report mold or a leak in your apartment and initiate the Mold Busters process, call the Customer Contact Center (CCC) at 718-707-7771 or use the MyNYCHA app.

**Who is the Ombudsperson?**

NYCHA is under a court order to effectively remediate mold and excessive moisture in a timely fashion. The Court has appointed César de Castro as the Ombudsperson to consider complaints from Residents if NYCHA fails to comply with that order. Mr. de Castro will address NYCHA residents' complaints about leak, mold and excess moisture repair orders. Mr. de Castro and the Ombudsperson Call Center (OCC), which works under Mr. de Castro's direction, are completely independent of NYCHA.



**What is the Ombudsperson Call Center?**

The OCC receives complaints by Residents who have already contacted the NYCHA CCC but still have concerns about mold, leaks and any associated repairs that have not been completed properly or have not been completed on time. Residents with such concerns can contact the OCC at 1-888-341-7152 or at [ombnyc.com](http://ombnyc.com). Do not call the OCC unless you have first contacted NYCHA regarding a particular mold or leak problem and are dissatisfied with NYCHA's performance.

**Common Reasons to Submit a Complaint to the Ombudsperson Call Center:**

- You scheduled a mold inspection or the repair of a leak and NYCHA did not show up for the appointment.
- NYCHA conducted a mold inspection but did not tell you the next step in the repair process.
- NYCHA scheduled a mold or leak repair and it has taken longer than the required 15 days to complete the repair and this is causing a problem for you.
- NYCHA started the mold remediation process and/or leak repair work but did not complete it and did not provide you with a follow-up appointment date to complete the repair.
- NYCHA completed the mold or leak repair but the work was unsatisfactory or did not solve the problem.
- NYCHA completed the mold or leak repair but the problem came back again even though NYCHA tried to repair it.

## B. MyNYCHA Kiosk

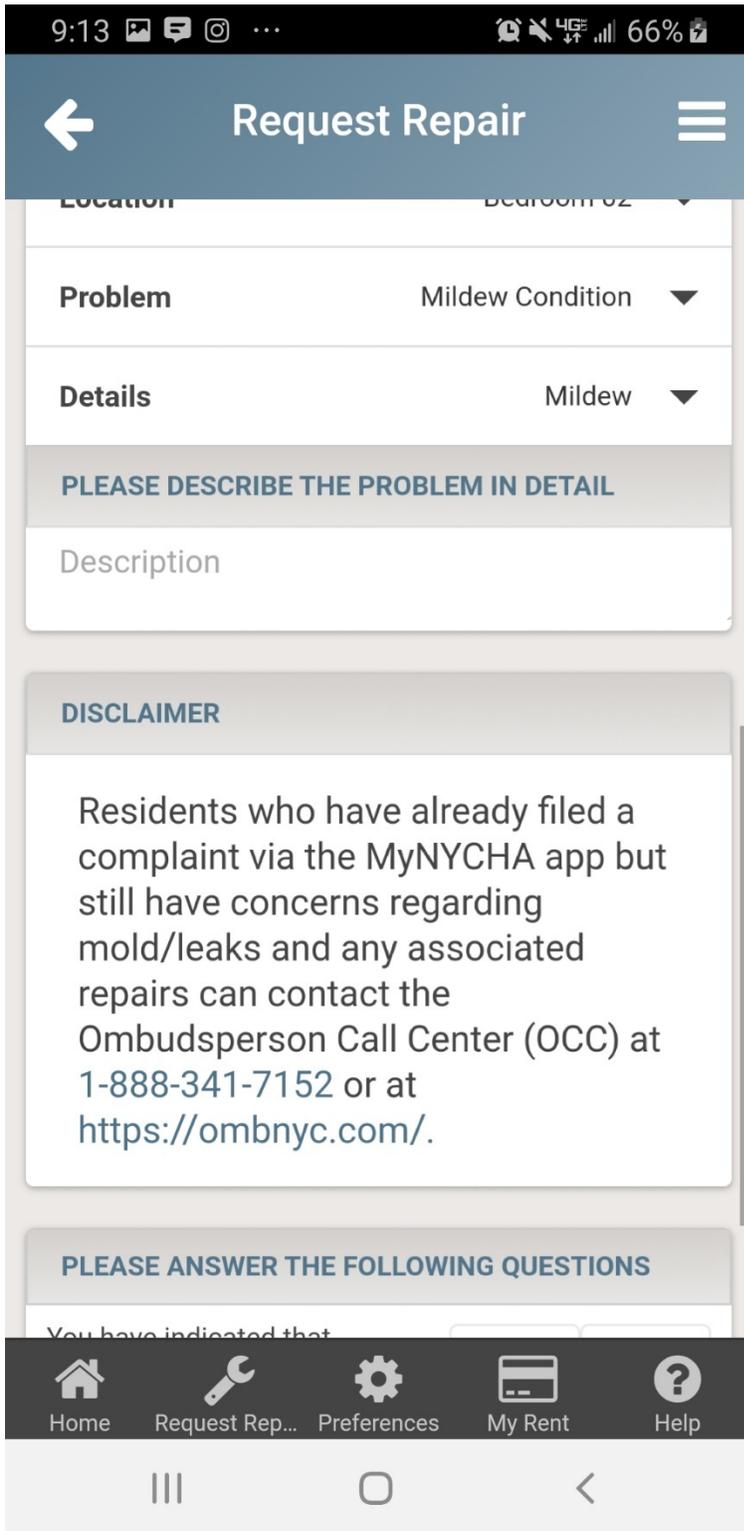
Residents with mold or active water leaks in their apartment should enter a work order by calling the **NYCHA Customer Contact Center at (718) 707-7771**. Residents can also use the MyNYCHA app or website.

**Touch Screen to Begin**



Residents who have already contacted the NYCHA Customer Contact Center but still have concerns regarding mold/leaks and any associated repairs can contact the **Ombudsperson Call Center (OCC) at 1-888-341-7152 or at [ombnyc.com](http://ombnyc.com)**.

### C. MyNYCHA App Notification



## D. NYCHA Mold Busters Mold Inspection Review Form



# Notice: Mold Inspection Review

**11/04/18**

JANE DOE  
100-10 100<sup>TH</sup> STREET 3G  
QUEENS, NEW YORK 11433

On **10/31/18** NYCHA conducted the initial inspection for work order # **60070080** NYCHA has found mold, water damage, and/or a moisture level indicating excessive moisture and/or a possible leak.

The likely root cause is: **LEAK ABOVE OR ASIDE**

Based on this root cause and the remediation method selected, follow-up work orders have been automatically generated. Below is a summary of the work that is needed to correct this root cause and remediate the mold or moisture condition:

Work Order #	Failure Class	Problem Code	Craft	Estimated Scheduled Date
62711365	Floor	FloorTilesDML	Maintenance	
62711366	Floor	Needs Cleaning	Caretaker	11/11/18
62645326	Mildew Condition	Mildew	Painter	11/13/18

If you do not have a scheduled date listed above, NYCHA will contact you to schedule appointments needed to complete the repairs or to discuss next steps if capital repairs are needed to remediate mold or moisture in your unit.

NYCHA is committed to completing all mold and excessive moisture work orders within 7 days for simple repairs and 15 days for complex repairs, starting from the date that the initial complaint is reported to the Customer Contact Center. If resident access is not provided for the scheduled follow-up appointments, NYCHA may use its right to access a resident's apartment, immediately after providing 48 hours' notice, as indicated in the NYCHA Resident Lease Agreement.

A final quality assurance re-inspection will be conducted by NYCHA staff 30 to 45 days after the necessary work orders are completed to ensure that the mold and excessive moisture remediation work was done correctly and effectively.

If you have any concerns regarding this notice or repair, you can reach the Ombudsperson Call Center (OCC) at 1-888-341-7152 or at <https://ombnyc.com/>. If OCC cannot resolve your concerns, they will contact Cesar De Castro, the Ombudsperson, to resolve the issue.

A translation of this document is available in your management office.

La traducción de este documento está disponible en la Oficina de Administración de su residencial.

所居公房管理处備有文件譯本可供索取。

所居公房管理处备有文件译本可供索取。

Перевод этого документа находится в офисе управления Вашего жилищного комплекса.

## E. NYCHA Website – Mold Busters

NYCHA Housing Authority
311 | Search all NYC gov websites

Italiano | Translate | Text-Size

Home
About
Eligibility
Residents
Section 8
Business
Submit Concern
Search

Resources
Pay Rent
Engagement
Service Interruptions

Customer Contact Center

MyNYCHA

Domestic Violence

Emergency Management

Extermination Visits

Family Partnerships

Lead-Based Paint Inspections

**Mold Busters**

NYCHA Journal

Parking

Reasonable Accommodation

REES

Residents Policies & Procedures

Smoke-Free NYCHA

Share

Print

### Mold Busters

The Mold Busters process introduces new mold inspection tools (clockwise from top): borescope (camera/viewing device for tight spaces), hygrometer (humidity detector), proliometer (surface moisture detector) and anemometer (airflow detector).

Photo: Mold Busters Inspection Tools

NYCHA is committed to providing residents with the healthy and safe homes they deserve. To fulfill this commitment, NYCHA is taking proactive measures to meet the obligations of both the 2018 Revised Base Consent Decree and the 2019 HUD Agreement. As part of this process, NYCHA has revised its standard procedure for addressing mold complaints and introduced "Mold Busters" – an innovative new program informed by industry standards to effectively and efficiently remediate mold. NYCHA began a citywide roll out of Mold Busters in January 2019 and completed implementation on September 2, 2019.

NYCHA will take the following measures to comprehensively address mold and moisture conditions:

- Better Tools:** Staff will use new tools to find and fix mold's root causes, including moisture meters and new mold-fighting paint.
- Enhanced Training:** Beginning in January 2019, over 2,500 staff members will receive comprehensive hands-on training in performing apartment inspections for mold and mold remediation.
- More Accountability:** A new inspection and record keeping process will identify the underlying causes of mold and/or moisture problems. A new quality assurance process will ensure that staff properly address the root causes of mold and moisture. Finally, NYCHA has implemented a regular schedule to ensure that malfunctioning roof fans are identified and repaired in a timely manner.
- Streamlined Response:** NYCHA will prioritize and better coordinate mold-related repairs across skilled trades.
- Improved Communication:** NYCHA will improve communication with tenants by creating new informational tools and meeting with local Resident Associations to share information about the Mold Busters process.

### Resources for Residents

- Mold and Moisture Prevention
- NYCHA's New Mold Procedure Explained
- Mold Busters Fact Sheet [English](#) | [Español](#) | [Русский](#)
- Ombudsperson and Ombudsperson Call Center information [English](#) | [Español](#)
- NYCHA's Right to Entry Policy Explained
- Mold Busters Public Presentation NYCHA 2.0 Resident Webinar
- Mold Busters Public Presentation NYCHA 2.0 Resident Webinar Video
- NYCHA's Mold Standard Procedure

Residents with mold or active water leaks in their apartment should enter a work order by calling the NYCHA Customer Contact Center at (718) 707-7771. Residents can also use the [MyNYCHA app](#) or [website](#).

Residents who have already contacted the NYCHA Customer Contact Center but still have concerns regarding mold/leaks and any associated repairs can contact the Ombudsperson Call Center (OCC) at 1-888-341-7152 or at [ombnyc.com](#). If OCC cannot resolve your concerns, they will contact Cesar de Castro, the Ombudsperson, to resolve the issue. The Ombudsperson will initiate a phased portfolio-wide launch of the Call Center that will be completed by July 1, 2020. The start schedule is listed below:

- Jefferson Delta Test: November 4, 2019
- NGO: Live as of February 3, 2020
- Mixed Finance: Live as of March 2, 2020
- Manhattan: Live as of April 1, 2020
- Queens/SI: May 1, 2020
- Bronx: June 1, 2020
- Brooklyn: July 1, 2020

Ombudsperson Call Center Location Map

This map shows locations where OCC support is now available to NYCHA residents.

Directory of City Agencies

Notify NYCHA

NYCHA Mobile Apps

Contact NYC Government

City Store

Maps

City Employees

Stay Connected

Resident Toolkit

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## F. Email Notification

From: New York City Housing Authority <noreply@everbridge.net>  
Date: Thu, Jul 23, 2020 at 2:23 PM  
Subject: Ombudsman\_7\_23



[Please click here to acknowledge receipt of this message](#)

Hello, this is the New York City Housing Authority calling to remind you that the Ombudsperson Call Center (or OCC) that is independent of NYCHA is active at your development. Residents who have already contacted NYCHA but still have concerns about mold, leaks and any associated repairs that have not been completed properly or on time can contact the OCC at 888-342-7152 or email at [ombnyc.com](mailto:ombnyc.com)

With the recent spread of COVID-19, NYCHA is still committed to its residents. During this time, NYCHA will be focusing on emergencies only. Mold inspections will continue, however, all non related emergencies will be postponed until further notice.

## G. NYCHA Intergovernmental Newsletter



### COVID-19 Update #48

We hope that this has reached you in good health. Thank you for your commitment in serving the residents and employees of NYCHA. Together, we can support our communities in need. This issue will highlight the following topics:

- Customer Contact Center Annual Recertification Prompt Update
- Ombudsperson Call Center: Mold Busters
- The Summer Bridge 2020 Program: Application Due Tomorrow
- NeON Food Pantries

### Customer Contact Center (CCC) Annual Recertification Prompt Update

Calling the CCC for Annual Recertifications? The new prompt to be connected with the unit is option 5. For this and other options, please see below.

CCC Hotline: 718-707-7771

- For Maintenance Press 1.
- For Section 8 Housing Press 2.
- For Applications press 3
- For Public Housing Emergency Transfers press 4.
- For Annual Recertifications and Rent Hardship press 5.**
- For Lockbox and Parking press 6.
- For the Compliance Department, the Environmental Health & Safety Department or the Quality Assurance Unit, press 7

### Ombudsperson Call Center: Mold Busters

NYCHA is under a court order to effectively remediate mold and excessive moisture in a timely fashion. The Court has appointed César de Castro as the independent Ombudsperson to consider complaints from residents if NYCHA fails to comply with that order. Mr. de Castro and the Ombudsperson Call Center (OCC) are completely independent of NYCHA. The OCC is now active at all NYCHA Consolidations.

Residents with mold concerns can contact the independent OCC at 1-888-341-7152 or at [Please refer \[here\]\(#\) for additional information regarding Mr. de Castro and the Ombudsperson Call Center \(OCC\).](http://secure.web.cisco.com/1aGSEW8d_KRISDECruuMtuGrtA7PFuL_vv5ZWvR9_Xhek7UNf7cRHxv8fBY13k5p22AAuGW9mMj6JEJ8f8SJZcaXGb4_m561_YZqEFG-nvWQny92CJJe8sv8RrB0809cQbSL-rlJvD9n4618owYD3g8trON40964v0TjHqTX34uuw9D5z8BppaR6TxA3771Da3j11KCYDZx2Ajuw0mGXOukuQmes7No7USPFTqkFmAk-WLaQSDqb00WafJLJQaW2_Tu1twntV8JNPVLe0rZBbw7k055v45-Naw7BfFo8wD_qy9pFIDbGpd0XKShu5Q2i9GmjDvNq_WVDhxCBuLb-GaCaMZzPkFBxppWSESchb-JML_HXhniaMCTeID7_SMDie-KuDoMwnis3eh44UP6nN8http://www.ombnyc.com</a>. Residents should not call the OCC unless they have first contacted NYCHA regarding a particular mold or leak problem and are dissatisfied with NYCHA's performance.</p></div><div data-bbox=)

## H. Social Media Posts

### The NYCHA Journal

The screenshot shows the NYCHA Journal website in a browser. The browser's address bar displays "nichajournal.nyc". The website header includes the NYCHA logo and navigation links: "NYCHA Home", "About", "Articles", "Galleries", "MyNYCHA", and "Contact Us". A red banner at the top reads: "Please call the CCC at 718-767-7771 if you need to request an emergency repair. Trained representatives are available 24 hours a day, 7 days a week." Below this is a large image of a smiling woman in a blue and white plaid shirt. To the right of the image is a "Complete the 2020 Census!" call to action with a "MORE" button. Below the image are three article snippets: "NYCHA's NAACP Prayer Walk for Juneteenth" (dated July 2, 2020), "Ombudsman and Ombudsman Call Center Information" (dated July 1, 2020), and "Summer Resources" (dated July 1, 2020). The bottom of the page features a navigation bar with "EDUCATION" and "YOUTH" tabs.

# Facebook

**New York City Housing Authority (NYCHA)** June 27 at 7:15 AM

Ombudspersons Call Center is available for most NYCHA developments if you are experiencing the following issues:

- You scheduled a mold inspection or the repair of a leak and NYCHA did not show up for the appointment.
- NYCHA conducted a mold inspection but did not tell you the next step in the repair process.
- NYCHA scheduled a mold or leak repair and it has taken longer than the required 15 days to complete the repair and this is causing a problem for you.
- NYCHA started the mold remediation process and/ or leak repair work but did not complete it and did not provide you with a follow-up appointment date or complete the repair.
- NYCHA completed the mold or leak repair but the work was unsatisfactory or did not solve the problem.
- NYCHA completed the mold or leak repair but the problem came back again.

Learn more:

- English <https://on.nyc.gov/2Nfdyqm>
- Spanish <https://on.nyc.gov/2UZnpQN>
- 中文 (繁體) <https://on.nyc.gov/2UWYj9>
- 中文 (简体) <https://on.nyc.gov/3ekvago>
- Pyccoxa <https://on.nyc.gov/2V11aP1>
- Bengali <https://on.nyc.gov/37KRn5u>

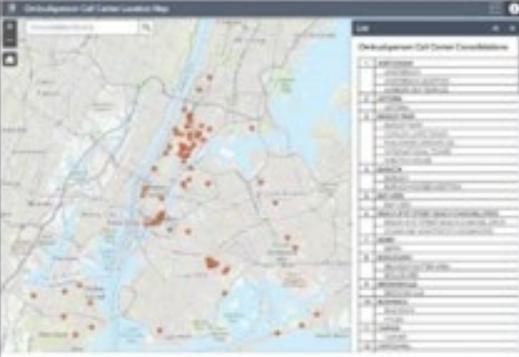


**New York City Housing Authority (NYCHA)** 6 hrs

The Ombudspersons Call Center (OCC) is currently 'live' for all NGO, Mixed Finance, Manhattan, Queens and Staten Island and Bronx developments. OCC will be live in Brooklyn by July 1st.

To see if OCC is live in your development please see the map below, and read the flyers for more info.

English <https://on.nyc.gov/2Nfdyqm>  
 Spanish <https://on.nyc.gov/2UZnpQN>  
 中文 (繁體) <https://on.nyc.gov/2UWYj9>  
 中文 (简体) <https://on.nyc.gov/3ekvago>  
 Pyccoxa <https://on.nyc.gov/2V11aP1>  
 Bengali <https://on.nyc.gov/37KRn5u>



1 Share

Like Comment Share

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Learn more:

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 Pyccoxa <https://on.nyc.gov/2V11aP1>  
 Bengali <https://on.nyc.gov/37KRn5u>



1 Share

Like Comment Share

# Twitter



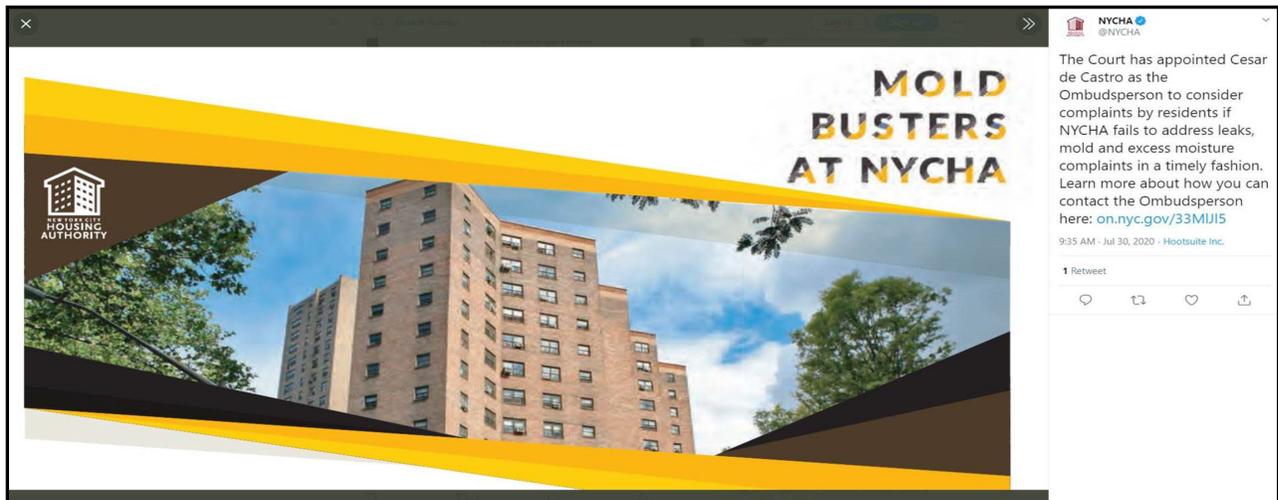
**NYCHA** @NYCHA · 5h

The OCC is independent of NYCHA and receives complaints regarding Mold and Leaks from Residents who have already contacted @NYCHA CCC and still have issues, or are dissatisfied with remediation.

Español | 中文 (繁體 / 简体) | Русский | Bengali [on.nyc.gov/33MIJ15](https://on.nyc.gov/33MIJ15)



1 Retweet 1 Like



**NYCHA** @NYCHA

The Court has appointed Cesar de Castro as the Ombudsman to consider complaints by residents if NYCHA fails to address leaks, mold and excess moisture complaints in a timely fashion. Learn more about how you can contact the Ombudsman here: [on.nyc.gov/33MIJ15](https://on.nyc.gov/33MIJ15)

9:35 AM · Jul 30, 2020 · Hootsuite Inc.

1 Retweet



# Instagram



nychagram • Follow

nychagram The Ombudspersons Call Center (OCC) is independent of #NYCHA and receives complaints regarding Mold and Leak repairs from Residents who have already contacted NYCHA CCC and still have issues, or are dissatisfied with the remediation work.

Learn more by visiting the link below online:

29 likes  
1 DAY AGO

Add a comment... Post

## Appendix C – NYCHA’s Work Order Guidance During the COVID-19 Pandemic

On March 12, 2020 (in the midst of Q2) New York’s Mayor, Bill de Blasio, declared a state of emergency in New York City in response to the COVID-19 pandemic.<sup>34</sup> As a result, NYCHA has communicated various updates regarding the measures that it has taken in response to the pandemic.<sup>35</sup> In Q4, NYCHA continued to expand the types of work employees will be permitted to conduct in-units, including work associated with mold and leak complaints. As of October 6, 2020, many restrictions regarding mold and leak work orders has been lifted, leaving only paint and non-emergency leak work suspended.<sup>36</sup>

The OCC has included a link to the NYCHA Journal on its website and informs residents of the current guidance. The OCC also makes sure the resident is comfortable with having repair work scheduled and conducted. For residents who do not wish to have work conducted, the OCC can request advanced scheduling or place the resident’s ticket on-hold until they are comfortable having repair work conducted.

Please see below for historic guidance pertaining to mold and leak work orders conducted within units that was made available to residents via the NYCHA Journal (emphasis added):

- March 13 and 16, 2020 – NYCHA would conduct some leak related complaints that were considered “emergency repair (e.g., gas/**water leaks**, stoppages, etc.)”<sup>37;38</sup> This guidance unintentionally excluded mold work orders.
- March 20, 2020 – NYCHA provided more context regarding leak related work orders that were being conducted including “...**water leaks**, gas leaks, **flooding conditions**, stoppages, electrical issues, and hazardous conditions.”<sup>39</sup> This guidance excluded mold work orders.<sup>40</sup>
- April 6, 2020 – NYCHA expanded the work orders it would address including “...**conducting mold inspections and, if mold conditions are found, the necessary remediation and repair work. Paint related to mold conditions is suspended.**”<sup>41</sup>
- April 17, 2020 – NYCHA requires that all staff wear face coverings (also referred to as PPE) during work within a unit - “Governor and the City issued another Order requiring all essential employees to wear a face covering that covers the mouth and nose when in direct contact with members of the

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<sup>34</sup> <https://nychajournal.nyc/update-from-nycha-chair-and-general-manager-on-covid-19-measures/>

<sup>35</sup> NYCHA is informing residents about COVID-19 updates through emails from NYCHA Chair Gregory Russ and General Manager Vito Mustaciuolo, direct phone calls, robocalls, notices posted in buildings, push notifications from the MyNYCHA app, and updates on NYCHA websites and social media. (<https://www1.nyc.gov/site/nycha/about/covid-19-FAQ.page>).

<sup>36</sup> On November 11, 2020 NYCHA’s work order guidance was further expanded which will be addressed in the Q5 report.

<sup>37</sup> <https://nychajournal.nyc/covid-19-update-on-staff-working-in-apartments/>

<sup>38</sup> <https://nychajournal.nyc/covid-19-updates-related-to-nycha-property-management-offices/>

<sup>39</sup> <https://nychajournal.nyc/nycha-development-property-management-offices-services-update/>

<sup>40</sup> It is our understanding that the COVID-19 work order guidance disseminated to the property management staff included mold work orders as of March 20, 2020, although this was not communicated directly to residents via the NYCHA Journal.

<sup>41</sup> <https://nychajournal.nyc/development-services-update/>

public – that is, when employees are within six feet or less of any other person in the workplace, including coworkers and residents.”<sup>42</sup>

- October 6, 2020 – NYCHA expanded the work orders to conduct all leak related complaints - **“Perform all repairs associated with a defined set of leak work orders**, described in further detail in the Work Order Guidance, regardless of Priority Code.”<sup>43</sup>

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<sup>42</sup> <https://nychajournal.nyc/face-coverings-additional-protections-nycha/>

<sup>43</sup> <http://nychanow.nyc/guidance-regarding-covid-19/>