

# Ombudsperson Call Center Report – Q5 November 1, 2020 – January 31, 2021

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 and re-appointed him to serve through December 31, 2021 to address NYCHA residents’ complaints about leak, mold, and excessive moisture repair orders. The Court also re-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.

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.<sup>1</sup> The OCC was developed to assist residents in situations where their mold and leak-related complaints are not being adequately addressed or resolved by NYCHA. NYCHA residents can now reach an independent party that 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 processes.

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 fifth reporting period from November 1, 2020, through January 31, 2021 (“Quarter 5” or “Q5”).

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

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<sup>1</sup> On December 23, 2020, the Court reappointed the IDA and IMA for a 1-year term through December 31, 2021.

## I. Executive Summary

As of January 31, 2021, the OCC had assisted NYCHA residents with 5,148 mold and leak-related complaints (with over 20,000 calls) and monitored the completion of over 14,100 parent and child work orders (or 19,880 including open work orders).<sup>2</sup> The OCC is 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> As of the end of the quarter, NYCHA had nearly 57,000 open parent mold and leak work orders associated with mold and leaks in nearly 39,000 unique apartments (or 23% of all NYCHA apartments), of which 92% were open for greater than 7 or 15-days as required by the Revised Consent Decree. Despite the COVID-19 pandemic, NYCHA remains committed to continuing its operations to service resident reports of mold and severe leaks and the OCC remained operational across the entire NYCHA portfolio.

***Demand for the OCC's assistance remains due to the severity of the resident reported living conditions.***

In Q5, there were 1,325 new resident-reported complaints created, of which nearly 65% reported severe conditions and 25% who stated that they were living with respiratory health concerns that may have been caused by or exasperated by, their current living conditions (as communicated by the residents).

- These include unresolved on-going leaks and/or severe mold, oftentimes 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 made to attempt a leak repair.
  - Many of the resident complaints received by the OCC required NYCHA to complete substantial repair work that requires scheduling of several appointments, follow-up communication, and quality assurance checks to ensure the work was adequately completed.
  - See below for examples of the conditions originally reported by residents to the OCC in Q5. Progress has been made on each of these complaints, therefore, these pictures do not reflect current conditions.<sup>4</sup>

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<sup>2</sup> Refer to **Figure 1** for the distribution of complaints by status. Number of unique complaints can vary over time based on the source of the complaint (e.g., resident-reported complaint and referral complaint for the same unit may be reported as 2 unique complaints and later merged into 1 complaint), eligibility of assistance (e.g., a complaint may be created for a NYC resident but if it later determined that the resident is not a NYCHA resident, the complaint will be excluded from reporting), and number of complaints per unit (e.g., resident may have created a complaint in Month 1 in the bathroom and an additional complaint in the bedroom in Month 2, depending on the nature the complaint, it may be merged into 1 complaint). The status of complaints can vary over time based on the required repair activity (e.g., work may have been completed but is re-opened due to recurrence), or the resident's requests (e.g., to place complaint on hold due COVID-19 delays). Therefore, the number of unique complaints and complaint statuses may change quarter over quarter. The number of monitored work orders is estimated based on work order activity recorded in Maximo during the time period that the OCC resident reported complaint was open. The work orders are likely understated since it excludes all work orders for units that were transitioned to RAD, inspection work orders conducted by OMAR or the QA department, remediation plans created and managed by OMAR or its vendors, work orders in other units that are connected to the OCC complaint (e.g., complex leak work), remediation plans with child work orders that are not linked to the mold or leak parent work order, etc.

<sup>3</sup> Refer to **Appendix A** for more information regarding NYCHA's COVID-19 guidance in relation to mold and leak work order remediation.

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



***The independence of the OCC and Ombudsperson remains essential.***

The independence of the OCC and the Ombudsperson has been and will continue to be an essential element of the success of the OCC NYCHA has made progress in conducting complex repair activities, ensuring the proper remediation steps are being taken (sometimes requiring re-inspections or follow-up work at the OCC's request), and working to re-establish trust with residents at certain developments. The success of the OCC requires NYCHA to be accountable for its work based on the resident's feedback and as a result, there has been a positive outcome for NYCHA residents. For NYCHA to be successful in its efforts to effectuate continued and sustained culture change it will require substantial effort by NYCHA to serve residents through effective communication, individual accountability, commitment to conduct the proper repair work, 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, as discussed throughout this report.

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. Mr. de Castro continues to emphasize the need for prompt responses from NYCHA staff to assist and aid in the scheduling and completion of the necessary repair work. He participates in regular dialogue with NYCHA regarding staffing limitations and impacts due to COVID-19 and the need for proactive communication with residents to set reasonable expectations of repair activity. In Q5, the Ombudsperson continued to assist with resident communication for complex situations and ensure progress was achieved. Mr. de Castro's extensive experiences engaging with NYCHA residents have been instrumental to overcoming communication barriers and working with NYCHA to ensure the residents' needs are met.

NYCHA's dedication to better serve its residents and its commitment to ensure the success of the OCC was recognized by several sources in Q5:

- Congressman Ritchie Torres distinguished the Ombudsperson and OCC as "*a powerful tool to hold NYCHA accountable*" in a press conference held in Q5.
- News reporter Monica Morales from Pix11 News also featured a story on the OCC in Q5, highlighting resident success stories.
- New York assembly members (15 collectively) issued a joint statement to NYCHA's Chairman stating (in part): "Many NYCHA residents have given up hope of ever having needed repairs addressed. However, this experience [working with the OCC and Ombudsperson] shows it is possible to improve the quality of life in Public Housing."
- Recent legislation was passed that requires the City to provide NYCHA residents with information about the Ombudsperson and the OCC via the distribution of pamphlets, telephone calls and included in a rent statement.<sup>5</sup>

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<sup>5</sup> Int. 1911-A requires that the City provide NYCHA tenants with information about the Mold Ombudsperson, the Ombudsperson's call center, and how to file a complaint about mold. An agency or office designated by the Mayor will distribute pamphlets to NYCHA residents with this information. NYCHA residents will also receive this information via a telephone call. Tenants who are enrolled in electronic billing may received an email with the information instead of a paper copy. Elected officials and community representatives would also receive pamphlets. The designated office would also be required to hold a public briefing about the Mold Ombudsperson at least once a year. This legislation goes into effect immediately and was sponsored by Council Member Ritchie Torres. The bill was passed on December 10, 2020.

***Continuing to raise awareness of the OCC to all residents using multiple communication channels, with frequent distribution, is required.***

There was a 38% decline in new resident-reported complaints to the OCC in Q5. This decline is attributable to several factors including seasonality (holiday period), a reduction of referrals from NYCHA's Compliance department, and a lack of resident awareness. In Q5, NYCHA's outreach to residents about the OCC was on social media awareness which included 14 posts. During Q5, NYCHA did not use additional email notifications, rent mailers, robo-calls, flyering, canvassing or targeted phone outreach (as it had done during the initial roll-out). As discussed further below, NYCHA's OCC communication efforts are contemplated within the framework of all resident communication that NYCHA is doing. As such, giving consideration to NYCHA communication resources and other communication priorities, it believed the social media channels utilized were appropriate for promoting the OCC. The OCC received feedback from several residents that they were unaware of the OCC until they saw information available on the news.

The OCC is hopeful that NYCHA will continue to raise awareness of the OCC to all residents using multiple communication channels, with frequent distribution. NYCHA must continue to communicate to residents that the OCC and the Ombudsperson are independent of NYCHA and is an outlet for residents who are not satisfied with NYCHA's efforts.

***Need for effective, empathetic resident communication is required.***

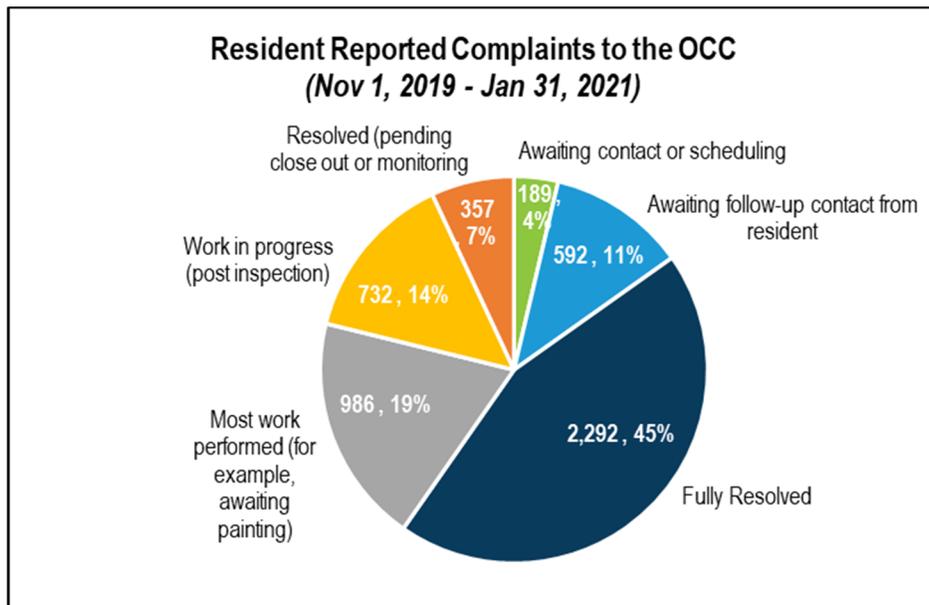
NYCHA needs to continue to evolve to a customer-centric culture through increased communication with residents regarding the results of inspections, remediation plans, and scheduling of work. It remains that nearly all resident-reported complaints to the OCC have involved a breakdown of communication between the resident and NYCHA. The OCC has identified a variety of different resident communication strategies and best practices (discussed herein) that NYCHA should consider in its efforts to work towards evolving to a more customer-centric culture and working to train its staff to better engage with residents. NYCHA's Resident Community Associates ("RCA") within its Mold Response Unit ("MRU") who respond to OCC resident-reported complaints set an example of how these strategies and best practices can be implemented. For NYCHA to operate effectively and efficiently, there will need to be a 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. If this can be achieved, there will be a considerable reduction of resident-reported complaints to the OCC.

## II. Resident-Reported Complaints to the OCC

### A. Resident-Reported Complaint Metrics<sup>6</sup>

Since the OCC launched in November 2019, 5,148 resident-reported complaints have been received by the OCC. Figure 1 shows the distribution of resident complaints reported to the OCC, as of the end of the quarter.<sup>7</sup> As of the end of the quarter, 52% have been resolved (including resolved and fully resolved), 19% have had most work resolved, 14% have work in progress, 11% are in the process of follow-up, and 4% are awaiting contact or scheduling.

Figure 1



<sup>6</sup> The resident-reported complaint metrics may change over time. Complaints may change status based on feedback received or may be merged if they are related to the same issue. 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.

<sup>7</sup> On November 30, 2020, NYCHA announced that it transitioned 13 Manhattan developments with 1,645 apartments managed by NYCHA to private property management through the Department of Housing and Urban Development's ("HUD") Rental Assistance Demonstration ("RAD") and Permanent Affordability Commitment Together ("PACT") programs in Manhattan. The OCC worked to resolve all resident-reported complaints in those developments prior to the transition. Those with remaining work still pending (12 resident-reported complaints) were referred to the new private property management offices through NYCHA and the RCAs communicated this with each resident. It is our understanding that new private property management offices would prioritize OCC complaints.

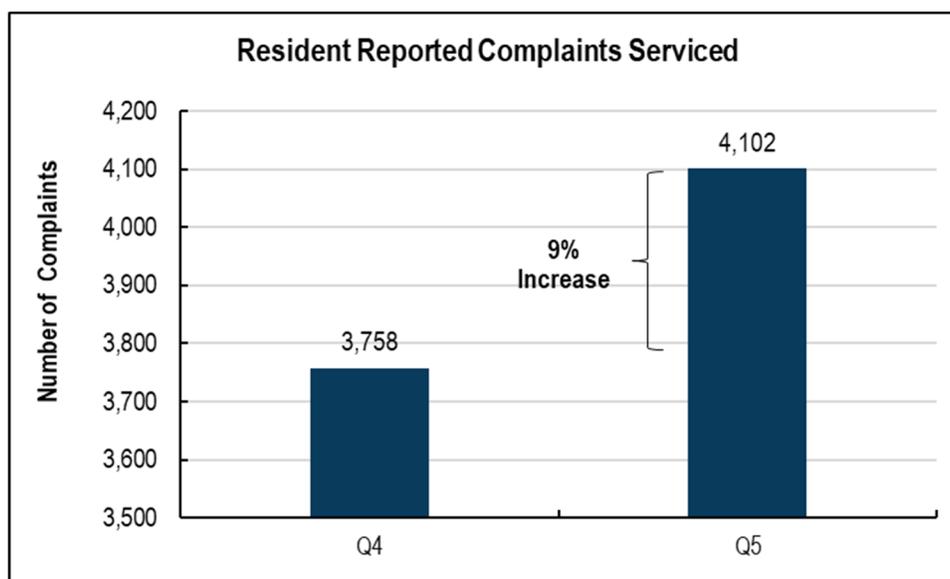
### 1. Resident-Reported Complaints Serviced

In Q5, there were 4,102 resident complaints worked on or “serviced” in the quarter, which were either open at the end of the prior quarter (2,777) or opened within the quarter (1,325). This is the number of complaints with which the OCC assisted during the quarter.

Of the 4,102 resident complaints serviced in the quarter, 1,014 were resolved in the quarter and 2,563 remained open (or unresolved) at the end of the quarter.

As demonstrated in Figure 2 (below) there was a 9% increase in the number of resident mold and leak complaints reported to the OCC that were serviced in this quarter.

**Figure 2**



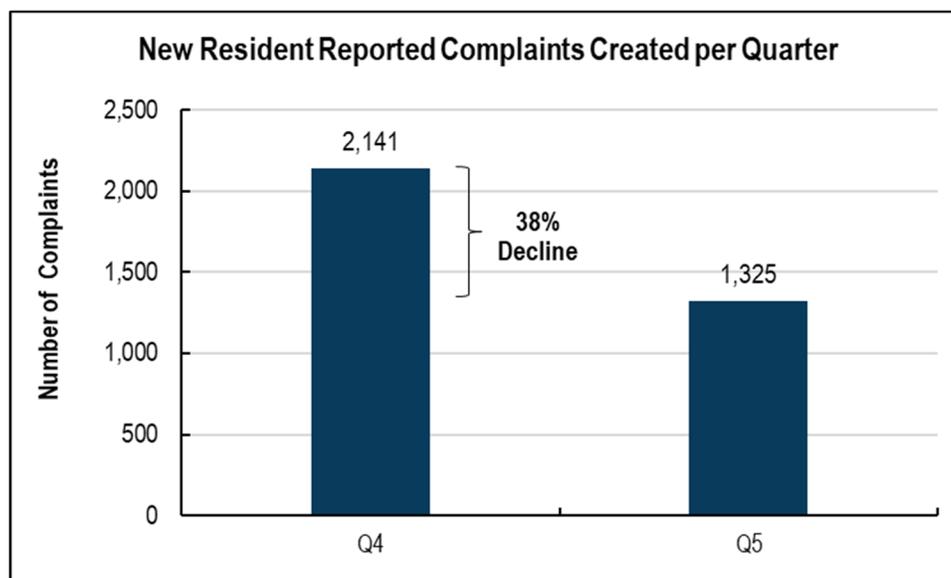
## 2. Number of New Resident-Reported Complaints Created

In Q5, there was 1,325 new resident-reported complaints created, an average of 121 per week or approximately 442 per month. Figure 3 shows the 38% decline compared to the prior quarter.

The decline in new complaints is likely attributable to several factors (discussed throughout the report) including:

- Seasonality (holiday period);<sup>8</sup>
- Increased COVID-19 concerns (and transmission) in the winter months;
- Reduction of referrals from NYCHA's Compliance department; and<sup>9</sup>
- Lack of resident awareness.

Figure 3



<sup>8</sup> In Q5, the number of business days that the OCC was opened declined by 13% due to holidays within the quarter (55 business days in Q5 compared to 63 business days in Q4).

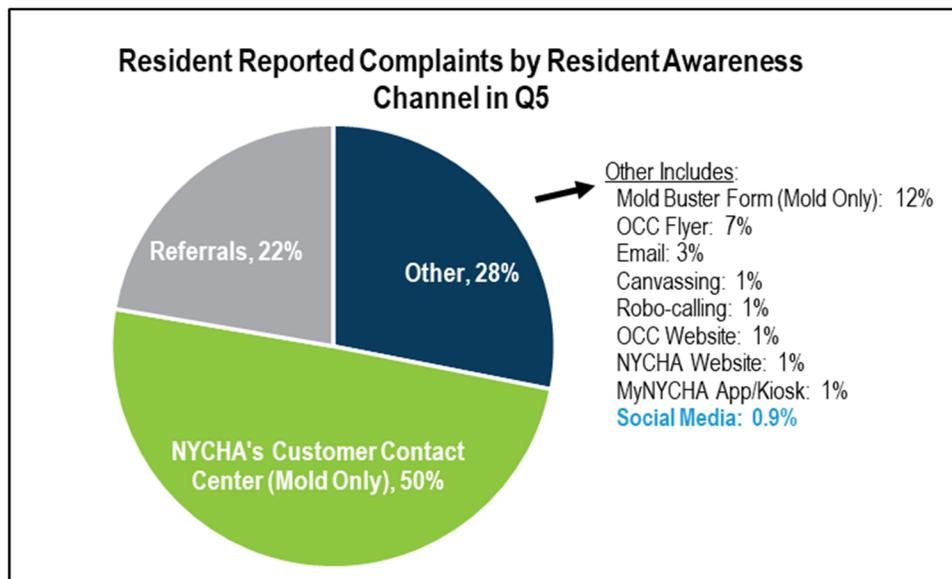
<sup>9</sup> The reduction in referrals from NYCHA Compliance was due (in part) to a technology error during transmission. These referrals were received by the OCC and processed in Q6.

### 3. Resident-Reported Complaints Created by Awareness Channel

In Q5, NYCHA's OCC outreach activities remained consistent with prior quarter. Figure 4 shows the concentration of reported complaints sourced from representatives that are aware of the OCC including NYCHA's Customer Contact Center ("CCC") and Referrals (such as from tenant organizers), the HUD Monitor, 3-1-1, NYCHA's Compliance department, and other residents which accounted for 72% of complaints created in Q5. The other forms of targeted outreach including social media posts, flyering, canvassing robo-calls, email communication, mailers, etc., collectively accounted for the remaining 28% in Q5. Despite NYCHA's efforts to conduct weekly or bi-weekly social media posts (14 in total), less than 1% of residents reported that they were aware of the OCC because of these efforts.

Other forms of targeted outreach that were effective in Q1-Q3 such as email notification, rent mailers, robo-calls, door-to-door canvassing, flyering, or targeted phone outreach were not conducted by NYCHA in Q5. As NYCHA's communications staff is also responsible for other initiatives, messaging and resident communication effort, OCC-specific outreach must be balanced with these other NYCHA initiatives. The distribution of resident-reported complaints by awareness channel is an indication that further outreach using additional channels would increase resident awareness of the OCC. NYCHA remains open to considering additional measures to continue to promote awareness of the OCC, balanced by the many other resident communications NYCHA plans.

Figure 4

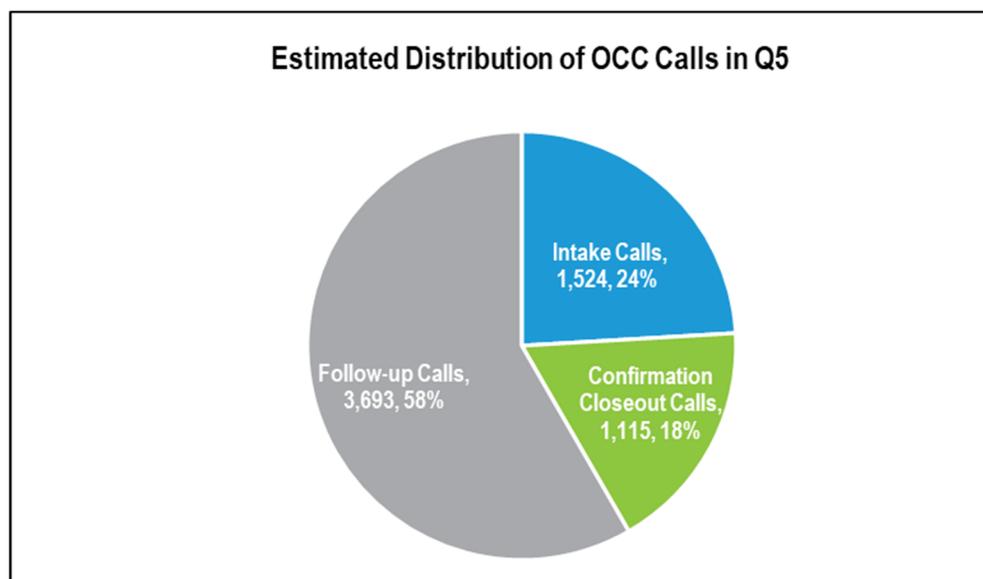


#### 4. OCC Call Volumes

The OCC's main role is to process new complaints and confirm resident satisfaction once the complaint is resolved. It is expected that NYCHA will promptly address and resolve the residents' complaints and the OCC will monitor progress.

In Q5, the OCC had 6,332 calls with residents, an average of 115 calls per business day. Figure 5 shows the estimated 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 (accounting for 42% of calls) versus follow-up calls with residents (accounting for 58% of calls).<sup>10</sup>

**Figure 5**



Resident follow-up calls and interactions to the OCC may include questions regarding a scheduled date, results of an inspection or the remediation plan, a missed appointment or unannounced appointment, frustration with an interaction with a worker or a delayed scheduling date, complaint about the recent work performed (or lack thereof) or seeking an update from NYCHA. The OCC expects no more than 10% of overall calls should be for follow-up interactions.

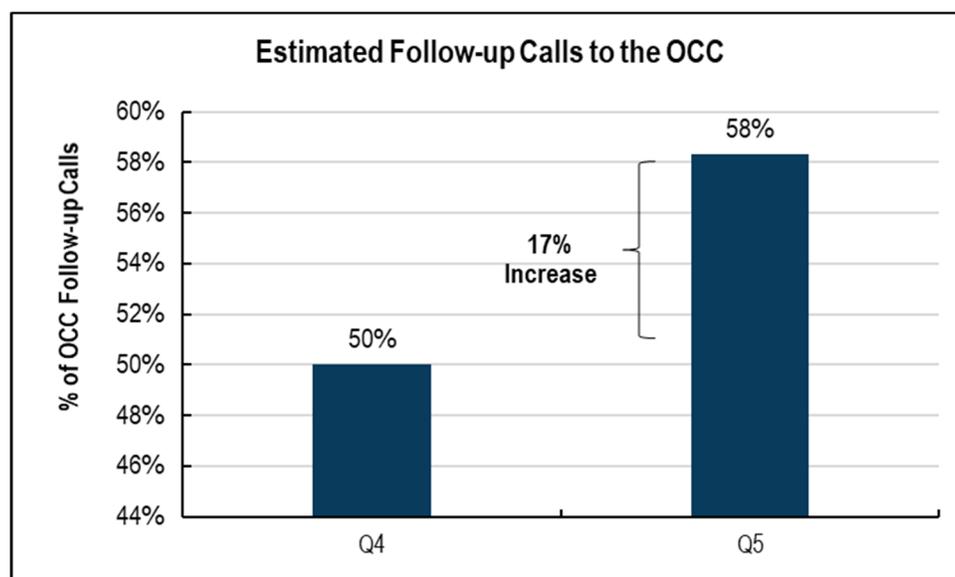
<sup>10</sup> The estimated distribution of calls is calculated based on the number of newly created resident-reported complaints (+15% for follow-up attempts if resident is not reachable) + the number of resident-reported complaints (+10% follow-up attempts if resident is not reachable). The remaining calls are considered follow-up calls.

Figure 6 shows a 17% increase in the overall percentage of follow-up calls in Q5 (the percentage of overall calls associated with follow-up communication). However, on-going efforts by NYCHA to reduce follow-up calls has shown a decline in the number of calls relative to the number of complaints serviced in the quarter (3,693 follow-up calls in Q5 compared to 3,804 in Q4).

The OCC requests that the resident follow-up with the NYCHA's RCA for any questions about remediation activity or scheduling after the OCC intake process. However, the resident is also informed that they can follow-up with the OCC directly if they have any questions or concerns that the RCA could not appropriately address (or if they are unable to reach the RCA). In Q5, many residents contacted the OCC with the following types of follow-up calls:

- Failed attempt to contact the RCA and wanted an update from the OCC;
  - E.g., the resident had not yet heard from the RCA since OCC intake; the resident was unable to reach the RCA (voicemail was full or haven't received a returned phone call); the resident was unaware of who the RCA point of contact is and how that differs from the OCC; or the RCA does not speak their preferred language.
- A missed appointment or unannounced appointment (earlier than anticipated and/or without notice);
- Dissatisfaction with upcoming scheduling date (too far in the future), being asked to open a new work order for current remediation plan; or lack of progress on the repair activity (development delay in scheduling);
- Dissatisfaction with recent repair activity (e.g., work was not performed acceptably or improper interaction with the labor worker);
- Recurrence (e.g., the leak has returned while awaiting for next repair date); or
- Dissatisfaction of overall work during the OCC's closeout attempt (based on the RCA's feedback of resident satisfaction).

**Figure 6**



If NYCHA can more effectively and promptly communicate with residents, a significant proportion of the follow-up calls to the OCC can be prevented in future quarters. NYCHA has been receptive to the OCC's recommendations of strategies to reduce the volume of follow-up calls and has begun to implement some of the recommendations, such as:

- RCA increased frequency of resident communication throughout the remediation process (e.g., providing interim updates if there are delays in scheduling or awaiting inspection results);
- RCA initial communication email to the resident with their contact information;
- Creation of an RCA "fact sheet" or "flyer" that provides an overview of the RCA's role and list of their contact information which the OCC can share with the resident after intake and post on its website.
- RCA supervisor monitoring of RCA resident communication to ensure contact is made within 1 business day after OCC intake is completed;
- RCA automated reminder process to inform the development and the resident of the upcoming scheduled date;
- RCA supervisor monitoring of RCA's response and action to OCC questions raised during intake to address the resident concerns;
- RCA supervisor monitoring of RCA's voicemail box to ensure the RCA is reachable to address the resident's questions or concerns;
- RCA script for communication with residents to confirm satisfaction of all work performed, request pictures or video; and inform the resident that the OCC will follow-up to close out the ticket; and
- Possible modifications to the interactive voice response ("IVR") of the OCC phone line to direct a resident to NYCHA if they wish to speak to an RCA, which would reduce the follow-up calls to the OCC.

#### **5. Resident-Reported Complaints by Location**

In Q5, there were resident-reported complaints created in each borough grouping including: Brooklyn - 24%; NGO-1 - 20%; Bronx - 19%; Manhattan - 17%; Mixed Finance - 11%; and Queens/Staten Island - 9%.<sup>11</sup> The distribution of languages preferred by residents included 86% English, 13% Spanish, and 1% other languages (including Russian and Chinese).

#### **6. Resident-Reported Complaints by Complaint Type (Mold or Leak)**

The new resident-reported complaints to the OCC in Q5 included the following complaint types (which were consistent with Q4): 49% associated with mold repairs, 18% associated with leak repairs, 30% associated with both leak and mold repairs, and 3% associated with other repairs not directly associated with leak or mold (e.g, ceiling damaged or paint).<sup>12</sup> The proportion of mold-related complaints is due (in large part) to NYCHA's outreach activities related to the OCC. In Q5, 50% of new resident-reported complaints were from the CCC. The CCC only informs residents of the OCC when mold-related complaints are made, not leak-

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<sup>11</sup> Effective March 1, 2020, NYCHA will transition the Mixed Finance and NGO-1 borough groupings (59 developments) to operate within the geographical location of the development. Therefore, the distributions of complaints will be revised for remaining all borough groupings (Brooklyn, Manhattan, Bronx, and Queens/Staten Island).

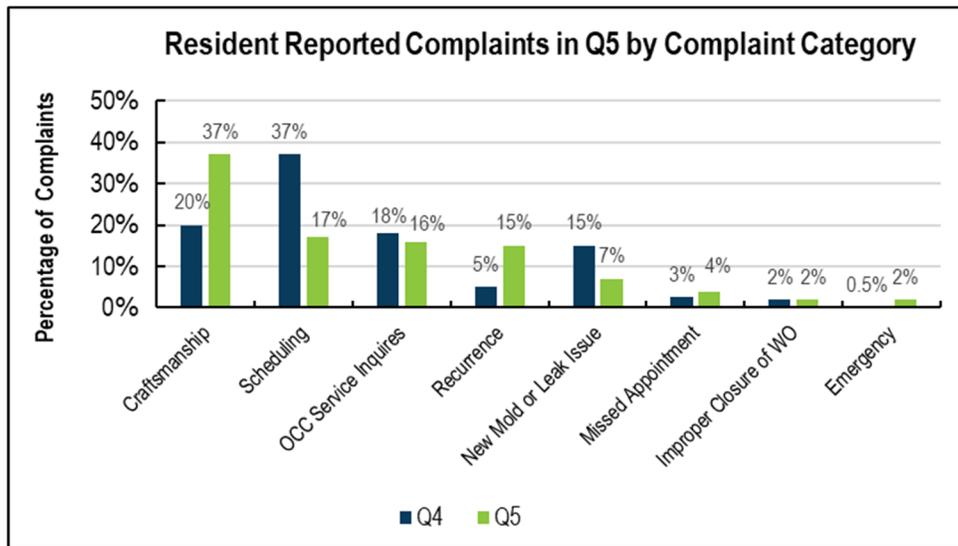
<sup>12</sup> The reported work order type is determined after the inspections have been completed, therefore, all complaints filed in the quarter may not be included in this metric.

related complaints.<sup>13</sup> If NYCHA increases outreach efforts across multiple channels with frequent distribution, the proportion of complaint types may change in future quarters.

**7. Resident-Reported Complaints by Complaint Category**

Figure 7 shows the distribution of resident complaints made to the OCC by initial complaint category in Q5 compared to Q4. While the distribution below reflects the residents’ initial complaint to the OCC, the OCC found that residents complaint category may evolve over time (e.g., complaint may start out as a scheduling complaint but there could be components of recurrence or missed appointments, etc.).<sup>14</sup> In Q5, there was a decline in Scheduling complaints, due in part to the reduction of Compliance referrals which were prominently scheduling related. The OCC and IDA are analyzing the increased proportion of complaints associated with Craftmanship and Recurrence and plan to increase data tracking associated with these complaints to provide insights and findings to NYCHA.

**Figure 7**



It is important to note that the Recurrence percentage in Figure 7 above is not the overall recurrence rate for mold or leaks at NYCHA. Rather, the percentage in Figure 7 is the percentage of OCC Complaints where the resident was indicating that their complaint was about a recurring issue.

<sup>13</sup> Refer to **Section III** of this report for further information. NYCHA has indicated that it is committed to expanding the CCC outreach for leaks once it has stabilized the MRU processes, procedures, training, and staffing levels and can be adequately prepared to process the anticipated increased number of resident complaints to the OCC. The OCC is in support of NYCHA’s efforts to stabilize the MRU operations related to OCC response before significantly expanding notification through the CCC.

<sup>14</sup> Complaint category is used to determine the operational OCC process. The categorization does not go through a verification process or have specific requirements for eligibility (e.g., craftmanship complaints do not require pictures or evidence of poor quality work and recurrence complaints are resident complaint regarding the recurrence of an issue).

## 8. Resident-Reported Complaints by Reported Conditions

In Q5, 63% of new resident reported complaints received by the OCC involved reports of severe conditions and/or a lack of proper repair work in the past. These complaints often require substantial repair work that requires scheduling of several appointments, interaction with a variety of departments within NYCHA, and quality assurance checks to ensure the work was adequately completed. In Q5 there were:<sup>15</sup>

- 417 resident-reported complaints to the OCC where mold was caused by poor (or no) mechanical ventilation in the bathroom;
- 391 resident-reported complaints to the OCC where the resident reported a large area of visible mold (e.g., over 20 Sq. Ft. of mold);
- 196 resident-reported complaints to the OCC where the resident reported a hole in the wall (exposed cavity due to mold or leak repair activity);
- 193 resident-reported complaints to the OCC where the resident reported a severe and/or active leak (for example, 1 resident reported complaint resulted in repair work required within 42 apartments); and
- 61 resident-reported complaints to the OCC where the resident reported an inoperable or missing sink, toilet, cabinet, etc.

## 9. Resident-Reported Complaints by the Work Requested or Other Activities

Many of the complaints received by the OCC involve reports of lack of proper repair work in the past, complex repair work requiring access to multiple units, or complexities involving active lawsuits between the resident and NYCHA. These complaints often require substantial repair work that requires scheduling of several appointments, interaction with a variety of departments within NYCHA, and quality assurance checks to ensure the work was adequately completed. In Q5 the following tickets were updated with one of the following criteria:<sup>16</sup>

- 153 resident-reported complaints to the OCC that required work in other units in the building;
- 113 resident-reported complaints to the OCC where the resident was also involved in a Court case against NYCHA;
- 82 resident-reported complaints to the OCC that required complex building line leak investigations;
- 77 resident-reported complaints to the OCC of an additional mold or leak related complaint after OCC intake; and
- 31 resident-reported complaints to the OCC that required extensive exterior building repair work (21 required roof repair work and 10 required facade repair work).

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<sup>15</sup> Metrics include both resolved and unresolved complaints created in Q5.

<sup>16</sup> Number of complaints per criteria is determined based on when the criteria was identified or selected. For example, the OCC recorded 82 new complaints that required a complex building line investigation (that did not have this recorded in prior quarters). However, 392 complaints were serviced in the quarter that required a complex building line investigation either in this quarter or prior quarters. Metrics include both resolved and unresolved complaints.

As a result of the complexities and the required repair work, the following requests and activities were completed in Q5:<sup>17</sup>

- Recommended re-inspections of a work order due to resident dissatisfaction of previous work performed for 202 resident complaints to the OCC;
- Recommended that NYCHA re-open a work order due to lack of proper completion for 52 resident complaints to the OCC;
- Recommended that NYCHA's Compliance department conduct a review or investigation into 27 resident complaints to the OCC of improper closure of work order(s) or reports of possible misconduct;
- Conducted virtual inspections for 18 resident complaints to the OCC;
- Requested an immediate (urgent) action taken for 18 resident complaints to the OCC (e.g., abate flooding conditions, immediate temporary repair, etc.);
- Conducted a work order investigation for 6 resident complaints to the OCC;
- 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 6 resident complaints to the OCC; and
- Used Office of Mold Assessment and Remediation ("OMAR") secured vendor contracts for an inspection for 6 resident complaints to the OCC.

In Q5, 569 resident-reported complaints to the OCC experienced delays in work order inspection or remediation activities due to COVID-19, as described below.<sup>18</sup>

- Delay in remediation due to COVID-19 work order guidance and related limitations of in-unit work, materials, or PPE constraints – 338 resident-reported complaints to the OCC;
- Work orders placed in 'Temporary Deferred' status or resident requested the delay of work – 195 resident-reported complaints to the OCC; and
- Delay in work due to development staffing constraints (and/or missed appointments) – 29 resident-reported complaints to the OCC.
  - In Q5, the OCC observed some situations where NYCHA would have a missed appointment and the next available scheduling date wouldn't be for 4 – 8 weeks due to staff constraints.

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<sup>17</sup> Ibid.

<sup>18</sup> Ibid.

## 10. Resolved Resident Reported Complaints to the OCC

In total, 1,940 resident-reported complaints were resolved in Q5, accounting for 47% of the complaints serviced within the quarter.<sup>19</sup>

- 1,014 resident-reported complaints were fully resolved;
- 357 resident-reported complaints were resolved (pending resident confirmation); and
- 569 resident-reported complaints were placed on-hold (due to the remaining work being outside of NYCHA's work order guidance due to COVID-19 at the time).

Of the 1,014 fully resolved resident-reported complaints, the resolution type included:

- Remediation completed for reported mold or leak issue – 57%;
- Responded to resident service inquiry or question – 36% including;
  - 156 resident complaints where the OCC left the resident a voice message (and/or email message) after 3 attempts with the resident's requested information (rather than connecting via phone).
- Referred to NYCHA's Compliance department or the resident was relocated – 5%; and
- Converted to RAD – 1%.

In Q5, the overall average number of days to resolve a resident-reported complaint to the OCC was 113 days (as compared to 31 days in Q4), due to NYCHA making progress on work orders that were previously on hold or delayed due to COVID-19 (e.g., non-emergency leaks and paint). 15% of all resolved resident-reported complaints to the OCC were closed within 1 day, 8% in 2 to 30 days, and 77% after more than 30 days.

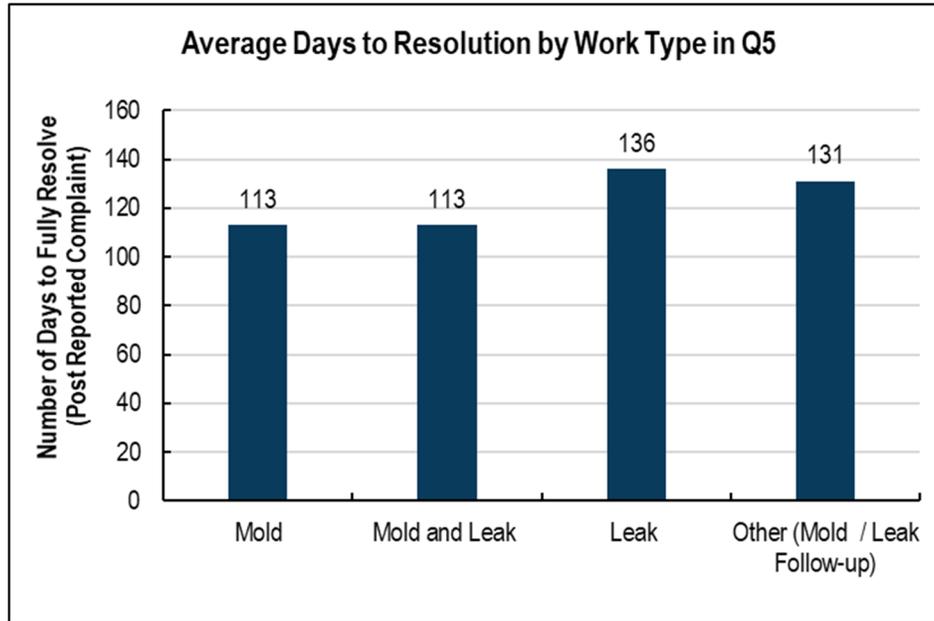
- NYCHA's COVID-19 work order guidance has (and will continue to) impact the number of days to resolve resident-reported complaints in situations when the only remaining work is outside of NYCHA's current work order guidance due to COVID-19 (e.g., painting or non-emergency leak).
- Resident-reported complaints involving extensive repair work in several rooms of the unit (where resident relocation may be required) took over 140 days to resolve (on average).
- Residents' requests for advanced scheduling to accommodate the residents 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 3+ 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 always 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).

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<sup>19</sup> There were 53 resident-reported complaints created within the quarter and closed by merging the complaint into another ticket, which have been excluded. This situation can occur if two members of a household create separate complaints to the OCC or if there is an overlap from a referral whereby the resident has already directly reported the complaint to the OCC (e.g., Tenant organizer informs the OCC of the resident complaint and the resident directly contacts the OCC with the same complaint).

As shown in Figure 8, resident-reported complaints regarding leak work required the longest time to resolve (on average 136 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**



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

There were 2,563 resident complaints to the OCC in Q5 that were open (or unresolved) at the end of the quarter, of which 32% were created in the quarter (as shown in Figure 9).<sup>20</sup>

Figure 9

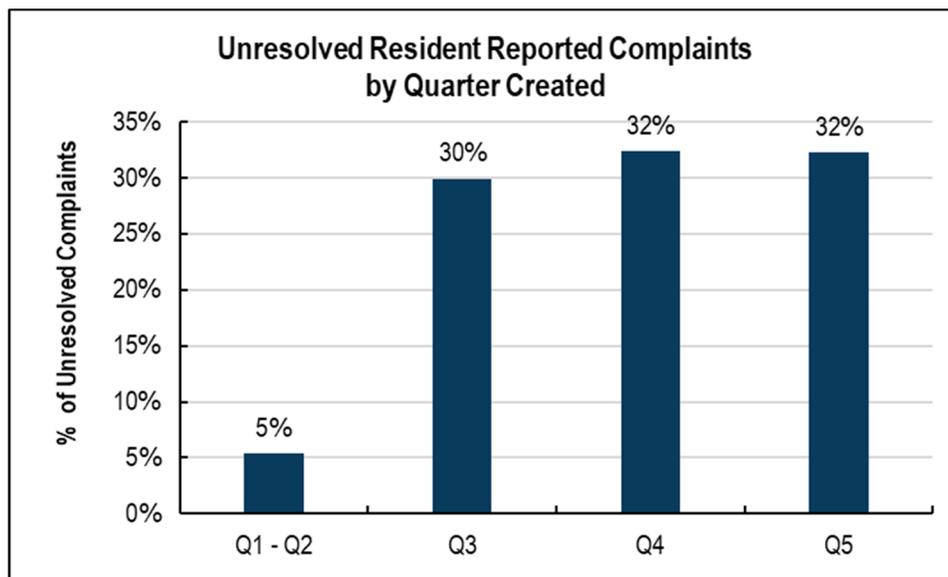
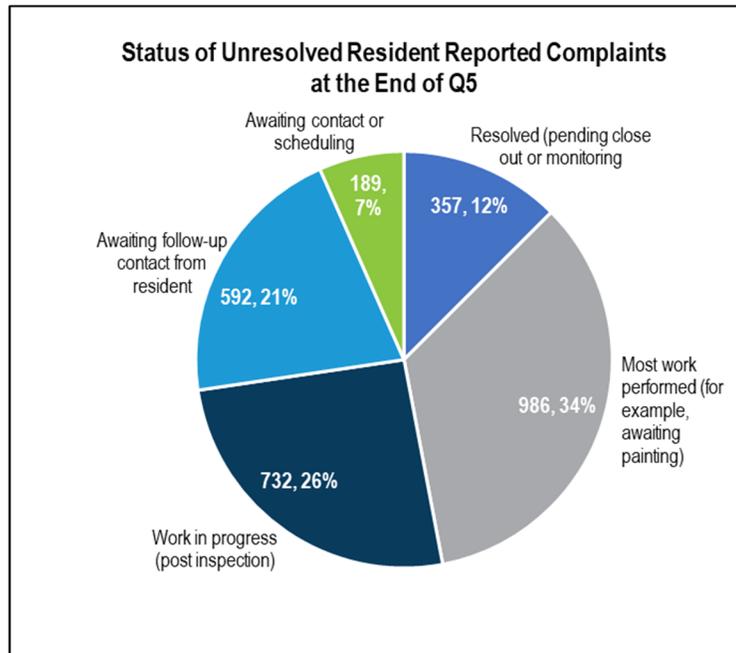


Figure 10 shows the status of unresolved resident-reported complaints to the OCC at the end of the quarter, of which 21% were awaiting follow-up contact from the resident to finalize the intake process with the OCC or NYCHA, 7% were awaiting scheduling contact or scheduling of their inspection, and the remaining 72% had activity occurred (e.g., inspection has been completed and remediation plan has been created).

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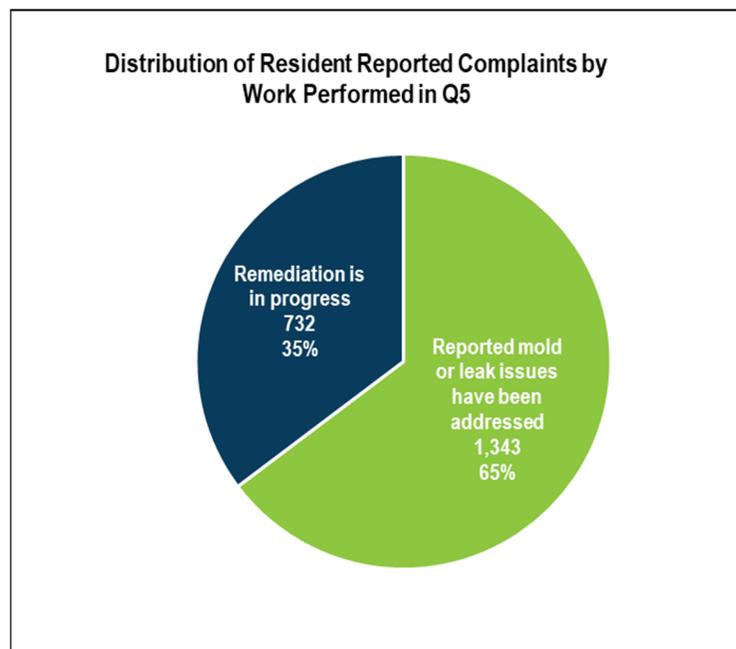
<sup>20</sup> Unresolved resident-reported complaints to the OCC created prior to Q3 are complex complaints requiring monitoring for relocation, complex repair work being conducted by a vendor, or are delayed due to a resident's request. The Ombudsperson is monitoring the activity associated with some of these complaints.

Figure 10



Of the 72% of unresolved resident-reported complaints where activity has occurred, 1,343 complaints (or 65%) have had the mold or leak issue resolved, with only follow-up work remaining, as shown in Figure 11.

Figure 11



## B. Positive Resident Feedback

The OCC received positive feedback, gratitude and appreciation from nearly 150 residents throughout the quarter, as highlighted (and paraphrased) in Figure 12.

**Figure 12**

- “You have been such a big help. None of this would have been done without your department. I can honestly say we would be lost without you. I have been sharing your number with other people who had complaints and hadn’t gotten anywhere. You all were tremendous. I can’t even believe it. I am so grateful.”;
- “I am so grateful for your support and advocacy to help myself and my family live in a healthy home”;
- “Perfect job ... I would like to say thank you to everyone that help me regarding my case in the call center.”;
- “I am so thankful and happy for your help. My family has been dealing with leak and mold issues for 25 years and we are finally getting help and even get to relocate within the same building”;
- “I want to thank you and your office so much, thank you. I’m so thankful”;
- “Everything was done well and properly; I appreciate the hard work”;
- “Once the OCC got involved the remediation went quickly”;
- “I would like to say Thank You because if your office did not get involved I would of definitely still have been waiting for these repairs”;
- “I am satisfied with the professional plaster team and professional paint job done. Thank you for ALL of your help with getting my apartment to look like a home again!”
- “If it weren't for you none of this would have happened”;
- “The work has been completed! NYCHA did a wonderful job”;
- “Thank you guys so much for your support with getting the work done. If it hadn’t been for you it wouldn’t have gotten done.”; and
- “I would like to thank you for such a quick response in helping to get my bathroom back to normal. Thank you very much!!”.

**C. OCC Escalations and Resident Reported Complaints Requiring the Ombudsperson**

In Q5, the OCC serviced 847 (or 21%) resident-reported complaints without the assistance of NYCHA’s MRU due to the nature of the complaints (such as providing the resident with an upcoming scheduling date that had already been set). MRU was required to assist with the remaining 3,255 (or 79%) complaints serviced in the quarter, due to the complaints involving requests for assistance from various NYCHA departments. The OCC monitored the complaint activity to ensure the RCA communicated with the resident and scheduled the necessary inspection(s) and repair work.

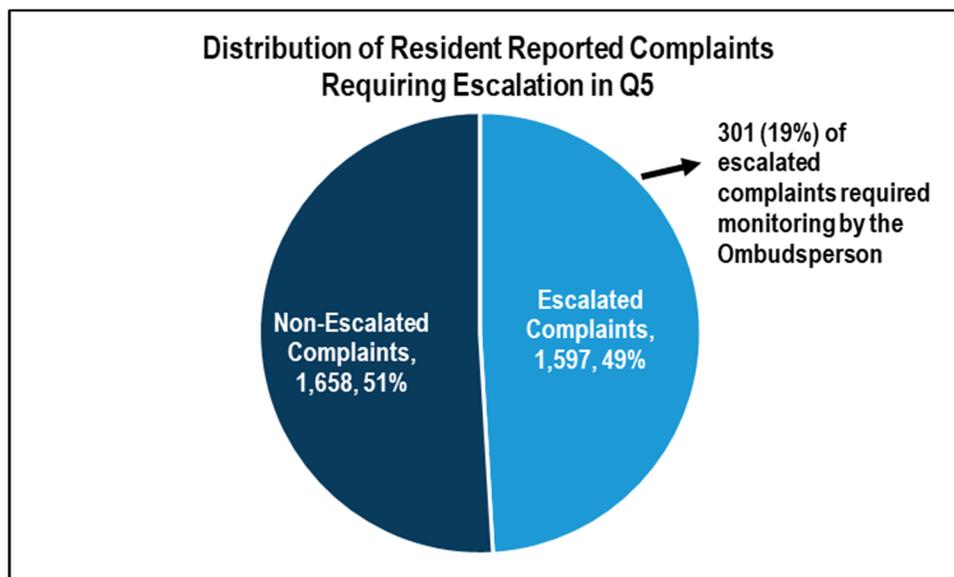
The OCC requested that the RCA reach out to the resident within one business day of assignment to the RCA and schedule the next step within 2-business days after speaking to the resident (or a later agreed upon time with the resident). If the OCC did not receive an update of progress made or received 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. The OCC may escalate a complaint to MRU more than once.

**1. OCC Escalations to MRU**

In Q5, the OCC escalated 1,597 resident-reported complaints.

As shown in Figure 13, this accounted for 49% of complaints serviced in the quarter. These complaints required immediate action by NYCHA and frequent updates on the progress made or information regarding why such progress was not attainable.

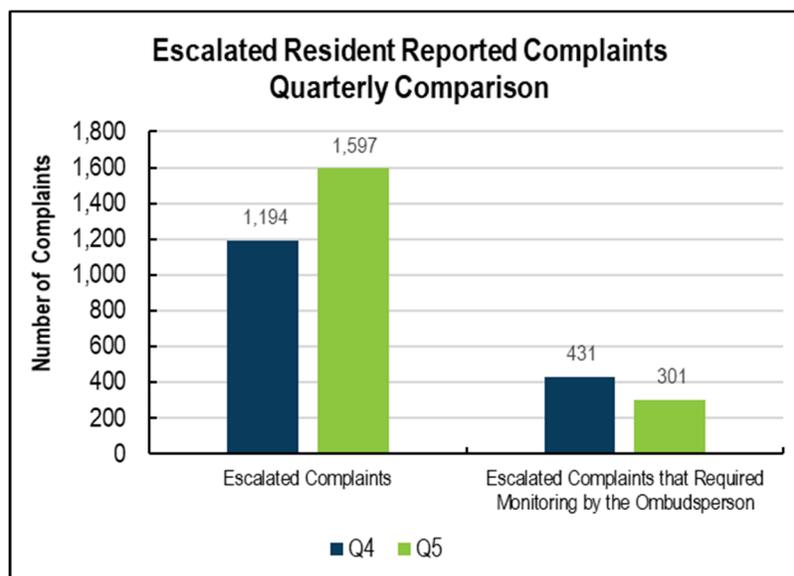
**Figure 13**



## 2. OCC Escalations Monitored by the Ombudsperson

In Q5, 301 (19%) resident-reported complaints required escalation more than once and were placed under monitoring through the Ombudsperson. As shown in Figure 14, there was an increase in the number of resident complaints escalated in the quarter but NYCHA was able to resolve these issues and prevent future escalation more effectively than in Q4. If NYCHA can communicate more effectively and promptly conduct the necessary repair work, a significant proportion of the OCC follow-up communication and administrative burden can be prevented in future quarters.

Figure 14



### III. Factors Necessary For Continued Success

#### A. 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 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>21</sup> For MRU to operate effectively and efficiently, there will need to be a 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.

#### 1. Resident Communication Strategies and Scheduling Best Practices

The OCC has assisted over 5,000 residents within NYCHA (with over 20,000 inbound and outbound phone calls). Based on these experiences, the OCC has identified a variety of different resident communication strategies and best practices that NYCHA should consider in its efforts to work towards evolving to a more customer-centric culture and working to train its staff to better engage with residents.

Key Elements of Empathetic Resident Communication:

- Active listening - NYCHA listening to the residents' description of health concerns, safety concerns, and prior experiences with NYCHA;
- Knowledgeable about the subject matter - 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);
- Attentiveness - 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) and the sense of urgency to internally escalate severe conditions to supervisors and upper management (as needed);
- Accuracy - 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;
- Proactive approach - NYCHA feedback from residents via a survey (or other methods) to gauge the effectiveness of the communication efforts being implemented and to offer the residents the ability to provide feedback; and
- Empathy - NYCHA listening to the resident's feedback with acknowledgment and concern with offering an opinion.

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<sup>21</sup> It is our understanding that in Q4 NYCHA retained a vendor to create a resident awareness campaign regarding the Mold Busters program that will be launched in Q6.

- Resident communication expectations and timing should be adhered to rather than unannounced visits.

### **Considerations and Strategies for Complex Resident Communication Situations**

- Identification of situations or information that may cause the resident to feel strong emotions based on previous experiences (e.g., the idea that someone will “paint over mold” rather than remediated it properly);
- Develop strategies to proactively avoid communication roadblocks or conflict (e.g., ensure the resident is aware of the mold remediation process so their concern about “painting over mold” is addressed);
- Address communication setbacks or hostile interactions (e.g., resident refusal) by allowing the resident space and providing the resident an outlet to voice their concerns;
- Identify ways to re-establish trust after a conflict such as use of alternative methods of communication or additional points of contacts for communication (e.g., communication via email rather than via phone); and
- Collaboration with other internal stakeholders (e.g., another family member or emergency contact) or external stakeholders (e.g., NYCHA’s Family Services; Non-for-profit organization or community advocate) to assist in communication if progress is limited.

### **Key Elements of Effective Resident Communication Regarding Scheduling**

- During initial intake of condition to CCC -
  - Confirm resident contact information (also confirm this in follow-up interaction with the resident);
  - Identify the preferred method of communication for the resident (e.g., phone number, email, mail, etc.);
  - Provide an initial scheduling date to the resident and confirm the resident’s availability (also provide a copy via mail, email or MyNYCHA App message); and
  - Provide information for where the resident can easily check on the status and schedule of upcoming work and how the resident can reschedule, if needed.
- Prior to scheduled appointment (1-2 days prior) -
  - Confirm scheduled appointment in advance of the date via robo-call or push notification to the resident using the preferred method of contact for the resident;
  - Use scheduling windows that are as narrow as possible and avoid all-day windows to minimize resident inconvenience;
  - Review the results of the appointment confirmation process to identify any scheduled appointments that need to be rescheduled for a future date;
  - Use real-time staffing assessments to identify when scheduled appointments cannot be met (due to planned or unplanned absences) and contact residents to reschedule; and
  - Avoid unannounced visits or unscheduled appointments;

- Day of scheduled appointment -
  - Effective planning to ensure work has been sequenced properly, the worker understands the scope of the work and materials required, and estimated time required to complete the work;
  - Effective communication with the resident regarding the timeframe of the scheduled appointment, the anticipated duration of the appointment, and the type of work being performed;
  - Monitor data related to all calls to residents to confirm that calls are being made for all scheduled work prior to arrival;
  - Pre-call to the resident 30-60 minutes before arrival to confirm availability and expected arrival time;
  - For situations regarding inspection or repair activity in more than 1 unit, the residents should be informed of possible delays or awareness that the work may not be in their unit at certain times;
  - Communicate any anticipated delays or need to reschedule due to staff shortages in advance; and
  - Communicate next steps and timing before leaving the appointment to ensure the resident understands what the next step will be.
  - Inform resident that they will be contacted about a post-work resident survey requesting feedback regarding the resident's experience and satisfaction.
- Post scheduled appointment -
  - Provide the resident with written confirmation that the work performed has been completed;
  - Complete a survey of resident experience and satisfaction using the preferred method of communication for the resident; and
  - Track and monitor survey results to ensure any concerns or dissatisfaction is addressed via a follow-up call with the resident to learn about what went wrong and how it can be resolved.

If NYCHA can effectively communicate with residents to ensure the proper repair work is completed on the scheduled dates, there will be a significant decline in resident-reported complaints to the OCC. NYCHA has been receptive to these recommendations and it is our understanding that the recommendations are being taken into consideration for revisions to NYCHA's Mold and Leak standard procedures by the Analytics and Process Change team within NYCHA.

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 some complaints require significant repair work that can take a long time to effectively remediate 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 Q5 (consistent with past quarters), resident relocations were each handled differently based on the facts and circumstances of the complaint, oftentimes 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. We are hopeful that in Q6, NYCHA will develop an operational plan to ensure that relocations can be completed efficiently to ensure the health and safety of the residents are being addressed and the necessary repair work can be conducted immediately.
  - There are also situations when 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 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 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.
  - **Recording Resident Satisfaction in Maximo** – In Q3 the OCC learned that NYCHA has a data element in 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.
    - We are hopeful that in Q6, 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) as it relates to the resident satisfaction survey responses.
    - We are hopeful that in Q6, NYCHA will develop an operational strategy to review, respond to, and oversee the results of this survey (associated with mold and leaks).

## **B. 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 the scheduling of 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) before contacting the OCC, an RCA is assigned

to the resident to ensure proper levels of communication and case management.<sup>22</sup> The OCC relies on MRU to provide prompt, resident-focused responses throughout the complaint process and ensure that the resident is being informed of progress throughout the process. 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-reported complaints to the OCC, a continuous level of prompt, detailed, resident-focused responsiveness is required by all parties involved. The RCA must also 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, upcoming scheduling dates, resident questions, and other relevant information.<sup>23</sup>

### 1. OCC Interactions with MRU (and RCAs)

Overall, MRU has demonstrated a commitment to resolve resident-reported complaints to the OCC in Q5. As shown in Figure 15, MRU had a 28% increase in requests for assistance on resident-reported complaints this quarter. 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.

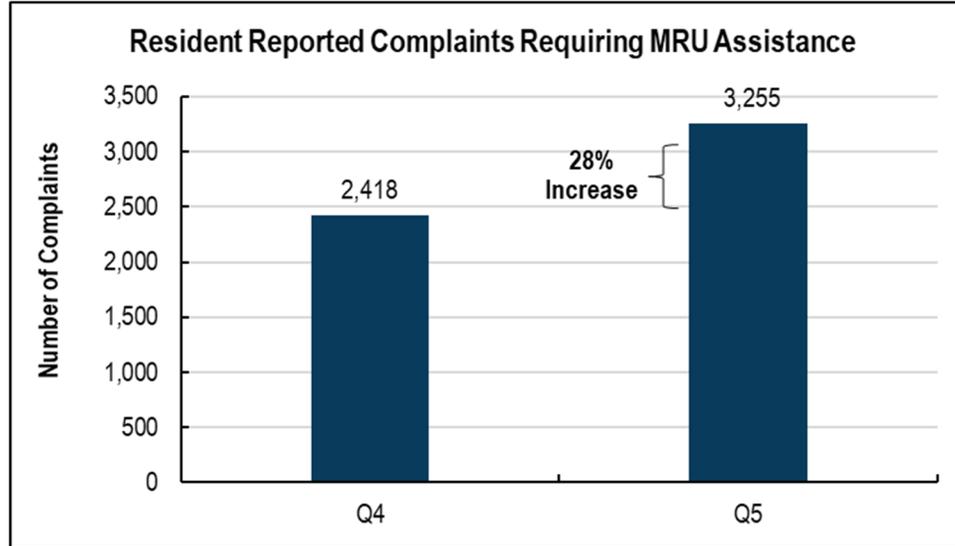
In Q5, MRU continued to dedicate time and resources to create processes, procedures, tools, and templates to create efficiencies and prioritization plans for its internal workflow to best serve residents and train its new staff. Despite increased complaint activity, the OCC has observed progress in MRU's responsiveness in Q5. The OCC is hopeful that the new operational tools will streamline follow-up communications with residents and therefore reduce the resources required of the OCC in Q6.

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<sup>22</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>23</sup> To effectively resolve resident complaints to the OCC, and ensure transparency regarding active cases and new developments, the MRU facilitates a weekly coordination call with the OCC and various departments within NYCHA including OMAR, Compliance, EH&S, and the CCC.

Figure 15



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 Q5, MRU completed the hiring of the initial 30 RCAs (6 of which were NYCHA residents) and worked towards transiting the 3 supervisors into their new role.<sup>24</sup> In Q5, the 1 vacant supervisor role remained.

  - In Q5, MRU evaluated its staffing structure and determined that 3 additional supervisors would be required to ensure the proper levels of oversight and management. It is our understanding that MRU will begin the hiring process for these resources in Q6.
  - In Q5, MRU evaluated its staffing structure to determine if additional RCAs would be required to ensure the proper levels of case management when NYCHA activates the CCC notification of the OCC to residents reporting leak complaints.
  - In Q6, 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 demands of the OCC volume.
- **RCA Staffing Constraints** – The OCC has observed progress in Q5 regarding MRU's staffing constraints, based on the current staffing model. It is our understanding that at the end of Q5, MRU only had 1 vacant position. At the end of Q5, MRU had 32 RCAs (including 3 regional supervisors) assigned to unresolved resident-reported complaints with an average of 67 complaints per RCA compared to 23 RCAs with an average of 94 complaints per RCA in Q4. Despite MRU's best efforts to promptly respond and process each resident-reported complaint assigned to it, there were some delays in responsiveness in Q5, requiring 21% of all complaints assigned to MRU to be escalated by the OCC due to a lack of responsiveness. If NYCHA can schedule the necessary repair work and promptly respond to MRU requests, such delays, and related resources, could be considerably reduced.

<sup>24</sup> MRU had hired 18 RCAs in Q3, 11 RCAs in Q4, and 1 RCA in Q5.

- In Q5, the RCA supervisors started to transition into their new role to ensure proper oversight and management of the RCAs. The OCC and MRU have been working collaboratively to identify opportunities to streamline the case management processes by developing workflow prioritization protocols and procedure views, modifications to data collection processes, and a feedback system to share OCC ticket activity with the developments. During the quarter, RCA supervisors were able to make limited progress transitioning due to large individual caseloads. However, this is anticipated to improve in future quarters when additional RCA supervisors are hired and trained. It will be important to ensure there is a greater level of ticket oversight by the RCA supervisors.
- In Q5, MRU began providing the OCC and Ombudsperson a weekly update regarding MRU's progress on operations. It is our understanding that MRU will be expanding this over time to provide additional information regarding ticket activity, level of backlog/non-responsiveness, delays and responsiveness concerns at certain developments, notable activity on open complaints, etc.
- In Q6, 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 (assuming increased outreach efforts by NYCHA through a multi-channels with frequent distribution) and reduce the level of non-responsiveness to less than 5%.
- **RCA Monitoring Reports** – The OCC worked in collaboration with MRU to develop an automated monitoring report to identify resident-reported complaints that have a lack of responsiveness or progress in scheduling the next step. This report is 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. This report provides transparency and areas where NYCHA is continuously making progress and taking action within the agreed-up timeframes. These automated reports could create the opportunity to identify the types of complaints that could be referred directly to NYCHA in the future if applicable.
  - In Q5, the OCC was working on the development of the report.
  - In Q6, the report will be shared with NYCHA for daily monitoring and progress can be shared in future quarterly reports.
- **RCA Communication with Residents** – There is currently no process in place for MRU to monitor RCA communication (or lack thereof) with residents. Each RCA is assigned a mobile device with a unique phone number. The calls are not recorded. During Q4, MRU conducted a pilot project for RCAs to communicate with the resident through the OCC call center platform, which provides complete transparency of call volumes and records the conversations, but due to operational inefficiencies identified during the pilot, RCA's current process and phone structure will remain.
  - In Q5 (consistent with prior quarters), 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). MRU implemented the OCC's recommendation for processes around maintaining voicemails and monthly audits of the RCAs' adherence to such policies. In Q5, MRU conducted this audit each month resulting in at least 3 RCAs having their voicemail box full.
  - In Q6, the OCC is hopeful that MRU will continue the monthly phone audits and that as a result, follow-up calls to the OCC will decline.
  - In Q5, the OCC recommended that RCAs be provided a call script for resident communication regarding satisfaction of the repair activity to ensure the RCA is asking relevant questions regarding remediation activities and follow-up work. The OCC also

- recommended that the RCA should request pictures or videos from the resident and/or development to ensure the work has been completed appropriately.
- In Q5 (consistent with prior quarters), the OCC received complaints from some residents that there was a missed appointment or the resident was unaware of the next scheduled date (after creating a resident-reported complaint with the OCC). These situations should be avoided if the RCAs are adhering to MRU processes and procedures regarding appointment confirmation and work completion confirmation with residents and associated data entry. In Q5, MRU increased the oversight of these procedures to ensure that RCAs are keeping residents informed of the scheduling dates or making them aware of any anticipated delays.
  - In Q6, MRU should consider strategies to monitor and identify opportunities for improved resident communication by the RCAs such as resident feedback surveys or RCA supervisor shadowing.
- **RCA Training** – MRU hired and trained approximately 30 RCAs in the last 6 months. It is our understanding that the virtual training program included 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 Q5, the OCC observed RCAs meeting the basic demand of this role. However, the OCC also observed the need for additional training and oversight associated with data field updates, case management and workflow prioritization, prompt escalation, and responding and reporting updates to the OCC (including sharing of resident communication, pictures, and other important information).
    - In Q5, the OCC assisted MRU with the development of operational tools and processes to oversee and manage the RCA activity and 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.
    - In Q5, the OCC provided feedback and recommendations on individual resident-reported complaints where there were opportunities for training and development associated with data field updates, need for prompt escalations, need for clear responses to OCC questions or structured notes, need for remediation plans with root cause inspection results, and need for follow-up questions with the development to address the resident-reported complaint. The OCC recommended that MRU conduct such reviews weekly to ensure each RCA is getting customized feedback and training to properly adhere to MRU processes and procedures.
    - The OCC is hopeful that in Q6, as new RCAs and supervisors further 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 currently required by the OCC.
  - **Complex Resident Communication Circumstances** – In Q5, there were 305 resident-reported complaints to the OCC that involved communication barriers between the OCC, MRU (or the development), 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 3rd 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 Q5 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 phone) 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 communication with the resident (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.

- In Q5, the OCC recommended that MRU and the RCA supervisors closely monitor these resident-reported complaints to aid and support the RCAs to ensure progress can be made and roadblocks can be avoided (e.g., via the identification of triggers or areas of concerns) by proactively addressing them.
  - It is our understanding that in Q6 NYCHA will begin to create guidelines on how it will define its “best efforts” to support resident-reported complaints involving complex circumstances.
- **MRU Demand for Spanish Language** – In Q5, 13% (or nearly 560) complaints required Spanish language interaction. It is our understanding that MRU has only 2 RCAs with Spanish language capabilities. 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.

## 2. Overall Responsiveness with NYCHA Stakeholders

In Q5, the OCC saw continued progress towards effectuating a culture change within NYCHA. NYCHA has made progress in conducting complex repair activities, ensuring the proper remediation steps are being taken (sometimes requiring re-inspections or follow-up work at the OCC's request), and working on re-establishing trust with residents at certain developments.

However, MRU also experienced on-going responsiveness issues at certain developments requiring substantial efforts and follow-up communication (and internal escalations) to receive the necessary information needed (e.g., scheduling date, updated remediation plan, a 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.<sup>25</sup>

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. MRU internal escalations for resident-reported complaints included 7 different management offices among the boroughs, whereby some 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 to the persistent lack of responsiveness of the development (e.g., O'Dwyer Gardens Development in Brooklyn, the Amsterdam development in Manhattan, and the Jackson development in the Bronx). In Q5, 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.

In addition to the internal escalations, MRU indicated the following activities associated with interactions with NYCHA developments in Q5:

- Follow-up with the development to seek a response regarding inspection findings or remediation plans for 568 resident-reported complaints (18% of complaints requiring its involvement), of which some were escalated to senior leadership (e.g., 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 to the Neighborhood Administrator);
- Follow-up with the development (or skilled trades) in regards to 454 resident-reported complaints (14% 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
- Requested expedited scheduling or a revision to the remediation plan for 381 resident-reported complaints (12% of complaints requiring its involvement).

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

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<sup>25</sup> Data integrity concerns identified from MRU's audit of RCA's adherence to data entry protocols limits the ability to report certain metrics in this section.

- **Feedback Sessions with Developments** – The OCC and Ombudsperson have recommended that MRU host monthly feedback sessions with the borough groups (and developments) to identify constraints and limitations associated with promptly resolving resident-reported complaints to the OCC. This process could assist MRU to develop plans and strategies to reduce the number of follow-up requests. In past quarters, MRU held feedback 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 the number of escalations), scheduling difficulties, and capital repair constraints. It is our understanding that feedback sessions were not conducted in Q5 but will be scheduled for Q6.
  - Strategies developed and implemented to reduce the number of follow-up requests in Q5 and prior quarters 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 (implementation expected in Q6).
      - Development limitations or concerns raised (consistent with prior quarters):<sup>26</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 workload (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, Mayor's 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. The OCC recommended that MRU (or the OCC) should facilitate

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<sup>26</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.

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.

- The OCC has not been informed of any update or progress on this topic in Q5. It does not appear that the borough groups assigned access to the data platform have logged into the system or reviewed the dashboard as of the end of Q5. We are hopeful that in Q6, NYCHA will begin to utilize these dashboards and facilitate recurring meetings to review and respond.
- **Participation from Other Departments (Legal, Family Partnerships, Social Services)** – In Q5, 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 where the resident's complaint to the OCC can be linked to or associated with, other 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.
  - It is our understanding that in Q5 the Legal department was involved in 8 resident complaints to the OCC, Family Services was involved in 6 resident complaints to the OCC, and Social Services was involved in 1 resident complaint to the OCC.
  - 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.

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.

### 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. Additionally, NYCHA needs to prioritize the completion of the Leak Standard Procedure to properly identify and repair complex leaks.<sup>27</sup>

In Q5 (consistent with prior quarters), the OCC received extensive feedback from residents indicating 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 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. The OCC will also 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 Q5, the OCC requested re-inspections for 222 resident-reported complaints (5% 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.

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<sup>27</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 (regarding any possible resident complaints to the OCC) and did not seek any feedback from the OCC on resident-reported complaints or feedback at these developments. It is our understanding that in Q5 NYCHA concluded the pilot project and was analyzing the results to determine the next steps towards implementation.

- **Recommendations to NYCHA's Compliance Department** – The OCC continues to receive feedback from residents in some situations indicating they reported mold and leak issues to NYCHA in the past and NYCHA closed the work order without completing the work. 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>28</sup>
  - In Q5, the OCC recommended that 63 cases (be referred to Compliance for review or investigation. It is our understanding that MRU had referred 48 cases to Compliance and the remaining were under the advisement of MRU. Depending on the issue, Compliance will either investigate the matter itself, or refer the matter to QA or EH&S for review. It is our understanding that Compliance determined that corrective action was required for 2 cases, 28 cases were under review and/or awaiting investigation reports, and the remaining cases were being monitored or were addressed. It is our understanding that Compliance makes recommendations, where appropriate, for staff accountability.<sup>29</sup> However, it is supervisory staff in NYCHA Operations who must decide whether to accept and act upon Compliance’s recommendations.
  - In Q5, 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 concerning 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 before 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 the CCC must be 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.
  - In 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

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<sup>28</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.

<sup>29</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.

within the NYCHA developments. The OCC and court-appointed IDA recommended that immediate action should be taken to address these resident complaints.

- In Q4, Compliance worked 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 in Q5, IT developed the reports and Compliance began to develop the operational oversight plan to work towards addressing these complaints in Q6.
  - We are hopeful that in Q6, Compliance will successfully implement the operational oversight plan to review, respond to, and oversee the results of these complaints (associated with mold and leaks) and find opportunities to assist the developments with processes and procedures to monitor and address them independently, which will prevent future occurrences.
- **Additional Training for Workers** – In Q5, 37% of resident-reported complaints to the OCC were assigned the craftsmanship swim lane. In these situations, the mold or leak repair was made but the work was unsatisfactory, did not solve the problem, or was not completed. 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 Q5, there were 460 current staff members that were awaiting Mold Busters training (or re-training) and many were currently unable to conduct any mold inspection or remediation work.<sup>30</sup> It is our understanding that in Q6 NYCHA will increasing the number of training sessions. The OCC has observed staffing constraints 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 of classes and frequency 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 creating a revised leak standard procedure which will provide additional opportunities to train staff about leak investigations and remediation. This will be critical to NYCHA’s ability to conduct proper and consistent leak remediation for NYCHA residents.
  - **Need for Better Data Recording** – In Q5 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>31</sup> In situations where there

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<sup>30</sup> Data as of 2/28/21.

<sup>31</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

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.

- In Q5, MRU had to reach out to the development (or skilled trades) in regards 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 for 1,403 resident-reported complaints. MRU provided feedback to the management staff regarding the administrative burden that can be alleviated when appropriate information is proactively populated. In one case, the development created a work order for the wrong unit which caused a delay in scheduling.
  - The OCC also observed that in Q5 (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>32</sup> In Q4, MRU analyzed 93 resident-reported complaints to the OCC and determined that 64 (nearly 70%) were affected by this. This creates significant inefficiencies for MRU to track and maintain the progress of the remediation plan and can complicate Baez compliance metrics and the QA process.
  - In Q5, the court-appointed IDA issued a report and recommendation based on the OCC's outbound calling survey, that a reasonable range of 40% - 60% of residents with long-term pending work orders could have had the work completed already.
  - NYCHA should consider conducting regular formal training on the importance of updating Maximo work order data in 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 has the proper equipment and materials available to complete the repairs at each development.
  - It is our understanding that NYCHA's QA department is providing Maximo training when conducting its Quality Assurance visits.
- **Process to Reduce Missed Appointments** – As discussed in prior quarters, the OCC found that missed appointments continue to be a common reason for resident-reported complaints 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>33</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

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repaired. This was also found through the Compliance department in its efforts to monitor delinquent mold work orders and follow-up SR complaints.

<sup>32</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.

<sup>33</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.

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 NYCHA's Strategic Planning Department is overseeing this initiative in conjunction with an auto scheduling pilot program that is currently on-hold.
  - It is our understanding that RCAs send 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.
- **Proactive Efforts to Remediate and Close All Open WOs** – At the end of Q5, NYCHA had 56,555 open parent mold and leak work orders within 38,696 unique apartments (accounting for 23% of all units within the portfolio). In Q5 (similar to prior quarters), the OCC found that some 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 and reduce the demand for the OCC.
    - As discussed above, the court-appointed IDA issued a report and recommendation in Q5 recommending that NYCHA should conduct an automated multi-channel outreach program to all residents with long-term pending (open) work orders. NYCHA should track all resident communication, as well as which residents indicated the work was completed (by the resident and by NYCHA, separately) and analyze these work orders to develop best practices that would minimize the frequency with which long term pending (open) work orders have had the work completed but have not been closed. This iterative process can be used when any work order reaches 100 days in age and again at 200 days in age or other intervals as set by NYCHA.
  - **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 Q5, 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.
    - In Q5, Compliance commenced proactive investigations based on the IDA data visualizations, focusing on mold inspectors with high rates of unfounded inspections. Compliance is currently conducting at least two investigations per month. Compliance's investigations consist of work order review and employee interviews. Compliance

completed 7 proactive investigations, and has made the following recommendations in its findings:

- 1 recommendation for a General Trial Request (which is a formal disciplinary proceeding) for serious deviations from the Mold Busters Standard Procedure;
  - 4 recommendations for counseling memos for significant deviations from the Mold Busters Standard Procedure; and
  - 2 recommendations for instructional memos or technical assistance follow-up meetings with Compliance.
- The significant and serious deficiencies that Compliance identified include instances where NYCHA staff are not using the required equipment during the mold inspections and, in some instances, entering non-instrument derived readings into Maximo work orders. Compliance has already issued an agency-wide advisory on this issue, and will continue to conduct investigations to identify such deficiencies.

#### **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. NYCHA should also utilize virtual inspection technology to ensure efficient use of current staffing available.

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 due to alternative working schedules (AWS) (e.g., only one superintendent or assistant superintendent on staff because they rotate weekend availability and no maintenance workers available 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 ability 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.
  - 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 is hopeful that NYCHA will fill vacant positions in Q6 and future quarters.

- 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 its inability to replace those positions. 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. Also, 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.
- **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. It is our understanding that many of the work orders require pipe repairs and that nearly all pipes in certain buildings require asbestos abatement, causing delays in remediation. Also, 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 can require 2 or 3 different skilled trades and each trade often has a backlog (sometimes up to several weeks away). This often requires work in more than one apartment so scheduling and sequencing the work by skilled trade becomes a challenge. Also, 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.
  - It is our understanding that NYCHA has been increasing its vendor capacity to compensate for certain staffing constraints. NYCHA has allocated \$32 million for contracts focused on mold and leaks over a period of several years. In addition, NYCHA has approved an additional 211 skilled trade staff and 56 maintenance workers that it anticipates hiring between March 2021 through June 2022, as part of its Transformation Plan.
- **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 Q5 (consistent since Q3), 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 nearly 57,000 open parent mold and leak work orders associated that NYCHA will have to address (as of the end of Q5). The OCC is hopeful that NYCHA will make progress to reduce the number of open parent mold and leak work orders in Q6 and future quarters.

- **Virtual Inspection Technology** – In Q2, the OCC launched a virtual inspection pilot and has since offered virtual inspections to NYCHA residents to assess the severity of mold or leak issues. Virtual inspections will enable NYCHA to better serve residents while also prioritizing the health and safety of the NYCHA residents and workers. 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 walkthroughs 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.
  - NYCHA was committed to the pilot and it is our understanding that it is working with leadership to evaluate the integration of the technology into its operations. The OCC did not receive an update on any progress made on this in Q5. The OCC is hopeful that NYCHA will implement virtual inspection technology in Q6 or future quarters.

#### **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 Q5, there were nearly 78,000 open mold and leak work orders (parent and child), of which nearly 92% 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 the limited availability of skilled trade resources, the use of vendors is increasingly important for leak-related work orders and resident-reported 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 paintwork remaining. It is our understanding that it is the responsibility of the vendor to communicate with the resident regarding the 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 Q5, the OCC had 569 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 paintwork orders remaining whereby the resident was interested in having their entire unit painted (not just the affected room). It is our understanding that NYCHA will contact these residents for scheduling and prioritization when the vendors become available at each development (under a "development blitz approach").
  - In Q5, the OCC observed continued vendor backlogs, particularly as a result of COVID-19, funding constraints (due to the end of the year), and the levels of open long-term pending work orders.
  - In Q5, the OCC observed severe staff shortages for plumbers in select developments 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 repair work. It is our understanding that at the end of Q5, scheduling of the work orders was delayed, despite several follow-ups from MRU to expedite the work.
  - The OCC is hopeful that vendors can be further utilized in Q6 and future quarters to complement NYCHA staff and ensure work is being completed within 7- or 15-days, as required by the Baez Revised Consent Decree.
- **OMAR's Mold Assessor and Remediator Contracts** – It is our understanding that 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).
    - As of the end of Q5, OMAR used these contracts on 1 resident-reported 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 have limited resources and it can take a long time to schedule an inspection and develop a scope of work (weeks or months), before beginning the repair work.<sup>34</sup>
    - In Q4, OMAR was planning to retain 3 additional vendors and additional scope of work lines to the contracts in its efforts to expedite the timeline to conduct work. In Q5, OMAR awarded the additional vendor contracts for a total of \$10 million to address leak repairs.
    - 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 repair activity is expedited. The OCC is hopeful NYCHA will further utilize these contacts in Q6 and future quarters.

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<sup>34</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 and often require asbestos investigation (and abatement) and resident relocation.

**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) have 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 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:

- **IDA Initiatives Identified in Support of the OCC** – 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 regarding mold and leak remediation including, but not limited to:
  - Identification of different mold work order classifications that the CCC agent can select when creating a mold inspection work order with a resident that does not follow the Mold Busters standard procedure;
  - OMAR inspections associated with mold complaints do not follow the Mold Busters standard procedure and do not have parent or child work orders created which circumvents Baez compliance;
  - Identification of progress toward compliance (by development) to remediate mold and leak work orders within Baez 7 or 15-day requirements, excluding work orders that were suspended due to COVID-19;
  - Information and data tracking associated with repair work conducted by developments that were scheduled to transition to RAD within the quarter;
  - Discrepancy between resident provided a 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 have caused significant inefficiency and confusion that frequently occurs when NYCHA staff arrive at a unit expecting one condition only to learn that it is a 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;
  - Identification of Mold Busters inspection work orders that were conducted in less than 5 or 10 minutes that were closed as "Unfounded";
  - Identification of labor workers with large volumes of Mold Busters inspection work orders that were conducted in less than 5 or 10 minutes that were closed as "Unfounded";
  - Dust wipe child work orders creating an administrative hold on the completion of paintwork 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., the 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.
    - The OCC is hopeful that NYCHA will conduct this outreach in future quarters.

## G. Recurrence Complaints

As discussed in prior quarters, NYCHA needs to properly address resident recurrence complaints associated with complex building repairs (e.g., roof repairs, façade or exterior brickwork repairs, pipe replacement, etc) 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 Q5, 15% 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 building 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 was informed that complex building repair work is required and despite any remediation work within the unit, there is a higher likelihood of recurrence.
  - MRU works 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.
  - In Q5, the OCC was informed by 24 residents (less than 1% of resident-reported complaints serviced in the quarter) that the mold or leak had recurred. As a result, the OCC created follow-up complaints for these residents and requested a re-inspection to be conducted. In Q6, the OCC and the court-appointed IDA will analyze these follow-up complaints in further detail to better understand the reported recurrence and any opportunities for training or interim repairs.

## H. Continuing to Raise Awareness of the OCC

In Q5, NYCHA conducted regular social media outreach regarding the OCC (which accounted for less than 1% of new resident-reported complaints created in the quarter).<sup>35</sup> While a multi-channel, frequent outreach campaign would raise awareness of the OCC to all residents, as discussed above, NYCHA's efforts to raise awareness about the OCC must be balanced against other communication and outreach commitments by NYCHA to residents on a wide range of topics. 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. The OCC is hopeful that NYCHA will continue to evaluate the opportunity to expand its outreach efforts to other communication channels in Q6 and future quarters, balanced against its other communication priorities. There may also be opportunities to raise awareness about the OCC through the efforts of other stakeholders and community groups.

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<sup>35</sup> The OCC works with OMAR, Compliance, and the Department of Communication (DOC) to facilitate effective and efficient communication to the OCC when planned social media messaging is scheduled for distribution (or lack thereof) to ensure the OCC is aware of when messaging is provided to residents.

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. The OCC and Ombudsperson have reviewed and approved all content published in Q5 to ensure that the independence of the OCC is clearly stated in outreach materials about the OCC.
- **Pending 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 of NYCHA. The communication plan contemplated multiple communication channels (over several weeks) for each borough grouping launch. See below for the current outreach channels available to residents:<sup>36</sup>
  - 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 (which is not anticipated in 2021) and MRU is adequately staffed.
    - NYCHA’s Customer Contact Center (CCC) interactive voice response (“IVR”) system for reports of leaks.
      - 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 re-consider this once MRU is adequately staffed which the OCC supports.
    - 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.

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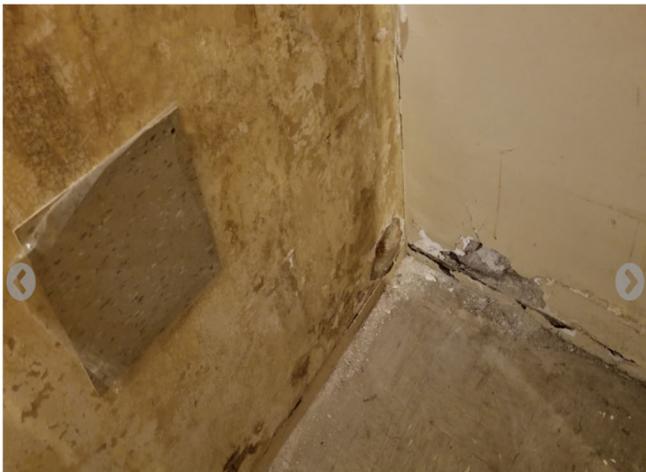
<sup>36</sup> Refer to **Appendix B** for outreach examples.

- 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 who report mold conditions are provided with the OCC contact information.

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

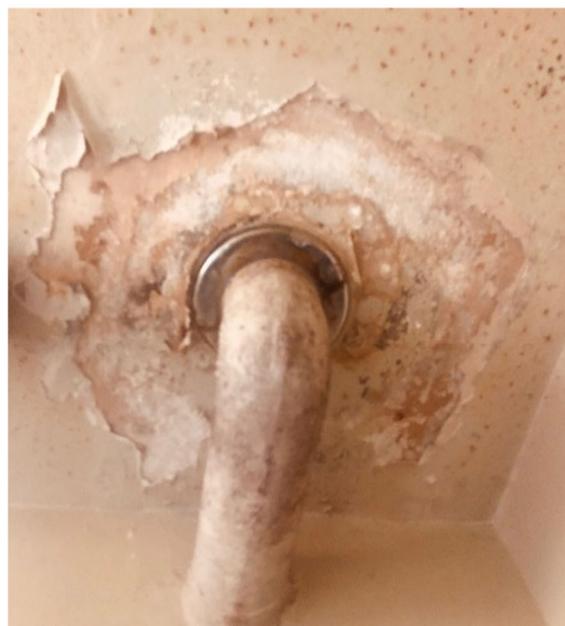
**A. Before and After Example**



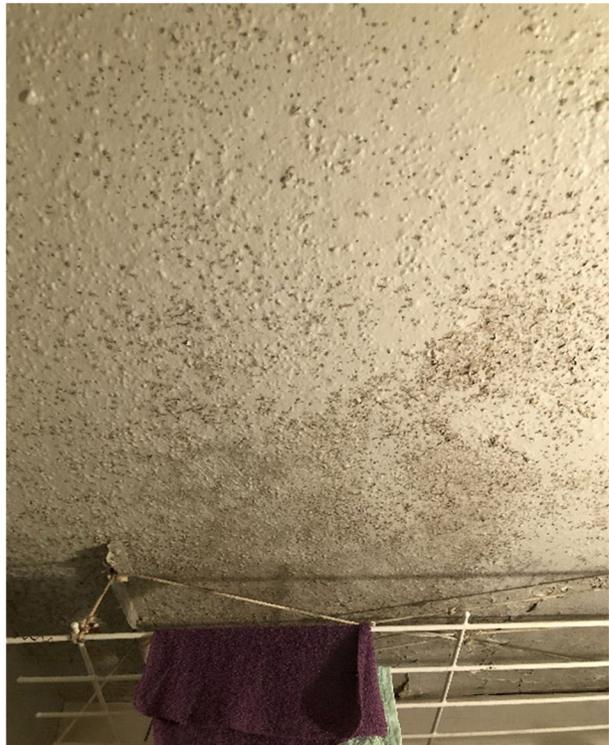


**B. Brooklyn Residents**





C. Bronx Residents



**D. Manhattan Residents**



**E. Queens and Staten Island Residents**



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

On March 12, 2020 (amid 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>37</sup> As a result, NYCHA has communicated various updates regarding the measures that it has taken in response to the pandemic.<sup>38</sup> In Q5, 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 November 12, 2020, many restrictions regarding non-emergency leak work orders have been lifted, leaving only paint and limited non-emergency leak work suspended.<sup>39</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 were 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>40,41</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>42</sup> This guidance excluded mold work orders.<sup>43</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>44</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>37</sup> <https://nychajournal.nyc/update-from-nycha-chair-and-general-manager-on-covid-19-measures/>.

<sup>38</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>39</sup> On February 3, 2021 (in Q6), NYCHA also provided notice to all staff that it has lifted its suspension on painting related to mold conditions so it could begin to address this backlog of work. Further discussion on this will be included in future quarterly reports.

<sup>40</sup> <https://nychajournal.nyc/covid-19-update-on-staff-working-in-apartments/>

<sup>41</sup> <https://nychajournal.nyc/covid-19-updates-related-to-nycha-property-management-offices/>

<sup>42</sup> <https://nychajournal.nyc/nycha-development-property-management-offices-services-update/>

<sup>43</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>44</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>45</sup>

- October 6, 2020 – NYCHA expanded the work orders it would address related to 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>46</sup>
- November 12, 2020 – NYCHA expanded the work orders it would address related to leak related complaints - “Perform all repairs associated with an additional set of leak work orders, described in further detail in the Work Order Guidance, regardless of Priority Code” associated with **water leaks or stoppages affecting the walls, toilets, and sinks**.<sup>47</sup>

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<sup>45</sup> <https://nychajournal.nyc/face-coverings-additional-protections-nycha/>

<sup>46</sup> <http://nychanow.nyc/guidance-regarding-covid-19/>

<sup>47</sup> <http://nychanow.nyc/guidance-regarding-covid-19/>

## 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, yellow and black letters. In the top left corner, there is a logo for the Housing Authority of the City of New York, which includes a stylized building icon and the text "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**

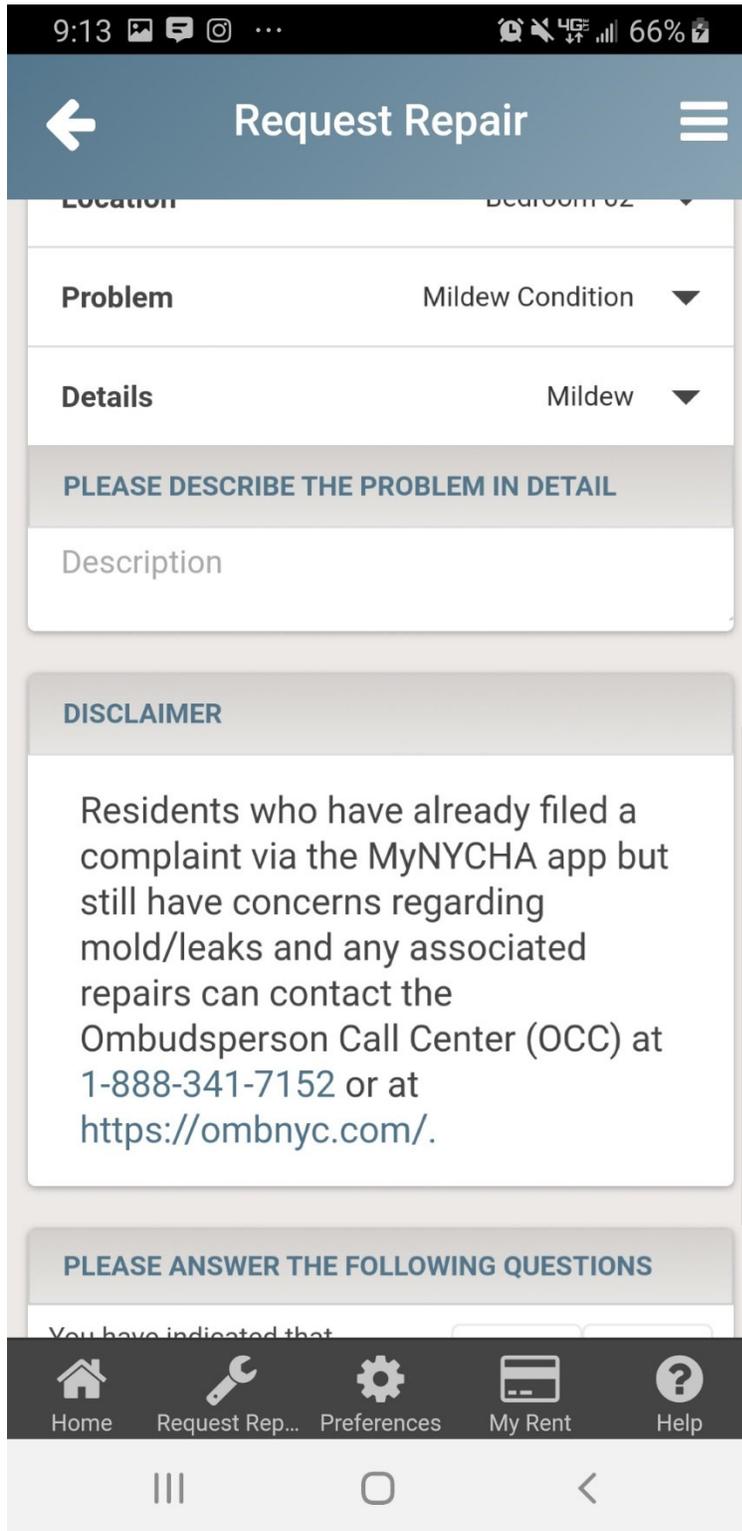
Residents with mold or active water leaks in their apartment should enter a work order by calling the **NYCHA Customer Contact Center at (718) 707-7771**. Residents can also use the MyNYCHA app or website.

**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**.

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.

所居公房管理處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

**NYC** NYC 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

[f](#) [t](#) [g+](#) [v](#) 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), prolometer (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 HLD 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.
  - [Mold Busters Public Presentation NYCHA 2.0 Resident Webinar Video](#)
  - [NYCHA's Mold Standard Procedure](#)
  - [Ombudsperson and Ombudsperson Call Center information](#) [English](#) | [Español](#) | [中文](#) / [汉语](#) | [பெங்களூர்](#) / [Bengali](#)

Residents who have already contacted the NYCHA Customer Contact Center but still have concerns regarding mold/leaks and any associated repairs can contact the independent, Court-appointed Ombudsperson Call Center (OCC) at 1-888-341-7152 or at [ombnyc.com](http://ombnyc.com). If the OCC cannot resolve your concerns, they will contact Cesar de Castro, the independent, Court-appointed Ombudsperson, to resolve the issue. The Ombudsperson's Call Center has been in operations since November 2019 and is available for all NYCHA residents. Please refer to [www.ombnyc.com](http://www.ombnyc.com) to learn more about how the OCC can assist you.

**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

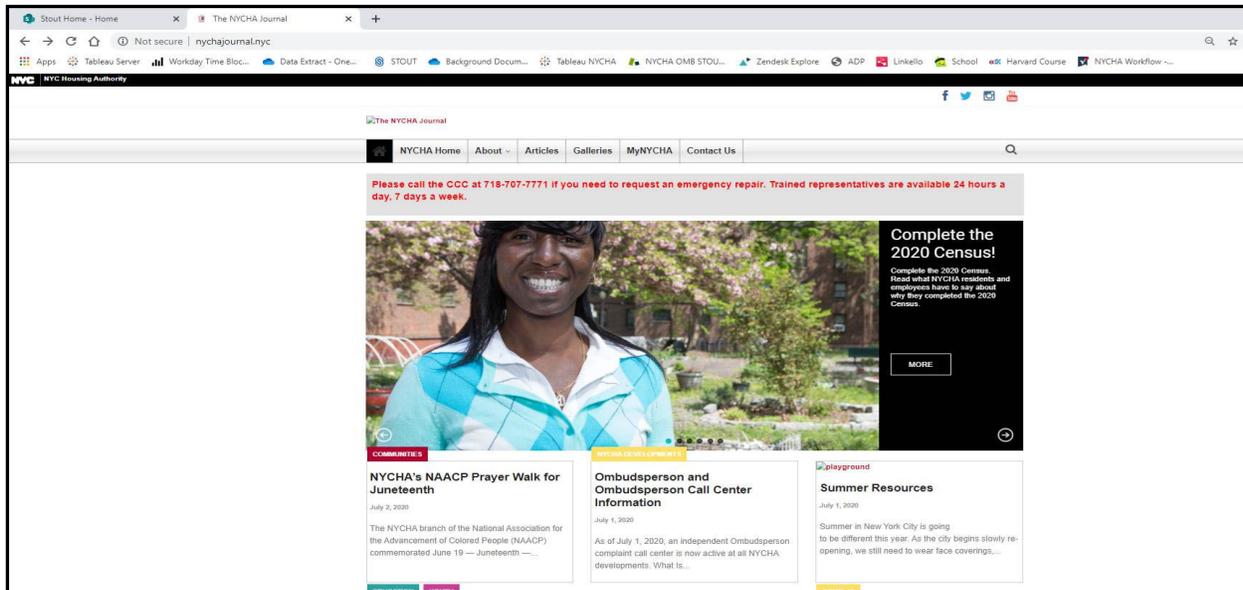
**Ombudsperson Call Center: Mold Busters**

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_KRISDECruuMluGetA7PFLvvy5ZwvR9_Xhek7UNf7cRHxv8fBY13k5p22AAuGWS9mMj6JE46f8JZcaXGb4_m561_Y2qEFG-nvWQny92QJcJ8sy8RrB0B09cQ8L1-nJvD9d4818owYD3qefrON40964v0TjHqTX34uu9D5z8BjpaR6TxA3771Da3j11KCYDZx2Ajuw0mGXOUkuQmes7No7USPFTqFmAk-WLaQSDqb00WafJdQaW2_Tu1twvtV8JUNPvL6OrZBbw7k055v45-Naw7BfFo8wD_qy9pFD6Gpd0XKShu5Q2i9GmjDvNq_WVDhxCBuJb-GaCeMzZpKfBx4pWSESohb_-JH_H0hjaMCTeID7_SMDie-KuDoMwnis3eh44UP6rN8http://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>
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## H. Social Media Posts

### 1. The NYCHA Journal



## 2. 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/2Nf8dyqm>
- Spanish <https://on.nyc.gov/2U2NpQN>
- 中文 (繁體) <https://on.nyc.gov/2UWYj9>
- 中文 (简体) <https://on.nyc.gov/3ekvago>
- Pycxoռի <https://on.nyc.gov/2V11aP1>
- Bengali <https://on.nyc.gov/37KRn5u>

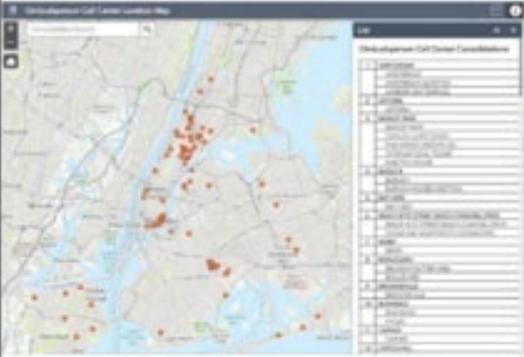


**New York City Housing Authority (NYCHA)** 6 hrs

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.

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- 中文 (简体) <https://on.nyc.gov/3ekvago>
- Pycxoռի <https://on.nyc.gov/2V11aP1>
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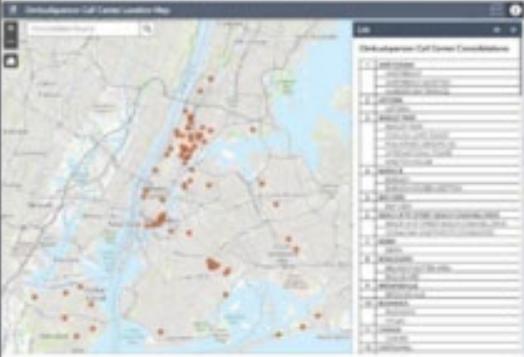


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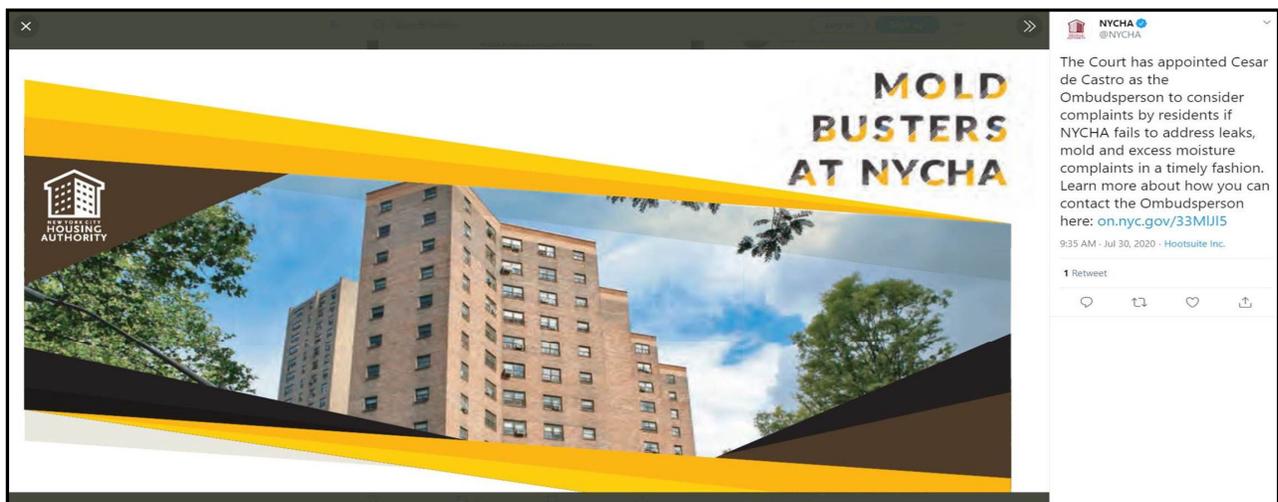
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- Bengali <https://on.nyc.gov/37KRn5u>



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3. Twitter



4. Instagram



## **Appendix C - 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>48</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>48</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>49</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.

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<sup>49</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.

Effective (and regular), multi-channel communication and collaborations within various departments within NYCHA, will be critical to the continued success of the OCC.