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Via ECF and E-Mail

The Honorable Loretta A. Preska
United States District Judge
U.S. District Court for the Southern District of New York
United States Courthouse
500 Pearl Street
New York, New York 10007

Re: *Baez, et al. v. New York City Housing Authority (NYCHA)*, 13 Cv. 8916 (LAP)
Ombudsperson Quarterly Report, Q22, Q23, Q24 and Q25 - February 1, 2025, to January 31, 2026¹

Dear Judge Preska,

In quarters 22, 23, 24, and 25 of operations (February 1, 2025, to January 31, 2026), the Ombudsperson Call Center (“OCC”) and the undersigned as Ombudsperson continued to assist New York City Housing Authority (“NYCHA”) residents to resolve thousands of mold and leak related issues. In the above quarters, I worked collaboratively with NYCHA on matters escalated to me for resolution and did not issue any written Ombudsperson decisions. I did, however, issue internal orders to NYCHA, to which all were promptly responded. The OCC continued to be successful in resolving NYCHA resident complaints regarding mold and leak issues with very little need for use of my formal adjudication powers. In this period, the office of the Ombudsperson reviewed thousands of cases and I continued to monitor matters and work with the OCC to resolve any escalated matters.² In 2025, we also continued our efforts to

¹ This Ombudsperson report summarizes the operations of the Ombudsperson Call Center and Ombudsperson for quarters 22, 23, 24, and 25. Annexed hereto is the quarterly report of Stout Risius Ross, LLC (“Stout”) regarding its operation of the OCC for quarters 22-25 that contains a detailed and comprehensive analysis of the complaints received, resolved, and those still outstanding.

² As noted in my previous reports, I have made clear to NYCHA that requests made by OCC staff should be considered Ombudsperson orders. The OCC management consults with me prior to issuing any non-routine requests regarding resolving any resident complaints. I am also copied on many communications between the OCC and NYCHA, which I review and monitor. Accordingly, the OCC and Ombudsperson have issued hundreds of orders through quarters 22, 23, 24, and 25.

increase awareness of the OCC and Ombudsperson throughout NYCHA. While the OCC has proven extremely effective, it remains that it is largely unknown to NYCHA residents. We focused our efforts on engaging with tenant resident associations and political leaders on the state and federal levels. Awareness of the OCC and Ombudsperson were boosted by coverage in the press, elected officials' events and interactions with NYCHA residents and community based organizations.

In quarters 22, 23, 24, and 25, the OCC has averaged approximately 241 new mold and leak complaints per month. Many of the complaints continue to involve reports of severe conditions or a lack of proper repair work, which constituted approximately 50% of the new complaints for the reporting period. As of January 31, 2026 (the close of quarter 25), the OCC had assisted a total of over 33,000 NYCHA households with at least 21,700 direct and indirect mold and leak related complaints. The OCC has made tens of thousands of contacts with NYCHA residents. Below is a summary of notable OCC metrics for quarters 22, 23, 24, and 25:

	<u>Quarter 22</u>	<u>Quarter 23</u>	<u>Quarter 24</u>	<u>Quarter 25</u>
New Resident Complaints to OCC	853	672	632	735
Complaints Resolved	875	717	650	797
Open Tickets at End of Quarter				416

As in every prior quarter, the OCC continued to receive incredibly positive feedback from all stakeholders.

Since 2023, the proportion of resident-reported complaints due to leaks has increased each year, while the proportion of mold-related complaints has declined. Persistent leaks resulting in OCC cases are often the result of building lines in need of significant plumbing capital repair. The decline in mold-related complaints can be partially attributed to the decline in mold work orders across the NYCHA portfolio and the increase in mold work orders completed within 15 days. Below is a summary of notable OCC metrics for reporting years 2023 through 2025:

	<u>2023</u>	<u>2024</u>	<u>2025</u>
Leak	41%	47%	50%
Mold	31%	30%	24%
Mold and Leak	22%	17%	16%
Non-Mold or Leak	6%	6%	10%

The average days to resolve resident-reported complaints from 2024 to 2025 increased for mold and leak complaints, separately, from 68 to 77 and 53 to 67, respectively, but remained consistent for complaints involving both leaks and mold at 115 days. The increase from 2024 to 2025 was primarily due to scheduling delays, as overtime for maintenance and skilled trades staff was limited in 2025.

The 2024 and 2025 average days to resolve resident-reported complaints are both lower compared to 2023, in which the average days to resolve mold and leak complaints, separately,

was 90 and 96, respectively, and 179 for complaints involving both leaks and mold. The decrease since 2023 reflects the streamlined implementation of Mold Response Unit (“MRU”) and OCC processes that ensure urgent work is addressed quickly, restoration and cosmetic work is promptly scheduled, and scheduled dates are met. In addition, MRU and OCC work diligently to expedite scheduling delays.

To service complaints in quarter 25, the OCC has needed the help of NYCHA’s MRU due to the inconsistent responsiveness of many developments, the unavailability of vendors and maintenance staff, and the failure to schedule and honor scheduled repair dates. When residents report dissatisfaction with repairs, communication barriers, access problems, and repair delays, the OCC and MRU have effectively addressed and escalated these issues. The effectiveness of the OCC and MRU is evidenced by the significant decreases in the average days to resolve resident-reported complaints since 2023, as noted previously, and the number of recurrence related resident-reported complaints, where the resident indicates a previously repaired issue has returned, which has fallen by over 60% since 2023 and by over 50% since 2024.

In addition to NYCHA run housing, NYCHA’s broader portfolio includes Section 8 housing, where the land and buildings are owned by NYCHA but leased to Permanent Affordability Commitment Together (“PACT”) Partners to operate and maintain. The OCC was extended to PACT residents in December 2021 and formally launched in May 2022. For these complaints, the OCC engages directly with each PACT Partner, in coordination with NYCHA, to resolve resident-reported complaints to the OCC. There continue to be significantly fewer complaints from PACT residents, due in part to the large amount of capital repairs by PACT Partners relative to NYCHA buildings, on-site property managers at the PACT location, and access to resources that enable the use of third-party vendors for efficient handling of complex repairs.

In the reporting period, the PACT OCC received 198 resident-reported complaints, an increase from 127 resident-reported complaints in 2024. New PACT Project conversions contributed significantly to the increase in resident-reported complaints, constituting 22% of all PACT resident-reported complaints in the reporting period. The increase in resident-reported complaints in 2025 was also largely driven by complaints at PACT Projects where work was already completed, suggesting complaints were made due to a lack of management responsiveness to resident complaints as opposed to capital repair issues. Below is a summary chart of complaints received from PACT residents for reporting years 2022 (from May) through 2025, and in 2025 by quarter:

	<u>2022 (from May)</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>
PACT Resident-Reported Complaints	96	115	127	198

	<u>Quarter 22</u>	<u>Quarter 23</u>	<u>Quarter 24</u>	<u>Quarter 25</u>
PACT Resident-Reported Complaints	26	51	58	63

For complaints that are reported to the OCC, PACT developments also had a much shorter response compared to NYCHA run developments. For the majority of resident-reported complaints, scheduled dates for repairs were consistently provided promptly, tailored to align with the resident's availability, and often accommodated requests for evening or weekend appointments. Below is a summary chart for average days to resolve PACT resident-reported complaints for quarters 22 through 25:

	<u>Mold</u>	<u>Leak</u>	<u>Mold and Leak</u>
Average Days to Resolve (Q22-Q25)	29	27	38

While the responsiveness and efficiency of NYCHA's PACT Partners is clearly shown in the numbers above, awareness of the OCC among PACT residents could be improved. Resident surveys indicate that a significant portion of PACT residents remain unaware of the OCC. In the 2025 reporting year, the amount of OCC outreach completed varied by PACT Partner; some actively worked to increase awareness of PACT OCC and some limited their efforts to the minimum required standard. Outreach done by PACT Partners included posting OCC Flyers in all floors in all buildings, mentioning the OCC in rent notices, providing the OCC Flyer after mold inspections or after repairs are completed, posting OCC information to the management website, sending an email blast to residents, and distributing the OCC Flyer during resident meetings. NYCHA tracks and evaluates each PACT Partner's outreach efforts to promote OCC awareness and provides recommendations based on its findings. NYCHA's Real Estate Development Department confirmed that each partner complied with outreach requirements.

In my role as Ombudsperson, I also continued my efforts at outreach to raise awareness of the Ombudsperson and the OCC. As I have in past years, I spoke at numerous resident association meetings throughout NYCHA's portfolio to provide information about the OCC and the assistance that we can offer residents. In February 2025, I was interviewed by CBS New York to raise awareness of the OCC and explain the powers granted to me as the independent, Court-appointed Ombudsperson.³

Additionally, on October 27, 2025, I testified at the New York City Council's Committee on Public Housing's "Updates on NYCHA's Remediation of Mold" hearing. This hearing was the first time I had been invited testify before the council despite other relevant hearings related to NYCHA in the past. To begin my testimony, I provided a brief history of the creation of the role of the Ombudsperson, the OCC, and the powers delineated to me in the Revised Consent Decree. I noted that the OCC, since its launch at the end of 2019, had received over 100,000 calls, assisted over 30,000 NYCHA residents and, as of July 31, 2025, had processed over 20,000 complaints. Despite the challenges involved in resolving the complaints, I made clear that the

³ <https://www.cbsnews.com/newyork/news/nycha-repairs-ombudsperson-call-center/>

biggest challenge was OCC awareness. In order to continue to increase awareness, the OCC and I have focused our efforts to create a pipeline from multiple channels to help as many residents as possible.

Also in 2025, I began a dialog with counsel regarding the Ombudsperson's ability, under Consent Decree section VI(25)(iii), to order an independent contractor, hired through the Special Master, to complete repairs in a NYCHA residence, to potentially help address the backlog of open mold and leak related work orders. After extremely productive discourse with the parties, including with high level NYCHA management, NYCHA has started using outside contractors to perform work on some cases identified by the OCC and the Ombudsperson.

As in previous reporting periods, the OCC and Ombudsperson operations have continued to effectively and efficiently serve NYCHA and PACT residents in quarters 22, 23, 24 and 25. The OCC, NYCHA, PACT Partners, and the undersigned Ombudsperson have worked collaboratively to resolve thousands of resident mold and leak complaints and ensure that work continues to resolve the thousands of additional open matters.

Respectfully submitted,

/s/

César de Castro
NYCHA Mold and Leak Ombudsperson

cc: All Parties (*via* ECF)