



# Ombudsperson Call Center Report – Q2 February 1, 2020 – April 30, 2020

STOUT RISIUS ROSS, LLC

*Baez, et al. v. New York City Housing Authority (NYCHA),*

No. 13-cv-8916 (WHP)

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

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

The OCC and the Ombudsperson, working collaboratively with the Baez Plaintiffs, plaintiff organizations, the Special Master<sup>1</sup>, the court-appointed Independent Data Analyst (“IDA”), the court-appointed Independent Mold Analyst (“IMA”) and NYCHA (collectively herein as the “Parties”), has been successful in its efforts to assist NYCHA residents with mold and leak related complaints and identify opportunities for systemic operational change at NYCHA. The OCC was developed to assist residents in situations where their mold and leak related complaints were not being adequately addressed or resolved by NYCHA. NYCHA residents can now reach an independent party which offers effective and empathetic listening, proactive communication and timely case management to ensure their complaint is addressed. Throughout this process, the OCC seeks to have resident complaints promptly resolved by NYCHA and works with NYCHA to use OCC resident complaints as opportunities to refine and transform its culture and operational responses.

The OCC launched on November 4, 2019. This report provides an update and overview of the OCC operations, activities and call center metrics for the second reporting period from February 1, 2020 through April 30, 2020 (“Quarter 2” or “Q2”).

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

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<sup>1</sup> Tragically, in this quarter, Special Master Francis McGovern unexpectedly passed away. It is our understanding that the appointment of a successor has yet to be determined.

*The OCC was very saddened to hear of the sudden passing of Special Master Francis McGovern on February 14, 2020, and Plaintiffs co-counsel Steven Edwards on April 8, 2020. They were each integral in the creation of the OCC standard procedures and operations, identification of innovative new technology, and systems (such as the Mold Busters 2.0 standard procedure), collaborated with NYCHA to build the framework needed to effectuate sustainable culture change at NYCHA and were passionate about the rights of residents at NYCHA to have safe and healthy homes. The OCC is thankful for having the opportunity to have worked with each of them and will work towards carrying their vision forward.*

## I. Executive Summary

Since the OCC launched on November 4, 2019, the OCC has assisted nearly 600 households across the NYCHA portfolio.<sup>2</sup> The OCC has had nearly 2,500 phone calls with residents to ensure their concerns are being properly addressed. Nearly 250 tenant complaints have been fully resolved, and the remaining are in the process of being resolved through the completion of necessary repair work. On March 12, 2020, (in the midst of Q2) New York City Mayor, Bill de Blasio, declared a state of emergency in response to the COVID-19 pandemic. During these times NYCHA has had to focus on the health and safety of their residents and employees (who are particularly susceptible to COVID-19) while balancing the maintenance and repair work necessary in over 2,350 resident buildings (with 173,762 apartments) across the portfolio.<sup>3</sup> As discussed throughout this report, the OCC has worked to be a resource to both residents and NYCHA during these unprecedented times by offering empathetic listening and support, offering new virtual inspection technology to assess the conditions within apartments (while limiting physical interaction), and providing NYCHA with insights and feedback received from residents in regards to COVID-19. The OCC operations remained open and active during Q2.

César de Castro, the Ombudsperson, has been actively involved and instrumental to the success of the OCC. Mr. de Castro has attended meetings with the parties, reviewed OCC calls, monitored NYCHA's responses, reviewed communications, participated in planning and outreach efforts, participated in dialogue with NYCHA (including NYCHA's Chairman, Gregory Russ) regarding staffing limitations and impacts due to COVID-19, and 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.<sup>4</sup> His ability to convey this while also offering meaningful support to NYCHA has led to a positive and collaborative rollout of the OCC. Further, the fact that the Ombudsperson and OCC are independent of NYCHA has enabled the OCC to overcome tenant skepticism arising from past experiences with NYCHA. This independence from NYCHA has been an important element of the success of the OCC.

During Q2, the OCC began a phased portfolio-wide launch and by the end of the quarter was operational at half of NYCHA's borough groupings including 126 developments in NGO-1, Mixed Finance, and Manhattan,

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<sup>2</sup> The OCC has received 481 household complaints, 100 (or 21%) of them required repair work involving other units in the building which would increase the number of households impacted by the OCC to at least 581 households.

<sup>3</sup> NYCHA residents comprise 1 of 15 New Yorkers and may be particularly susceptible to COVID-19 due to the densely populated buildings, nearly one quarter of the residents are 62 years old or older, and many residents are employed as essential workers (e.g., nurses, police officers, NYCHA workers). See [https://www1.nyc.gov/assets/nycha/downloads/pdf/NYCHA-Fact-Sheet\\_2019\\_08-01.pdf](https://www1.nyc.gov/assets/nycha/downloads/pdf/NYCHA-Fact-Sheet_2019_08-01.pdf).

<sup>4</sup> Refer to Section IV for more information regarding NYCHA's COVID-19 guidance in relation to mold and leak work order remediation.

which represent 45% of all developments across the portfolio.<sup>5,6</sup> The OCC will extend coverage to the entire NYCHA portfolio by July 1, 2020.<sup>7</sup>

In Q2, the OCC received 394 new complaints from residents regarding mold or leak-related issues.<sup>8</sup> The vast majority of complaints arose, at least in part, from a lack of adequate communication between NYCHA and the resident. The OCC and Ombudsperson have been collaborating and aiding NYCHA's Mold Response Unit ("MRU") to improve communication with tenants and those performing and scheduling the repair work. NYCHA's Office of Mold Assessment and Remediation ("OMAR") developed this specialized task force in October 2019 to monitor all complaints received by the OCC and to ensure successful resolution and closure.<sup>9</sup> As a result, 44% of the complaints reported to the OCC (419 in total) were resolved in this quarter, and the remaining complaints are in the process of being resolved by NYCHA.

NYCHA has been responsive and demonstrated a commitment to resolve OCC's resident reported complaints in Q2. The OCC's success and ability to serve residents is contingent upon resident awareness of the OCC. As discussed further in this report, NYCHA has not adequately prioritized consistent and persistent outreach to residents regarding the OCC throughout the launch and expansion of the OCC, particularly during COVID-19. In addition, there continue to be significant resource constraints at NYCHA that will be necessary to overcome for the continued success of the OCC.

### **Factors Necessary for Continued Success**

Based on the OCC's Q2 operations, the continued success of the OCC will depend on NYCHA's ability to:

- Provide a continuous level of prompt, detailed, resident-focused responsiveness to all complaints reported to the OCC. This may require additional MRU resources to meet the demand of portfolio-wide expansion in Q3 as well as an increase in responsiveness of various NYCHA stakeholders to MRU requests;
- Retain additional resources to remediate mold and leak complaints promptly including maintenance workers and skilled trade resources such as plumbers, painters, and carpenters;
- Prioritize the completion of the Leak Standard Procedure to properly identify and repair complex leaks;
- Continuing to raise awareness of the OCC to all residents using multiple communication channels, with frequent distribution;
- Effectively use vendors (and have the appropriate contracts in place) to overcome temporary staffing constraints;
- Increase oversight of work order activity to ensure that standard procedures are being followed and proper remediation steps are being taken;

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<sup>5</sup> During Q1, the OCC was only operational at a single NYCHA consolidation (the Jefferson Houses with 3 developments).

<sup>6</sup> Please refer to <https://www1.nyc.gov/site/nycha/residents/mold-busters.page> for a listing of each development launched within these borough groupings.

<sup>7</sup> Due to the resource and staffing constraints identified in the initial weeks of the COVID-19 pandemic, the order of the OCC phased launch was revised to assist NYCHA in managing the resource demands of the expansion. Refer to Section III for further information.

<sup>8</sup> The OCC had received 25 complaints in Q1 that NYCHA was in the process of resolving in Q1 and were resolved in Q2.

<sup>9</sup> The MRU was responsible for creating and coordinating the Mold Busters training program (including training nearly 3,000 NYCHA staff) and has extensive experience with resident and stakeholder engagement.

- Evolve to a more customer-centric culture through increased communication with residents regarding root cause issues, remediation plans and scheduling of work;
- Maintain a commitment to data strategy, individual accountability, collaboration and resident engagement with a continuous pursuit of opportunities for improvement;
- Proper 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; and
- Properly address resident recurrence complaints associated with capital needs repairs (e.g., roof repairs, façade or exterior brickwork repairs) and develop interim solutions to ensure the health and safety concerns raised by the residents and reduction of duplicative work currently required by NYCHA.

### Complaint Metrics

In Q2, the OCC became available to NYCHA's borough groupings in NGO-1 on February 3, 2020, Mixed Finance on March 2, 2020, and all of Manhattan on April 1, 2020. Please refer to **Appendix A** of this report for further details regarding complaint volume, distribution, timing and related metrics. However, below are key observations from Q2:

- There were 419 resident complaints serviced (394 resident complaints created and 25 opened in Q1), of which 184 (44%) were resolved during the quarter and 241 (58%) remained open as of April 30, 2020.
- Approximately 5% of new complaints were from residents outside of current operations.<sup>10</sup>
- Over 55% of all reported complaints involved a leak work order ticket.
  - This is an indication of the importance for NYCHA to finalize its Leak Standard Procedure to properly identify and repair complex leaks, retain specialized plumbers that are trained to identify such leaks and offer additional training to the staff on how to conduct and repair required wall breaks. For those buildings with extensive leak (or roof) related issues in need of capital repairs, NYCHA should prioritize this work or develop interim solutions to ensure the health and safety of the residents.
- Over 49% of all reported complaints involved a mold work order ticket.
  - This is a higher proportion than the overall work order volume at NYCHA and is an indication of the importance for NYCHA to ensure effective mold remediation and resident communication.
- Of the 184 resolved complaints, the overall average number of days to resolve a complaint was 20 days.
  - Nearly 29% of all resolved complaints were closed within 24 hours, 13% within one week, 39% within one month, and 20% over 30 days.
  - Resolved complaints involving leaks required the most time to resolve, on average, 36 days.
  - Resolved complaints that required extensive repairs or relocation took the most time, on average between 31 and 57 days.

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<sup>10</sup> Even though the OCC is not yet active across the entire NYCHA portfolio, it accepted complaints from all NYCHA residents (regardless of their scheduled launch date). All resident complaints followed the same intake process. Depending on the circumstances of the complaint, the OCC would service the request or provide a referral to the appropriate point of contact at NYCHA.

- The reported complaint type varied from simple issues (such as resolving a resident’s complaint regarding a scheduling date or needing assistance with opening a mold or leak work order) to complex issues (such as severe leaks that required multi-day, multi-unit investigations) or complaints requiring work in several rooms of a unit (e.g., bedroom, bathroom, kitchen, foyer, etc.).
  - In Q2, there were several complaints that required residents to be relocated or have extensive repair work conducted to resolve their complaints (e.g., replacement of cabinets in kitchen, replacement of bathroom tub enclosures, and repairs to walls as a result of wall breaks required).
    - There were a total of 4 complaints where the residents were relocated in the quarter and 4 complaints where the resident was awaiting or confirming relocation as of the end of the quarter. The OCC has observed that residents often prefer to not be relocated. The OCC works with NYCHA to try to develop a remediation plan that fits the needs of the resident while ensuring their health and safety.
- Of the 241 complaints that remained open at the end of the quarter, ongoing activity and remediation efforts were in process for 100% of the complaints and the MRU was already assisting the residents with 98% of the complaints.
  - For nearly 40% (93 complaints) of these work orders NYCHA had made all of the repairs that were within NYCHA’s COVID-19 work order guidance but were placed “on-hold” for the remaining repair work (e.g., painting) until NYCHA’s COVID-19 work order guidance has been lifted and the remaining work can be scheduled and completed. The OCC will keep these tickets open until the repair work is completed to the resident’s satisfaction.

### ***Virtual Inspections Increase the Ability to Better Serve Residents***

On March 13, 2020, in response to the COVID-19 pandemic, NYCHA revised its work order guidance to account for the health and safety of its residents and employees.<sup>11</sup> At the time, mold remediation and non-emergency leak remediation work (e.g., dripping faucets) in apartments was suspended and the OCC was limited to assisting residents with complex leaks and recording complaints for mold and non-emergency leaks. Recognizing the social distancing guidance, state and city emergency orders, and the need to protect residents and NYCHA staff, the OCC considered how to use new tools and technology to limit human contact and enhance the ability to effectively investigate and remediate mold and complex leaks.<sup>12</sup> With the support of NYCHA’s Chairman Gregory Russ, Stout worked in a collaborative manner with various NYCHA departments and the IMA to test, validate, and implement virtual inspections into OCC operations.

- The OCC launched virtual inspections on April 1, 2020. Virtual inspections are now available to all residents that contact the OCC with a complaint (including residents that filed a complaint prior to April 1, 2020).
- The virtual inspection is conducted by communicating over video conference (through the Zoom App or a web browser). The virtual inspection is scheduled in advance by a phone conversation with a resident prior to the virtual inspection. Information is provided to the resident regarding how the virtual inspection will be conducted and the OCC offers live technical assistance to ensure the resident is able to assist with the virtual inspection. A recording of the virtual inspection (video and audio), pending the resident’s approval, is then sent to the applicable NYCHA development via a URL link

<sup>11</sup> Refer to Section IV for further information regarding NYCHA’s work order guidance revisions during COVID-19.

<sup>12</sup> The OCC has experienced many situations where residents reported conditions are much more severe than originally understood once pictures or videos were provided.

(accessible via phone, tablet, hand-held device, computers, etc.). The development staff then determine the appropriate next steps, with continued follow-up from the OCC and MRU.

- In Q2, the OCC conducted 23 virtual inspections for reports of severe mold or leak conditions, reports of dissatisfaction with work performed, or health or safety concerns.
  - Of the virtual inspections conducted, 6 (or 26%) were escalated to MRU, EH&S, and/or Compliance.
  - Immediate action was taken for each case, one of which was immediately escalated to the General Manager (which led to immediate relocation offered to the resident).
- In Q2, the IMA conducted 2 virtual inspections to assist with evaluating wall breaks conducted by NYCHA.
- The OCC worked with MRU, EH&S, and Compliance to facilitate virtual inspections in certain complex situations that otherwise would have been challenging to complete during COVID-19. In Q3, all departments above will have the ability to conduct virtual inspections using the OCC's platform.
- The OCC has received very positive feedback from residents who participated in virtual inspections. One resident noted, *"This virtual inspection has been great, finally you can actually see what I have to deal with day to day. I have been trying to get someone to see this for a long time"*.

Virtual inspections will enable NYCHA to better serve residents while also prioritizing the health and safety of the NYCHA residents and workers. Virtual inspections could 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. Further, virtual inspections allow NYCHA and the OCC to:

- Better understand the conditions the resident is facing and ask follow-up questions to better understand the issue(s) and locations of the affected areas within the unit;
- Share the virtual inspection with NYCHA (including the Property Management office, NYCHA workers, or other departments such as MRU, Compliance, EH&S, Quality Assurance, General Manager) to immediately escalate the situation if needed or seek disciplinary action if the reported situation has not been previously addressed appropriately; and
- Ensure case management concerns are addressed via Quality Assurance checks and/or monitoring progress of the remediation plan.

The OCC is currently working with NYCHA on a pilot program to operationalize virtual inspections (within several departments) in Q3. NYCHA has been committed to the pilot program and working towards integration of the technology into its operations. The pilot program is working with NYCHA to consider how to integrate virtual inspections for a variety of use cases including reports of severe conditions (in one unit or several), reports of simple complaints (that a worker could walk the resident through the repair), reports of resident dissatisfaction of repair work performed, pre-remediation inspections or assessments (for vendors or skilled trade), virtual unit walk throughs for relocations, oversight of common space cleanliness, opportunities for training, etc. In Q3, the OCC will also work with NYCHA to develop materials to support NYCHA in training staff to conduct virtual inspections.

### ***NYCHA Has Been Responsive to the OCC Despite COVID-19 Constraints***

In Q2, there were no resident complaints that required escalation to the Ombudsperson. Based on the OCC's observations to date, NYCHA has taken the appointment of the Ombudsperson and the creation of the OCC

very seriously and has ensured success in the program through increased communication with residents and dedication of additional resources to ensure the resident complaints are being addressed without requiring escalation to the Ombudsperson.

- In Q2, the OCC was able to address nearly 20% of the resident complaints without escalation to any party, indicating that the OCC was able to respond to the resident without any support required from NYCHA (e.g., provide information about a scheduled date or information about a remediation plan).
- In Q2, the MRU was involved in 80% of OCC complaints (an increase from 52% in Q1) due to their increased responsibilities to interact directly with all NYCHA staff.<sup>13</sup>
  - In order to effectively resolve OCC complaints, the 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.).<sup>14</sup>
  - In Q2, the MRU has been very responsive and dedicated to these efforts in their communications with the OCC but substantial efforts and follow-ups are still required by the OCC to seek the necessary information needed (e.g., scheduling date, updated remediation plan, question regarding a missed appointment, verification of work being completed, or ensure the proper information is logged and created in the data system.)
    - In Q2, the MRU had to seek revised remediation plans or expedited scheduling on 56% of OCC complaints, which is to be expected due to the nature of the complaints where many residents are not aware of upcoming scheduled work dates.
    - In Q2, the MRU had to follow-up with the development to seek a response for 55% of OCC complaints of which 16% had to be escalated to senior leadership (e.g., Regional Asset Manager), due to a lack of responsiveness from the development (after 3 attempts).
    - It is our understanding that some of these delays in responsiveness have been due to staffing and management constraints associated with COVID-19. The MRU (with the support of the Ombudsperson and OCC) will be working with the developments to identify constraints and limitations in order to develop plans and strategies to reduce the number of follow-up requests required in Q3.
    - Through the 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.
  - In Q1, MRU was comprised of 8 employees to support the OCC and planned to hire 26 additional employees prior to July 1, 2020, to meet the demands of the operations.<sup>15</sup> As of April 30, 2020, NYCHA indicated that they have interviewed several candidates but have been unable to hire any additional resources due to COVID-19. NYCHA reports that it will be hiring these resources as soon as possible. In Q3, the Ombudsperson and the OCC will be working with MRU to determine ways they can be positioned to be successful while not compromising the needs of residents who report complaints to the OCC.

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<sup>13</sup> In Q1, the OCC was directly reaching out to NYCHA to schedule work orders.

<sup>14</sup> MRU's communication with various parties within NYCHA is marked with a notification that the request is from the Ombudsperson and OCC, which has created escalated priority at NYCHA and prompt responses.

<sup>15</sup> It's our understanding that NYCHA has 7 additional employees that indirectly support the MRU.

- In Q2, the EH&S department was involved in 17 (4%) of OCC complaints, the Compliance department was involved in 13 (3%) of OCC complaints and the General Manager was involved in 1 OCC complaint.
  - The complaints escalated to the departments discussed above were due to the health or safety concern reported by the resident, the circumstances of the remediation work required, or the OCC's observations from a virtual inspection or detailed work order reviews in NYCHA's Maximo data system. Each complaint involved the report of a severe condition that needed to be immediately assessed and the OCC was able to work with NYCHA to ensure immediate action was taken.
  - These departments have been very responsive and dedicated to these efforts in their communications with the OCC.
- While the MRU has been very responsive, a significant amount of follow-up communication has been required by the OCC to ensure NYCHA has communicated the various updates to the resident and that each of the OCC's requests is being addressed. With various stakeholders involved, it is extremely important for all communication to contain information on what steps have been taken, what steps are in process, and what was communicated to the resident. The OCC is hopeful that increased MRU staffing will streamline follow-up communications and related resources required of the OCC. Given the limitations due to COVID-19, the OCC will be prepared to support the MRU to ensure resident complaints are getting addressed and resolved promptly.

### ***Effective, Empathetic Communication with the Resident is Essential***

Nearly all complaints to the OCC 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. For all OCC complaints 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 Coordinator ("RC") is assigned to the resident to ensure proper levels of communication and case management.<sup>16</sup> In Q2, the OCC received positive feedback from residents about the RCs—residents reported that the RCs have been working within the resident's availability for scheduling, following up to ensure the work has been completed to their satisfaction, and ensuring the NYCHA staff remain accountable for their scheduled appointments. The OCC is optimistic about the continued expansion of the RCs across the portfolio in Q3 and is hopeful that this will assist in effectuating a culture change of accountability and more proactive communication with residents for all work orders.

### ***Transparency and Individual Accountability are Necessary to Effectuate Culture Change***

The OCC received extensive feedback from residents indicating that they reported mold and leak issues to NYCHA in the past and nothing was done to fix the issue. For all OCC 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. For situations where the resident contacts the OCC

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<sup>16</sup> The RC 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 OCC complaints. The RC position is currently only available in locations where the OCC is in operations and is a dedicated resource to service mold and leak related complaints.

dissatisfied with repair work, the OCC requests that the MRU conduct a re-inspection of the work. NYCHA's property management staff have indicated that such efforts have been hampered by data and process limitations (in addition to resource constraints) that created a lack of transparency regarding open work orders, or those closed with no work done. The OCC and the court-appointed IDA are working 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.

As the OCC continues to expand across the portfolio, there will be a required change in the culture at NYCHA to effectively communicate with residents (and internally) the accountability and commitment needed to ensure that the proper repair work is completed. Such effective resident communication activities with residents would include:

- NYCHA listening to the residents' description of health concerns, safety concerns, and prior experiences with NYCHA;
- NYCHA listening to the residents' description of the current complaint (diagnosis of the historic problem, not just the current situation);
- NYCHA carefully and empathetically discussing with the resident the findings of any inspection, the series of activities / work that need to be completed to effectively remediate the situation, any unknowns or uncertainties that are still being reviewed, whether a relocation may be necessary (and if so, what that process will be and why), when they will hear from someone regarding the next step in the process (and who that person will be), and what they can do if they have any questions or concerns about what was discussed or about work that is completed later; and
- NYCHA feedback from residents *via* survey (or other methods) to gauge the effectiveness of the communication efforts being implemented and to offer the residents the ability to provide feedback.

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

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

## II. OCC Operations and Observations – Q2

The OCC was developed and launched with the collaboration and input of the Ombudsperson, Special Master, NYCHA, plaintiff organizations, IMA and IDA. Operating at 126 NYCHA developments (with at least 175,795 residents) by the end of Q2, the OCC identified numerous elements for successful response to resident complaints and resources that NYCHA must increase for continued success in responding to resident reports of leaks and mold, and related complaints associated with NYCHA response and remediation activities.

### OCC Engagement

- a. **Development of enhanced infrastructure and technology to improve the resident experience** – As described above, the OCC launched and integrated virtual inspections into our operations in Q2. The virtual inspection permits residents to show the OCC any issues in their unit by communicating over video conference (through the Zoom App or a web browser). A recording of the virtual inspection (video and audio) is then sent to the applicable NYCHA development, which determines how to fix or further investigate the issue. The recording can also be shared with NYCHA's EH&S" or Compliance department if health or safety concerns are reported during the virtual inspection. The OCC and NYCHA are exploring this approach as a means to not only protect the health and safety of residents and NYCHA workers during the COVID-19 pandemic, but also to streamline NYCHA's responses to mold and leaks after the pandemic is over.
- b. **Information Regarding COVID-19** – In response to the COVID-19 pandemic, the OCC now 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. For residents who do not wish to have work conducted at this time, the OCC requests advanced scheduling 30 days out and will check back in with the resident prior to the appointment.
- c. **Stakeholder Meetings** – In Q2, the Ombudsperson, the OCC and the Parties participated in several meetings with the Property Management and Skilled Trade departments at each borough grouping to prepare for the launch and expansion of the OCC. This offered NYCHA the ability to share relevant information with the Ombudsperson (and the OCC) regarding NYCHA's staffing limitations, challenges, and ways to collaborate to better serve residents. The Ombudsperson offered feedback and assistance to help ensure the success of the launch but also indicated the need for prompt resolution to each reported complaint. MRU created a webinar for development staff and hosted two live webinars to train staff on their role and the expectations being asked of them. After each phase of expansion the Parties met (or are scheduled to meet) to discuss the on-going efforts needed to resolve resident complaints, root cause issues, breakdowns in the system, and other opportunities for improvement. The OCC and the Parties will continue these meetings as the OCC expands in Q3.
- d. **Communication to Residents about the OCC** – In Q1, in coordination with the Ombudsperson and OCC, NYCHA developed a monthly communication plan to inform residents about the OCC and to clearly demonstrate that the Ombudsperson is independent from NYCHA. The communication plan contemplates multiple communication channels (over several weeks) for each borough grouping launch.

- The OCC contact information has been made accessible to residents via:
  - MyNYCHA app for reports of mold;
  - MyNYCHA kiosks;
  - Mold Inspection Review form;
  - NYCHA Mold Busters website; and
  - Outreach to local Resident Associations via phone and email (with the OCC flyer as an attachment).
  - NYCHA provided supporting documentation to demonstrate these outreach elements were implemented for each borough grouping.
  
- 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.
  - NYCHA social media accounts such as Twitter, Facebook, NYCHA Journal, etc.
    - NYCHA uses these channels to communicate with residents regarding a wide variety of services, notices and NYCHA responses include gas and water outages, social services, reporting maintenance concerns, health and safety practices, etc. This communication channel could also be a valuable tool for continuously raising awareness about the OCC.
  - NYCHA's Customer Contact Center ("CCC") interactive voice response ("IVR") system
    - This could be a valuable prompt for resident calling to report leaks, mold or moisture conditions. If the resident indicates they are calling about these conditions, a message could be provided indicating that if the resident has a complaint after opening the work order the OCC can be contacted. This message could be customized based on the current work order guidance and any changes thereto. This would be consistent with the notifications currently incorporated into the app for mold conditions.
  
- Residents receive outreach communication from NYCHA through the following forms:
  - Rent statement insert during the month of launch;
  - Flyers in buildings during the month of launch including under resident's doors, in-person canvassing, and posted in common areas during initial launch (via the Resident Engagement department and/or the Property Management department); and
  - Automated ("robo") telephone calls during the month of launch.
    - NYCHA indicated it is considering an increase to the frequency of this outreach channel to twice during the month of initial launch and once a month across all launched borough groupings in Q3. The OCC is hopeful that NYCHA will be able to implement this in Q3.

In Q2, NYCHA's outreach communication plan was revised for the Manhattan borough grouping as a result of COVID-19 limitations whereby:

- Flyers in buildings including under resident's doors, in-person canvassing, and posted in common areas during initial launch was limited to Property Management department only.<sup>17</sup> This outreach form accounted for approximately 70% of OCC created complaints in February (prior to COVID-19 limitations).
  - The Resident Engagement department replaced its in-person canvassing efforts with targeted phone-call efforts based on a data set provided by the IDA for residents with greater than 10 Sq. Ft of mold with no work done. Contact was attempted for 391 households (1% of the borough grouping), of which phone contact was made for 207 and a voice message was left for 96 (after three attempts). While this outreach channel is a very small percentage of the population, it was very successful in identifying severe conditions for the residents that were contacted.
  - The Resident Engagement department has been committed to conducting outreach, increasing the awareness of the OCC with residents and providing feedback to the OCC on the resident interactions and data source limitations (e.g., wrong phone numbers). The OCC has a developed a process to follow-up with residents from these efforts to further assist with complaints of mold or leaks. In Q3, the Resident Engagement department will be conducting this outreach for NGO-1, Mixed Finance, and all other borough groupings as they launch.
  - The Resident Engagement department reached out to Resident Association leaders through phone calls and sent emails with OCC flyers.
- Rent statement insert during the month of launch was not sent due to inserts in March and April that were dedicated to COVID-19 health and safety information.
- Email outreach of the OCC Flyer was scheduled to replace the rent statement insert but this was not sent due to competing demands associated with COVID messaging. MRU indicated that it is working to expedite this request with NYCHA's Department of Communications for release in Q3 for Manhattan and all other borough groupings that are active.
- The Ombudsperson provided feedback to NYCHA and the Parties regarding concerns about NYCHA's communication efforts and concerns about clearly demonstrating that the Ombudsperson (and OCC) is independent from NYCHA.

Considerations for OCC outreach outside of NYCHA has included:

- On February 27, 2020, council member Richie Torres submitted a bill to "require an office or agency designated by the Mayor to mail to each tenant of the New York City Housing Authority a pamphlet that contains information about the court-appointed mold ombudsperson, the mold ombudsperson's call center, and how to make a complaint to the mold ombudsperson. The office would also be required to mail such pamphlet to local elected officials and certain community representatives and hold a public briefing at least once a year to provide information about the mold ombudsperson."<sup>18</sup> As of April 30, 2020 the bill was still pending.

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<sup>17</sup> Supporting documentation (or details regarding which locations there was distribution) to demonstrate this outreach element was implemented was not provided to the Ombudsperson or the OCC.

<sup>18</sup> <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=4344555&GUID=3844514B-5F5D-403D-A7EE-25423CBB0445&Options=Advanced&Search=>

- **OCC Awareness Summit** – In Q2, the Ombudsperson, the OCC, plaintiff organizations, and NYCHA began to work collaboratively to prepare, organize and host a summit to increase awareness of the OCC. The summit would also include representatives from across the 5 boroughs, tenant associations, elected officials, community based organizers, and NYCHA residents to offer an overview of the OCC, initial findings since launch, and hear from residents directly about their experience with the OCC and solicit feedback from those who are able to attend. This summit was initially contemplated to be scheduled in March 2020 but due to COVID-19 has been placed on hold until further notice. In the interim, NYCHA has created an internal webinar to spread awareness to property management staff within the authority.

It will be important to reinforce the independence of the Ombudsperson and OCC to residents as the OCC expands. 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. At every stage of the expansion, 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.

- As the OCC expands, NYCHA will need to clearly and consistently communicate with residents, resident associations, and property management staff on a regular basis to ensure awareness among residents about the OCC. This communication will need to utilize multiple channels of communication (flyers, posters, rent bill inserts, in-app notifications, discussions at resident association meetings, social media, emails, automated phone outreach, etc.). Thereafter, NYCHA will need regular supplemental communication to new residents and those who may not be aware of the OCC.

The OCC shared its comments and feedback regarding NYCHA's ongoing efforts to raise awareness about the OCC. NYCHA has indicated its commitment to ensuring residents are made aware of the launch of the OCC in each borough grouping and the importance of regular, multi-channel outreach thereafter. In Q3, the OCC plans to work closely with NYCHA to consider enhancements to current communication efforts, recognizing any limitations that may exist due to COVID-19 and the overall NYCHA communication efforts, and a process by which to ensure the plan is informed by regular feedback from residents, NYCHA, the Plaintiffs, the Ombudsperson and the OCC.

### ***Response to OCC Feedback and Observations:***

- a. **Additional Staffing Resources to Improve Resident Communication** – In Q2 the OCC continued to observe that nearly all complaints involved, in part, a breakdown of communication between the resident and NYCHA. Residents often contacted the OCC to complain about:
  - Reporting a complaint to the CCC (NYCHA Customer Call Center) but not knowing when someone is going to come to make the repair (i.e., no scheduling date);
  - A missed appointment with no notification from NYCHA;
  - A worker starting the repair but having to leave for a brief period of time and then never returning;
  - A worker reviewing the issue and indicating a problem, but never conducting the repair; and
  - A resident not being aware of the repair / remediation process and next steps.

As discussed above, the initial feedback from residents regarding NYCHA's new RC position has been very positive. The RC's ability to establish trust with the resident will allow better communication between the resident and NYCHA on the repair work being conducted and identification of any obstacles that the resident might be facing will be increasingly important given COVID-19 work order and staffing limitations at NYCHA. On March 2, 2020, NYCHA advertised these 26 available positions and has indicated that they are remaining committed to hiring them as soon as possible.<sup>19</sup>

- b. **Additional Training for Workers** – In Q2, 25% of resident complaints involved the craftsmanship of the work completed (increasing from 20% in Q1). In these situations, the mold or leak repair was made but the work was unsatisfactory or did not solve the problem. Based on these findings in Q1 (and continued trend in Q2) and feedback from property management and the IMA, NYCHA began offering additional Mold Busters field training to each borough grouping during the month in which the OCC launches at that location.<sup>20</sup> NYCHA is keeping track of the areas in which additional training was needed that will aid them in developing supplemental training materials for staff. It is our understanding that the IMA is also developing a supplemental training bulletin for NYCHA workers regarding certain mold and leak remediation activities (such as wall breaks). As discussed below, NYCHA is also in the process of developing a new leak standard procedure which will provide additional opportunities to train staff on leak investigation and remediation. This will be critical to NYCHA's ability to conduct proper leak remediation for NYCHA residents.
- c. **Need for Better Data Recording** – The OCC observed that in Q2 (similar to Q1) 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>21</sup> In situations where there were complex leak investigations, there was no information in Maximo to understand what investigative steps had been completed, where access was denied, and what the next steps were to resolve the issue. This creates significant inefficiencies for NYCHA as people will eventually have to confirm that the repair work was completed and delays the completion of sequenced work for the completion of the Mold Busters Quality Assurance check, if applicable. Feedback from property management and borough schedulers indicated that there is a need for better training and reinforcement to record detailed notes and pictures in Maximo. It was also communicated that some workers do not have access to hand-held devices to enter such information and they needed to go back to the office to record the information. NYCHA should consider conducting regular formal training on the importance of updating tickets real-time, providing more detailed notes in the system and uploading pictures for each work order. NYCHA should also consider conducting quarterly assessments of physical inventory to ensure staff have the proper equipment and materials available to complete the repairs at each development.
- d. **Proactive Efforts to Remediate and Close All Open WOs** – In Q2 (similar to Q1), the OCC found that many residents had several open parent work orders related to mold and leaks within the same unit (and

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<sup>19</sup> See NYCHA's job posting for the RC positions: [https://a127-jobs.nyc.gov/index\\_new.html?keyword=+435509](https://a127-jobs.nyc.gov/index_new.html?keyword=+435509).

<sup>20</sup> Due to COVID-19, this training was placed on hold for Manhattan developments but will resume once available. In the interim, NYCHA and the OCC are considering ways to create and conduct virtual training opportunities to NYCHA staff.

<sup>21</sup> This was also found through the IMA's mid-stream quality assurance inspections where the data indicated that there were wall-breaks conducted with no follow-up repair work. However, upon inspection, the wall breaks were completed and repaired. This was also found through the Resident Engagement department targeted phone-call efforts to residents with open work orders (as discussed above) but when the Resident Engagement department contacted the resident, it was reported that the necessary repair work had been completed.

room). For these situations, the OCC asked that the 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. 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.

- e. **Process to Reduce Missed Appointments** – The OCC found that missed appointments continue to be a common reason for a resident complaint. When a resident contacts the OCC with this type of complaint, the OCC reaches out to MRU to request an immediate response with: (1) a new scheduled date; (2) confirmation that the new date has been communicated to the resident; and (3) the reason why the appointment was missed. The OCC records a log of these situations and follows-up with MRU to investigate the reason why appointments were missed. Based on our initial observations it appears that the primary reason for missed appointments in Q1 (over 50%) was due to NYCHA being unaware of the scheduled appointments.<sup>22</sup> Separate departments within NYCHA are responsible for the scheduling of work and at times there can be a breakdown in communication where the worker responsible for doing the repair work was unaware of the scheduling (or the scheduler was unaware of the worker's schedule). 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. Therefore, there is no process to review and prioritize work orders, identify capacity constraints, and reschedule any anticipated missed appointments.

In Q1 of the OCC, the IDA created the architecture of an automated daily user report of scheduled work orders to provide to the property management office, borough schedulers, and/or RCs 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 OCC complaints regarding missed appointments. It's our understanding that in Q2, NYCHA was working to develop and integrate an automated daily user report of scheduled work orders but it had not yet been operationalized. In the interim, the RCs sent proactive emails at the beginning of each week to each development to inform them of their upcoming scheduled appointments for OCC tickets. This email offered the development to reschedule if they were aware of any limitations that would not allow them to keep the appointment. Despite these efforts, the OCC saw increases in missed appointments in Q2, particularly in the month of April (up 192% from February).<sup>23</sup> Feedback provided from NYCHA indicated that these appointments were largely missed due to COVID-19 staffing shortages or failure to conduct in-unit work, management shortages, vendor cancellations, and lack of materials. The Ombudsperson and OCC have been working with NYCHA to ensure missed appointments are minimized in Q3 and that despite the conditions that NYCHA is facing, communication about the need for rescheduling should always be provided to residents.

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<sup>22</sup> Other reasons for missed appointments were staffing or emergency situations at the development, vendors who schedule their own appointments with residents, and required attendance in housing court.

<sup>23</sup> OCC recorded 106 missed appointments within 75 tickets in Q2 (13 tickets in February, 24 tickets in March, and 38 tickets in April). Please refer to Appendix A for details regarding metrics associated with Missed Appointments.

- f. **Focus on Leak Investigations** – In Q1, NYCHA formed a working group to develop a leak standard procedure, as there is with mold (the Mold Busters 2.0 standard procedure). In the interim, 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 IMA or vendors) can be enlisted. In Q2, 16% of tickets required OCC to request that a re-inspection be conducted and MRU has enlisted the IMA to assist in conducting 4 OCC inspections due to the severity and complexity of the investigation. 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. For certain developments with extensive leak-related issues, advanced training for leak investigation and remediation should be offered to maintenance workers and an emphasis to maintenance workers that non-visible leaks need to be investigated.
- Residents also reported confusion regarding the notice left on their door when NYCHA needed to schedule an appointment to do a leak investigation in several units of the building line.
- g. **Data Limitations in Maximo** – The OCC continues to receive feedback from residents indicating they reported mold and leak issues to NYCHA in the past and nothing was done to fix the issue. Residents noted they would create work order tickets (on the MyNYCHA app or through the CCC) but they would be closed without ever hearing from anyone (which could be seen on the MyNYCHA app or would be communicated to the resident from the CCC if the resident followed-up on the scheduling date). The OCC has been able to conduct work order reviews in these situations and has found that there are often cases where work orders were recorded as closed for “no work done,” “resident not home,” “resident refusal,” or “unfounded”. The OCC has also learned of instances where residents indicated that a wall break was needed but was not performed (and the work order was closed as “unfounded”). In addition, the RCs review all work orders for their cases and have identified several situations where work orders were closed improperly, and they have asked the development to re-open the work order. The OCC and/or the RCs referred several complaints to NYCHA’s Compliance department for possible investigation into these situations which may warrant further investigation, employee training, or employee discipline. NYCHA is also working with the IDA to identify when work orders are being improperly closed. NYCHA has already implemented changes to the data system that will prevent some of this from occurring going forward (e.g., a worker would not have the ability to close a work order for the reasons listed above), and will be reviewing data regularly to identify whether and to what extent work orders are improperly closed without adequate investigation and remediation and when additional system changes need to be implemented.

### **Critical NYCHA Resource Constraints Necessary to Overcome for the Continued Success of the OCC:**

- a. **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 RCs for OCC complaints. It’s our understanding that in Q2, 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 RCs. Based on feedback from NYCHA it has been noted that there are often staffing constraints or delays to conduct mold inspections due to the lack of management positions on site on a given day due to alternative working schedules (e.g., only one superintendent or assistant superintendent on staff because they rotate weekend availability and there are no maintenance worker available then to aid in the inspection). For NYCHA and the OCC operations to be efficient and effective, these management positions will need to be filled promptly before the OCC expands across the rest of the portfolio.

- b. **Staffing Constraint – Maintenance Workers** - All developments across NYCHA have a significant number of open work orders. Many of the open work orders are complex, requiring two maintenance workers to work together (across different units) to identify root causes and repair the issue(s). Based on feedback from NYCHA, there are severe staffing constraints at the maintenance worker level due to turnover and inability to replace the positions. In a meeting with NGO-1, the Ombudsperson and OCC were also made aware of staffing limitations due to a lack of funding for overtime and loss of available workers due to other demands such as pest programs. In addition, NYCHA's COVID-19 work order guidance has (and will continue to) create a severe backlog of open work orders for non-emergency leaks that will need to be addressed when the guidance lifts. For NYCHA and the OCC operations to be efficient and effective, these vacant positions will need to be filled promptly.
- Based on the feedback provided to the Ombudsperson and the OCC by Property Management for NGO-1 in Q1, OMAR was able to provide NGO-1 developments with 8 additional maintenance workers.
- c. **Staffing Constraint – Skilled Trades** - Many developments across NYCHA have a significant number of complex work orders that can take a long time to effectively repair. NYCHA noted that many of the work orders require pipe repairs and that nearly all pipes in certain buildings require asbestos abatement. In addition, many work orders involve multiple units, requiring more time to investigate and repair these complex circumstances. NYCHA indicated that the skilled trade resources are very short staffed in all skilled trade positions, most importantly plumbers, painters, and carpenters. Such work orders can require 2 or 3 different skilled trades and each trade often has a backlog (sometimes up to weeks away). These work orders often require work in more than one apartment so scheduling and sequencing the work by skilled trade becomes a challenge. However, it should also be noted that, as indicated in NYCHA's Capital Improvement Plan, significant investments in capital repairs and infrastructure are required across the NYCHA portfolio. The current state of the building infrastructure, especially plumbing, will give rise to complex leaks. Supplemental skilled trade and property staff resources will be required for the related remediation but may not take the place of the need for these significant capital repairs and infrastructure investments. In addition, NYCHA's COVID-19 work order guidance has (and will continue to) create 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 the OCC operations to be efficient and effective, adequate skilled trade resources will need to be available in each development.
- d. **Vendor Backlog** - Due to limited availability of skilled trade resources, use of vendors is increasingly important for leak related complaints. Based on the open work order data, the average days a work order is pending awaiting vendor work is very long. NYCHA's property management has indicated that there was a 6 to 8-week backlog for certain vendors in Q1, such as plumbers. These vendors can only be utilized to assist with leak related work orders, not mold remediation due to State laws. In Q2, the OCC

observed continued vendor backlogs, particularly as a result of COVID-19 and the levels of open long-term pending work orders. 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.

- e. **Difficulties Associated with Relocations and Reasonable Accommodation Requests** - The OCC has observed that there are some complaints that require a significant number of complex work orders that can take a long time to effectively repair or the severity of the conditions in the unit is deemed uninhabitable and requires the resident to relocate, either temporarily while the necessary repair work is being conducted or permanently. There are situations whereby a resident files a Reasonable Accommodations Request to relocate due to a health or safety concern (e.g., breathing condition / asthma as a result of mold). The OCC has found that residents who get to this point are often placed on a long waiting list (could be months or years) for a transfer due to a lack of available vacant units (particularly those that are 3+ bedrooms or larger). NYCHA needs to develop alternative solutions for residents who require relocation to ensure their health and safety concerns are being addressed.

### III. OCC Expansion

The OCC will continue to expand its operations through a phased portfolio-wide launch to be completed by July 1, 2020, per the schedule below:<sup>24</sup>

- Launched in Q2:
  - NGO: Live since February 3, 2020
  - Mixed Finance: Live since March 2, 2020
  - Manhattan: Live since April 1, 2020
- Queens/Staten Island: May 1, 2020
- Bronx: June 1, 2020
- Brooklyn: July 1, 2020

Throughout this expansion, the Parties plan to facilitate meetings with each borough grouping to prepare for the launch and to identify staffing limitations and resources that NYCHA will need to address. 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 prior to the OCC expansion in each borough grouping, when feasible. Effective, multi-channel communication in advance of each phase of expansion, and regularly thereafter, will also be critical to the continued success of the OCC.

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<sup>24</sup> In April 2020, the Parties agreed to update the expansion schedule to roll-out in Queens / Staten Island on May 1, 2020, and Brooklyn on July 1, 2020, (rather than the inverse) to accommodate NYCHA's staffing limitations. As discussed above, the OCC will intake any resident reported complaint, regardless of launch dates.

#### IV. NYCHA's COVID-19 Guidance

On March 12, 2020 (in the midst of Q2) New York's Mayor, Bill de Blasio, declared a state of emergency in New York City in response to the COVID-19 pandemic.<sup>25</sup> As a result, NYCHA has communicated various updates regarding the measures that it has taken in response to the pandemic.<sup>26</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 and provides the resident with feedback on what to expect regarding social distancing and need for wearing a face covering. For residents who do not wish to have work conducted at this time, the OCC requests for advanced scheduling 30 days out and will check back in with the resident prior to the appointment.

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

- March 13 and 16, 2020 – NYCHA would conduct some leak related complaints that were considered “emergency repair (e.g., gas/**water leaks**, stoppages, etc.)”<sup>27;28</sup> This guidance 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>29</sup> This guidance excluded mold work orders.<sup>30</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>31</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 public – that is, when employees are within six feet or less of any other person in the workplace, including coworkers and residents.”<sup>32</sup>

<sup>25</sup> <https://nychajournal.nyc/update-from-nycha-chair-and-general-manager-on-covid-19-measures/>.

<sup>26</sup> NYCHA is informing residents about COVID-19 updates through emails from NYCHA Chair Gregory Russ and General Manager Vito Mustaciulo, 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>27</sup> <https://nychajournal.nyc/covid-19-update-on-staff-working-in-apartments/>

<sup>28</sup> <https://nychajournal.nyc/covid-19-updates-related-to-nycha-property-management-offices/>

<sup>29</sup> <https://nychajournal.nyc/nycha-development-property-management-offices-services-update/>

<sup>30</sup> It's 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>31</sup> <https://nychajournal.nyc/development-services-update/>

<sup>32</sup> <https://nychajournal.nyc/face-coverings-additional-protections-nycha/>

The OCC provided NYCHA with feedback based on resident reported experiences and confusion during the COVID-19 pandemic. NYCHA has implemented all feedback provided which included the inclusion of mold work orders into the guidance and revisions to the CCC's IVR system related to the ability to open work orders for non-emergency repairs.

- Based on the Ombudsperson and OCC's recommendation, the IVR was modified to now state: "During the state of emergency for COVID-19, the Customer Contact Center is scheduling apartment repair appointments, primarily for emergencies or mold-related complaints. To create a work order, please stay on the line for the next available representative. If we are not able to schedule this work at this time, we can still open a work order for you that will be scheduled when the state of emergency is over. Please remember to practice good hygiene and stay home if you feel sick to help protect yourself and others and prevent the spread of this coronavirus. Thank you!"

## **Appendix A - OCC Resident Complaint Metrics in Q2**<sup>33</sup>

Please refer to **Exhibit 1** for the OCC complaint metrics for this quarter.

### **Reported Complaints**

Since the OCC launched in November 2019, the OCC has assisted 481 households across the entire portfolio. Of the 481 households, 100 (or 21%) of them required repair work involving other units in the building which would increase the number of households impacted by the OCC to at least 581 households. There have been a total of 246 complaints that have been resolved and 12 that have required resident relocation or referred to NYCHA's Compliance department due to the severity of the condition. In total, the OCC has had nearly 2,500 phone calls with residents to ensure their concerns are being properly addressed.

There were 419 resident complaints serviced (394 resident complaints created and 25 opened in Q1) in Q2, of which 184 were resolved in the quarter and 241 remained open (or unresolved) at the end of the quarter. The number of complaints ranged from 9 to 68 per week, with an average of 30 per week and 131 per month. There was a 24% increase in complaints between February and March but a decline in April which was likely impacted by COVID-19.<sup>34</sup> Of the complaints created this quarter, 35% were located Manhattan, 32% located in NGO-1, 28% located in Mixed Finance, and 5% in other locations not yet launched (Brooklyn, Bronx, and Queens/Staten Island). 41% of resident source of awareness was from the OCC flyer, 24% from automated telephone calls, 14% word of mouth, 10% from canvassing, and the remaining 11% through various other channels (e.g., tenant organizers (including the Plaintiffs), Mold Busters website, MyNYCHA app, MyNYCHA Kiosk). The distribution of resident source of awareness varied month-over-month, due to a change in outreach efforts affected by COVID-19.

The OCC received 350 complaints (or 89%) through the toll-free phone number and the remaining 44 complaints (11%) through web-based submissions. In Q2, 88% of residents spoke English and 12% spoke Spanish. All OCC analysts speak both English and Spanish. There were nearly 1,900 calls between the residents and the OCC in Q2 (inbound and outbound calls), with an average of 4 calls per complaint in Q2. The average number of calls per complaint declined from 6 in Q1 due to NYCHA's RC role communicating with the resident regarding scheduling and progress of the remediation plan.

Of the 394 resident complaints created in Q2, 35% (compared to 42% in Q1) were associated with a leak repair, 29% (compared to 36% in Q1) were associated with a mold repair, 20% (compared to 15% in Q1) were associated with both leak and mold repairs, and 16% (compared to 7% in Q1) were associated with other repairs not directly associated with leak or mold (e.g, ceiling damaged or paint). The distribution of resident complaints by repair type is largely consistent with the distributions of leak and mold related work orders across the NYCHA portfolio.

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<sup>33</sup> 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.

<sup>34</sup> Refer to Section IV for more information regarding NYCHA's COVID-19 guidance in relation to mold and leak work order remediation.

The distribution of resident complaints by initial complaint type (also referred to as “Swimlane” in Exhibit 1) in Q2 is shown below. While the distribution below reflects the residents’ initial complaint, the OCC found that residents who reported complaints often had several open leak and mold related work orders needing repair (not all of which they were initially complaining about).

- Scheduling complaint – 34% (compared to 29% in Q1);
- Craftmanship complaint – 25% (compared to 20% in Q1);
- New mold or leak related issue – 20% (compared to 30% in Q1);
- OCC services inquiries – 13% (compared to 8% in Q1);
- Recurrence complaint – 5% (compared to 8% in Q1);
- Improper closure of work order – 2% (compared to 1% in Q1); and
- Missed appointment complaint – 1% (compared to 4% in Q1).

In Q2, there were no resident complaints that required escalation to the Ombudsperson.

The OCC was able to address 20% (compared to 48% in Q1) of the resident complaints without escalation to any party and NYCHA’s MRU was involved in 80% of OCC complaints (compared to 52% in Q1) due to their increased responsibilities to interact directly with all NYCHA staff rather than the OCC.<sup>35</sup> EH&S was involved in 4% (compared to 9% in Q1) of complaints, Compliance was involved in 3% (compared to 8% in Q1) of complaints, and 1 complaint required escalation to the General Manager. In Q2, all complaints that were escalated to the departments discussed above were due to the circumstances of the remediation work required, the health or safety concern raised by the resident; or the OCC’s observations of detailed work order reviews in NYCHA’s Maximo data system.

In Q2, 46% of all complaints were impacted by COVID-19. Many of these complaints had one (or more) of the following impacts including<sup>36</sup>:

- Delay in remediation due to COVID-19 work order guidance – 119 complaints (or 30%);
- Work order placed in temporary deferred status – 54 complaints (or 14%);
- Resident request delay in work – 44 complaints (or 11%), or
- Delay in work due to development staffing constraints (or staff feeling unsafe conducting in-unit work) – 24 complaints (or 6%).

## Resolved Complaints

There were 184 resident complaints in Q2 that were resolved (44% of complaints within the quarter). Of the 184 resolved complaints, the resolution type included:

- Remediation completed of reported mold or leak issue – 58% (compare to 75% in Q1);
- Responded to resident service inquire (or assistance in opening a work order ticket with NYCHA) – 38% (compare to 18% in Q1); and
- Referred to NYCHA’s Compliance or resident relocated – 4%.

Of the resolved complaints in Q2, the overall average number of days to resolve a complaint was 20 days (as compared to 27 days in Q1). Nearly 29% of all resolved complaints were closed within 24 hours, 13%

<sup>35</sup> In Q1, the OCC was directly reaching out to NYCHA to schedule work orders for both maintenance work and skilled trade.

<sup>36</sup> Metrics include both resolved tickets and unresolved tickets. “Work orders placed in temporary deferred status” are those that are not within NYCHA’s current COVID-19 work order guidance.

within one week, 39% within a month, and 20% over 30 days. Resolved complaints regarding leaks required the longest period time to seek resolution (on average 36 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., plumber, plaster, painter) to complete the repair. The OCC also observed residents' requests for advanced scheduling to accommodate their work schedules and concerns regarding COVID-19 also contributed to the timeframe for resolution. The OCC also observed the staffing limitations within development that required scheduling 1-2 weeks in advance to conduct repairs. The OCC found that so long as the resident was informed of the next scheduling date, they did not raise a concern as to the proposed timing of remediation activities, particularly once the mold cleaning or immediate leak issue has been resolved and only follow-up work was required (e.g., painting).

The OCC has received positive reinforcements of gratitude and appreciation from residents throughout the quarter, including (paraphrased):

- “Thank you so much for advocating and supporting me through this process, I feel like nobody has heard me before now and I just want to better support myself and my family.”;
- “This virtual inspection has been great, finally you can actually see what I have to deal with day to day. I have been trying to get someone to see this for a long time.”; and
- “NYCHA did such an amazing job, the workers really went above and beyond on the repairs and all your help has been so amazing.”

### Unresolved Complaints

There were 241 resident complaints in Q2 that were unresolved (remaining open) at the end of Q2 (58% of complaints compared to 29% of reported complaints in Q1). Of the 241 complaints, 2% were in a status of “pending” at the end of the quarter, indicating that the complaints were in the near-final stages of completion and requiring resident confirmation to close. Additionally, nearly 40% of these complaints were placed on hold due to COVID-19 and were only awaiting follow-up repair work (e.g., paint). Of the unresolved complaints, 36% were created in the last month of the quarter. Of the complaints reported in Q1, 8 remained open and active (and 3 pending) in Q2 due to a complex leak situation requiring tenant relocation or extensive repairs.

Of the 241 unresolved complaints, the status of the complaints at the end of Q2 include the categories below. At the end of the quarter, all unresolved complaints have on-going activity and remediation efforts in process resident (including various phone conversations, scheduling of repair work, review of work order information, and awaiting confirmation to close the complaint).

- Awaiting the response of the MRU (e.g., next scheduling date) – 70% (compared to 17% in Q1 – due to change in process whereby MRU seeks scheduling rather than the OCC);
- Awaiting the completion of work order remediation – 21% (compare to 30% in Q1);
- OCC awaiting resident contact - 3% (compared to 9% in Q1);
- Monitoring for repair activity (for new mold and leak work order tickets) – 3% (compare to 35% in Q1);
- Awaiting the results of a complaint inspection/investigation – 2% (compared to 4% in Q1); and
- Monitoring repair activity for residents with temporary move-outs – 1% (compared to 4% in Q1).

Of the 241 unresolved complaints in Q2, the overall average number of days open was 46 days (compared to 39 days in Q1). Complaints regarding recurrence of mold or leak issues had an average of 61 days open

and those regarding scheduling had an average days open of 37. While these complaints have been open for a long period of time, the residents are aware of the status of their complaint, understands the next steps and remediation plan. As discussed above, most of the open complaints have addressed the residents' complaint but are being monitored until the completion of repairs to ensure the residents' satisfaction.

## **Appendix B - OCC Process**

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.ombynyc.com](http://www.ombynyc.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>37</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).

The OCC also receives complaints from residents who have a report of mold or a leak related issue but do 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 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>37</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 RCs to rapidly view a unit's history of mold and leak complaints by inputting easy-to-obtain resident information: name, address, etc.

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. Irrespective of the number of days to resolve a complaint, the OCC takes immediate action in addressing the complaint within 24 hours of intake.

Once the OCC receives the complaint from the resident, they will contact the resident within 24 hours 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 conduct a virtual inspection with the resident to better understand the issues they are facing;
- 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.

Based on the high level of responsiveness from NYCHA, the OCC was successful in ensuring that all residents had an immediate impact in Q2.

- *OCC Client Experience Example – The OCC received a complaint from a resident regarding an on-going leak in both the Kitchen and Bathroom. The resident noted that NYCHA had not been able to identify the cause of the problem which had on-going for over a month (but also a recurring problem for years). The OCC reviewed NYCHA's work order information for this unit and other units in the building line and identified a concentration of resident reported leaks (particularly in the Kitchens). The OCC escalated this complaint to NYCHA MRU and requested a leak investigation be conducted. The results of the investigation identified that the issues for both the Kitchen and Bathroom stemmed from a unit three floors above, affecting several residents below. NYCHA made the necessary repairs in each unit, positively affecting all residents, in addition to the resident that contacted the OCC. This resident had also made several other complaints (mold in Living Room, lower water pressure in Kitchen, and paint/plaster needed in various rooms), which were each scheduled and addressed by NYCHA and completed to the resident's satisfaction. The resident reported that all the remediation had been completed noting that NYCHA "did a beautiful job and went way beyond;" that the MRU "was awesome" and was "blessed" for the OCC's assistance.*

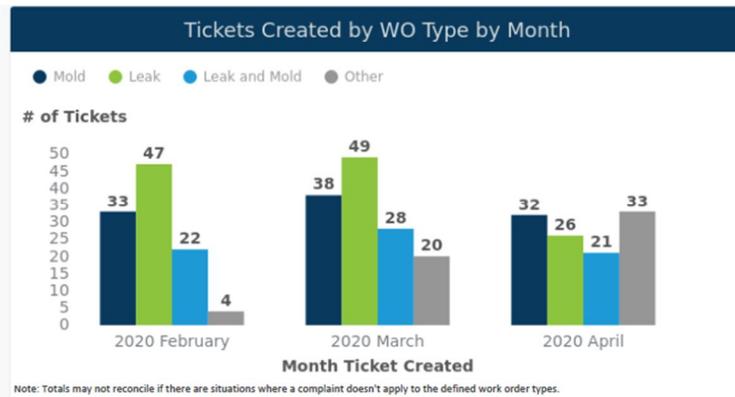
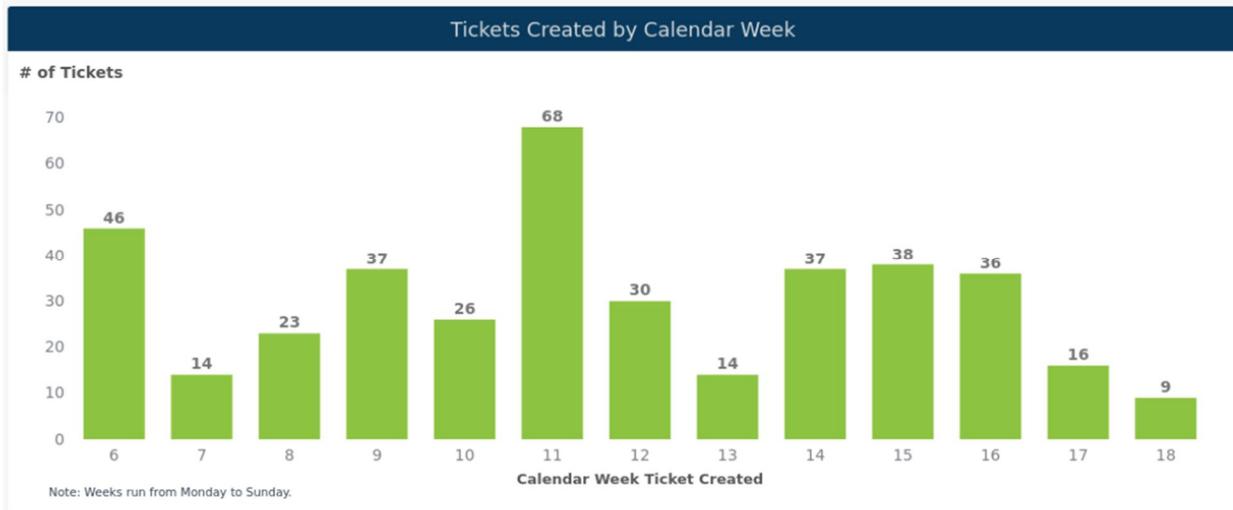
The OCC also receives service inquiries to better understand what the OCC is and how it can help them (OCC service inquires complaints).

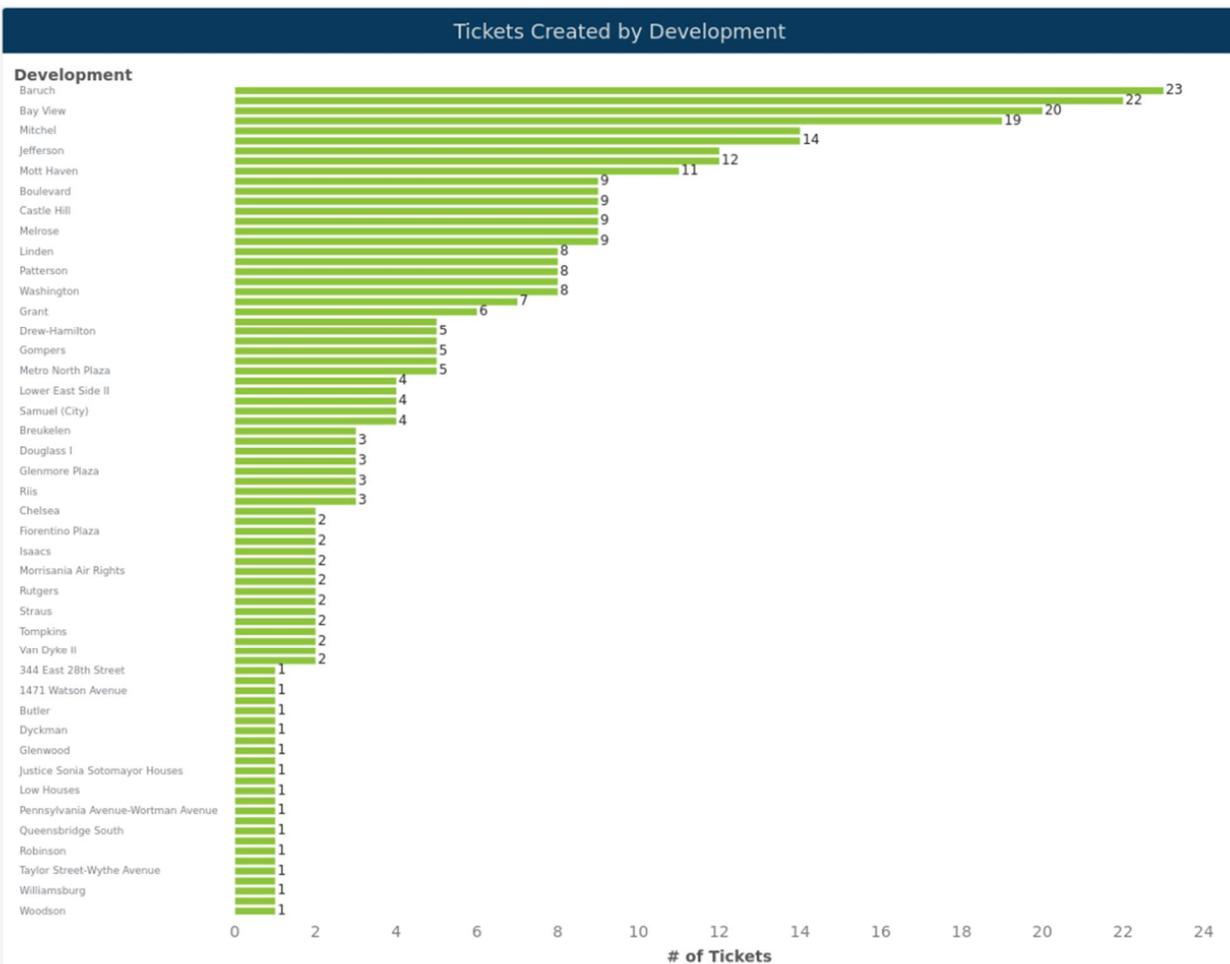
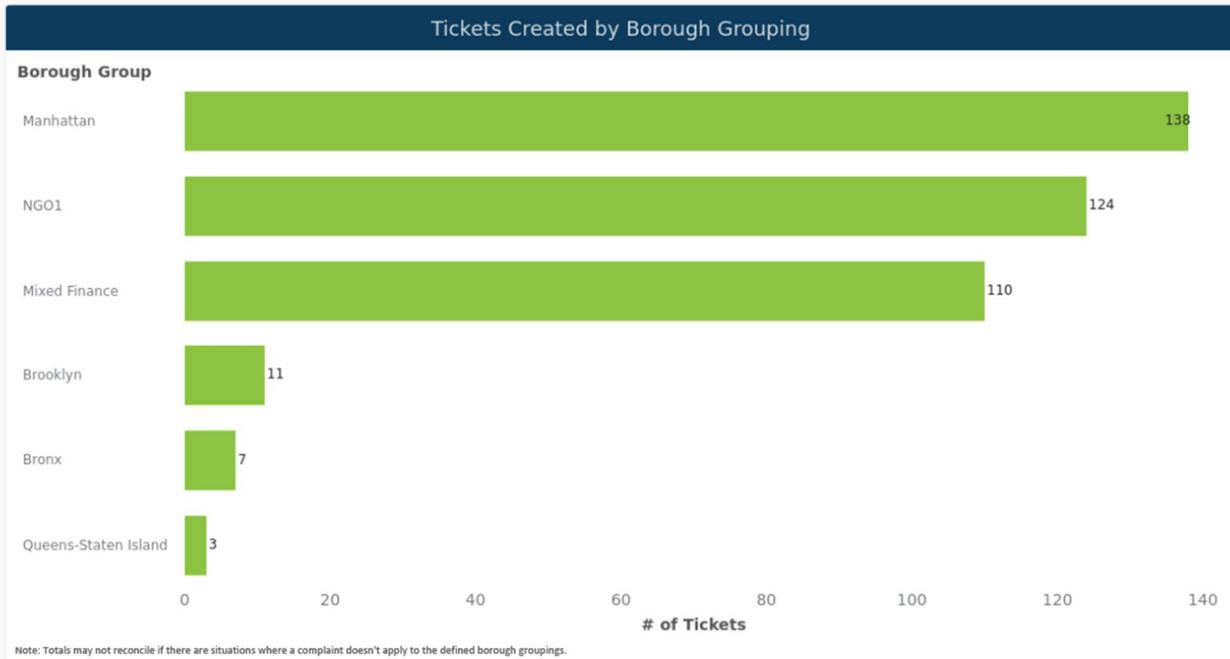
For all OCC complaints, the OCC interacts with NYCHA's Office of Mold Assessment and Remediation (OMAR) unit. OMAR developed a specialized task force, the Mold Response Unit (MRU) within OMAR that monitors complaints received from the OCC to ensure successful resolution and closure.

### Exhibit 1 – OCC Metrics (Q2 – February 1 2020 – April 30, 2020)

#### Ticket Summary

Created Tickets	Resolved Tickets	Open Tickets
394	184	241
Avg Created Tickets (per Month)	Avg Created Tickets (per Week)	
131	30	

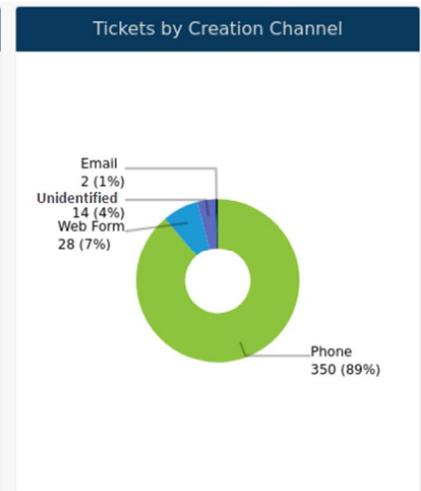
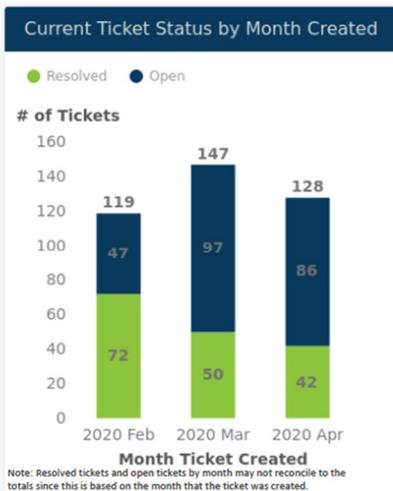




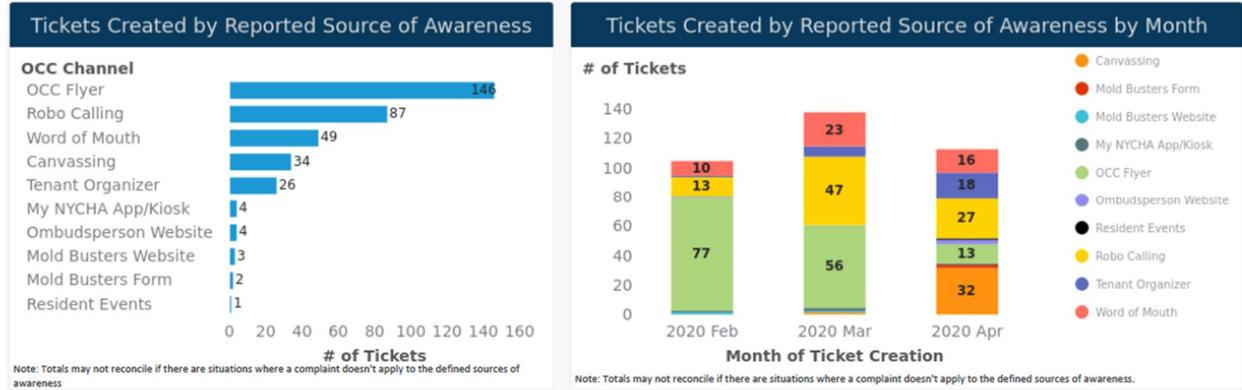
### Tickets Created by Swimlane

Swimlane	# of Tickets	% of Total
Scheduling	130	34%
Craftsmanship	94	25%
New mold or leak related issue	74	20%
OCC services inquiries	50	13%
Recurrence	17	5%
Improper closure of work order (within 1 month)	7	2%
Missed appointment	4	1%
Emergency	1	0%

**Note:** Totals may not reconcile if there are situations where a complaint doesn't apply to the defined swimlanes.



## Ticket Metrics



Tickets Created by OCC Work Performed	# of Tickets	% of Total
Reviewed Automated Unit History Report	368	93.4%
Reviewed Maximo Work Order Data	324	82.2%
Requested Scheduling Date	281	71.3%
Recommended Re-Inspection	63	16.0%
Followed up with NYCHA on Remediation Plan	51	12.9%
Conducted a Virtual Inspection	23	5.8%
Requested Resident Be Contacted - for Clarification	23	5.8%
Recommended NYCHA Compliance Department Conduct Review/Investigation	12	3.0%
Recommended Temporary Repair	8	2.0%
Recommended Re-opening a Work Order	6	1.5%
Conducted Work Order Investigation	2	0.5%
Requested Tenant Documentation	2	0.5%



Tickets Created by MRU Work Performed	# of Tickets	% of Total
Followed-up with Labor Worker(s)/Investigated Situation	304	77.2%
Revised Remediation Plan/Expedited Scheduling	221	56.1%
Followed up with Development Regarding Remediation Plan/ Inspection Findings	218	55.3%
	88	22.3%
Escalated to RAM	38	9.6%
Conduct New Mold Busters Inspection	23	5.8%
Determined Reason for Missed Appointment	6	1.5%
Offered Temporary Relocation/Reasonable Accommodation Request	4	1.0%
Refer Independent Mold Analyst for Inspection	4	1.0%
Sent Building Supervisor to Conduct Immediate Inspection	3	0.8%
Flagged for Supervisor Review/Oversight	2	0.5%
Increased Priority Level	2	0.5%
Use of MRU Vendor	1	0.3%

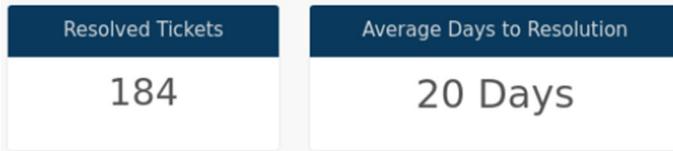
Note: The blank row above reflects tickets which did not require any work from the MRU.

Tickets Created by Escalation Required		
Escalation	# of Tickets	% of Total
MRU	316	80.2%
MRU Supervisor	49	12.4%
OMAR	21	5.3%
EH&S	17	4.3%
Compliance	13	3.3%
GM	1	0.3%

COVID-19 Impact		
COVID-19 Impact	# of Tickets	% of Total
	212	53.8%
Delay in Work Due to Covid-19 Guidelines	119	30.2%
Work Order(s) Placed On Hold	54	13.7%
Resident Requested Delay in Work	44	11.2%
Delay in Work - Development Staffing Constraints	24	6.1%
Plasterer - Missed Appointment	9	2.3%
Delay in Response or Work Due to Lack of Management Availability	8	2.0%
Rescheduled due to PPE Constraints	7	1.8%
Painter - Missed Appointment	4	1.0%
Worker Showed Up but Didnt Do Work	2	0.5%
General Inquiry Regarding Covid-19 Non Mold/ Leak Related Issues	1	0.3%
Maintenance - Missed Appointment	1	0.3%
Resident Refused Appointment	1	0.3%

Note: The blank row above reflects tickets which were not impacted by COVID-19.

## Resolved Tickets



### Resolved Tickets by Swimlane

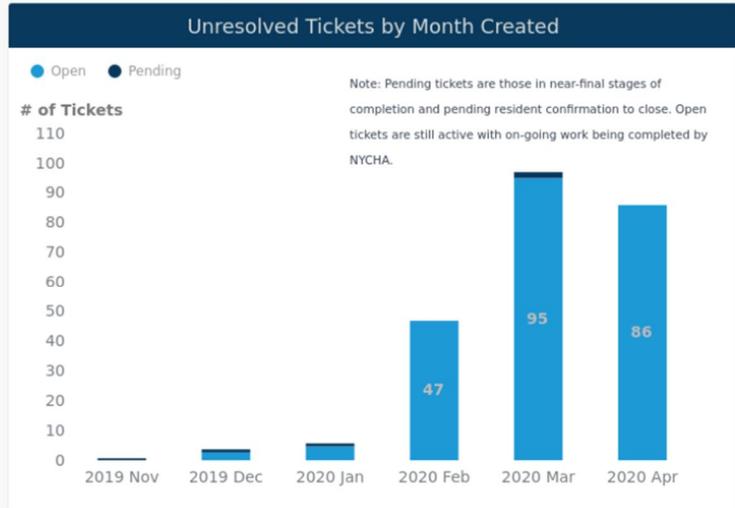
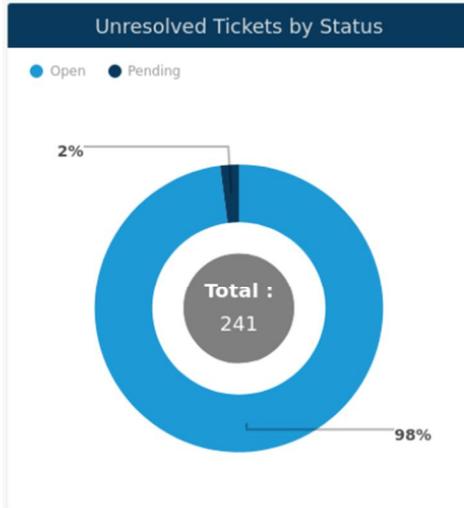
Swim Lane	# of Resolved Tickets	% of Total	Avg. Days to Resolution
OCC services inquiries	50	30%	3 Days
Craftsmanship	39	23%	38 Days
Scheduling	36	21%	25 Days
New mold or leak related issue	29	17%	26 Days
Recurrence	7	4%	32 Days
Improper closure of work order (within 1 month)	3	2%	22 Days
Missed appointment	3	2%	14 Days
Emergency	1	1%	32 Days

Note: Totals may not reconcile if there are situations where a complaint doesn't apply to the defined swimlanes.



## Unresolved Tickets

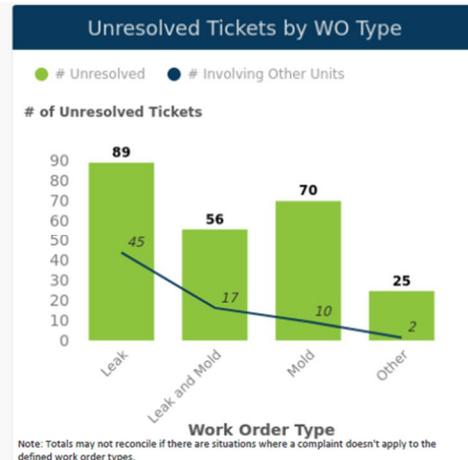
<b>Unresolved Tickets</b>	<b>Average Ticket Age</b>
241	46 Days

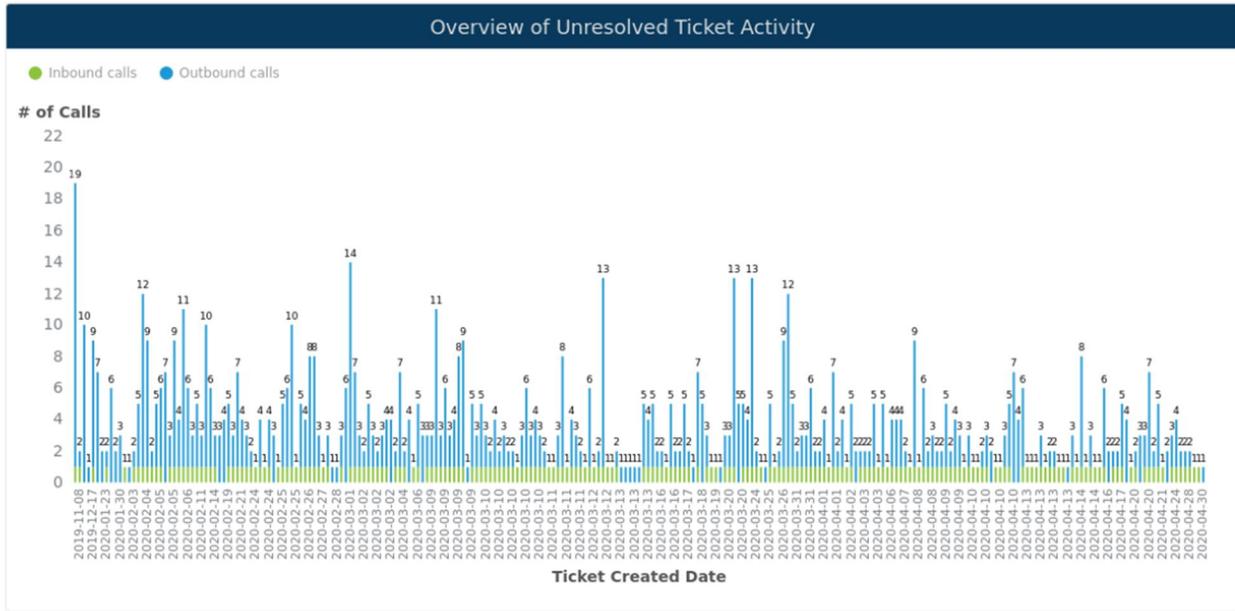


### Unresolved Tickets by Swimlane

Swimlane	Tickets (#/%)	Tickets (#/%)	Avg. Days Open
Scheduling	99	41.3%	37 days
Craftsmanship	67	27.9%	51 days
New mold or leak related issue	55	22.9%	53 days
Recurrence	13	5.4%	61 days
Improper closure of work order (within 1 month)	5	2.1%	53 days
Missed appointment	1	0.4%	16 days
Emergency	0	0.0%	
OCC services inquiries	0	0.0%	

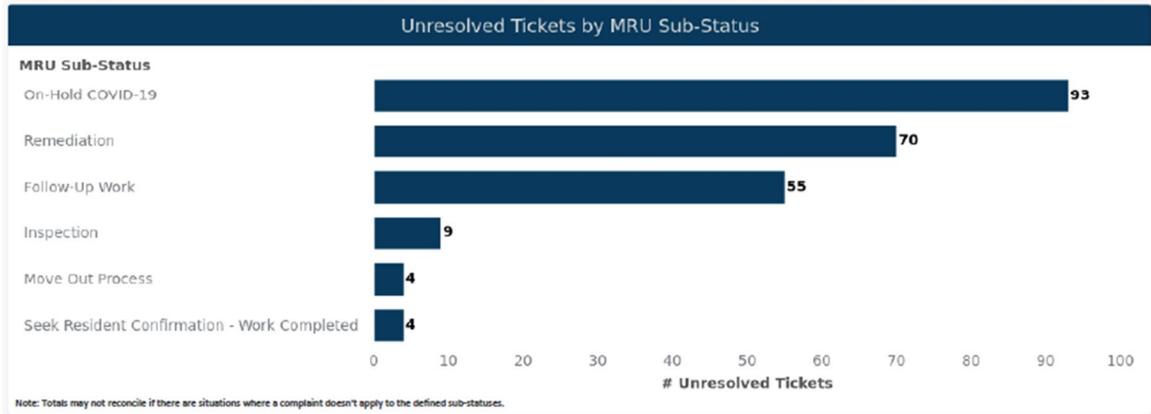
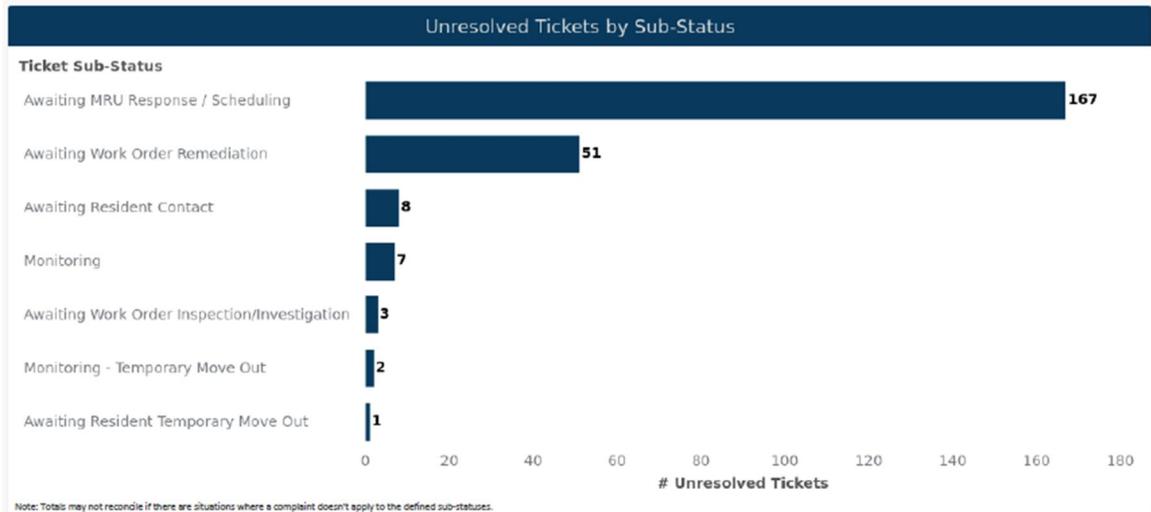
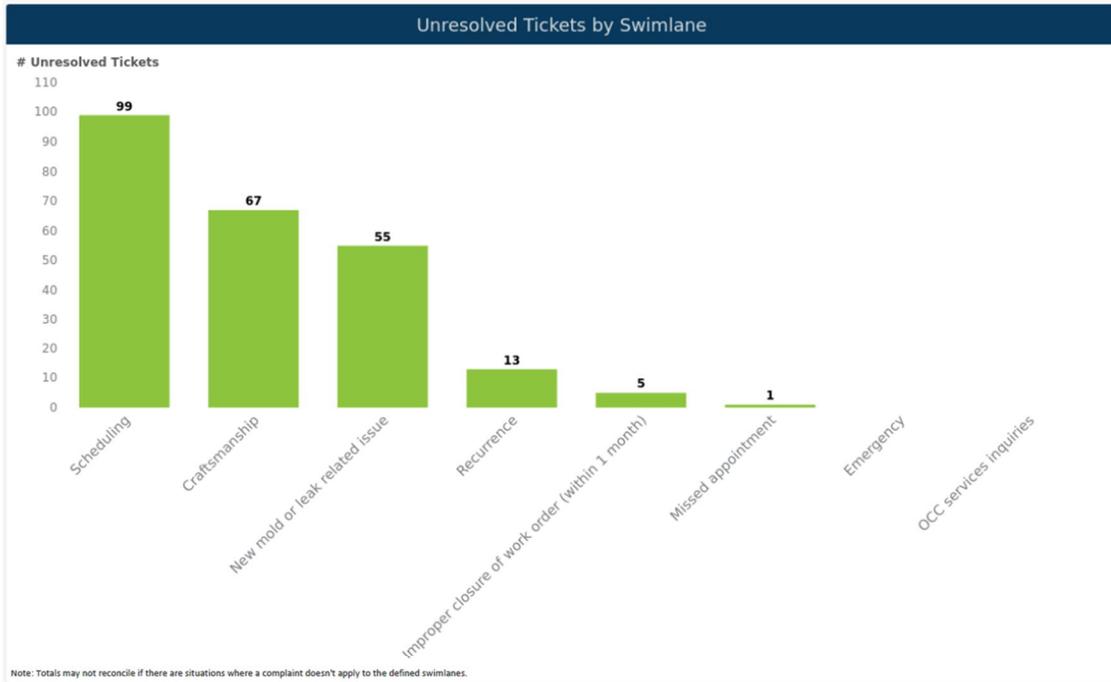
Note: Totals may not reconcile if there are situations where a complaint doesn't apply to the defined swimlanes.





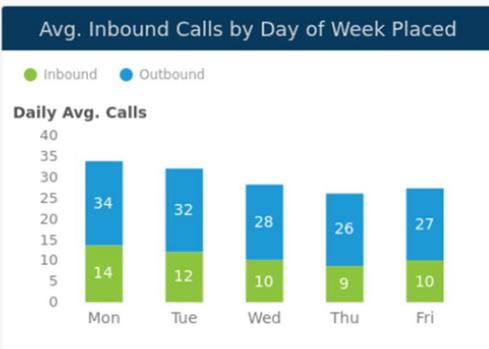
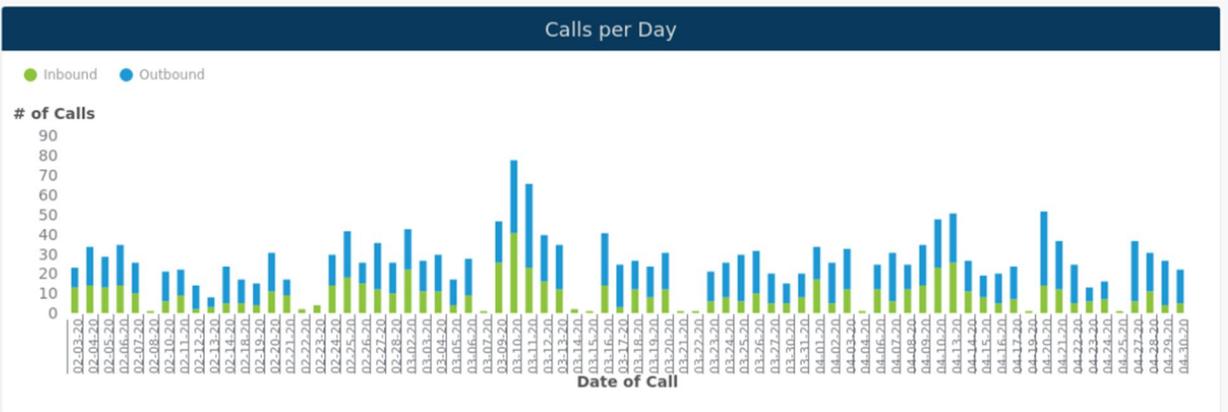
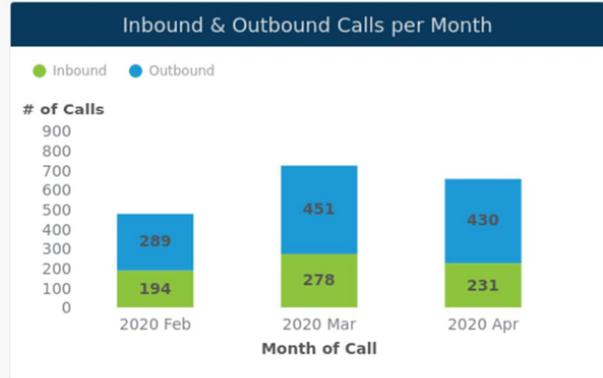
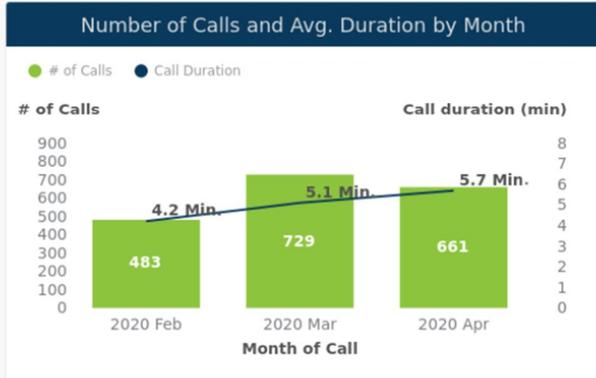
### Unresolved Tickets by OCC Work Performed

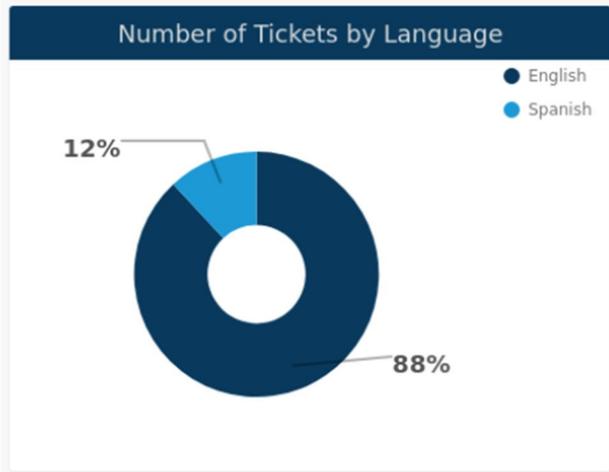
OCC Work Performed	# of Tickets	% of Total
Reviewed Automated Unit History Report	240	99.6%
Reviewed Maximo Work Order Data	235	97.5%
Requested Scheduling Date	216	89.6%
Recommended Re-Inspection	49	20.3%
Followed up with NYCHA on Remediation Plan	41	17.0%
Requested Resident Be Contacted - for Clarification	22	9.1%
Conducted a Virtual Inspection	21	8.7%
Recommended NYCHA Compliance Department Conduct Review/Investigation	8	3.3%
Recommended Temporary Repair	7	2.9%
Conducted Work Order Investigation	3	1.2%
Recommended Re-opening a Work Order	3	1.2%
Sought Information from Independent Mold Analyst	2	0.8%
Requested NYCHA Documentation	1	0.4%
Conducted On-Site Visit	0	0.0%
Requested Tenant Documentation	0	0.0%



## Call Metrics

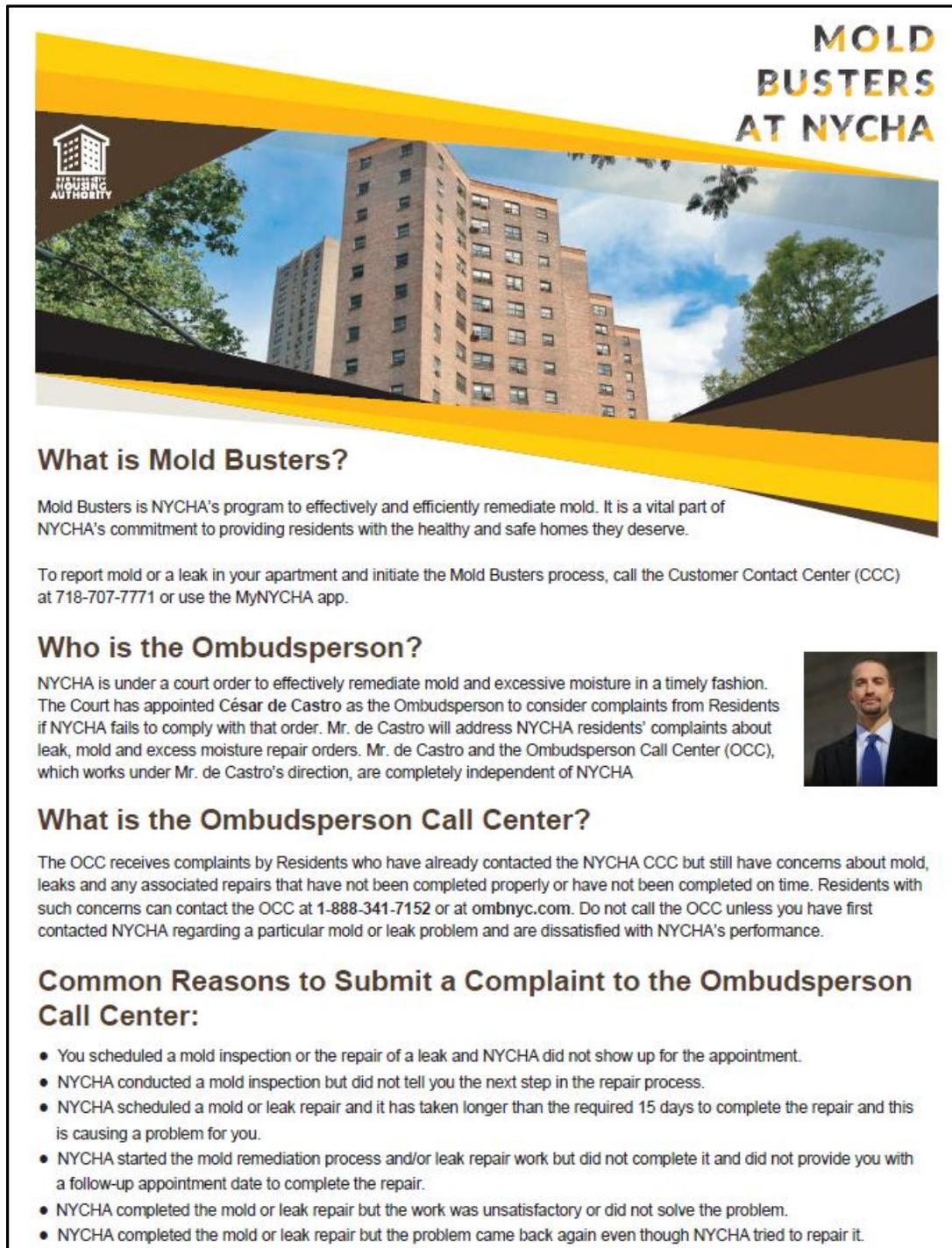
<b>Inbound Calls</b>	<b>Avg. Inbound Calls/Day</b>	<b>Outbound Calls</b>	<b>Avg. Outbound Calls/Day</b>
703	10	1 170	16





## **Exhibit 2 – OCC Outreach Examples**

### **OCC Flyer**



The flyer features a header with the NYCHA logo on the left and the title "MOLD BUSTERS AT NYCHA" in bold yellow and black text on the right. Below the title is a photograph of a multi-story brick apartment building. The main body of the flyer contains several sections of text and a small portrait of César de Castro.

### **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.

## MyNYCHA Kiosk

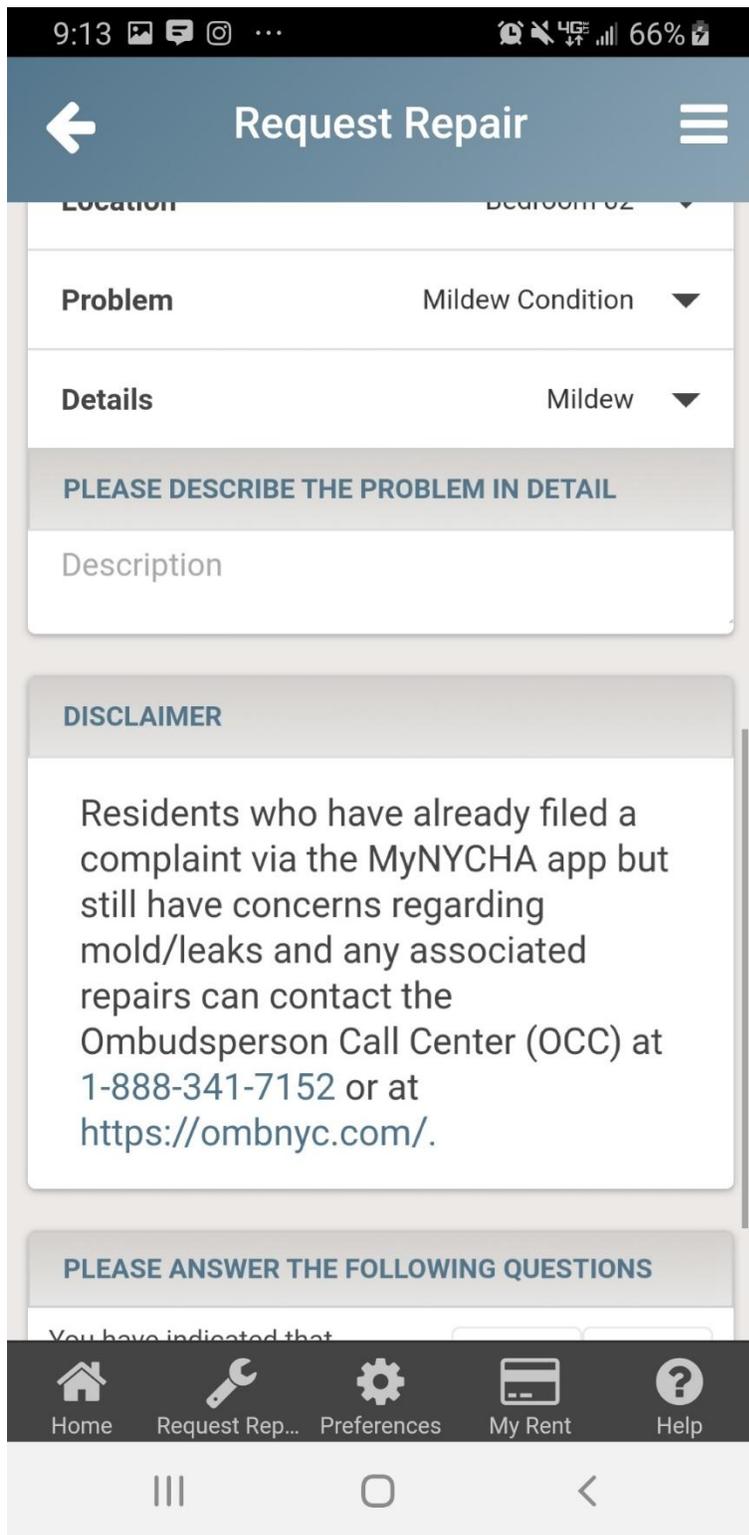
Residents with mold or active water leaks in their apartment should enter a work order by calling the **NYCHA Customer Contact Center at (718) 707-7771**. Residents can also use the MyNYCHA app or website.

**Touch Screen to Begin**



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

### MyNYCHA App Notification



**NYCHA Mold Busters Mold Inspection Review Form**



**Notice:  
Mold Inspection Review**

**11/04/18**

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

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

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

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

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

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

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

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

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

A translation of this document is available in your management office.
La traducción de este documento está disponible en la Oficina de Administración de su residencial.
所居公房管理处備有文件譯本可供索取。
所居公房管理处备有文件译本可供索取。
Перевод этого документа находится в офисе управления Вашего жилищного комплекса.

# NYCHA Mold Busters Website

NYCHA NYC Housing Authority
311 | Search all NYC gov websites

Italiano | Translate | Text Size

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

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## Mold Busters

The Mold Busters process introduces new mold inspection tools (clockwise from top): boroscope (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 Baer Consent Decree and the 2019 HUD Agreement. As part of this process, NYCHA has revised its standard procedure for addressing mold complaints and introduced "Mold Busters" – an innovative new program informed by industry standards to effectively and efficiently remediate mold. NYCHA began a citywide roll out of Mold Busters in January 2019 and completed implementation on September 2, 2019.

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

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

### Resources for Residents

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

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

Residents who have already contacted the NYCHA Customer Contact Center but still have concerns regarding mold/leaks and any associated repairs can contact the Ombudsperson Call Center (OCC) at 1-888-341-7152 or at [ombud.nycha.com](http://ombud.nycha.com). If OCC cannot resolve your concerns, they will contact Cesar de Castro, the Ombudsperson, to resolve the issue.

The Ombudsperson will initiate a phased portfolio-wide launch of the Call Center that will be completed by July 1, 2020. The start schedule is listed below:

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

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

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