

Congress of the United States
House of Representatives
Washington, DC 20515

NYDIA M. VELAZQUEZ

7TH DISTRICT, NEW YORK

July 30, 2018

Stanley Brezenoff
Interim Chair and Chief Executive Officer
New York City Housing Authority
250 Broadway
New York, NY 10007

Dear Interim Chair Brezenoff:

I'm writing to you this afternoon because I'm, once again, deeply concerned with the New York City Housing Authority's ("NYCHA") ongoing operations and maintenance challenges that were recently described in local media reports.

Last week, the *New York Times*¹ and *New York Post*² published stories indicating that NYCHA's operational problems extend far beyond its failures to inspect and remediate for hazardous lead levels. While NYCHA's failure to inspect and remediate for hazardous lead levels constitutes significant cause for concern in its own right, these new reports suggest NYCHA has not met federal requirements in many other areas including staff training, tenant protections and emergency management plans. These reports were later confirmed by documents obtained by my staff, which includes your letter dated July 25, 2018, to Mr. Luigi D'Ancona, Director of the New York Office of Public Housing for the US Department of Housing and Urban Development.

In your letter to Mr. D'Ancona, you outline several different areas of federal regulation that NYCHA is currently examining and reviewing for noncompliance, including but not limited to:

- "Administrative: overtime requirements, staffing and scope of work of the Department of Equal Opportunity, procurement bid thresholds, emergency management plans and tracking, and required staff trainings.
- Programmatic: Providing oversight of tenant protections, Section 3 requirements.
- Consent decrees: Requirements identified in proposed consent decrees, such as with mold and lead."

I find it troubling that I learned about these latest issues through media reports rather than being told by NYCHA directly.

¹ Goodman, J. David. "Housing Authority Admits Failures Go Well Beyond Lead Testing." *The New York Times*. July 25, 2018. <https://www.nytimes.com/2018/07/25/nyregion/nycha-lead-noncompliance-hud.html>.

² Hicks, Nolan. "NYCHA Admits It Hasn't Followed Federal Regulations." *The New York Post*. July 25, 2018. <https://nypost.com/2018/07/25/nycha-admits-it-hasnt-followed-federal-regulations/>.

As a senior member of the House of Representatives' Financial Services Committee, and as the highest ranking New Yorker on the Housing and Insurance Subcommittee, which oversees all matters pertaining to public housing, including NYCHA, my staff and I have long endeavored to maintain an open dialogue with NYCHA. Like other Members of the New York City delegation, I expect forthright transparency from this agency whose operations have a direct effect on the quality of life for thousands of my constituents. Unfortunately, in recent years, NYCHA has exhibited a pattern of obfuscation and has been less than forthcoming with Members of New York City's Congressional Delegation.

When elected officials are left uniformed about the full extent of NYCHA's challenges—particularly those challenges related to the health, safety, and rights of NYCHA's residents – our shared goal of protecting residents' safety is unnecessarily impeded.

Because the information obtained by my staff leaves several questions unanswered, I am respectfully requesting the following pieces of information to clarify your statements in your letter of July 25th to Director D'Ancona:

- In your letter you state: “[u]nder new leadership, and as contemplated by the proposed consent decree in *United States v. New York City Housing Authority*, NYCHA will review its operations regularly in order to assess potential compliance gaps.” How often does NYCHA review its operations in order to assess its potential compliance gaps? In your response, please provide a detailed explanation of the policies and procedures NYCHA uses to conduct these regular compliance reviews.
- Your correspondence further states: “[b]ased on work conducted thus far, NYCHA believes it may not be in compliance with a number of federal regulations.” Please be more specific and provide direct citations to the federal regulations and/or statutes in which NYCHA believes itself to be in violation. When answering this question please provide a detailed explanation as to why NYCHA believes itself to be in violation of these regulations and/or statutes.
- The letter continues: “NYCHA’s recently established Compliance Department will develop an approach to address areas of noncompliance as appropriate.” Please provide a detailed explanation and understanding of this “approach”. In your explanation please elaborate on whether this strategy has been fully developed and implemented or, in the alternative, when NYCHA expects it to be established and executed. Should it be the case that this “approach” is not currently fully developed or implemented, what steps is NYCHA’s Compliance Department currently taking to address its areas of noncompliance.
- Lastly, the letter says: “NYCHA expects additional areas will be added to the list [of potential violations] as the reviews continue.” Please provide a more comprehensive explanation of the areas NYCHA might expect itself to be in violation, including all federal statutes and regulations. As requested above, in your explanation please provide a detailed description of why NYCHA might believe itself to be in violation of these federal statutes and regulations and what NYCHA is currently doing to remedy the situation.

Given these latest developments and the gravity of the situation, I respectfully request your response *in the next thirty (30) days*.

Thank you for your prompt attention to this matter.

Sincerely Yours,

A handwritten signature in blue ink that reads "Nydia Velázquez". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Nydia M. Velázquez
Member of Congress