

**TESTIMONY FROM NYCHA GENERAL MANAGER VITO MUSTACIUOLO
AN UPDATE ON NYCHA'S PLAN TO ADDRESS CHRONIC MOLD CONDITIONS AT
NYCHA DEVELOPMENTS
COMMITTEE ON PUBLIC HOUSING
WEDNESDAY, OCTOBER 7, 2020 – 1:00 PM
REMOTE HEARING (VIRTUAL ROOM 2)**

Chair Alicka Ampry-Samuel, members of the Committee on Public Housing, other members of the City Council, NYCHA residents, and members of the public: good afternoon. I am Vito Mustaciulo, NYCHA's General Manager & Chief Operating Officer. I am pleased to be joined by Chief Compliance Officer Daniel Greene, Vice President for Healthy Homes Rassoul Azarnejad, and Senior Director of the Office of Mold Assessment and Remediation Elena Tenchikova. Thank you for this opportunity to discuss NYCHA's efforts to provide residents with the healthy and safe homes they deserve.

Under the leadership of Chair Russ and our *Blueprint for Change* vision, and in collaboration with partners like the federal monitor, we are transforming this agency so we can be a better landlord for our residents and improve their quality of life. Combatting mold is a key focus of this work, and we are eager to share with you the progress we've made as well as our plans for continued improvement.

The Challenges

Although mold has been a persistent challenge at the Authority over the years, we have made its prevention and remediation a top priority. In light of the pandemic, we increased our focus on mold remediation and we understand the importance of these efforts. Before I describe our work in this area, I'd like to give you some context on why mold is so challenging and how we got to where we are today.

The majority of NYCHA's buildings are more than a half century old. Many of them haven't received the needed major capital improvements vital to their infrastructure. Mold is a symptom of our ailing buildings, a consequence of a severe lack of funding to properly maintain and repair aging infrastructure; replace leaking roofs, windows,

pointing, crumbling pipes, and old ventilation systems; and our ability to maintain sufficient staffing to keep up with the mold that results from these conditions.

Mold is a challenge for any building owner, especially those operating large, multi-family buildings. Mold is everywhere – its spores are present in the air both indoors and outdoors. Many building materials provide a favorable environment for it to grow, making its occurrence very common – so this is something that many landlords contend with and is not unique to NYCHA. At NYCHA, the issue is twofold. We lack the funding to make all the capital repairs that are needed (due to decades of federal government underfunding, our buildings are now confronting over \$40 billion in capital needs). And identifying the source of mold is not straightforward. The moisture that promotes mold growth can come from a leaking roof, leaking pipes, or another apartment. If the source, or sources, are not properly identified, the mold may come back. Once the source is identified, the correction can sometimes involve complex repairs to address it or may even require full capital replacement of a system.

To address this critical issue for our residents, we implemented Mold Busters, an innovative program to combat mold; developed a Mold and Leaks Action Plan in collaboration with the federal monitor as well as residents and resident advocates; are working with an independent, court-appointed Ombudsperson to resolve mold issues; and are bringing major renovations to our buildings through a variety of preservation strategies and investments.

The Background

In 2016, NYCHA began working with a court-appointed Special Master, a certified industrial hygienist, and building systems experts to improve and update our mold inspection and remediation processes. This was part of our work to fulfill the obligations of the 2014 Baez Consent Decree, which requires NYCHA to abate mold and excessive moisture and their root causes in a timely and effective manner. Under the guidance of the Special Master, we launched the Mold Busters pilot program at 38 developments in 2017. In 2018, we established NYCHA's first-ever Office of Mold Assessment and

Remediation. In accordance with the Revised Baez Consent Decree, we began rolling out Mold Busters to all our developments in January 2019, a process we completed in September of that year. An independent Ombudsperson and Ombudsperson Call Center (OCC) were also put in place as part of the Revised Baez Consent Decree to address residents' complaints about leaks, mold, and excessive moisture repair orders. The Ombudsperson and OCC work with NYCHA to prioritize mold reports and expedite their remediation.

Mold Busters

Mold Busters is the foundation for our progress in this area. Developed in consultation with industry experts, it's an aggressive program that enables our staff to more successfully identify the source of mold and remediate it. Its five key components, which are focused on finding and correcting the source of mold, mark a significant evolution in our approach:

- 1) **New tools:** Our staff use high-tech tools that provide them with information to determine the source of the excessive moisture that is causing the mold. This includes moisture meters specially designed to differentiate between condensation moisture (which is related to ventilation) and moisture within the wall, from a leak, or water infiltration. Other tools are anemometers, which measure ventilation; hygrometers, which measure relative humidity; and boroscopes, which provide a less invasive view into the wall. Finding the right source, or sources, of the excessive moisture is the first step to correcting the underlying condition causing the mold.
- 2) **New materials:** We are using a mold-inhibiting paint after remediating some of our toughest mold cases, where we are concerned with mold recurrence.
- 3) **New strategies:** All of this vital information is being recorded in a new inspection format, designed with a mold expert and enhanced by our IT staff. This new format is on staff's handhelds, and it guides them through recording the information and then choosing the next steps and remediation methods, all with system-guided checks along the way. In the end, this produces a documented project plan with information that can be passed along to each craft involved in

completing the work.

- 4) **New training:** Our staff received new, enhanced mold assessment and remediation training through eight hours of classroom training and a hands-on field training day at each development. In addition to training the superintendents and assistant superintendents, we included skilled trades representatives so they could learn the new remediation methods alongside the staff who would be directing them.
- 5) **Accountability:** The new protocol requires photos taken of the area involved, from the first work order to the last, at each step and new craft involved, providing a documented remediation plan. Additionally, after all the work is completed, the superintendent or assistant superintendent is then required to complete a follow-up inspection, certifying the work was done and also documenting it with a photo.

Taking Action on Mold and Leaks

Since July 2017, NYCHA has completed inspections for over 38,000 mold work orders and performed remediation work for nearly 22,000 work orders. As mentioned earlier, we established NYCHA's Office of Mold Assessment and Remediation (OMAR) in 2018, whose staff are dedicated to addressing mold. Since then, NYCHA has invested \$15 million in OMAR, and will be investing an additional \$20 million over the next five years. OMAR is also investing \$50 million in capital funding for ventilation work. In 2019, in partnership with training experts, we trained 2,870 staff who perform or supervise mold remediation work. We also trained over 550 staff in nearly 1,400 field training sessions. Our training program was put on hold in March due to the pandemic, but restarted last month in accordance with COVID-19 safety protocols.

OMAR is organized into the following units:

- The Mold Response Unit, which is composed of project managers and Resident Communication Associates focused on customer service. They work with the independent Ombudsperson Call Center (OCC) to resolve mold and leaks that

haven't been addressed by the NYCHA staff who initially respond. The Resident Communication Associates interact with both residents and development staff to ensure inspections are scheduled and to expedite the completion of work orders; residents are pleased with this improved communication and dedication to customer service.

- Contract Administration, which works to improve building ventilation by spearheading the ventilation initiative, where engineering and contractor services are used to assess and modernize the ventilation systems. It also oversees contracts to remediate the most critical mold and leak cases.
- Analytics & Process Change, which works with independent data analysts to analyze mold data and determine how we can further refine the Mold Busters process. This team improved data reporting and transparency through a metrics dashboard accessible to all staff, and it's currently developing a new Standard Procedure for addressing leaks.

OMAR already revised NYCHA's Standard Procedure on addressing mold complaints and OMAR is leading the efforts outlined in our Mold and Leaks Action Plan, which was developed as part of the 2019 HUD Agreement and approved by the federal monitor in March of this year. The Mold and Leaks Action Plan outlines strategies for:

- Preparing and providing remediation plans for residents within 5 days;
- Eliminating the backlog of long-term work orders (remediating mold and its underlying root cause within 7 days for repairs that can be performed by a maintenance worker or caretaker, or within 15 days for repairs that must be performed by skilled trades);
- Increasing staff and vendor capacity for mold and developing relocation policies;
- Restructuring skilled trades scheduling and improving communications practices;
- Improving and repairing mechanical ventilation;
- Developing clear and enforceable protocols for roof and roof fan inspections;
- Improving communication and engagement with residents on mold prevention and remediation processes;

- Training staff on mold response;
- Increasing staff capacity for addressing emergency leaks; and
- Creating a new Standard Procedure for leak control.

To improve how we address mold at the Authority, we have been collaborating with partners such as the mold remediation specialists at Microecologies, Inc.; the Baez Independent Data Analyst, Stout; the Ombudsperson Call Center (CCC) and the court-appointed Ombudsperson Cesar de Castro; and the federal monitor. These relationships are proving to be successful. For instance, in the latest reporting period (May 2020 through July 2020), no cases required action from the mold Ombudsperson.

In addition, residents now have several channels for reporting mold complaints: NYCHA's Compliance Department, the federal monitor, and the OCC – entities that all communicate and coordinate regularly to address residents' concerns. NYCHA informed residents of how they can obtain assistance from the OCC through the NYCHA website, a rent insert, emails, newsletters, flyers, social media posts, a *NYCHA Journal* article, as well as outreach to resident leaders. It's an effective partnership – the OCC has assisted over 2,200 households with mold and leak-related complaints as of July 31, 2020; as of that date, NYCHA is in the process of resolving complaints for 74 percent of those families and fully resolved cases for 525 residents.

Building Investments and Improvements

I would like to note that neither the HUD agreement nor Baez requires NYCHA to replace roof fans – we are doing this proactively to ensure we comply with the requirement that all roof fans are operable. We are replacing roof fans portfolio-wide, thanks to a variety of funding streams. And we inspect roof fans on a monthly basis, repairing (or replacing) them whenever necessary. Since 2018, we've spent nearly \$3.7 million on repairing and replacing roof fans.

We are also replacing nearly 950 roofs, benefitting 180,000 residents, thanks to a \$1.3 billion investment from Mayor de Blasio. These upgrades will go a long way in eliminating the leaks that create favorable conditions for mold. Please note that the timeline to complete this work has been impacted by the pandemic.

The connection between aging infrastructure in dire need of repair and mold growth and recurrence cannot be emphasized enough. That is why our *Blueprint* preservation strategies, which will bring top-to-bottom renovations of every building in our portfolio, are an essential part of our work to combat mold across the Authority. These renovations involve new kitchens and bathrooms, ventilation, and piping – areas that are critical to preventing mold from occurring in the first place. We thank you for your support of these preservation ideas and strategies, which will bring improved quality of life for our residents in so many ways.

The Way Forward

While mold is a longstanding and challenging issue, we have the partners and plans we need to overcome it. With the Mold Busters program, the Mold and Leaks Action Plan, major capital investments, and partners like the federal monitor and OCC, we will continue to make real improvements at the Authority that make a real difference for residents.

Again, we thank you for your support. As always, we welcome your suggestions as well as feedback from our residents on how we can continue to make progress together. Residents, of course, are our most important stakeholder and are at the center of everything we do.

We are happy to answer any questions you may have.