



NEW YORK CITY HOUSING AUTHORITY
LAW DEPARTMENT
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NEW YORK, NY 10007

<http://nvc.doh.nyc.gov>

LISA BOVA-HIATT
Interim Chief Executive Officer

October 7, 2022

By E-mail

Dominique Blom
General Deputy Assistant Secretary for
Public and Indian Housing
U.S. Department of Housing and Urban Development

Robert Yalen
Assistant U.S. Attorney
Southern District of New York

Re: *Effect of Conversion of NYCHA Public Housing Units to
Housing Preservation Trust*


Dear Ms. Blom and Mr. Yalen:

As you are aware, New York State has recently enacted legislation authorizing the establishment of the New York City Housing Authority (“NYCHA”) Housing Preservation Trust (“Preservation Trust”). Subject to obtaining necessary approvals from the U.S. Department of Housing and Urban Development (“HUD”), as well as other procedural steps contained in the legislation, NYCHA may transfer up to 25,000 public housing units to the Preservation Trust. Future legislation may authorize the transfer of additional units beyond these 25,000. Transferred units would cease receiving funding under Section 9 of the U.S. Housing Act; instead, they would receive other HUD funding. NYCHA would continue to manage the transferred housing.

HUD and the U.S. Attorney’s Office of the Southern District of New York have asked NYCHA to confirm NYCHA’s understanding that the Agreement between HUD, NYCHA, and the City of New York, dated January 31, 2019 (“Agreement”), will continue to apply to units transferred to the Preservation Trust. NYCHA does confirm this understanding. In particular, NYCHA notes that paragraph 15 of the Agreement provides that NYCHA public housing (as defined in paragraph 14) ceases to be covered by the Agreement (except for specified obligations) when “due to a conversion program, [it] is no longer operated by NYCHA and receiving funds through Section 9.” NYCHA agrees that the term “operated” as used in this clause includes the circumstance of NYCHA’s ongoing management of properties transferred to the Preservation Trust. NYCHA also agrees that the provision should be construed such that NYCHA public housing remains within the Agreement’s coverage unless it is both no longer operated by NYCHA and no longer receiving Section 9 funding. Because NYCHA will continue to manage housing transferred to the Preservation Trust (and thus “operate” it within the meaning of the Agreement), the Agreement will continue to apply to that housing.

Thank you, and please let me know if you have any further questions.

Very truly yours,

by: 

Lisa Bova-Hiatt
Interim Chief Executive Officer

cc: Jessica Katz
Chief Housing Officer
Office of the Mayor

Ashley Iodice
Chief of Staff
New York City Law Department