

TESTIMONY FROM SENIOR ADVISOR SHIREEN RIAZI KERMANI
EXAMINING NYCHA'S RECORD IN REMOVING MOLD FROM PUBLIC HOUSING
COMMITTEE ON PUBLIC HOUSING WITH THE COMMITTEE ON ENVIRONMENTAL
PROTECTION

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MICCIO COMMUNITY CENTER, 110 WEST 9TH STREET, BROOKLYN, NY

Chairs Ritchie Torres and Costa Constantinides, Council Member Carlos Menchaca, members of the Committees on Public Housing and Environmental Protection, and other distinguished members of the City Council: good morning. I am Shireen Riazzi Kermani, NYCHA's Senior Advisor to the General Manager. Joining me today are Brian Clarke, Senior Vice President for Property Management Operations, and David Farber, General Counsel and Executive Vice President for Legal Affairs. Also with us today are Chris D'Andrea, Director of the Environmental Health Assessment and Communications Program at the City's Department of Health and Mental Hygiene, and Michael Gilsenan, Assistant Commissioner of the Bureau of Environmental Compliance at the New York City Department of Environmental Protection.

Through our long-term strategic plan, *NextGeneration NYCHA*, we're changing the way we do business, including how we address mold at our developments. Mold has been a constant challenge at NYCHA over the years. We now have a better approach to tackle the issue with new strategies, the latest technology, and staff training, with the ultimate goal of improving residents' quality of life and the health of our buildings. Thank you for this opportunity to discuss the progress we're making.

A Challenge Long in the Making

Before I describe our current efforts, I'd like to provide some important context. Decades of federal government disinvestment have left our buildings needing \$17 billion worth of major repairs. And the outlook is far from rosy – President Trump's skinny budget proposes a more than \$6 billion cut to HUD, a loss to

NYCHA of hundreds of millions of dollars this year alone from Washington, our primary funder.

How does this relate to mold? The majority of our buildings are more than 60 years old. Many of them haven't had their roofs replaced in 20 years. 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 and crumbling pipes and old ventilation systems, and hire sufficient staff to keep up with the mold that results from these conditions.

Mold is a challenge for any building owner, especially those owning and operating large, multi-family buildings. At NYCHA, the issue is twofold. We lack the funding to make all the capital repairs that are needed. 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. The most persistent cases often result from condensation that isn't being properly evacuated by the ventilation system. If the source, or sources, are not identified, the mold will probably come back. Once the source is identified, the correction can sometimes involve costly repairs to address it or full capital replacements (and the funding for that may not be fully available).

To overcome these challenges, we are developing a smarter, more systematic and cost-effective approach to mold – one that is based on data and the latest research, tools, and materials – so that we can provide the safe, clean, and decent homes our residents deserve.

A Better Approach

I've seen firsthand, including here at Red Hook, some of the mold conditions our residents have reported. We owe it to our residents to do a better job in addressing these conditions, and we are committed to doing just that. We have developed new timelines for completing mold-related work orders and we

produce daily reports to assess our progress in meeting them. We identified three common issues related to mold at our developments, beyond those requiring major capital repairs: malfunctioning roof fans, missing pipe insulation, and toilets with excessive condensation. We are addressing those issues with preventive maintenance protocols that we've developed or are in the process of developing. For instance, we issued guidance to staff on when to install mold-resistant pipe insulation. Also, we will provide every maintenance worker with an anemometer, a tool that will enable them to determine whether there are ventilation issues involving a roof fan or an obstruction. Staff will also begin inspecting and sealing toilet bases, a common source of excessive moisture due to condensation. Monthly building inspections, during which rooftop fans are checked, will be tracked digitally, ensuring more accountability and transparency in the process.

We now survey residents 60 days after the completion of mold work orders involving areas greater than 10 square feet (and we do quality assurance re-inspections of a sample of these work orders). Based on these initial surveys, we found that mold was recurring about a third of the time after repairs were completed. Last year, the court appointed a Special Master to work with us to better identify the sources of mold at our developments and reduce its recurrence. Our collaboration with the Special Master will continue for at least another year.

NYCHA's Mold Pilot: More Effective, Efficient Strategies

With the assistance of the Special Master, a mold expert, and building systems experts, we developed an aggressive mold pilot program – “Mold Busters” – that started May 1. The pilot will enable our staff to become more adept at investigating the source of mold as well as remediating 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 are being equipped with new, high-tech tools that

will provide them with information vital to determining the source of the excessive moisture which 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 testing a mold-inhibiting paint in some of our toughest mold cases related to shower condensation and ventilation, where we often see 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) **New 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.

The 10 management sites for the pilot, encompassing 38 developments, were chosen by a Columbia University professor and research professional who is assisting NYCHA with evaluating the results. The locations were randomly selected by the research professional to ensure a representative sample of the following variables: development age, mold work orders, recurrence, the management type, and mechanical ventilation versus window ventilation.

As I mentioned, the pilot officially kicked off this month. It will continue for a year, in part because the mold expert and Special Master would like us to analyze how seasonal changes affect mold recurrence and remediation, including the mold-inhibiting paint. We'll review the results with the Special Master, the Columbia University researcher, and mold expert, and get staff feedback throughout the duration of the pilot so that we can refine the program before it's rolled out to all of our developments starting next year. We will also conduct follow-up and quality assurance observations during the pilot to ensure proper use of the tools and adherence to the new protocols.

With this new program, which is efficient as well as thorough, we expect to see a significant reduction in mold recurrence at the pilot sites, staff will become better "mold source investigators," and our process to combat and remediate mold will become more methodical and effective. The program will also improve the overall health of our buildings and potentially prevent future mold sources from taking hold. But we want to get this right – the pilot provides the opportunity to make sure that what we've designed will work.

Moving Forward

While the pilot will run for a year, this does not necessarily mean we will wait for a year to implement the new protocol, in part or in whole. We intend to establish an improved and tested program as quickly as possible, in consultation with the Special Master.

As part of the mold pilot's evolution into an Authority-wide program, all relevant staff will be trained on the new mold assessment and remediation protocols and will be equipped with the new instruments. Additionally, we are conducting a business process review of our skilled trades.

Again, we cannot overstate the connection between capital funding, residents' quality of life, and the long-term preservation of our properties. Fortunately, the Mayor and City Council understand this relationship, and the implications of insufficient federal funding. Mayor de Blasio recently increased his investment in our roof replacement campaign to a total of \$1.3 billion over 10 years, so we can attack one of most egregious capital sources of mold at more than 950 of the most deteriorated roofs in our portfolio, to the benefit of 175,000 residents. So far, we have already repaired nearly 70 roofs with this unprecedented support. And just last week, the Mayor committed an additional \$355 million toward façade repair, which will help eliminate leaks that create favorable conditions for mold. We hope that HUD Secretary Dr. Carson, who has spoken about the connection between housing and health, will help ensure that public housing gets the federal investment it needs to support healthy communities.

NYCHA's Opinion on Introduction No. 978-A

We would also like to comment today on Introduction Number 978-A, a bill that proposes requiring licensing for mold abatement, assessment, and remediation work. We are in the midst of working with a Special Master to develop a new program that will address the unique challenges that NYCHA faces in regard to mold. This bill focuses on cleaning mold rather than getting at its source. Our new approach of going after the source of mold systematically and with accountability is the most effective way to truly tackle the problem. To reduce recurrence, NYCHA must direct its limited resources on the sources of mold – and the bill impedes rather than aids this work. It would upend our efforts to combat mold in the quickest and most cost-effective manner, negatively impacting our residents and our organization. Furthermore:

- 1) The bill would slow down NYCHA's efforts to address mold quickly by requiring the filing of work plans with DEP at least 14 days before work commences. So we would not be able to start addressing mold, even clean it, until at least 14 days after a complaint is made.
- 2) Licensing requirements will lead to increased dependence on third-party vendors to perform mold-related work, which will increase NYCHA's costs at a time when it is least able to absorb them.
- 3) NYCHA would be prevented from utilizing its employees in the most flexible and efficient manner because of the strict division between assessment and remediation.
- 4) The bill defines mold projects as anything greater than four square feet, so the requirements would be applicable for even very small projects.

In sum, this bill would add time and costs to our mold eradication efforts, hampering rather than aiding our work and delaying resolution for residents; it only addresses the "surface," not the source. We believe that the best way forward is our new mold program, which equips staff with the tools, training, and procedures needed to make a real difference for our residents and enables us to deploy our limited staff more efficiently and effectively.

Conclusion

The safety and well-being of residents is our top priority, and we're committed to creating safe, clean communities. With *NextGeneration NYCHA* as our guide, we're working to become a better landlord, by operating more efficiently despite limited resources. Our new mold program is just one example of the progress we're making under Chair Olatoye's vision for a strong, modern organization that delivers better service to residents. By addressing mold at its source – and reducing recurrence – we will improve the quality of life of residents and the health of our buildings, and will free our staff to address other vital building issues.

But it must be reiterated that there's a direct correlation between federal government disinvestment and public health – quite simply, public housing requires more capital funding to preserve its buildings and provide the quality of life that residents deserve. Thank you for your support as we navigate challenging, uncertain times, with Washington threatening even more brutal funding cuts to public housing rather than providing the investment it needs.

Thank you. We are happy to answer any questions you may have.