

NEW YORK CITY HOUSING AUTHORITY

WRITTEN COMMENTS SUBMITTED IN RESPONSE TO THE PUBLIC HOUSING PRESERVATION TRUST DRAFT VOTING PROCEDURES

All written comments submitted in response to the Public Housing Preservation Trust Draft Voting Procedures during the October 14, 2022 to November 23, 2022 public comment period are reproduced below. Comments are grouped together based on the method they were received: via email, on comment intake forms provided to attendees at public meetings, as well as in letters sent to NYCHA. The intake forms provided to public meeting attendees included questions commenters could respond to. For those comments made on the intake forms, where applicable the questions are included in brackets within the reproduced written comments for ease of review.

SUBMITTED VIA EMAIL

I don't know if this is the right place to send my email too..but I really hope they do repairs on the building and elevator's also inside the building and apartments most of us work and pay rent we deserve to live in a clean and decent environment i pray for change thank you
Good morning. Lots of improvement is greatly needed for NYCHA apartments. Especially when it comes to much needed paint jobs for numerous developments.
I vote for this bill to pass our community needs our apartments to be made over. The condition is very poor walls peeling terrible we need the help so please count my vote.
doing a lot of things around here like the garden the pictures on the ground in front of the building what about those elevators that don't work why don't you start working on that for a change instead of just putting a Band-Aid on it and if they work one day and the next day it doesn't work those are the things we need up in here those are the things we need Kind Regards [name redacted]
Hello my name is [name redacted] I will like to vote for the nostrand houses to be put in the trust.
I fully agree with the project on hand I vote yes Thank you for caring about us
Good morning This [name redacted] i have a family my place is here and my apartment i pay my rent on time my address [address redacted] Brooklyn ny 11212 number [telephone redacted] i want to stay in my home!
This [name redacted] from [address redacted] Brooklyn NY 11212 i would like to stay in my home my children worry so am i Please let us remain in our home

I, [name redacted] live in public housing development SurfSide Gardens site 4&5. We have been living without GAS since August 2021. There have been so many problems at this development it can be unlivable soon. Elevator breakdowns every week, sometimes no hot water or water shut offs without notice. Last year no heat at times during the winter months with ongoing problems moving forward. I can barely get repairs because I work and lack communication. So, I ask who can we trust with making things better for Housing Developments in this city and our future for better living conditions for the rent I pay to live in these conditions. They give a hard time for transfers in a development where you choose to be placed and also charge application fees. I've been a working tenant for over 25 years and have experienced the downfall of many Housing Development especially where I live. I can only pray that someone will actually help like they always promise.

All these apartments in Brownsville Housing need fixing and I welcome it because I like keeping my apartment nice. I welcome all help. So I support this 100%

Some suggestions for the means by which residents will vote: 1) Set up an online site tenants can access and vote. Mail notices to all residents informing them of this. 2) Mail voting forms to all residents that can be returned to a central tabulation site. 3) Set up an automated 24-hour call-in center that can receive votes. 4) Have vote takers visit all tenant apartments by appointment to take votes. I think the first option is the best. Not a good idea to have residents show up anywhere in person in order to vote.

Good luck with the Trust. [name redacted]

Hello, I'm strongly think that NYCHA needs to be renovated. A lot people who lives on public housing are hard-worked that deserve a dignity place to live. It's so denigrating the housing conductions that we are living and unsafe for our children that are the future of the community. We all deserve a clean place and proper conditions to live. I'm opt-in to NYC Public Housing Preservation Trust. Sincerely, [name redacted].

I'M ALL IN FOR IMPROVEMENTS, THAT WILL GIVE ME BETTER AND VERY MUCH NEEDED LIVING CONDITIONS. THANK YOU, [name redacted].

I vote yes for [address redacted] I am a resident [name redacted]

I feel that this should be a go. It will make our apartments better, work would get done correctly. I with this trust

Good evening, Tenants should have full participation in the creation of Public Housing Preservation Trust. It would be a disservice to the NYCHA residents not to be included. I have been a resident since birth and I have a voice that should be heard. How can NYCHA residents "TRUST" the trust if we're not allowed to be at the helm of its creation. If our quality of life is the goal of this trust, we should have a say in how we "PRESERVE" it. We are people not "a means for profit". Please be democratic in your efforts to include the majority of NYCHA residents in this process that started without our input. Regards

Good morning my name is [name redacted] and I would like to vote YES to my development I live in Sonia Sotomayor houses I hope I did this right

<p>What will happen if the plan don't work would people loses their apartment if it goes' into a default. And also how would they chose which development get pick for the trust because in my development the TA president in my don't want it.</p>
<p>It would be nice to have my apartment renovated. But what I don't like is that we have to move out and live somewhere else for months until they finish. And then move all our stuff back. It all sounds like a bunch of work for me and my sister. Not too mention we're both seniors with arthritis</p>
<p>Opt in more needs to be done to improve our developments, why did it takes years for this idea to come into action. Are we going to eventually lose our homes when improvements are made and is rent going to be increased. My development is [address redacted]</p>
<p>This needs to be addressed and not ignored. Certified applicants should not need to wait for any apartment if they have been given a vacancies list. There are certified people that are still waiting for a place to call home these applicants have been waiting for years on top of years on top of years to live their life in a place to live life with their kids. What is the hold up. If there are people already living in apartments damaged or not the now certified applications should get brand new place to live after their interview. Why are people waiting to receive a home why. We need to vote the old employees in the offices of NYCHA OUT it is time for better people to work for NYCHA ENOUGH IS ENOUGH</p>
<p>Hello I live in Hammel Houses for 14 years. I we need so many renovations. My apartment alone has the same messed up cabinets from when I moved in. I don't even store anything in it. There are bugs in the wall. The lighting in the lobby, hallways and elevator is always so dim and depressing. I would like to vote My development in.</p>
<p>Nycha must do better but what happen if the trust goes into default and loses their apartment. Because it defaults.</p>
<p>I would like to stay in my home while the worker do their job in my apartment, cause I take care of my disabled mother that lives alone across the street. I don't want to lose my apartment.</p>
<p>Good morning I'm Confuse on How This New Trust Works to Help Residents When u're Living Under Rodents Conditions Without Nycha / Section 8 Support To Relocate Residents to an Better Living Apartment, and There's No Social Services to Help Residents With Disabilities, Will their be More Information For Us ?</p>
<p>I, [name redacted], don't agree to include our development into trust project. It's very difficult for seniors and there's no reason.</p>
<p>Hi I live in Baruch houses an I believe my and development should be included in the building renovations that will be greatly appreciated</p>
<p>HELLO MADAM/SIR; I AM A TENANT RESIDENT AT THE ST. MARY'S HOUSES IN THE BRONX, AND I VERY MUCH WANT TO STAY IN MY APARTMENT AT ST. MARY'S HOUSES. HAVE BEEN LIVING THERE FOR OVER FORTY YEARS AND HAVE ENJOYED WHAT THIS HOUSING DEVELOPMENT REPRESENTED TO ITS RESIDENCE THROUGHOUT THE YEARS. MY BELOVED GRANDPARENTS AND FAMILY LIVED HERE AND IT WAS A BEAUTIFUL PLACE TO LOVE AND APPRECIATE. RESIENTS AT ST. MARY'S HOUSES WERE HARD-WORKING PEOPLE WHO TOOK PRIDE AND RESPECT IN THEIR COMMUNITY WHICH MADE YOU FEEL PROUD TO BE A PART OF</p>

THIS GREAT DEVELOPMENT AT THAT TIME. I STILL FEEL A SENSE OF LOVE AND WANT SO MUCH FOR ST. MARY'S HOUSES TO CONTINUE TO BE SECTION 9 AND NOT BE TURNOVER TO BECOME SECTION 8 WHICH WOULD BE A SHAME AS WELL AS A DISASTER WHERE THE RENTS WILL BE RAISED WHICH I WILL NOT BE ABLE TO AFFORD BECAUSE I AM RETIRED AND RECEIVED A PENSION AND SOCIAL SECURITY. SO AS A ST. MARY'S TENANT I SAY NO TO THE TRUST AND WILL FIGHT EVERY STEP OF THE WAY FOR MY VOICE TO BE HEARD BECAUSE NOBODY WANTS TO BE KICKED OUT OF THEIR BEAUTIFUL COMFORTS OF HOMES INTO THE STREET. PERSONALLY SPEAKING, THIS IS TOTALLY UNACCEPTABLE FOR SENIORS AND ELDERS TO BE TREATED IN THIS MANNER. MY DEAR GRANDPARENTS WOULD BE TURNING OVER IN THEIR GRAVES IF THIS WAS TO HAPPEN, THEY MOVED HERE IN 1958 WHEN ST. MARY'S HOUSES OPENED THEIR DOORS TO THE RESIDENTS. ST. MARY'S HOUSES HAS THE POTENTIAL TO BECOME A BETTER PLACE TO LIVE IF ALL TENANTS FIGHT AND STICK TOGETHER IN KEEPING IT A SECTION 9. THANK YOU FOR LETTING ME TELL MY TESTIMONY. SINCERELEY, [name redacted].

I want a chance to vote for nycha, but I'm not part of the nycha community. When is the date of voting open for the public?

I vote for my development Johnson Houses to be included in this trust because we can get repairs done the way it's suppose to be done from the beginning and we can have a better living condition. Not just for us but for our children

NYCHA should use all methods of social media Facebook, Twitter, Instagram, emails as well as postal advertisements. So that all Residents will know of the Voting process on the Preservation Trust and RAD/PACT. Residents need to know that their homes may be converted. All NYCHA Residents should know that they can also Vote to Save Section Nine (9). So many Residents have no idea the seriousness of the voting process. In Redfern Houses there are 600 units and if each household votes at 50% especially if the Residents do not vote for RAD or the TRUST... Redfern would not be converted to RAD. As President of Redfern, the entire Council is doing the best too share this information with Residents. NYCHA, please improve the Out Reach to all the Residents. Just a concerned NYCHA Resident.

Dear NYCHA, As a New York City resident who believes in housing for all, I am deeply concerned about the upcoming vote to privatize public housing throughout the city. The proposed voting scheme is highly disingenuous and misleads residents into supporting RAD/PACT or the Preservation Trust. More must be done to ensure that NYCHA residents are given sufficient time, information, and resources to determine the future of public housing in New York City. Sincereley, [name redacted] [address redacted] Brooklyn, NY 11201

Dear Miss Bova - Hiatt, Hi. See below. Our building at [address redacted] Brooklyn 11224 is not in emergency. That is, it is acceptable for habitation and does not pose any danger to residents and their families. Therefore, repairs can and should be done without resettling residents. No voting procedure is required for this. Relocation is a very powerful experience. Many will not stand it. In 2022, my wife died from covid 19. I am 93 years old. I may not survive this stress. Dozens of my neighbors may not withstand this. They are all very old and very sick people like me. My main recommendations: 1. Appoint an expert commission to determine the condition of housing. 2. Make repairs without resettling residents. Sincerely, [name redacted]

We, the tenants residing at [address redacted] consider relocation unacceptable in any way. Any moving is a great stress, and moving nowhere is a double stress. We are all aging and many of us are sick, and we do not have much lifetime ahead. Most of us will not outlive such relocation. We prefer to spend the rest of our lives in the apartments granted to us rather than wondering homeless. Signatures collected and are still collecting.

Hello, I am a life-long resident of Brooklyn writing to share my concerns about the upcoming vote over Section 9: 1. THE PRIVATIZATION VOTE IS A DISTRACTION FROM REPAIRS. NYCHA has only slated 62,000 units for RAD/PACT, and 25,000 units for the Preservation Trust. Moving forward without securing additional funding for Section 9 leaves 80,000 units in limbo. 2. TO CALL SECTION 9 THE "STATUS QUO" IS MANIPULATIVE. This gives the tenants a choice between the risks of privatization or continued disinvestment and disrepair, obscuring an outcome that preserves and protects public housing for the next generation. 3. VOTING IN BLIND FAITH IS BAD POLICYMAKING. A vote at this stage, without assessment of the Blueprint or comprehensive information of the benefits or pitfalls of the plan, may lead to further expansion of the program. We think this vote may be used to encourage state legislators to prematurely expand the program. NYCHA's resident engagement has not been meaningful and/or democratic. 4. TENANTS DON'T KNOW ABOUT THE RISKS. The majority of our neighbors in public housing still do not know what the Blueprint or RAD/PACT is or means for them and their homes. NYCHA continues to paint a rosy picture of both programs, ignoring critical research from Human Rights Watch and the National Housing Law Project that concluded RAD leads to violations and abuses of tenants' rights and protections. None of this information is shared during NYCHA's Town Halls on the Vote, meaning tenants are being left in the dark about the potential negative outcomes. 5. MEANINGFUL RESIDENT ENGAGEMENT IS REQUIRED. NYCHA has held multiple comment periods and hearings on the Blueprint and RAD/PACT and the Preservation Trust. At each juncture, tenants have submitted comments and given testimony, to no avail. Even as residents have worked more closely in partnership with elected officials, and coordinate rallies and speakouts, tenants' concerns have gone unacknowledged. Rather, NYCHA has used public comment periods to count participation without addressing the concerns we raise. Said another way, rather than meaningful engagement, these public comment periods and hearings have become a way for NYCHA to push its own agenda towards privatization under the guise of "resident engagement". The voting protocols are confusing and do not ensure a fair outcome. 7. THE VOTING PROCESS HAS 6 DIFFERENT TIMELINES. There are 100 days of outreach ahead of the vote, notification of tenants 30 prior, 21 days to vote in person, 11 days to vote online and by mail, and 10 days to vote in-person, online and by mail. This is very confusing! These timelines should be simplified and extended to ensure that tenants can participate. We demand a fair and just voting procedure! 8. ONLY 10% OF TENANT PARTICIPATION IS REQUIRED. We continue to demand a vote threshold of 75% of lease holders for a valid outcome on such a major and irreversible decision. 9. NO ACCOUNTABILITY FOR THE THIRD PARTY WHO WILL RUN THE VOTE AND DETERMINE THE VALIDITY OF THE RESULTS. According to NYCHA, a third party will be appointed as the Voter Administrator. They will oversee and implement the voting procedure and attest to its validity. Tenants need recourse in case of grievances. We demand oversight and accountability. Sincerely, [name redacted]

GOOD Evening, I'm am against the proposal tha trasation Public Housng. I've heard too many negative Complaints in reference to there practices. Therefore I vote no in reference to the change.

Greetings. Although I spoke at the hearing, it is imperative that I follow up with my comments. Sending thanks to Councilwoman Aviles and her staff for allowing us to testify on behalf of our Resident Councils and our residents as a whole. 1. As a resident, I'm Thankful for the efforts of my Resident Engagement representative. [name redacted] has in the past been attentive to myself and my board, also taking time to clarify instructions for me to follow. However, in the recent year, there is little to no contact with my representative, due to the addition of another district. However, there is little to no response to Presidents in how to approach resident management due to the fact that Resident Engagement has now divided themselves into entities that require much of our time and energy. Right now, I have 4 different people from Resident Engagement that have different purposes and most definitely require additional time from me. In that, there is not any evidence of clarity, but confusion as to what I should be spending my time on and who to report to. I would have preferred that [name redacted] continues to be my direct support and mentor, guiding me to be a more effective leader. 2. Secondly, regarding the voting process: The misinformation that is being shared with residents is not acceptable. I've been told that the 964 reg & regulations, have been adopted by the Trust. The 964 is singularly designed to Section 9. And the fact that it is written into the Trust Law doesn't satisfy me, as they have not acknowledged or respected the 964 rules & regulations from the beginning of the "Blueprint". My option, as well as others, is that the Blueprint should have been constructed with the leadership of CCOP/DCOP/Presidents in their respective Resident Council boards. Needless to say, the process and progression of the Blueprint and it's many revisions, were illegal, according to the 964 HUD Regulations. 3. The issue of voting with an acceptable 6% is criminal! There should be a 66% percent of the development that is voting. Residents should be educated on the realities of their choice of Section 9 vs Section 8; Participating in Section8/The Trust.; And Resident Management. Also, I have been contacted by many other presidents, as they are in a panic mode believing that the vote regarding the Trust will be a city-wide process. Meaning one voting procedure will be held citywide. Precisely, all NYCHA residents will vote at one time. But I'm under the impression that each location will have its' own individual voting date. Consequently, there is no clarity to the resident population (Citywide) on exactly what is at stake and/or what they are actually voting on. 4. The voting should be monitored and handled by an independent 3rd party. And as the votes are tabulated, that the public can monitor the progress of that vote, such as we see in our elected officials elections (votes counted/in real time account of votes received and their specifications, etc. The final results should be made available public no later than 72 hours after the voting process is completed at their development. 5. The marketing of new Kitchens and Bathroom is also unacceptable. In many cases with RAD developments, there are Resident Councils, of those developments, the cosmetic changes are just that. There is little to none work done on the infrastructure, such as electrical lines, plumbing, roofing, etc.. I would also question the fact that the Trust is a form of a loan that NYCHA will use for those 25,000 units. With that said, what happens when that loan/money is not paid back?

Are those apartments collateral for the unpaid loan? There are at least 5 major questions attached to the Trust that are not even mentioned in the legislature. And of course, the most important question is that when a unit is upgraded with the Trust money, what happens to the renter who was in that apartment originally? Section 8 conversions that are funded by the Trust? Doesn't have a secured statement that is law that secures that unit to the original renter. And of course, with a Section 8 conversion, the renter is not really advised of the adjustments made to their portion of the rent. Again, I believe that the Trust speaks with forked tongue. 6. Coming from a development that began with 100% of its' residency on a financial scale that was considered Middle class, we lived in an environment that was well respected and secure. Since the mid 1980s, we have welcomed a total of 128 Section 8 residents. This is a Section 9 development. To convert everyone would be an injustice to the many working and retired professionals. It would also increase their rents due to the fact that many of our residents (1/3), have social security and pensions. It is not in St. Mary's best interests to engage in converting the entire development into Section 8. We have voted in our own setting of a special meeting in June 2022, and the consensus (in the form of a signed petition) was to remain Section 9, or as NYCHA has penned it "Status Quo". And as for capital needs, NYCHA has ignored the capital needs of St. Mary's for over 40 years. So as far as we are concerned, whatever we need done, is due to us. Their neglect has given birth to issues involving leaks and mold that could have been fought off years ago, if they would have done the capital projects needed in the 1980's or even 1990's. 7. Until NYCHA's representation of the Trust and the Section 8 conversions is clear in definition and NYCHA is clear in its' intentions and of the Trust and how it will affect the renters, it is considered by many to be a farce and a set up to destroy Public Housing, and make way for privatization and for developers to change the landscape of renting for lower income families. Until NYCHA comes clean on the money that they have played with for years, and the salaries that are astronomical; the checker board of employees that have tripled in the last 3 years (often having 3 people to add to the one position needed), often imposing their positions, projects and excessive paperwork, Zoom meetings, etc on the Resident Council presidents. It is my opinion that Resident Engagement is missing the most important factor.... Residents. It appears that NYCHA will continue to bamboozle residents and try to influence Resident Councils into believing that what they are doing is good for the residents. But in fact, it is and will be only good for the corporate big wigs at NYCHA and not the NYCHA residents. Their intention to dismantle Public Housing is definitely here. No longer are our rights even regarded or respected. None of this should be happening if they adhered to the 964 HUD Rules & Regulations. This whole thing is about money & power. And as long as money and power rule, the rules will change without a second thought. In fact, that is a proven fact. Many elected officials haven't a clue as to what the 964 Hud rules and regulations are, or how they impact NYCHA's actions. And while money and investors and developers, sit around the table and watch elected officials who haven't a clue act on behalf of NYCHA's wizards behind the curtains, we the residents are the victims. 8. In regards to the Trust board, there is no way that anything positive for the residents will ever happen, as long as NYCHA has the power to overrule the votes of that board. Resident representation should be equal, if not more than NYCHA, if we are talking about what is best for residents. Resident representation will always be outnumbered and out voted on the Trust board as it is now written in the

legislation. 9. Lastly, in regards to Resident Management. I was told by Mr. Sherrod that he would contribute \$20k towards us seeking Resident Management, only if we converted to Section 8. That is not acceptable. I believe that if NYCHA was truly intended to see Resident Management be a reality, that they would not restrict the Resident Councils to Section 8. It is my belief that if they were truly sincere, they would provide what is needed for this to occur without restrictions. I believe that many of us have also looked at resident management because of the lack of concern by NYCHA in who they put into our residential buildings. With resident management, not only would we be able to control the contractors, vendors, etc. But we would be able to screen and do background checks on prospective residents. And at one time that was what NYCHA did as a practice. Now they let anyone move into our buildings. They are not concerned with our safety needs at all. We deserve to have secured lobby doors, cameras, secured roofs, decent playgrounds for our children. And let's not forget office management that is trained to their positions. Lately they put anyone in an office position, where other workers are made to train them without compensation. That should not be! Qualified office workers and tradesmen & women should be a staple at every development. I know I've said a lot here. But trust and believe I have a whole lot more to say when it comes to the vehemently criminal way that Greg Russ and the crew have forgone the rights of residents according to HUD rules and regulations, and created a way for demolition of not only buildings but of the rights of people to live their lives safely within the creation of the laws of public housing. They have opened the door to demolition and developers, and with some independent managements, the right of people to live in a clean environment, possibly by eliminating their right to have union workers maintain and clean their developments. I'm witnessing the power and money take precedent over the lives of people. And those within this organization who know that I'm right, will sit by and follow suit to protect their jobs. I hope that something can be done to start all over again. Using resident leaders to create a new vision for public housing that isn't overruled by money and power. I pray for myself and the many seniors and disabled who have no place to go or have no clue where to turn to in this nightmare of a bill. However, I will continue to fight for the rights to Public Housing for my residents. I will also fight for their right to decent housing as a result of NYCHA destroying the premise of safe and liveable Public Housing, and neglecting our homes and filling their pockets with money that has been slated for the needs of repair. My fight and the fight of many others will not end with this bill. I promise you that... For I have no where else to go and I'm standing even though I'm in a wheelchair, strong in spirit for the sake of my residents and all who live in Public Housing. Thank you for this opportunity to share my thoughts. Respectfully submitted, [name redacted] Thank you for this opportunity.

Dear: Whom it may concerned I am writing to give comment on behalf of [name redacted] Milbrook project. I want you to keep the 30 percent of payments as most people that live in the project are single mother. Also it should be called section 9 with new rules and give every 18 year of age a studio or voucher to get section 8 faster. If is not possible then keep in section 8 but give every 18 year old reside in the house a voucher to be able to rent outside of nycha if possible sound like a good trade off. Also the committee should be kept with the same amount of member as before not be shrink. People don't like change but if the change are for the better everyone will welcome but let tenants and their family win something and you win too. Hope you fair with the tenants as most are single mother with kids. Also if you

could me a link of the zoom meeting i will appreciated was unable to attend . I think the new idea for the project sound good but need to be revise base on the comments of the tenants. Also people that have domestic violence case be move faster from nycha for their safety and neighbor harassment or bullying the tenant should be able to move from one area if they don't feel safe. I met people in domestic violence in nycha and they were never move because the manager was lazy to do the transfer paper putting the life of their kids and women in danger big negligence.Hope you make a rule about it in the new contract or project you are asking for vote. After it is revise i will love to vote on it. Sincerely, [name redacted]

I will be new to the process of voting in general. When NYCHA completes the final draft on the way voting is done, I will abide to the rules. I hope this voting is successful to the future of my unit and to Rutgers Houses of NYCHA. Thank you.

I'm writing to submit my comment on the upcoming vote on RAD/ PACT and the Preservation Trust. As a lifelong New Yorker and CUNY professor, I'm dismayed to see that NYCHA is leaving tenants in the dark about their future. Tenants concerns about RAD/PACT and the Preservation Trust have not been addressed. The public engagement process has not been meaningful or democratic. To call Section 9 the "status quo" is manipulative! Reputable research shows that RAD leads to violations and abuses of tenants' right and protection is unacceptable! We know that RAD is bad for NYCHA tenants. NYCHA tenants deserve an accurate understanding of the false choices they are being presented. It is shameful that only 10% of tenant participation is required. What kind of sham democratic process is this? This is a major irreversible decision but few NYCHA tenants know or understand the process, in part because NYCHA has created such a confusing timeline for voting and hasn't clarified what's truly at stake. I stand with my neighbors and students in demanding a just and fair process that responds to NYCHA tenant concerns and gives them a true say in the future of their homes.

REPAIRS FIRST. Neither NYCHA or the State or the City will have the obligation to step in if the trust defaults and the creditors foreclose. This is a pathway to creditors owning what is currently public housing if this new untested trust is not able to keep up with its obligations. This pathway must be foreclosed. NYCHA must not transfer leasehold interests or any other kind of ownership to the trust as long as the law continues to give the Trust the authority to risk our homes as collateral for debt. Shame on every elected official facilitating this scam.

Hello, I am writing to submit my opinion on the upcoming NYCHA privatization vote: The newly created, untested "Trust: will have the authority to take on debt and back that debt with housing that it will get from NYCHA. Neither NYCHA or the State or the City will have the obligation to step in if the trust defaults and the creditors foreclose. This is a pathway to creditors owning what is currently public housing if this new untested trust is not able to keep up with its obligations. This pathway must be foreclosed. NYCHA must not transfer leasehold interests or any other kind of ownership to the trust as long as the law continues to give the Trust the authority to risk our homes as collateral for debt. The language in the law about NYCHA holding a vote before transferring any property to the trust is not clear in the law; urge NYCHA to adhere closely to the rule that no properties will be transferred without a resident vote evincing true approval by an actual majority of residents of a specific

development. The law does not require an independent physical needs assessment of their campus to be provided to residents before they vote. It is imperative that residents get one so that any decision they make through the voting process is meaningful. The law does not require that NYCHA disclose how much bond financing will be used for each development as part of the information residents get before a vote, but NYCHA must do that before residents vote so that residents have the fullest information before making a decision. The law allows the Trust to issue bonds to finance renovations up to \$10 billion. Since only 25,000 units are permitted to be transferred to the trust, that means \$200,000 in debt financing per unit. This is an enormous number. The theory behind a transfer to the Trust that has been sold to elected officials is that the Trust will be able to access Tenant Protection Vouchers (TPV) for financing, a stream of public funding that NYCHA cannot reach. Debt financing is only supposed to be secondary to vouchers - the Trust should not be allowed to leverage the assets it gets from NYCHA for \$200,000 per unit. That's simply fiscally irresponsible. All this in combination with the fact that the upcoming vote is confusing, unfair and will not represent the majority of the NYCHA tenants means this entire thing is a bad idea for my neighbors and community members. Thank you for your time, [name redacted]

I am writing to you to offer my opinions on the NYCHA Preservation Trust proposal that passed in the State Legislature this year. I have spent years assessing conditions in New York's public housing. There is no solution to NYCHA's issues other than increasing funding by taxing the rich, and cleaning out the cheap criminals inside the authority. What you're proposing to do instead is gut Section 9 in preparation for RAD privatization. If you think that strangling NYCHA in its sleep will prevent your blatant corruption from getting attention from the press, you're wrong. I've seen what you people do with the money you get from HUD and NYCHA renters. We've all seen Mustaciuolo forced into retirement, his ridiculous salary enough to refurbish entire buildings. Also well-known is Gregory Russ' ties to housing NGOs that would benefit from RAD conversion and/or leasing buildings through the Trust. You aren't fooling anybody. Clean house and ask for more money the proper way, from appropriations. Eric Adams isn't going to be in office much longer. You'll have nowhere to hide.

Dear Sir or Madam, Two residents in [address redacted] new york, ny10002, agree with the trust draft. Thank you so much. May everything goes well. [name redacted] & [name redacted]

To NYCHA: I am writing to express my my concern that the voting process on the status of Section 9 housing is misleading, confusing, and designed to force NYCHA tenants into privatization. Of particular concern is the requirement that only 10% of tenants are required to vote in order to move forward on this highly consequential and irreversible plan—the threshold should be at least 75%. The solution to NYCHA's problems is for NYCHA to spend the funding allocated to it, and to spend it wisely. NYCHA tenants need repairs, not privatization.

I live in red hook west and my apartment is in dire need of repairs and I think we would benefit greatly from the trust and I'll bring the quality of living up and a lot of the health problems people have from the depleted condition of the building will get better so I'm 100% for the housing preservation trust

I am in favor of having the Preservation Trust taking over our development. The building is so old and NYCHA keep patching bricks here and there while the inside is crumbling away and it is not fair that we pay the rent and when repairs are necessary we have to wait years for a cabinet or sink or plastered.

Good day NYCHA representatives - Will the Vote Administrator be mutually selected by NYCHA and voters alike? Otherwise, will voters have any involvement with the selection of the Vote Administrator.

I am writing to demand Section 9 be preserved. Protecting public housing is integral to the city of New York. As rents are rising and long-time New Yorkers are being priced out of their homes and neighborhoods, Section 9 houses are some of the few affordable options real New Yorkers have to live in this city. The RAD/PACT and The Trust will move rights further away from tenants and their elected officials and put them at risk of violations and evictions. The steady growth of unhoused people in NYC has been a persistent concern for New York -- Section 9 is integral to the livelihood and wellbeing of all New Yorkers, to keep people safe and sheltered. I am also writing to demand the vote of NYCHA residents to remain on Section 9 or move to The Trust or RAD/PACT be reworded, the protocols amended and actual concerns of NYCHA residents addressed for the following reasons: 1. THE PRIVATIZATION VOTE IS A DISTRACTION FROM REPAIRS. NYCHA has only slated 62,000 units for RAD/PACT, and 25,000 units for the Preservation Trust. Moving forward without securing additional funding for Section 9 leaves 80,000 units in limbo. 2. TO CALL SECTION 9 THE "STATUS QUO" IS MANIPULATIVE. This gives the tenants a choice between the risks of privatization or continued disinvestment and disrepair, obscuring an outcome that preserves and protects public housing for the next generation. 3. VOTING IN BLIND FAITH IS BAD POLICYMAKING. A vote at this stage, without assessment of the Blueprint or comprehensive information of the benefits or pitfalls of the plan, may lead to further expansion of the program. We think this vote may be used to encourage state legislators to prematurely expand the program. NYCHA's resident engagement has not been meaningful and/or democratic. 4. TENANTS DON'T KNOW ABOUT THE RISKS. The majority of our neighbors in public housing still do not know what the Blueprint or RAD/PACT is or means for them and their homes. NYCHA continues to paint a rosy picture of both programs, ignoring critical research from Human Rights Watch and the National Housing Law Project that concluded RAD leads to violations and abuses of tenants' rights and protections. None of this information is shared during NYCHA's Town Halls on the Vote, meaning tenants are being left in the dark about the potential negative outcomes. 5. MEANINGFUL RESIDENT ENGAGEMENT IS REQUIRED. NYCHA has held multiple comment periods and hearings on the Blueprint and RAD/PACT and the Preservation Trust. At each juncture, tenants have submitted comments and given testimony, to no avail. Even as residents have worked more closely in partnership with elected officials, and coordinate rallies and speakouts, tenants' concerns have gone unacknowledged. Rather, NYCHA has used public comment periods to count participation without addressing the concerns we raise. Said another way, rather than meaningful engagement, these public comment periods and hearings have become a way for NYCHA to push its own agenda towards privatization under the guise of "resident engagement". The voting protocols are confusing and do not ensure a fair outcome. 7. THE VOTING PROCESS HAS 6 DIFFERENT

TIMELINES. There are 100 days of outreach ahead of the vote, notification of tenants 30 prior, 21 days to vote in person, 11 days to vote online and by mail, and 10 days to vote in-person, online and by mail. This is very confusing! These timelines should be simplified and extended to ensure that tenants can participate. We demand a fair and just voting procedure! 8. ONLY 10% OF TENANT PARTICIPATION IS REQUIRED. We continue to demand a vote threshold of 75% of lease holders for a valid outcome on such a major and irreversible decision. 9. NO ACCOUNTABILITY FOR THE THIRD PARTY WHO WILL RUN THE VOTE AND DETERMINE THE VALIDITY OF THE RESULTS. According to NYCHA, a third party will be appointed as the Voter Administrator. They will oversee and implement the voting procedure and attest to its validity. Tenants need recourse in case of grievances. We demand oversight and accountability. Sincerely, [name redacted]

I [name redacted] residing @ [address redacted] Van Dyke1. I agree with the Housing Preservation Trust. I want my residents to be included in the trust.

I have been a tenant of NYCHA Mitchel Houses for 43 years. There are many issues and repairs that need to be resolved, so yes I would love to have renovations done here and changes made. I would like our development to be included in the Trust if that means making it a better place and that tenants are guaranteed to keep their apartments and affordable rent

My name is [name redacted] and I'm a Brooklyn resident. I'm reaching out to express deep concerns over the city-wide privatization vote for public housing residents. I believe the voting process as is is undemocratic and highly manipulative. Moreover, I consider this vote to be a distraction from severely needed repairs. Public funding must immediately be allocated to address repairs. I demand a fair and just voting procedure, meaningful engagement with public housing residents, and funding allocated to repairs.

It's been a long time coming . There has to be renovations in all of the NYCHA HOUSING. My walls are falling apart. My floors are detaching itself. There is no ventilation in the bathroom. I can imagine what other apartments are looking like. There are shootings on our grounds. This here community is a community, but other people come in to it and destroy . There are shootings teenagers shooting and fighting . We need security. We've been at [address redacted], NY NY 10029 over 50 years. We love our housing neighbors we deserve renovation inside & out .my daughter lives here, [name redacted]. With family.

Thank you for giving us an opportunity to comment on the voting process and procedures. Now here is my only concern about the voting procedures. If you acknowledge that NYCHA complexes are overrun with unauthorized tenants and illegal subletting then how are you going to verify that the people who are voting are the actual tenants on record. I'll use my building for example. On my floor alone there are at least 2 apartments with unauthorized tenants. What procedures can you implement to make sure that the votes are being cast by the actual authorized tenants? Thank you.

IM ALL FOR THE RENOVATION WE NEED IT

Great Idea, on the voting process ..I think it's a great way to be interactive with residents. I'm all in for a full modernization, just keep me educated & inform on everything

Dear NYCHA Administrators, My name is [name redacted]. I grew up across the street from Gowanus Houses in Boerum Hill, Brooklyn. I have seen firsthand how important it is that people have housing that they can afford. I want to lend my voice to oppose RAD/PACT. I believe that the City of New York is a better fit for meeting the housing needs of poor New Yorkers over the free market and the leeches that generate capital from private housing. I think that this proposed move is to avoid the necessary and long-neglected repairs. I want you all to listen to the residents and those in solidarity with them to not change how public housing operates. Laughter and Lessons, [name redacted] She/Her/Hers "Be patient and tough; someday this pain will be useful to you"- Ovid

I'm still not sure what this means? Are you saying that you are given residents as required a chance to vote on trust, join pact, or status quo. I'm sorry not understanding 😞

Good evening. I am the head of the household in my rented apartment (SUMNER NYCHA). I just received my booklet today November 22,2022 on NYC PUBLIC HOUSING PRESERVATION ACT that I would be able to vote, have a voice as the head of household about this development. However I find it alarming that the deadline for the vote is over as of Wednesday November 9, 2022 but it was cancelled. It's unfair and I just pray that they finally do something about the living conditions.

As a former tenant who lived under what used to be NYCHA and is now RAD PACT, I was part of a video speaking about my experiences after the conversion. The situation was pretty bad in my building prior to the conversion, people crapped in the hallways, smoked from crack pipes, all types of stuff prior to the conversion so seeing the repairs and everything felt like a good thing for us. Later some of us realized what we received were merely cosmetic repairs.Under RAD PACT/Wavecrest: We're dealing with a revolving door of new management, lack of engagement and communication, a messed up boiler/pipe system. We have gone 6 days without hot water and have experienced cold days with no heat as November weather approaches. What were weren't told is that conversions don't go under the surface..where things are really messed up. Being one of a few tenants complaining and advocating, it's been tough. Myself & my neighbor who is disabled, have sent countless emails complaining about lack of heat, hot water, more than we used to when NYCHA managed us.NYCHA needs to be FUNDED. Not privatized. Privatization does not solve the problems in NYCHA. NYCHA is the largest public housing authority in North America. It's a lifeline for longtime NYC residents who are struggling to find affordable housing where they've lived their entire lives.Privatizing Public Housing is an Oxymoron. Fund NYCHA and involve tenants in an equitable, inclusive, democratic process before privatizing.

My family and I accept any Trust legislation to improve our NYCHA development.

What exactly the "TRUST" yall Exactly talking about don't quite understand....I have a sibling that lives close by she lives in Linden Housing's In BKLYN but they are doing a Great Changes from inside their apartments as well outsiders...which includes new bath kitchen cabinets, wood floors, & new windows with built in screams, also their complexities has changed its not looking like reg projects....has a new look...they changed the color gray...GREAT JOB.....

To Whom is May Concern, My name is [name redacted] and I am a life-long resident of Brooklyn, NY. I am a PhD student and scholar based at NYU and I am also the associate editor of e-flux journal, one of the most important contemporary art magazines in the US. I am

writing to express my deep frustration and concern about the continued assault on public housing in New York City and state. I am a scholar working on the history of housing justice movements in New York. Of the myriad forms of violence that NYC workers and tenants have been subjected to over the last century (evictions, continuous rent increases, landlord violence and negligence), one of the few remaining forms of survival available to New Yorkers is affordable public housing, which needs to be expanded given how many people face homelessness. As of 2018, there were three times as many empty apartments in New York City as homeless people—this is absolutely unacceptable! Pretending that privatization will do anything to help this situation, which every historical record shows is a farce, cannot go on. We must save public affordable housing at all costs. While NYCHA undoubtedly needs more funding to serve New Yorkers, the only way forward is expansion through the public sector rather than the sale of what few pieces of public infrastructure we have left to profit-based models. Whether or not it is called the "status quo," we must defend NYCHA from privatization and then move forward. with concern, [name redacted]

Good day ! My name is [name redacted] I live in Bayview Housing in Brooklyn NY I would like for this development be apart of this program. These buildings are way over due for repairs.

I am interested in voting to have all necessary repairs conducted in my apartment at the Carey Gardens Housing Development in Brooklyn. ThankYou

How can it be ensured that a large percent of residents will vote? How does the trust ensure residents keep their home? If the development is not added to the Trust, how will that affect the residents? Are RAD developments apart of the trust?

I am writing this message in support of maintaining section 9 as it is now. I know people who have had to deal with and are dealing with section 8 and it is a horrific and dehumanizing experience. It is beyond reform. Only section 9 and NYCHA can provide the dignified public housing that all New Yorkers deserve. I strongly oppose all changes to section 9 beyond the adequate funding of the NYCHA program.

Hello, I'm concerned that the proposed voting procedures are biased to push NYCHA residents into the Trust. The most egregious example of this is referring to Section 9 as "the Status Quo," without any explanation of the benefits that come along with that designation and which would be lost by converting to RAD/PACT or the Trust. A minimum of 10% tenant participation is also completely unacceptable. If a development can't muster at least 75% participation in such a consequential vote for their future, the vote should not go forward until the 75% threshold can be reached. Overall the process seems designed to pay lip service to democratic participation while manipulating residents into Greg Russ' agenda. Please at least give residents a fair shot at self-determination. Thank you, [name redacted]

Hello, To Whom It May Concern, My name is [name redacted] a resident of Queensbridge Housing since 1973 to date 2022, :49 years. Head of Household since 1999, at [address redacted]. I am voting for the "Preservation Trust Act," insofar as Queensbridge Housing stays PUBLIC. Queensbridge is a community. Our community needs to be cared for, respected and be just as esthetically beautiful as in other community. Sincerely, -[name redacted]

To Whom It May Concern, Please accept the comments below on the current Preservation Trust Voting Procedures published on October 13, 2022. I have been a housing organizer in NYC since 2018 and am submitting these comments on behalf of my personal beliefs. The voting threshold should be no less than 50% The draft threshold of 10% is nowhere near enough. In fact, I believe that such a low number tells residents that NYCHA doesn't actually care about their opinions. While I recognize that turn-out in Tenant Association elections are often low, this vote has a much greater impact, and residents know that. NYCHA knows that. Tenant Associations are often far removed from the day-to-day of a tenant's experience, and unfortunately in some cases even operate in a silo from the vast majority of residents at a development. To base this threshold off of that number is silly and shows that NYCHA was not truly thoughtful in putting together these procedures. As part of my work as an organizer I worked with a NYCHA TA who decided to collect votes from residents on whether they wanted to participate in RAD/PACT. The TA leaders did 100% of the outreach and were able to get around 25% of residents to vote simply by talking to each other. They had very limited funds, no past experience in collecting votes, and other jobs and responsibilities that took up their time. Residents care about their homes and they understand how this vote will directly impact them. They will come out to vote. Given the much greater capacity that NYCHA has than this TA had, I believe the threshold should be no less than 50% of all residents 18+. The City and State participation requirements for things like co-op conversions and Mitchell-Lama require more than 50% participation. So why can't NYCHA? NYCHA residents should have just as much power in determining the future of their homes. Don't undermine them with some measly number below 50%. The category with 50% or more of the vote should win Under the current procedures, residents will be asked to vote on three outcomes; RAD/PACT, Preservation Trust, and Section 9. The procedures state that the category with the highest number of votes will win. This could result in more people voting for the two other programs than the one that wins. Imagine for example a development with 2,000 eligible voting residents and 1,000 residents who voted. 350 people could vote for the Trust, 320 for RAD/PACT, and 330 for Section 9. In that scenario twice as many residents voted against the Trust, but given the current procedures the Trust would win. Less than 20% of the residents would be determining the future of the entire development. To prevent that from happening, the category that receives 50% or more of the vote should be the winner. If one category is unable to receive 50% or more of the vote, NYCHA should extend the voting period until one of the categories reaches 50% of the vote, or until 80% of eligible residents vote. I look forward to seeing positive changes when the final regulations are posted on December 16th.

There are too many flaws with the Trust. We can't trust NYCHA, so how are to ensure this different privation is helpful and can be trusted. Please remove the status quo and the place the correct name section 9 What happens to the residents that don't choose either on if these, privation plan. Residents Manager is along with implementing section9 rights. Nycha Miss manage the money cause you're don't use the money that's allotted for the residents. You keep dishoring our cause you dont include us in the decision making process. We want our own voting system to make that we getting the best vote that gives us quality of life. We need over 70 percent vote from head of Household. That 10 should have never been placed on the vote period. The explanation and wording is purposely written on that vote. It's very confusing and doesn't make sense. Seniors who live in nycha, don't understand the language

and those who have college degrees, found it confusing. NYCHA's need an overhaul and the residents want to have all access to all the information and all the benefits we deserve cause we human beings. The model of Welfare queen need to be removed from all the paperwork of NYCHA. Majority of the residents are hard working residents or retired seniors. We want our dignity back. You disrespect and dishonor of us stops today. We will we live if you take our homes, this is the only place I have that I call home. There's no place like home. Stop making me feel like I don't matter because of I live in NYCHA. I'm great and you're going to know my Name in history.

To whom it may concern: The proposed voting process for the upcoming city-wide vote on privatizing public housing is undemocratic, confusing, and designed to force residents into RAD/ PACT or the Preservation Trust. For one, it is a distraction from repairs. NYCHA has only slated 62,000 units for RAD/PACT, and 25,000 units for the Trust. Moving forward without securing additional funding for Section 9 leaves 80,000 units in limbo and 80,000 tenants without a pathway to repairs. Public funding must immediately be allocated to address repairs. Calling section 9 the "status quo" is manipulative and creates a false choice. An additional option must be added that: fully funding Section 9 public housing. This is also bad policymaking. A vote at this stage, without assessment of the Blueprint or comprehensive information of the benefits or pitfalls of the plan, may lead to further expansion of the program. We think this vote may be used to encourage state legislators to prematurely expand the program. Tenants are not educated on the risks here. The majority of our neighbors in public housing still do not know what the Blueprint or RAD/PACT is or means for them and their homes. NYCHA continues to paint a rosy picture of both programs, ignoring critical research from Human Rights Watch and the National Housing Law Project that concluded RAD leads to violations and abuses of tenants' rights and protections. None of this information is shared during NYCHA's Town Halls on the Vote, meaning tenants are being left in the dark about the potential negative outcomes. Also, the voting protocols are confusing. There are 100 days of outreach ahead of the vote, notification of tenants 30 prior, 21 days to vote in person, 11 days to vote online and by mail, and 10 days to vote in-person, online and by mail. This is very confusing! These timelines should be simplified and extended to ensure that tenants can participate. I urge NYCHA to amend this voting process and add a fourth choice. Thanks, [named redacted]

Good evening I am wondering under this nyc public housing trust ACT" will NYCHA still be the landlord or will this "ACT" lead to for private developers or private owners to take control and buy NYCHA buildings? I am aware the mayor oversees NYCHA and there is a board but how will their power and involvement be affected? If these other programs fails NYCHA who will be held responsible & what will be long term lost for NYCHA tenants?

To whom it may concern, Please accept these comments on the current Preservation Trust Voting Procedures. I attended grad school at Columbia University and spent time working and living in New York City, engaging with the NYCHA community on many occasions. I submit these comments as a concerned citizen, interested in the preservation of low-income housing and the furtherance of resident democracy. Mandatory Voting The low threshold tells residents and the broader public that you don't take the resident vote seriously. And while low turnout for other elections can be cited as a reason, there has never been a vote

where people's homes were on the ballot. National, city, and even resident association elections don't make sense as comparisons for an election with this much activity, social and political energy, impact, and resources. In fact, NYCHA should set the bar too high. A mandatory voting rule would tell folks that you take residents seriously. The threshold should be seen as some legal requirement that state legislators dreamed up. Instead, NYCHA should mandate voting and allow for an easy exception to be taken. Furthermore, the rule should have no punishment attached. This may seem silly at first, but there are many countries with mandatory voting that isn't tied to a punishment; with 100% as the default, there may be a psychological effect on people that makes the default voting instead of the opposite, increasing engagement and likely blowing the voting threshold out of the water. Ranked Choice I believe the current rules create an opportunity for there to be one least-unpopular option to win the day. In NYC, we admit that first past the post is not a true reflection of democratic will; that is why elections have changed to ranked-choice voting. Why take a step backward when it comes to NYCHA? The answers I've heard floated to this question invoke stereotypes about public housing residents. I hope that NYCHA has not taken the approach that an idea good enough for the rest of NYC residents is too complicated for NYCHA residents. Ranked Choice will allow for democratic will to be more accurately reflected in people's votes. At the least, the administrator of the vote should not allow an option that doesn't reach 50% of votes to be adopted, unless a very high majority of residents vote. This would be a better option than what was laid out in the proposed rules, but ranked choice would be preferable. The Challenge Period The voting procedure dictates that only within 72 hours of the end of the voting period can challenges be received noting any inaccuracies or impropriety. This would mean that there would be no immediate recourse for issues that arise throughout the 100 days prior to the 72-hour period; there is a similar issue for any problems found later than the 72-hour period. Election issues do not always occur or are understood within a short window of time in-which in-person voting happens. This period for the submission of challenges must be lengthened, even if it means serious consideration of inaccuracies or impropriety after the election results have been tallied. Level of Repairs In addition to considerations about the voting procedures, NYCHA must provide more clarity around the voting options themselves. For residents to "vote" is a crucial step in forwarding resident decision-making, but it means nothing if the details regarding what they are voting on are subject to question or change. Most importantly, questions remain about what will and won't be funded under the Trust option. I believe the level of repairs under RAD appears to be federally required-- whereas the Trust's levels of repair could be set at a different standard. How can residents compare options without this basic knowledge? "Democracy" After the Election Furthermore, the voting procedure maintains that the resident's voice will be considered during the choosing of a project team. While the state legislation doesn't include any requirements around this process, to ensure that the vote is not just a hurdle to be overcome, NYCHA should provide a standardized and understandable approach to how the project team is chosen and how the final decision on the what the finished project will look like no matter which option residents choose. The resident democracy should not stop after just picking one option. And NYCHA should make it clear what that entails before anyone votes on any option. This includes details like design and build team, architectural decisions, and other construction choices. After a final project has been decided on through a

standardized process, NYCHA should allow for residents to call for another vote of confidence, in the case that they feel the minimum standard of input and engagement wasn't met. Isn't the worse part of American democracy that after we choose a politician, we have no recourse until the next election? Well NYCHA residents don't even get another election. Say what you want about the UK voting system, but poor results are swiftly punished through votes of no confidence. Thank you for your time and consideration.

My question is will repairs under these programs including PACT increase our rent or fees or impact the tenants financially?

Good Evening, Please see below for my comments. Thank you kindly and have a lovely holiday: My name is [name redacted] and I am 2nd Vice President of the Resident Association at Ravenswood Houses. I am writing because I am gravely concerned about the undemocratic nature of NYCHA's proposed voting guideline procedure as stipulated by the Public Preservation Trust. Firstly, many residents still do not know about both the benefits and pitfalls of the Trust, as well as that of their options. Secondly, RAD/PACT is slated to be an option for residents to choose from even though it is nowhere in the legislation; it should not be included as an option. Thirdly, "Status Quo" is a biased label, and thus should not be utilized when referring to Section 9 Public Housing. With regard to the procedures proposed, 10% is not a valid voting threshold for such an important decision that impacts a whole development—that is, hundreds to thousands of families. Although I believe 100% of households should participate, at least 75% should be the goal. The proposed timelines for outreach, notification and voting seems confusing and rushed. Until NYCHA can prove that residents fully understand the Trust and implications for transferring and converting to a Section 8 subsidy platform, no voting should take place. These timelines must be extended. Furthermore, the Residents to Preserve Public Housing (RPPH) provides meaningful critiques and resolutions which I also echo: "The draft regulations are missing crucial support for resident decision making. Prior to Notice, residents must be provided with access to an independent tenant advisor to guide outreach strategy and assist in evaluation. NYCHA must also provide an independent physical needs assessment of their campus as part of the required outreach materials; NYCHA's own assessment is not enough. These materials must also describe potential impacts on staffing of each option presented. The mandated outreach materials must also disclose how much financing backed with property the Trust will get from NYCHA will be used for the Preservation Trust option." To ensure this voting procedure is democratic, there needs to be true implementation of resident voices and participation; the proposed procedure needs deep amendments. I hope my suggestions and those written from other residents are reflected. Thank you.

I reside in public housing and my question is ... Why would residents not want the trust and why would we not want our development and apartments not to be fully renovated? This sounds like a trap!!

Dear NYCHA officers, I am writing to submit feedback on the vote procedure and to express dismay with the current guidelines, as well as suggestions for how to correct these oversights. Firstly, I want to ask why this process is being adopted city-wide, when NYCHA has only slated 62,000 units for RAD/PACT, and 25,000 units for the Trust? Moving forward

without securing additional funding for Section 9 leaves 80,000 units in limbo and more than 80,000 tenants without a pathway to repairs. Public funding must immediately be allocated to address repairs. What are you doing to address this in the meantime? The most egregious concern of all the vote process issues is the 10% participation threshold. Absolutely no other comparable process has such an absurdly low threshold. We continue to demand a vote threshold of 75% of lease holders for a valid outcome on such a major and irreversible decision. This would make this vote more comparable to similar building-wide transformations. For example, Mitchell Lama conversions require 66% of shareholders to vote affirmatively, or if city-owned rental buildings want to go co-op, 80% of residents need to affirmatively choose. Even in the case of public housing, if a development wants to start a resident management corporation, they need a majority to vote affirmatively. There is no reason why this process should use a completely different metric. I also object to listing Section 9 as status quo on the ballot. This is a misleading way to describe Section 9 that is funded by HUD, just as Section 8 would be. It implies that no repairs would ever be done under Section 9. This limits tenants' choice between the risks of privatization or continued disinvestment and disrepair, obscuring an outcome that preserves and protects public housing for the next generation. An additional option must be added that: fully funding Section 9 public housing. Additionally, I would like to question the timeline and how confusing and short it is. 100 days of outreach ahead of the vote, notification of tenants 30 prior, 21 days to vote in person, 11 days to vote online and by mail, and 10 days to vote in-person, online and by mail. These timelines should be simplified and extended. Additionally, more information is needed on the Vote Monitor. According to NYCHA, a third party will be appointed as the Voter Administrator. They will oversee and implement the voting procedure and attest to its validity. How will this person or entity be evaluated and chosen? What is the process (currently none has been articulated) as far as recourse in case of grievances? Section 9 HUD law requires that tenants are involved in the decision-making of governance within their buildings. NYCHA has held multiple comment periods and hearings on RAD/PACT and the Preservation Trust. At each juncture, tenants have submitted comments and given testimony with real questions and high level policy nuances. NYCHA has used public comment periods to count participation without answering any of the questions. When will the questions about the risks of these programs be answered? Meanwhile, the majority of our neighbors in public housing still do not know what the Trust or RAD/PACT is or means for them and their homes. NYCHA continues to paint a positive picture of both programs, ignoring critical research from Human Rights Watch and the National Housing Law Project that concluded RAD leads to violations and abuses of tenants' rights and protections. None of this information is shared during NYCHA's Town Halls on the Vote, meaning tenants are being actively misled about the potential negative outcomes. I ask my lawmakers and representatives, is this not is a violation of HUD law? To selectively censor information, and I mean, verified research from third party sources such as those listed above is highly concerning and should not be allowed to continue. It indicates that the entire vote process is not legitimate. To conduct a real vote, NYCHA must provide complete and accurate information about what tenants are voting on, increase the participation percentage and timeline, and ensure that tenant rights are protected in this process and no illegal violations of those rights take place in an attempt to rush people into Section 8.

Dear NYCHA officers, I am writing with feedback on the vote procedure for fingering Section 9 housing to Section 8, and to express dismay with the current guidelines, which are woefully insufficient and do not offer true means for widespread democratic participation. NYCHA tenants are being rushed through a voting process without proper oversight. Additionally, a 10% participation threshold is so low as to be nearly without meaning. You must ensure that more than 1 in 10 tenants participate in a process that has serious material implications for them. A reasonable threshold would be at 75%. How can you claim to carry out tenants' will without ensuring that most tenants participate in the decision making process? To conduct a real vote, NYCHA must provide complete and accurate information about what tenants are voting on, increase the participation threshold and timeline, and ensure that tenant rights are protected in this process and no illegal violations of those rights take place in an attempt to rush people into Section 8. I urge you to consider fully the consequences that your actions will have for tens of thousands of tenants throughout our city. The voting procedure must be changed to ensure proper participation and access to information.

We The Residents, are glad to see that NYCHA will be required to engage a third-party Vote Administrator for all elections. Our residents 18 years of age or older with permanent written permission from NYCHA to reside in the apartment can vote but the voting process must include a meaningful quorum requirement. The draft regulations only require 10% of Heads of Households at the development to cast a vote for the results to be considered valid. That is much too low for this key decision; it is irrelevant that turnout at tenant leadership elections is below 8%; NYCHA's explanation that the low threshold is appropriate because turnout is typically low is irrelevant. Our demands that quorum be raised to 66% of all eligible voters. The draft regulations are missing crucial support for resident decision making. Prior to Notice, residents must be provided with access to an independent tenant advisor to guide outreach strategy and assist in evaluation. NYCHA must also provide an independent physical needs assessment of their campus as part of the required outreach materials; NYCHA's own assessment is not enough. These materials must also describe potential impacts on staffing of each option presented. The mandated outreach materials must also disclose how much financing backed with property the Trust will get from NYCHA will be used for the Preservation Trust option. NYCHA a need to be more transparent and make truthful statements during these proposed rules and Trust PowerPoint meetings that will govern how residents will vote on the future of their developments. There's been widespread manipulative messages and a convey of disinformation strategies by the NYCHA Staff Members, at these Trust meeting repeatedly to influence us the residents on whether or not we should choose to become a part of the Trust/ RAD Pack/ or to remain section 9 Public Housings. NYCHA wasn't at all forthcoming about protections under the 964 regulations, including statements that the Trust is still considered public housing; Succession rights protections; Trust relocation process plans; Upgrades and renovations policies. NYCHA representative had no clear communication or answers on the Trust Rules and regulations if a resident decides to transfer or opt out of a chosen development once it's has been entered into the trust. There also weren't any clear understanding on the 100 days' notice or the 21-day voting process, including the 4-week outreach meeting at developments by NYCHA. We the residents didn't get any true clarification about the voting process. NYCHA representative wasn't equip to answer questions or concerns asked by the residents leaving us the

stakeholders in a state of total confusion to why NYCHA are rushing to have these Trust Rules meeting before the end of the year. NYCHA was totally unable to answer or deliver any kind of truthful answers to the residents during these Trust voting meetings. The NYCHA representatives started alluding the questions by not going into specifics details of the meeting agenda. NYCHA Staff shouldn't speculate on how to answer difficult questions that's asked by the residents. NYCHA Staff, didn't have any valid knowledge or answers during any of the Trust voting presentations meetings, leaving us the residents to speculate on the legitimacy on why would the Trust/RAD or PACK, be the only solution to get funding for NYC Public Housing. One of our biggest questions were how will the Trust Benefit Corporation, housed renovate these units and safety relocate 25,000 leaseholders and their extended household family members; when there aren't enough hospitality apartments current;y within NYCHA developments for residents who are now in desperate need to be relocation because of unforeseen circumstances such as domestic violence, fire, mold or lead, medical and overcrowded conditions. Many residents who are in desperate needs are now being left in unsafe conditions because of the very lack of temporary hospitality and permanent apartments. NYCHA apartments units are unavailable and completely filled up to maximum capacity. We the residents need total clarity on how the Trust corporation will be able to accomplish this vital action to renovate these apartment units udner the Trust once section 18 triggered. NYCHA must provide clear infomration on their resident relocation plan before moving forward. Residents need to be train on the details of what section 18 means. New York City is already facing a high number of people who are homelessness and the numbers are rising higher day by day. The meetings for the Trust voting process, is completely flawed because there wasn't any clear communication by the NYCHA Staff and the presentation seem to be rushed. There was informational overload at the meeting ebcause the resident didn't have any prior Knowledge or information on what the Trust is truly about. We the residents can't be expected to understand and embrace these complex voting process rules, that includes paper handouts, a slideshow presentation, Q&A combine in a space of two hours. NYCHA ahs to stop delivering false or misleading comments and statements to us because it's totally inappropriate. Residents Associatoin Leaders and District Wide Councils, should be able to use TPA Funds to educate their residents on the 4-week Trust Voting PProcess and legislation that was recently passed. The 964 regulations gives us this opportunity under TPA Eligible Activities. We the Residents Stakeholders of Public Housing Demand True Transparency from the New York City Housing Authority on the Trust Voting Process. This is Our Public Statement and Comments on the Trust Voting Rules Process.

I received a NYC Public Housing Preservation Fund Act Brochure in the mail on November 22, 2022 requiring comments by November 23, 2022. This prevents me from reviewing the brochure, submitting comments, and voting. It's against the law. Any way my wife [name redacted] and I vote for Status quo

I am interested that you put NYCHA section 8 if you give good service and keep the rent 30% of the income also need to change everything in the apartments, we live in precarious conditions they don't fix anything.

I agree to participate and count on my vote for the Trust of the preservation of public housing, besides I would like to participate in the meetings and to look at how the processes of development of this Trust go. Thanking you for your attention.
I vote for the Trust.
I want this message to reach the people who have the power to change our homes. I would like to ask you to please keep the housing complexes for us mothers who struggle every day to raise our families, but who unfortunately have low resources because we must take care of the children and take them to a better future. Thanks for the opportunity.
Use the least money to do the most effective thing.

WRITTEN ON COMMENT INTAKE FORMS AT PUBLIC MEETINGS

What is the Trust getting back from helping NYCHA?
My concern is how long are the scaffolding will be up?
[1. What did you think about the Draft Voting Rules that were released?] I think it structured and organized and has high probably to be successful, [2. What parts of the Draft Voting Rules did you AGREE with the most?] All, [3. What parts of the Draft Voting Rules did you DISAGREE with the most?] None
I think they can improve with the way the attend or maintain Tenants of apartment that look horrible. Some in
[1. What did you think about the Draft Voting Rules that were released?] OK, [2. What parts of the Draft Voting Rules did you AGREE with the most?] "Best Value" Contractors
More meetings and input before voting, engagement needed
Basic maintenance needs to happen, while voting process is going on... people shouldn't have to wait
[1. What did you think about the Draft Voting Rules that were released?] Preliminary in favor
Have questions, felt the Draft was rush; Who will be held accountable for any/all work IF draft is approve?
[1. What did you think about the Draft Voting Rules that were released?] Only I just say NYCHA need change about system; [2. What parts of the Draft Voting Rules did you AGREE with the most?] I would like NYCHA make different from other housing; [3. What parts of the Draft Voting Rules did you DISAGREE with the most?] I feel frustration about NYCHA system; Deshostos Apartment NYCHA needs to put camera or security in the building because inside is insecure for the tenants and children. thanks.
[1. What did you think about the Draft Voting Rules that were released?] Nothing, [2. What parts of the Draft Voting Rules did you AGREE with the most?] None, [3. What parts of the Draft Voting Rules did you DISAGREE with the most?] All; Bring out the money; If it isn't broke don't fix
[1. What did you think about the Draft Voting Rules that were released?] Poor idea; [2. What parts of the Draft Voting Rules did you AGREE with the most?] Housing trust; [3. What parts

of the Draft Voting Rules did you DISAGREE with the most?] Private trust; Better understanding of our choices; No private development speculators
[1. What did you think about the Draft Voting Rules that were released?] I didn't; [2. What parts of the Draft Voting Rules did you AGREE with the most?] None, [3. What parts of the Draft Voting Rules did you DISAGREE with the most?] All; Stop spending billion on people from other country and help the people who build this country; Get rid of mayor
[1. What did you think about the Draft Voting Rules that were released?] I don't; [2. What parts of the Draft Voting Rules did you AGREE with the most?] None, [3. What parts of the Draft Voting Rules did you DISAGREE with the most?] All; Stop spending billion on other country; Get rid of the mayor
My opinion is that, besides all that repair work that we do need in order to get better and important achievements, is the repair of the ceilings. I live on [address redacted] Brooklyn, NY, 11205. I need my bathroom to be repaired. There is a lot of water leaks. Yes, we know that funds are needed. Funds for repairing ceiling plastering, for cleaning the halls; we need safety in the building because, unfortunately, we are living as if we were out in a park. Housing's apartments are very disconnected from reality. We need safety at the front of the building. Floors need to be cleaned. Paint, plaster, among other repairs. And we wish the main office would treat us people with education and respect because we are not animals, we are human beings. Also, they should be conscious about people's income, according to the pay that each person receives.
Maintain status quo; wish CCTV is installed for every floor; building entrance should be secured and safe
Maintain status quo; wish CCTV is installed for every floor for security purposes
Maintain status quo; wish CCTV is installed for every floor for security purposes
Maintain status quo; wish CCTV is installed for every floor for security purposes
Maintain status quo; wish CCTV is installed for every floor for security purposes
Suggesting building entrance door lock is fully secured to avoid disturbance for building residents, best if the back door can also have a lock installed
Maintain status quo; suggesting to have CCTV installed for every floor
Maintain status quo; suggesting to have CCTV installed for every floor
Maintain status quo; suggesting to have CCTV installed for every floor
Suggesting apartment renovations 1. kitchen 2. walls 3. bathroom; deteriorating kitchen wall paint peeling
Suggesting in-unit renovations leak, mold; paint in the unit bathroom
Suggesting in-unit renovations - leak, mold, floor tiles, peeling; mold problem - affecting everyone's health; modifications, kitchen, bathroom, paint, bathroom, leak, mold
1. Maintain status quo 2. suggesting in-unit renovations for walls, repair leaks, kitchen, floor tiles; leaks, peeling paint, floor tiles damaged

<p>[1. What did you think about the Draft Voting Rules that were released?] I think the rules are fair and informative; [2. What parts of the Draft Voting Rules did you AGREE with the most?] I agree with the importance of making these rules for a successful election and voting process. I also liked the fact that all qualified household members can also vote.; [3. What parts of the Draft Voting Rules did you DISAGREE with the most?] The long process.; I think the process should be shorter. It should be a 1-2 day process. I think residents have had enough time to know if they want to continue living under these conditions.</p>
<p>[1. What did you think about the Draft Voting Rules that were released?] Don't trust anything y'all saying so its a No for me [2. What parts of the Draft Voting Rules did you AGREE with the most?] Again this is not good enough to work again anything for me is a NO [3. What parts of the Draft Voting Rules did you DISAGREE with the most?] Until you get people that can relate to how we live nothing is worth a yes, NO; People I can relate to living in the same conditions as me; It's not a change its a push for anyone who doesn't live in NYCHA</p>
<p>The draft voting is clear. I don't understand about the Bonds: will this affect the residents in paying back the Bonds, or do the residents participate in the bonds. I understand we, the residents, have some control over capital investment. I like to see the external look of the development to change instead of looking like projects. This change is important for the safety, security of residents. There has to be better quality materials in the apartments. Also more training in the maintenance workers.</p>
<p>More time should be allotted for the voting period. 30 days instead of 21. Residents need time to learn about the Trust to be able to make an informed decision.</p>
<p>No to 10% of development vote, we say 60%. Fair voting process + independent oversight.</p>
<p>[1. What did you think about the Draft Voting Rules that were released?] Questionable and empty. Wrong time to cover. The handout missed putting in the Status Quo information. Percentage of needed votes needs to be higher. Assure agreement fairness. Dates for comments too soon. This is a time of distraction. [4. What would you like to change about the Draft Voting Process? SUGGESTION/REASON] Tenant locations while construction is taking place. 964 Regulations effect</p>
<p>[1. What did you think about the Draft Voting Rules that were released?] Nothing; [2. What parts of the Draft Voting Rules did you AGREE with the most?] None; [3. What parts of the Draft Voting Rules did you DISAGREE with the most?] Everything, [4. What would you like to change about the Draft Voting Process? SUGGESTION/REASON] Everything. Don't make NO sense. Everything. Because we count.</p>
<p>[1. What did you think about the Draft Voting Rules that were released?] Don't like the turns, losing the 964 rights and losing our apartments; [2. What parts of the Draft Voting Rules did you AGREE with the most?] None; [3. What parts of the Draft Voting Rules did you DISAGREE with the most?] All; [4. What would you like to change about the Draft Voting Process? SUGGESTION/REASON] I would not like to lose my apartment; I vote NO. Percentage of votes is not fair to all tenants. 10% is not fair to the tenants this percentage should be higher over 50 percent to 100 percent.</p>
<p>[1. What did you think about the Draft Voting Rules that were released?] Don't like it (all terms) [2. What parts of the Draft Voting Rules did you AGREE with the most?] None; [3. What parts of the Draft Voting Rules did you DISAGREE with the most?] All of the above. The</p>

percentage of votes is too low. Need to raise the percentage rate votes. Not fair to all tenants. We will lose 964 protect resident lose all rights. Where would NYCHA place all the tenants. Why have this discuss before the holidays & on short notice. Not everybody section 8 is transfer. I VOTE NO!!!

[1. What did you think about the Draft Voting Rules that were released?] I think its not beneficial to the Residents its beneficial to NYCHA and the other parties involved [2. What parts of the Draft Voting Rules did you AGREE with the most?] None of the above [3. What parts of the Draft Voting Rules did you DISAGREE with the most?] All of it [4. What would you like to change about the Draft Voting Process? SUGGESTION/REASON] Everything; A better system that doesn't put us in a situation of losing our apartments and rights; Be able to get our buildings renewed; Also if repairs get done in the process we have to move I am disabled and cannot. Want to make sure we keep our 964 federal protection. The percentage of votes is way too low.

[1. What did you think about the Draft Voting Rules that were released?] I think the process is good. They make perfect sense and have a good time frame. [2. What parts of the Draft Voting Rules did you AGREE with the most?] I feel the time frame is long enough as long as the informaton is given out. [3. What parts of the Draft Voting Rules did you DISAGREE with the most?] Nothing.

[1. What did you think about the Draft Voting Rules that were released?] They're basic. [2. What parts of the Draft Voting Rules did you AGREE with the most?] The TA + Tenant info before the voting [3. What parts of the Draft Voting Rules did you DISAGREE with the most?] The 10 percent voting: it should be increased, at least 80 percent of the development. [4. What would you like to change about the Draft Voting Rules? SUGGESTION/REASON] The voting percentage should be increased to 80 percent of the development, 10 percent is not a majority and the majority should rule! The voting option should include the other options available. ; The information will allow NYCHA to now where all tenants stand, on the Trust, RAD, RMHs or maintaining the status quo.

[1. What did you think about the Draft Voting Rules that were released?] It's non democratic; [2. What parts of the Draft Voting Rules did you AGREE with the most?] None [3. What parts of the Draft Voting Rules did you DISAGREE with the most?] 10% voting rule; [4. What would you like to change about the Draft Voting Rules? SUGGESTION/REASON] Make it at least 50% of eligible residents; We live in a democracy and NYCHA is a City/State agency

[1. What did you think about the Draft Voting Rules that were released?] bad [2. What parts of the Draft Voting Rules did you AGREE with the most?] none [3. What parts of the Draft Voting Rules did you DISAGREE with the most?] Voting should be democratic - if 51% or higher of people make a decision then that's the majority + should be respected. 10% is ridiculous.[4. What would you like to change about the Draft Voting Rules? SUGGESTION/REASON] don't destroy public housing because NYCHA doesn't spend the money it does have, that's no excuse to sell us out. Residents should be in control. Not just RAs, because people who live here deserve a say in their future.

[3. What parts of the Draft Voting Rules did you DISAGREE with the most?] That 10% of residents vote suffice to move project forward [4. What would you like to change about the

<p>Draft Voting Rules? SUGGESTION/REASON] The voting percent should be at least 51%; a voting majority should be the requirement to ensure the process is democratic</p>
<p>There are people who are disadvantaged from voting due to language issues, disabilities, blind, etc; Lack of internet access to vote; Mental health challenges. Solutions: Development based voting with on-lease representatives to help with voting. TA president should be able to help with voting. Concerned that Trust will just end up as PACT & RAD: higher rents, higher evictions, dislocation. Who are the 9 members of Trust board? Where are people being moved? During this process.... 10% Quorum is too low - majority should decide...</p>
<p>[1. What did you think about the Draft Voting Rules that were released?] Not enough information was given prior to even hosting a Draft Voting Rules. [2. What parts of the Draft Voting Rules did you AGREE with the most?] None, this is being pushed on tenants. [3. What parts of the Draft Voting Rules did you DISAGREE with the most?] All! Give more information with time [4. What would you like to change about the Draft Voting Rules? SUGGESTION/REASON] Do not have higher authority people make decisions who do not or have never lived in public housing. 10% of voting is absolutely ridiculous; it is disrespectful to tenants. Majority of voices are not allowed to be heard. More communication. To make reasonable and sound decisions.</p>
<p>[3. What parts of the Draft Voting Rules did you DISAGREE with the most?] The voting process of 10% is not enough of a vote to Establish our future of NYCHA (Trust) vs PACT/RAD. [4. What would you like to change about the Draft Voting Rules? SUGGESTION/REASON] I would like the percentage be changed to at least 50% to 60% as 10% is "not" enough to determine the future of the new generation. The percentage of 10% wouldn't be fair because of the units we have. The contractor that is hired is not experienced so they are sending to put bandages. "Not fair! Not right!" It will help maintain the development as First Houses is 87 years old and need to help as it won't excess longer than 10 years. I would like to see the funds that will be allocated to perform maintain. Actually go into repairs in development. It will keep development be around longer then it should as we are in bad shape.</p>
<p>[1. What did you think about the Draft Voting Rules that were released?] I thought they were o.k. [2. What parts of the Draft Voting Rules did you AGREE with the most?] That capital needs are being met. [3. What parts of the Draft Voting Rules did you DISAGREE with the most?] I am not seeing any sections on dealing with systemic crime currently, and with the new "Trust." [4. What would you like to change about the Draft Voting Rules? SUGGESTION/REASON] I would like to see more on acknowledging the seriousness of crime currently in NYCHA buildings.</p>
<p>[1. What did you think about the Draft Voting Rules that were released?] I think they were o.k. [2. What parts of the Draft Voting Rules did you AGREE with the most?] Capital needs are being met. [3. What parts of the Draft Voting Rules did you DISAGREE with the most?] I am not seeing any questions that are dealing with crime on the rise. [4. What would you like to change about the Draft Voting Rules? SUGGESTION/REASON] I would like to see more activities that prevent crime in NYCHA housings. I believe the police is neglecting their duties. This change is important because the city streets getting more dangerous. This situation should be changed.</p>

<p>[1. What did you think about the Draft Voting Rules that were released?] Too fast, not enough review, we need more zoom meetings. [3. What parts of the Draft Voting Rules did you DISAGREE with the most?] 3/3... 10% is too low, needs to be at least 80% voting. [4. What would you like to change about the Draft Voting Rules? SUGGESTION/REASON] Reference: Proposed voting procedure - Key Components (3/3) Details: * At least 10% of heads of household must cast a vote for the process to be valid and the vote certified -> It should be: 66% or up NOT 10%</p>
<p>[1. What did you think about the Draft Voting Rules that were released?] Not a clear explanation of the privatization. [2. What parts of the Draft Voting Rules did you AGREE with the most?] I don't agree with it. 10% is too low.[3. What parts of the Draft Voting Rules did you DISAGREE with the most?] Giving the funding to private investors. [4. What would you like to change about the Draft Voting Rules? SUGGESTION/REASON] It should be 66% not 10%. Accountability to what is being done with the money that is given to really understand what is happening with them,</p>
<p>Disagree - 10% is slavery</p>
<p>Need more information about how section 8 is being use within the unit that you reside in and you cannot transfer with it.</p>
<p>[1. What did you think about the Draft Voting Rules that were released?] I think the Draft Voting Rules that were released sucks! [2. What parts of the Draft Voting Rules did you AGREE with the most?] I agreed with absolutely NOTHING [3. What parts of the Draft Voting Rules did you DISAGREE with the most?] I disagree with all parts of the Draft Voting Rules</p>
<p>[1. What did you think about the Draft Voting Rules that were released?] I think this is not making any sense because I never heard anything about this [2. What parts of the Draft Voting Rules did you AGREE with the most?] All of them - don't know nothing about it [3. What parts of the Draft Voting Rules did you DISAGREE with the most?] All of it [4. What would you like to change about the Draft Voting Rules? SUGGESTION/REASON] Educate the residents on whats going on</p>
<p>[4. What would you like to change about the Draft Voting Rules? SUGGESTION/REASON] There should be more time to vote then just 21 days more time of in person time because there should be more time to vote for senior. Need the 10% to change because there are more people that live in the project then 10%</p>
<p>[1. What did you think about the Draft Voting Rules that were released?] I need to hear more. 21 days in total. 11 days online and 10 days all 3 for us to vote isn't not enough time. 100 days is not enough time for our Community, need more time</p>
<p>[3. What parts of the Draft Voting Rules did you DISAGREE with the most?] Voting time [4. What would you like to change about the Draft Voting Rules? SUGGESTION/REASON] More time voting, NOT long enough to give people enough time to process voting time, not enough time to voting</p>
<p>[4. What would you like to change about the Draft Voting Rules? SUGGESTION/REASON] I to see it stay as strong if we can move with this we might as well keep it the same.</p>
<p>[1. What did you think about the Draft Voting Rules that were released?] no [2. What parts of the Draft Voting Rules did you AGREE with the most?] That was not enough [3. What parts of</p>

<p>the Draft Voting Rules did you DISAGREE with the most?] That was not enough [4. What would you like to change about the Draft Voting Rules? SUGGESTION/REASON] First come out in look at the apartment because we have no time</p>
<p>[1. What did you think about the Draft Voting Rules that were released?] Everything was ok [2. What parts of the Draft Voting Rules did you AGREE with the most?] Yes [3. What parts of the Draft Voting Rules did you DISAGREE with the most?] Disagree with the timing of 21 days should be 30 [4. What would you like to change about the Draft Voting Rules? SUGGESTION/REASON] Only thing I would change need more time with the voting instaed of 21 days should be 30</p>
<p>[1. What did you think about the Draft Voting Rules that were released?] I think we can use more time because people are focused on holidays [2. What parts of the Draft Voting Rules did you AGREE with the most?] I agree the tenant should have an input on what's going to happen. [3. What parts of the Draft Voting Rules did you DISAGREE with the most?] The voting time I'm ok with it.</p>
<p>[1. What did you think about the Draft Voting Rules that were released?] 21 days voting process is too short for some people it takes time to procss what's going on [2. What parts of the Draft Voting Rules did you AGREE with the most?] voting on line [3. What parts of the Draft Voting Rules did you DISAGREE with the most?] Having virtual meetings for virtual is too distracting [4. What would you like to change about the Draft Voting Rules? SUGGESTION/REASON] voting extended longer time, its important for some people have disabilities and need longer time</p>
<p>[1. What did you think about the Draft Voting Rules that were released?] Too short for Red Hook Houses [2. What parts of the Draft Voting Rules did you AGREE with the most?] Had a choice of online, mail, or in person [3. What parts of the Draft Voting Rules did you DISAGREE with the most?] Timelines are too short [4. What would you like to change about the Draft Voting Rules? SUGGESTION/REASON] 100 days is not enough time, need more information and time to make an informed decision on how to vote in my best interest.</p>
<p>[1. What did you think about the Draft Voting Rules that were released?] Not enough time - need more then 21 days [2. What parts of the Draft Voting Rules did you AGREE with the most?] I feel 3 months is enough time [3. What parts of the Draft Voting Rules did you DISAGREE with the most?] Keep it with NYCHA</p>
<p>[1. What did you think about the Draft Voting Rules that were released?] Very well, I agree [2. What parts of the Draft Voting Rules did you AGREE with the most?] The voting process is very important [3. What parts of the Draft Voting Rules did you DISAGREE with the most?] No problem [4. What would you like to change about the Draft Voting Rules? SUGGESTION/REASON] There is not suggestion. None, I want to stay with NYCHA.</p>
<p>[1. What did you think about the Draft Voting Rules that were released?] Yes, according to the proposed voting rules. [2. What parts of the Draft Voting Rules did you AGREE with the most?] The period of in person voting. [3. What parts of the Draft Voting Rules did you DISAGREE with the most?] There are none. [4. What would you like to change about the Draft Voting Rules? SUGGESTION/REASON] There are none. There is no change, because I want to stay with NYCHA</p>

<p>[1. What did you think about the Draft Voting Rules that were released?] Yes, I agree with the process. [2. What parts of the Draft Voting Rules did you AGREE with the most?] The in-person voting process [3. What parts of the Draft Voting Rules did you DISAGREE with the most?] No Comments [4. What would you like to change about the Draft Voting Rules? SUGGESTION/REASON] No suggestions. None, I want to stay with NYCHA.</p>
<p>[1. What did you think about the Draft Voting Rules that were released?] I agree. [2. What parts of the Draft Voting Rules did you AGREE with the most?] Twenty-one days. [3. What parts of the Draft Voting Rules did you DISAGREE with the most?] None. [4. What would you like to change about the Draft Voting Rules? SUGGESTION/REASON] None. I want to stay with NYCHA.</p>
<p>[1. What did you think about the Draft Voting Rules that were released?] I agree. [2. What parts of the Draft Voting Rules did you AGREE with the most?] The period of 100 days. [3. What parts of the Draft Voting Rules did you DISAGREE with the most?] No suggestions. [4. What would you like to change about the Draft Voting Rules? SUGGESTION/REASON] I have no comment. Because I want to stay with NYCHA.</p>
<p>[1. What did you think about the Draft Voting Rules that were released?] The communicator has been quite explicit, I have serious doubts about whether it is a legitimately democratic draft, without a doubt it is clear and forceful, but the doubt persists about how much is a regulation that protects us all [2. What parts of the Draft Voting Rules did you AGREE with the most?] I like the idea of getting an education in new construction, and maybe get rid of "The Emergency Repairs" [3. What parts of the Draft Voting Rules did you DISAGREE with the most?] Aspects of financial lock-ups administered by third parties. RAT-REES- how ? Try to include residents who have a judicial background. [4. What would you like to change about the Draft Voting Rules? SUGGESTION/REASON] Exclusionary policies for residents who have (we have) an irregular or unstable "income" and that is difficult to demonstrate, wage instability. Inconsistency in the proposal for adequate follow-up of people who do not have language resources or cognitive abilities of a technical type. Because it generates greater credibility in the system that is sometimes bizarre and confusing to understand not because there is a lack of easy or flat language, but because there is distrust in having a responsible change with vulnerable residents.</p>
<p>[1. What did you think about the Draft Voting Rules that were released?] Favorable [2. What parts of the Draft Voting Rules did you AGREE with the most?] With change [3. What parts of the Draft Voting Rules did you DISAGREE with the most?] Repair of the building, there is a lot of irregularity and there are many dogs. The elevators are filled with dogs. Please take the dogs out. I am asthmatic and I get allergy and asthma dogs and cats. For the new generation and for many more reasons. Thank you for listening.</p>
<p>Agree</p>
<p>[1. What did you think about the Draft Voting Rules that were released?] Support [2. What parts of the Draft Voting Rules did you AGREE with the most?] All [3. What parts of the Draft Voting Rules did you DISAGREE with the most?] None [4. What would you like to change about the Draft Voting Rules? SUGGESTION/REASON] None</p>
<p>[1. What did you think about the Draft Voting Rules that were released?] I think Section 9 is better. You did not give the residents enough time to participate.</p>

[1. What did you think about the Draft Voting Rules that were released?] It was good. [2. What parts of the Draft Voting Rules did you AGREE with the most?] All [3. What parts of the Draft Voting Rules did you DISAGREE with the most?] None [4. What would you like to change about the Draft Voting Rules? SUGGESTION/REASON] Management in majority vote; They are never there when you need them! Emergency; Not Emergency wait 24 hours

[submitted letters begin on following page]

SUBMITTED LETTERS

THE RESIDENTS TO PRESERVE PUBLIC HOUSING (RPPH)



**To : The New York City
Housing Authority (NYCHA)**

October 24, 2022

P.O. Box 3422
Long Island City, NY 11101-9202
public.comments@nycha.nyc.gov

The Residents to Preserve Public Housing (RPPH) submits the following written comments in response to the Public Housing Preservation Trust voting procedures publicly released on Friday October 14, 2022

RPPH comments on the Public Housing Preservation Trust draft voting regulations:

- RPPH is glad to see that NYCHA will be required to engage a third-party Vote Administrator for all elections.
- RPPH appreciates that any resident 18 years of age or older with permanent written permission from NYCHA to reside in the apartment can vote but the voting process must include a meaningful quorum requirement. The draft regulations only require 10% of Heads of Household at the development to cast a vote for the results to be considered valid. That is much too low for this key decision; it is irrelevant that turnout at tenant leadership elections is below 8%; NYCHA's explanation that the low threshold is appropriate because turn out is typically low is irrelevant. RPPH demands that quorum be raised to 66% of all eligible voters.
- The draft regulations are missing crucial support for resident decision making. Prior to Notice, residents must be provided with access to an independent tenant advisor to guide outreach strategy and assist in evaluation. NYCHA must also provide an independent physical needs assessment of their campus as part of the required outreach materials; NYCHA's own assessment is not enough. These materials must also describe potential impacts on staffing of each option presented.
- The mandated outreach materials must also disclose how much financing backed with property the Trust will get from NYCHA will be used for the Preservation Trust option.

Sincerely,

RPPH STEERING COMMITTEE

Princella Jamerson, Resident of Millbrook Houses: Comments on the Public Housing Preservation Trust draft voting regulations:

November 16, 2022.

- We The Residents, are glad to see that NYCHA will be required to engage a third-party Vote Administrator for all elections.
- Our Residents 18 years of age or older with permanent written permission from NYCHA to reside in the apartment can vote but the voting process must include a meaningful quorum requirement. The draft regulations only require 10% of Heads of Household at the development to cast a vote for the results to be considered valid. That is much too low for this key decision; it is irrelevant that turnout at tenant leadership elections is below 8%; NYCHA's explanation that the low threshold is appropriate because turn out is typically low is irrelevant. Our demands that quorum be raised to 66% of all eligible voters.
- The draft regulations are missing crucial support for resident decision making. Prior to Notice, residents must be provided with access to an independent tenant advisor to guide outreach strategy and assist in evaluation.
- NYCHA must also provide an independent physical needs assessment of their campus as part of the required outreach materials; NYCHA's own assessment is not enough. These materials must also describe potential impacts on staffing of each option presented.
- The mandated outreach materials must also disclose how much financing backed with property the Trust will get from NYCHA will be used for the Preservation Trust option.
- NYCHA a need to be more transparent and make truthful statements during these proposed rules and Trust PowerPoint meetings" that will govern how residents will vote on the future of their developments.
- There's been widespread manipulative messages and a convey of disinformation strategies by the NYCHA Staff Members, at these Trust meeting repeatedly to influence us the residents on whether or not we should choose to become a part of the Trust / RAD Pack/ or to remain section 9 Public Housings.
- NYCHA wasn't at all fourth coming about protections under the 964 regulations, including statements that the Trust is still considered public housing; Succession rights protections; Trust relocation process plains; Upgrades and renovations policies.
- NYCHA representative had no clear communication or answers on the **Trust Rules and regulations** if a resident decides to transfer or opt out of a chosen development once It's has been entered into the trust. There also weren't any clear understanding on the 100 days' notice or the 21-day voting process, including the 4-week outreach meeting at developments by NYCHA.

- We the residents didn't get any true clarification about the voting process. NYCHA representative wasn't equip to answer questions or concerns asked by the residents leaving us the stakeholders in a state of total confusion to why NYCHA are rushing to have these **Trust Rules** meeting before the end of the year.
- NYCHA was totally unable to answer or deliver any kind of truthful answers to the residents during these
- Trust voting meetings. The NYCHA representatives started **alluding the questions by not going into specifics details of the meeting agenda**. NYCHA Staff shouldn't speculate on how to answer difficult questions that's asked by the residents. NYCHA Staff, didn't have any valid knowledge or answers during any of the Trust voting presentations meetings, leaving us the residents to speculate on the legitimacy on why would the Trust/ RAD or PACK, be the only solution to get funding for NYC Public Housing.
- One of our biggest questions were how will the Trust Benefit Corporation, housed renovate these units and safety relocate 25,000 leaseholders and their extended household family members; when there aren't enough hospitality apartments currently within NYCHA developments for residents who are now in desperate need to be relocated because of unforeseen circumstances such as domestic violence, fire, mold or lead, medical and overcrowded conditions. Many residents who are in desperate needs are now being left in unsafe conditions because of the very lack of temporary hospitality and permanent apartments. NYCHA apartments units are unavailable and completely filled up to maximum capacity.
- **We the residents need total clarity on how the Trust corporation will be able to accomplish this vital action to renovate these apartments units under the Trust once section 18 triggered.**
- **NYCHA must provide clear information on their resident relocation plan before moving forward. Residents need to be train on the details of what section 18 means.** New York City is already facing a high number of people who are homelessness and the numbers are rising higher day by day.
- The meetings for the Trust voting process, is completely flawed because there wasn't any clear communication by the NYCHA Staff and the presentation seem to be rushed. There was informational overload at the meeting because the resident didn't have any prior Knowledge or information on what the Trust is truly about. We the residents can't be expected to understand and embrace these complex voting process rules, that includes paper handouts, a slideshow presentation, Q & A combine in a space of two hours
- NYCHA has to stop delivering false or misleading comments and statements to us because it's totally inappropriate.
- Residents Association Leaders and District Wide Councils, should be able to use TPA Funds to educate their residents on the 4-week Trust Voting Process and legislation that was recently passed. The 964 Regulations gives us this opportunity under TPA Eligible Activities to inform the residents of these significant changes to public housing.

- We The Residents and the Stakeholders of Public Housing Demand True Transparency from The New York City Housing Authority on the Trust Voting Process. We the Residents are **requesting that NYCHA remove the language of RAD/PACK chose from the draft voting regulations, because it was never included in the TRUST Legislation.**

November 16, 2022.

Resident's comments on the Public Housing Preservation Trust draft voting regulations:

We The Residents, are glad to see that NYCHA will be required to engage a third-party Vote Administrator for all elections.

Our Residents 18 years of age or older with permanent written permission from NYCHA to reside in the apartment can vote but the voting process must include a meaningful quorum requirement. The draft regulations only require 10% of Heads of Household at the development to cast a vote for the results to be considered valid. That is much too low for this key decision; it is irrelevant that turnout at tenant leadership elections is below 8%; NYCHA's explanation that the low threshold is appropriate because turn out is typically low is irrelevant. Our demands that quorum be raised to 66% of all eligible voters.

The draft regulations are missing crucial support for resident decision making. Prior to Notice, residents must be provided with access to an independent tenant advisor to guide outreach strategy and assist in evaluation.

NYCHA must also provide an independent physical needs assessment of their campus as part of the required outreach materials; NYCHA's own assessment is not enough. These materials must also describe potential impacts on staffing of each option presented.

The mandated outreach materials must also disclose how much financing backed with property the Trust will get from NYCHA will be used for the Preservation Trust option.

NYCHA a need to be more transparent and make truthful statements during these proposed rules and Trust PowerPoint meetings" that will govern how residents will vote on the future of their developments.

There's been widespread manipulative messages and a convey of disinformation strategies by the NYCHA Staff Members, at these Trust meeting repeatedly to influence us the residents on whether or not we should choose to become a part of the Trust / RAD Pack/ or to remain section 9 Public Housings.

NYCHA wasn't at all forth coming about protections under the 964 regulations, including statements that the Trust is still considered public housing; Succession rights protections; Trust relocation process plains; Upgrades and renovations policies.

NYCHA representative had no clear communication or answers on the **Trust Rules and regulations** if a resident decides to transfer or opt out of a chosen development once It's has been entered into the trust. There also weren't any clear understanding on the 100 days' notice or the 21-day voting process, including the 4-week outreach meeting at developments by NYCHA.

We the residents didn't get any true clarification about the voting process. NYCHA representative wasn't equip to answer questions or concerns asked by the residents leaving us the stakeholders in a state of total confusion to why NYCHA are rushing to have these **Trust Rules** meeting before the end of the year.

NYCHA was totally unable to answer or deliver any kind of truthful answers to the residents during these Trust voting meetings. The NYCHA representatives started **alluding the questions by not going into specifics details of the meeting agenda**. NYCHA Staff shouldn't speculate on how to answer difficult questions that's asked by the residents. NYCHA Staff, didn't have any valid knowledge or answers during any of the Trust voting presentations meetings, leaving us the residents to speculate on the legitimacy on why would the Trust/ RAD or PACK, be the only solution to get funding for NYC Public Housing.

One of our biggest questions were how will the Trust Benefit Corporation, housed renovate these units and safety relocate 25,000 leaseholders and their extended household family members; when there aren't enough hospitality apartments currently within NYCHA developments for residents who are now in desperate need to be relocated because of unforeseen circumstances such as domestic violence, fire, mold or lead, medical and overcrowded conditions. Many residents who are in desperate needs are now being left in unsafe conditions because of the very lack of temporary hospitality and permanent apartments. NYCHA apartments units are unavailable and completely filled up to maximum capacity.

We the residents need total clarity on how the Trust corporation will be able to accomplish this vital action to renovate these apartments units under the Trust once section 18 triggered. NYCHA must provide clear information on their resident relocation plan before moving forward. Residents need to be train on the details of what section 18 means.

New York City is already facing a high number of people who are homelessness and the numbers are rising higher day by day.

The meetings for the Trust voting process, is completely flawed because there wasn't any clear communication by the NYCHA Staff and the presentation seem to be rushed. There was informational overload at the meeting because the resident didn't have any prior Knowledge or information on what the Trust is truly about. We the residents can't be expected to understand and embrace these complex voting process rules, that includes paper handouts, a slideshow presentation, Q & A combine in a space of two hours

NYCHA has to stop delivering false or misleading comments and statements to us because it's totally inappropriate.

Residents Association Leaders and District Wide Councils, should be able to use TPA Funds to educate their residents on the 4-week Trust Voting Process and legislation that was recently passed. The 964 Regulations gives us this opportunity under TPA Eligible Activities

We The Residents Stakeholders of Public Housing Demand True Transparency from The New York City Housing Authority on the Trust Voting Process.

This is Our Public Statement and Comments on the Trust Voting Rules Process

Name and Address Redacted

*Note, this letter was separately signed by 22 residents



LEGAL SERVICES NYC COMMENT ON THE PUBLIC HOUSING PRESERVATION TRUST DRAFT VOTING PROCEDURES

November 23, 2022

Legal Services NYC | 40 Worth Street, Suite 606, New York, NY 10013
Phone: 646-442-3600 | Fax: 646-442-3601 | www.LegalServicesNYC.org
Raun J. Rasmussen, Executive Director | **William T. Russell, Jr.**, Board Chair

LSC | America's Partner
for Equal Justice
LEGAL SERVICES CORPORATION

INTRODUCTION

LSNYC's hereby submits comments to the Public Housing Preservation Trust Draft Voting Procedures (hereinafter, "draft rules").¹

LSNYC is the largest civil legal services provider in the country. LSNYC continues its 50-year tradition of fighting for racial, social, and economic justice by providing advice and legal representation to more than 110,000 low-income New Yorkers every year in regards to housing, disability, education, consumer, employment, family stability, and immigration rights.

Our advocates across all five boroughs have worked with thousands of NYCHA families in recent years to protect their right to live with safety and dignity in their homes. We have also provided legal support to organized groups of public housing tenants, including, among others, the Citywide Council of Presidents (CCOP), development-level Tenant Associations, the Justice for All Coalition (JFAC), Good Old Lower Eastside (GOLES), CAAAV: Organizing Asian Communities (CAA AV), and Save Section 9.

By way of a summary, the main points of our organization's comments to the draft rules are as follows:

- The minimum voter threshold of 10% of heads of household is far too low given the consequential nature of the vote in question, especially where NYCHA requires a 50-plus-1 quorum to conduct the business of its own board as well as the Public Housing Preservation Trust's board.
- The draft rules do not allow for sufficient tenant participation in at least three important respects: (1) tenant groups outside of the NYCHA-authorized Resident Council are given

¹ Available at <https://www.nyc.gov/site/nycha/about/preservation-trust-draft-voting-procedures.page>

no opportunity to provide input on developing the voter outreach plan; (2) the official Resident Council is invited by NYCHA to discuss the outreach plan, but is given no opportunity to provide input on the content of the information that NYCHA intends to present to the tenant body; and (3) no tenant or tenant group is given the opportunity to provide input with regard to NYCHA's selection of an independent Vote Administrator, which entity will run the entire voting operation and certify the winning option.

- The draft rules state that the three voting options are: (1) the Trust; (2) the Permanent Affordability Commitment Together (“PACT”) program; and (3) “status quo” (remain under Section 9 of the Housing Act). The rules do not require that NYCHA explain to tenants how it intends to fund comprehensive repairs under the “status quo” option, which may lead tenants to believe that they will not get repairs if they choose to remain as they are when, in fact, they have a constitutional right to a safe and healthful living environment no matter which option they choose.²
- The rules indicate that voter outreach will begin at some point in the 100 days period prior to the voting, but do not specify the start and end dates for the voter outreach. This ambiguity can lead to inconsistent application of the voter outreach rules across different housing developments.

THE TRUST LEGISLATION

In May 25, 2022, the New York State Senate passed the “New York City Public Housing Preservation Trust Act,” which was signed into law by Governor Kathy Hochul on June 16, 2022. While a prior version of the bill did not grant tenants the right to vote on whether their

² “Each person shall have a right to clean air and water, and a healthful environment.” NY Const. Art. 1, § 19; RPL § 235-b.

building would be transferred to the Trust, the May 2022 amended bill provides that “[w]ithin sixty days of the effective date of this article, NYCHA shall issue a set of proposed requirements related to the voting process.”³ The bill further provides that the voting rules shall include: the minimum percentage participation required for the voting results to be valid (the bill does not specify what such quorum must be); the minimum requirement for voter outreach that must take place prior to any vote; voting eligibility; the criteria by which an option shall be deemed to be accepted or rejected by residents of a housing facility; and that NYCHA shall comply with a vote to accept or reject any of the voting options.⁴

State Senator Julia Salazar, the bill’s sponsor, stated that the bill “allows public housing residents to democratically decide whether their developments would be added to a preservation trust—a public entity—in order to finally finance repairs for them. Residents who don’t support it can reject it; the residents who do support it can choose it.”⁵ Elsewhere, Senator Salazar indicated that the bill “marks the empowerment of NYCHA residents to collectively make decisions about their respective developments and manage their buildings.”⁶ Governor Hochul, Mayor Adams, and CEO Greg Russ, all highlighted the right to vote on the May 2022 bill, noting that the Trust “provides residents a true voice in the future of their homes.”⁷

It is clear from the expressions of the bill’s sponsors and supporters that the right of tenants to decide whether their building will be transferred to the Trust is an integral component of the legislation. LSNYC’s analysis and comments on the draft rules will, therefore, center on

³ SB 9409, Section 630(2), May, 25, 2022, available at <https://legislation.nysenate.gov/pdf/bills/2021/S9409A>

⁴ *Id.*

⁵ Julia Salazar (@JuliaCarmel__), May 25, 2022, 1:48PM, available at https://twitter.com/juliacarmel_/status/1529519712908062722

⁶ Press Release, *Governor Hochul Signs Legislation Creating New York City Public Housing Preservation Trust*, June 16, 2022, available at <https://hcr.ny.gov/news/governor-hochul-signs-legislation-creating-new-york-city-public-housing-preservation-trust>

⁷ *Id.*

whether the procedures *truly* incorporate the voice and the will of the people who will forever be affected by the vote in question.

COMMENTS TO THE DRAFT RULES

LSNYC’s comments will cover the following topics on the draft rules: (1) the minimum voter threshold (“quorum”); (2) the degree to which tenant participation in the voter outreach process is permitted; (3) the ambiguity of certain voting options; (4) the process by which a “Vote Administrator” is chosen; and (5) the timing of the voter outreach process.

1. The 10% quorum is exceedingly low given the consequential nature of the vote at hand.

Section 6(b) of the draft rules, titled “Minimum Turnout Threshold,” provides that “[a]t least 10% of Heads of Household at the development must cast a vote for the results to be considered valid.”⁸

It is difficult to harmonize a 10% quorum with the notion that the Trust gives public housing residents “a true voice in the future of their homes.”⁹ For context, legislative bodies (including the New York State Senate, where the Trust legislation was passed) typically require a majority of its members (50-plus-1) to vote on pending legislation. NYCHA’s own Governance Committee requires “a majority of the Committee’s member” to establish a quorum.¹⁰ And, the Trust legislation itself establishes, in relation to the Board of Trustees, that a “majority of the whole number of members shall constitute a quorum for the transaction of business.”¹¹

⁸ See Section 6(b), *id.* at note 1.

⁹ *Id.*

¹⁰ New York City Housing Authority Governance Committee Charter, *available at* <https://www1.nyc.gov/assets/nycha/downloads/pdf/governance-charter.pdf>

¹¹ See section 628(5), *id.* at note 2.

In the introduction to the draft rules, NYCHA justifies the 10% threshold by stating that the “10% minimum turnout of Heads of Household exceeds the current NYCHA resident turnout of 7.7% of eligible voters for TA elections.”¹² Such a comparison to TA elections is inadequate because TA representatives can be voted in and out of office as frequently as TA elections take place. The voting process contemplated by the draft rules is permanent—indeed, NYCHA is “bound by the winning option....”¹³ Plus, it is difficult to imagine a more consequential voting scenario than one potentially involving the end of a public housing tenant’s status as such.

Anything less than a voter threshold comprised of the majority of eligible heads of households is antithetical to the way NYCHA runs its own business as well as basic democratic principles.

2. NYCHA undermines meaningful tenant engagement by restricting the way in which tenants are allowed to help design the voter outreach plan.

Section 2 of the draft rules, titled “Engagement with Resident Leadership,” reads in part as follows:

- (a) NYCHA shall develop a voter outreach plan customized to the needs of the residents at the development.
- (b) NYCHA shall invite the development’s Resident Council or, in the event no Resident Council exists, the local District Council Officers to discuss and refine the proposed voter outreach plan.
- (c) At such discussion, NYCHA shall provide an overview of the voting options, share the information NYCHA intends to communicate to residents, and consider how to most effectively reach residents of the development, including but not limited to:...

Meanwhile, Section 4(b) states that “NYCHA shall prepare outreach materials to support Eligible Voters in making independent, informed choices.”¹⁵

¹² See Introduction, *id.* at note 1.

¹³ See Section 6(f), *id.* at note 1.

¹⁴ See Section 2(a)-(c) *id.* at note 1.

¹⁵ See Section 4(b), *id.* at note 1.

While the draft rules indicate that NYCHA shall enlist certain tenant leaders to discuss the voter outreach plan, such tenant participation falls short in two important ways. *First*, the draft rules only envision the participation of the “Resident Council or, in the event no Resident Council exists, the local District Council Officers.”¹⁶ There is no explanation in the draft rules as to why other tenant groups cannot be invited to participate in developing the voter outreach plan.

As presented above, LSNYC works with a variety of groups representing the voice of public housing tenants. Our work with longstanding, membership-based organizations such as Justice for All Coalition, GOLES, CAAAV, and Save Section 9, is just as important as our work with the CCOP or development-level Tenant Associations. True tenant engagement should not exclude the participation of non-TA organizations—more, not fewer, voices matter, especially when it comes to crafting a voter outreach plan.

Secondly, the draft rules indicate that in its discussion with the Resident Council, NYCHA “shall provide an overview of the voting options, share the information NYCHA intends to communicate to residents, and consider how to most effectively reach residents of the development...”¹⁷ This provision suggests that, while it will consider the opinion of the Resident Council in terms of how to most effectively reach residents, NYCHA does not intend to accept input from the Council when generating the information it plans to share with tenants.

The legislative findings of the Trust legislation state that “[a] new public entity with greater flexibility to leverage capital investment and to manage the rehabilitation of these properties *must* be established.”¹⁸ CEO Greg Russ commended Governor Hochul for having “the

¹⁶ *Id.* at note 13.

¹⁷ *Id.*

¹⁸ *See* section 626, *id.* at note 2 (emphasis added).

vision and courage necessary to disrupt the status quo....”¹⁹ And, NYCHA’s own website dedicated to the Trust explains “Why NYCHA Needs the Trust.”²⁰ All to say—NYCHA lobbied to get the Trust legislation passed and is deeply invested in getting all 25,000 projected units transferred to the newly created entity.²¹ Because of this, tenant input in generating the outreach information *itself* is crucial to ensure that each voting option is presented to the tenant body in a fair and balanced manner.

3. Certain voting options need to be further clarified in order for tenants to receive complete information about the process.

Section 5(d) of the draft rules state that tenants “may select one of at least three options when voting: the Trust, the Permanent Affordability Commitment Together (“PACT”) program, or status quo (rejecting both the Trust and PACT and remaining in Section 9).”²² In section 4(b)(1), the rules indicate that for each voting option NYCHA will design outreach materials that explain things like the tenants’ rights under each option, an overview of how construction work would proceed, and the roles of NYCHA, residents, and other entities during the construction process.²³

First, critically absent from the 4(b)(1) list is a requirement that the outreach materials explain how NYCHA intends to fund comprehensive repairs under the “status quo” voting option. As presented above, NYCHA has made very clear its belief that it presently cannot secure funding to rehabilitate the entire public housing stock to the tune of 40 billion dollars

¹⁹ See *id.* at note 5.

²⁰ NYC Public Housing Preservation Trust, available at <https://www.nyc.gov/site/nycha/about/preservation-trust-one-pager.page#:~:text=The%20Public%20Housing%20Preservation%20Trust,and%20maintain%20a%20public%20workforce>.

²¹ See section 630(1), *id.* at note 2.

²² See Section 5(d), *id.* at note 1.

²³ See Section 4(b)(1), *id.* at note 1.

(going as far as to state that what is needed is to “disrupt the status quo...”²⁴). Given this, the draft rules need to direct NYCHA to create, and present to the tenants, a repair funding plan under the “status quo” option specific to each housing development. Otherwise, the “status quo” option will leave tenants wondering how they will obtain the repairs they’re entitled to if they choose to reject both the Trust and the PACT options. Worse yet, it may suggest to tenants that they *must* choose between maintaining their status as public housing tenants or getting the repairs they need, when in fact they are entitled to such repairs no matter which option they select.²⁵

Secondly, it is unclear why PACT is being offered as an option to tenants in the voting process contemplated by the draft rules. The legislation that serves as the basis for the draft rules concerns the Public Housing Preservation Trust, not the Permanent Affordability Commitment Together (PACT) program. Under the federal laws and regulations that govern the PACT program, NYCHA is able to slate buildings for conversion without the need for any voting process. And so, where the draft rules indicate that “NYCHA shall be bound by the winning option *subject to applicable federal law and regulations*,”²⁶ it is unclear whether NYCHA may choose to convert a “status quo” building to PACT pursuant to the different set of laws and regulations that govern such program. If NYCHA wishes to preserve PACT as one of the voting options, the draft rules should make clear that NYCHA will not seek to convert a building where the “status quo” won to PACT at any point in the future.

²⁴ See *id.* at note 5.

²⁵ *Id.* at note 2.

²⁶ See Section 6(f)(2), *id.* at note 1 (emphasis added).

4. Tenants should be given a chance to provide input on the selection the Vote Administrator

Section 5(a) of the draft rules state that “NYCHA shall engage a third-party Vote Administrator to conduct and oversee the vote,” while section 5(b) lays out certain criteria that will govern the selection process. Absent from the rules is a process by which NYCHA can collect input from tenants or their representatives on the company it intends to hire as the Vote Administrator.

According to the draft rules, the Vote Administrator will oversee the entire voting process, see that quorum was met, and ultimately declare a winning option. Given that the future of their tenancies is at stake, tenants should be allowed to evaluate themselves the credentials and track record of the would-be Vote Administrator and be able to present any comments or objections they may have to NYCHA.

5. The rules do not specify when voter outreach will begin and how long it will last.

Section 3(a) of the draft rules state that “[a]t least 100 days before the Voting Period commences, NYCHA shall provide the Notice of Vote to the residents of the development through the available phone, mail and email contact information on record with NYCHA.” Then, section 4(a) states that “[u]pon providing the Notice of Vote pursuant to section 3 above, NYCHA shall begin the voter outreach plan developed pursuant to section 2 above.”²⁷

From these provisions, it is clear that voter outreach will begin sometime after the 100 days’ Notice to Vote is provided to tenants for any given building, but unclear when exactly outreach will begin and how long will it last. The draft rules should indicate the start and end

²⁷ See Sections 3(a) and 4(a), *id.* at note 1.

dates for voter outreach so that the amount of outreach is consistent across all developments in which a vote takes place.

CONCLUSION

We thank NYCHA for the opportunity to provide the above commentary. Please feel free to contact the undersigned if you wish to discuss any of our organization's comments further.

Date: November 23, 2022



By:

Luis A. Henriquez Carrero
lahenriquez@lsnyc.org

LEGAL SERVICES NY
Rosalind Black
Veronica Cook
Peggy Earisman
Luis A. Henriquez Carrero
Robert Sanderman

November 23, 2022

Honorable Gregory Russ
Chair, New York City Housing Authority

Dear Chair Russ:

We write regarding the Public Housing Preservation Trust Draft Voting Procedures. As we appreciate the opportunity to comment, we must note that there are a number of concerns about the proposed voting procedures.

Tenant Engagement

Firstly, we would like to discuss the tenant engagement aspect of the proposal. For many residents, the Preservation Trust was initially problematic due to a lack of information by the New York City Housing Authority (NYCHA). Additionally, much of the virtual information and outreach was conducted during the height of the COVID pandemic, where residents were experiencing many hardships and were unable to prioritize this new plan.

Our residents are in need of civic education to better understand the bureaucracy of the federal, state, and city government and budgetary processes. Therefore, we request that NYCHA conduct more information sessions that will supply our residents with the information needed to make informed decisions about the future of their developments.

Voter Threshold

Secondly, we believe that the 10% minimum threshold proposed is far too low to be representative of a given development. We understand that this number was determined based on current NYCHA resident turnout statistics for Tenant Association elections. However, we believe that each development has its own history of tenant engagement in regards to elections. Therefore, it would be inequitable to hold such a low voter threshold citywide and place each development at the same level. So we urge NYCHA to increase the minimum threshold to a number that will fully represent each and any development that would be chosen to be a part of this process.

Third Party Vote Administrator

Lastly, we understand that a third party would be chosen to conduct the voting process as the vote authority. To instill confidence and preserve the trust of the residents, transparency on the selection of the third party must be incorporated in this plan. It is imperative that the entity responsible for the administration of these voting procedures have extensive experience and adhere to similar guidance to a certified citywide election. Additionally, any vote administrator should be culturally competent and

understand that NYCHA residents are one of our most vulnerable populations in the City. A group that has a range of unique challenges that need to be accounted for during any voting process.

In conclusion, we must remain vigilant in our devotion to provide public housing residents with the quality of life anyone deserves. We look forward to working with local elected officials to ensure full accountability and transparency with this process. We appreciate the opportunity to submit our comments on such an important matter.

Sincerely,
District Leader William Smith
Executive Part D, 68th District
smith4nys@gmail.com

District Leader Sharase DeBouse
Executive Part D, 68th District
sdebouse@gmail.com



November 23, 2022

Sent by e-mail to public.comments@nycha.nyc.gov

NYCHA – Public Comments
P.O. Box 3422
Long Island City, NY 11101-9202

We respectfully submit the following testimony in support of improving the New York City Housing Authority (“NYCHA”) residents’ input and engagement in the **NYCHA Draft Voting Procedures for the Public Housing Preservation Trust** that was released for public comment on October 14, 2022. We, as elected officials, are committed to preserving and protecting public housing, and believe it is critical for residents to be educated about their options in order for them to make informed choices through their votes.

We represent dozens of NYCHA developments and thousands of residents. Our goal is to ensure that the final Voting Procedures enable a vote that accurately reflects residents’ choices. The following are our recommendations to ensure NYCHA residents’ futures and housing are protected for decades to come.

Voter Participation Threshold

In order to ensure adequate representation by NYCHA residents around questions and issues that directly impact them, the proposed 10% minimum turnout of Heads of Household should be raised to **at least 51% of heads of households and 51% of eligible voters** for all elections to be deemed valid.

In the current draft procedures, one hundred voters in a hypothetical 1,000 unit development would have to vote in order to meet the proposed 10% requirement. Among these one hundred voters, the vote could be split between three options (*e.g.*, 35% vs. 34% vs. 31%), meaning that **just thirty-five residents would decide the future of 1,000 units** even if 65% of voters wanted another option. This is not acceptable.

A shift to the Trust would fundamentally change the governance and funding mechanism of any NYCHA development. Given the magnitude of the question on the ballot, a much higher

turnout than 10% for a valid vote is necessary. When it comes to housing co-operatives, New York law provides that a much higher threshold of “two-thirds of all of the members or stockholders voting thereon” be required for a dissolution vote that would change the fundamental structure of the housing arrangement. Higher thresholds such as this are sensible, and necessary to ensure that such fundamental changes have proper resident input. While NYCHA’s proposed definition for eligible voters is appropriate and should be included in the final procedures, the turnout threshold for a valid vote must be raised significantly.

Determining the Winning Vote Option

As currently written, the draft voting procedures could result in an option winning despite receiving less than a majority of the votes. This needs to change, and **the winning option should be decided by at least a majority (over 50%) of Heads of Households and eligible voters**. If no option obtains a majority, that should be considered equivalent to the development choosing the status quo.

Vote Options

The New York City Public Housing Preservation Trust Act (S9409/A7805) is silent on the Rental Assistance Demonstration (“RAD”) and Permanent Affordability Commitment Together (“PACT”) programs of private management. The RAD/PACT programs have been deeply controversial, particularly after a January 27, 2022 report from Human Rights Watch regarding substantial problems with NYCHA privatizing its management through the RAD/PACT program (resulting in failures of oversight and mismanagement). Although the New York City Public Housing Preservation Trust Act requires joining or rejecting the Trust to be voting options, it is very significant that the legislation **does not mention RAD/PACT as voting options**. Nonetheless, the draft voting procedures from this past month provide that “NYCHA commits to also include in any such vote the option to join the Permanent Affordability Commitment Together (‘PACT’) program.” This is a very clear bait-and-switch. It is our position that the ballot should only include options to join or reject the Trust, in proposed options that are clear to residents. Adding a new third option of private management under RAD/PACT, which was not mentioned in the legislation, will only lead to further confusion and problems of split votes.

Voter Outreach and Education

NYCHA should implement a robust canvassing plan that includes door-to-door outreach at every development, using plain language and complying with language access requirements as proposed in section 7. For planned meetings, NYCHA should establish attendance minimums and reschedule meetings that do not meet the threshold. A physical needs assessment for each

campus should be made available to residents as a part of the outreach materials at least one hundred days before the voting period begins, and an independent third party with a housing and legal background should be present at meetings to answer resident questions about any voting option in an unbiased way.

Conclusions

In their current form, these voting procedures create a troubling potential for very few residents to chart the course of the largest public housing authority in North America. Much more must be done to ensure the draft voting procedures afford residents a fair chance to weigh in on their future. Thank you for the opportunity to submit comments regarding the Public Housing Preservation Trust Draft Voting Procedures.

Sincerely,

State Senate

Alessandra Biaggi
Senator
District 34

Jabari Brisport
Senator
District 25

Cordell Cleare
Senator
District 30

Robert Jackson
Senator
District 31

Gustavo Rivera
Senator
District 33

State Assembly

Khaleel Anderson
Assemblymember
District 31

Brian Barnwell
Assemblymember
District 30

Manny De Los Santos
Assemblymember
District 72

Harvey Epstein
Assemblymember
District 74

Eddie Gibbs
Assemblymember
District 68

Deborah Glick
Assemblymember
District 66

Jessica González-Rojas
Assemblymember
District 34

Chantel Jackson
Assemblymember
District 79

Zohran Mamdani
Assemblymember
District 36

Marcela Mitaynes
Assemblymember
District 51

Yuh-Line Niou
Assemblymember
District 65

Catherine Nolan
Assemblymember
District 37

Karines Reyes
Assemblymember
District 87

Rebecca Seawright
Assemblymember
District 76

Amanda Septimo
Assemblymember
District 84

Phara Souffrant Forrest
Assemblymember
District 57

Yudelka Tapia
Assemblymember
District 86

City Council

Alexa Avilés
Councilmember
District 38

Diana Ayala
Councilmember
District 8

Charles Barron
Councilmember
District 42

Gale A. Brewer
Councilmember
District 6
Amanda Farias
Councilmember
District 18

Tiffany Cabán
Councilmember
District 22
Jennifer Gutiérrez
Councilmember
District 34

Carmen De La Rosa
Councilmember
District 10
Kamillah M. Hanks
Councilmember
District 49

Crystal Hudson
Councilmember
District 35

Christopher Marte
Councilmember
District 1

Mercedes Narcisse
Councilmember
District 46

Sandy Nurse
Councilmember
District 37

Chi Ossé
Councilmember
District 36

Kristin Richardson Jordan
Councilmember
District 9

Althea Stevens
Councilmember
District 16

NYCHA Trust Voting Laws
November 23, 2022
Jeremy Kaplan Statement

Dear NYCHA and elected officials:

I'm writing as a housing organizer and NYCHA supporter who has spent much time organizing with NYCHA residents. I have been highly opposed to the NYCHA preservation trust for numerous reasons including the voting process. Here are some of the glaring issues and needs to address with the voting process before any votes take place in 2023

1. 10% requirement for voting is far too little

We have seen that NYCHA residents' votes have had notoriously low turnout at 8%, to set the voting minimum at 10% is abysmal. Onus needs to be on NYCHA to do better outreach about voting and not accept such low levels of voting for deciding monumental changes for NYCHA developments. I appreciate seeing a third party entity overseeing the elections but money needs to be dedicated to third party groups or non-profit orgs to help in outreach to getting out the vote. NYCHA needs to be creative in reaching residents and some of that could be going door to door with a third party group asking for people to vote. Let me clear, this would not be pushing an agenda while voting but pushing participation in the decision making process. Lots of grassroots, Resident led NYCHA groups have proposed voting requirement numbers at 66% or 75% for voting participation. This has to be a standard that is met otherwise voting will not currently be democratic or resident-led.

2. Residents need to be properly informed about their voting options

Residents are not very aware of what the Trust actually entails and also are somewhat familiar with RAD/PACT. This is not the fault of residents but actually due to poor outreach and explanations. On top of the The Trust being a very complicated piece of legislation to begin with. **I'm glad to see the voting process and counting will be done by an independent, third party but also information supplied to NYCHA residents about the voting options needs to be done by a third party as well.** Residents need to be informed about the voting options by a non-partisan organization and not by NYCHA or other organizations pushing for RAD/PACT or the Trust. Information must clearly state the issues with RAD/PACT that private development running NYCHA has shown so far to increase evictions in the developments that have been taken over. The funding mechanism for the Trust in TPV vouchers is not fully secured funding and it's not clear how much of the units that go into the Trust will be fully funded by TPV. **There are inherent risks with the Trust about debt and prioritizing paying off lenders first before making repairs.** Lastly, there needs to be fair and accurate information about what Section 9 is and the rights of Section 9 tenants currently.

3. How a development is chosen for the Trust vote

I don't think it fair to force any development to go to a vote and I think there needs to be a 50% or more majority interest in proceeding for a vote. There needs to be legit buy in and I think having residents who are interested collect 50% signatures to trigger a vote would make more democratic sense than just having any development go to a vote. The process of collecting

signatures would also be a means of education and awareness about RAD/PACT, the Trust and Section 9. This would be a much more robust process and guarantee more resident buy-in.

I hope you take these points and ideas into consideration and I will be sharing this as well with relevant Assembly and State senate Electeds who have been working on this legislation. The Trust is a large piece of legislation with huge consequences, getting the resident voting piece of it right is extremely important. We know that there was great opposition to the Blueprint when it was brought to residents and that it was pulled because of that. Right now residents truly have not had a say on the Trust or understand fully what it is, as it stands this will not lead to a very democratic vote for the Trust. It's necessary to make corrections to the voting process before any vote begins in 2023.

Sincerely,

Jeremy Kaplan (Housing Organizer, Award-winning documentary filmmaker, NAB 7 board member for Sunset Park)

OFFICE OF THE FEDERAL MONITOR

Bart M. Schwartz

Pursuant to Agreement dated January 31, 2019

260 Madison Avenue, Third Floor

New York, New York 10016

212.817.6733

www.nychamonitor.com

TO: New York City Housing Authority
FROM: Federal Monitor
DATE: November 21, 2022
RE: New York City Housing Authority – Public Housing Preservation Trust Voting Procedures – Response to Requests for Comments

I. Executive Summary

On October 14, 2022, NYCHA released their draft voting procedures (the “Trust Voting Procedures” or the “procedures”) for NYCHA residents to opt into the Public Housing Preservation Trust (the “Trust”). You have requested comments on the procedures. Addressing the following issues are intended to help make the process more reliable and increase the confidence of NYCHA residents in the process. These issues are divided into the following four major areas: 1) the Funding, Processes, and Procedures for the vote; 2) Voter Outreach Efforts and Notice of Vote; 3) Voter Eligibility Issues and Requirements; and 4) Conducting and Certifying the Vote.

II. Funding, Processes, and Procedures

Below are the following identified concerns regarding the vote’s preparation:

- 1) The procedures do not address how the election will be financed, where that money is coming from, and who is responsible for spending the money. The procedures also do not address any auditing processes to monitor/prevent corruption, waste, fraud, and abuse.
- 2) The proposed procedures do not address election staffing issues, including whether third parties will run the election and whether NYCHA staff will help run the elections. If NYCHA staff are barred from participating in the vote, how will NYCHA ensure that its staff remain separate from voter outreach efforts and from the actual performance of the vote?
- 3) The procedures do not address the Resident Council’s responsibilities.
- 4) The procedures do not address whether there will be a ban on campaigning in the vicinity of polling locations, and if so, what mechanisms will be implemented to enforce this ban.
- 5) The procedures do not address NYCHA’s security preparations to ensure that the vote proceeds smoothly and fairly, and to prevent voter intimidation.
- 6) The procedures do not address whether mail-in ballots will be automatically distributed to all eligible voters, or whether voters will have to request mail ballots. If voters need to request ballots, the procedures should identify the process by which NYCHA residents can request these ballots. The procedures should also establish whether there is a deadline for requesting mail-in ballots, and clarify whether there is a date by which voters must submit their mail-in vote.

- 7) The procedures do not state whether detailed election rules will be written and published and whether there will be a comment period for these rules.

III. Voter Outreach, Notice of Vote, and NYCHA Influence

The review identified the following issues/concerns with regards to the voter outreach program:

- 1) The procedures do not address how NYCHA will perform their voter outreach efforts and whether these efforts will go beyond word-of-mouth and oral communication to raise awareness of the vote.
- 2) The procedures do not address how NYCHA will provide the Notice of Vote to voters, except for saying that they will post the Notice in a prominent location at the development. The Notice should be posted in as many public locations as possible, including on the floors of every building and in the vicinity of elevators, garbage chutes, and mail rooms.
- 3) The procedures should clearly state how NYCHA will conduct its voter outreach efforts. Will all developments conduct similar voter outreach efforts? Will NYCHA monitor how many people are attending these outreach sessions so they can determine how successful their voter outreach efforts are? Does NYCHA have the ability to monitor its voter outreach efforts?
- 4) The procedures state that on-site tabling will be conducted to the extent possible at any given development. On-site tabling should not be considered a form of voter outreach, especially if these efforts will vary by development, as it can impact voters to varying degrees based on the development they live in, without any oversight or the ability to create uniformity throughout NYCHA's developments.
- 5) The procedures should establish how NYCHA will distribute its voter outreach material to ensure the equality of the distribution of these materials.
- 6) The procedures also do not specify what safeguards are in place to prevent NYCHA from impacting the vote through its dissemination of resources, including financial resources, to either increase or suppress voter turnout. The procedures should clearly address how NYCHA plans to devote its resources to voter turnout, and what protections are being implemented to ensure that residents have confidence in the fairness of the election and NYCHA's role in it.

IV. Voter Eligibility and Requirements

The Trust Voting Procedures do little to address voter eligibility:

- 1) Does NYCHA have current, accurate lists or documentation to show who lives in each apartment to ensure that only eligible voters will be allowed to vote? Will NYCHA require signatures or proof of identification at the time of the vote to certify that only eligible voters participate and how will NYCHA confirm voter identity? How will NYCHA enforce rules related to voter identification?
- 2) The procedures fail to address whether there are any limitations that will be placed on otherwise eligible voters to prevent them from voting, such as whether a member of a household with rent arrears on lease payments will be eligible to vote and/or whether residents with other lease violations will be eligible to participate. If an arrearage is

determined to be a bar to voting, has NYCHA determined when the is latest point in time a rent deficiency can be cured to enable eligibility? In addition to rent deficiency and lease violations, are there any other situations which would prevent an otherwise eligible individual from voting?

V. Conducting the Vote and the Certification of Voting Results

The procedures do very little to address the actual performance of the election and the certification of the voting results, including vote integrity issues:

- 1) The procedures state that there will be a “21-day period in which residents can vote” and that “in-person voting will be reserved for the final 10 days,” however, they do not address where in-person voting stations will be located and the times that in-person voting will be available during these 10 days.
- 2) The procedures establish a minimum threshold of 10% of eligible homeowners to participate in order for the vote to be applicable, which is not specified in the legislation. This 10% threshold “exceeds the current NYCHA resident turnout of 7.7% of eligible voters for Resident Association elections.” Will this threshold be an obstacle to certifying the vote and what happens if the threshold is not met? Will another vote be held?
- 3) The procedures do not address when and how an eligible voter may file a protest and to whom what office/official that person will file the protest if they believe there are voting integrity issues. Who is responsible for investigating complaints, collecting evidence, and determining what standards protests will be decided upon and based on what evidence?
- 4) The procedures do not establish a threshold for rejecting the election results if they are determined to be tainted by rule violations.
- 5) The procedures focus on the number of people who vote, rather than the number of eligible voters who vote, which raises questions about whether NYCHA will perform a confirmation process to ensure that only eligible votes are counted.
- 6) The procedures fail to lay out any protections being implemented to ensure that people do not take advantage of the system and vote multiple times. How will NYCHA ensure that people do not vote in person, and by mail, so that a person’s vote is not counted multiple times.

We would be pleased to meet with you to discuss these issues at your convenience.

Office of the Federal Monitor



Comment on Public Housing Preservation Trust Draft Voting Procedures

November 14, 2021

To Whom It May Concern,

Please accept these comments on the Public Housing Preservation Trust Draft Voting Procedures published by your agency on October 13, 2022. TakeRoot Justice submits them as counsel to the Residents to Preserve Public Housing (RPPH) and on our own behalf. We strongly endorse RPPH's comments as submitted on October 25 and appended here:

- The voting process must include a meaningful quorum requirement. The draft regulations only require 10% of Heads of Household at the development to cast a vote for the results to be considered valid. That is much too low for this key decision.
- The draft regulations are missing crucial support for resident decision making. Prior to Notice, residents must be provided with access to an independent tenant advisor to guide outreach strategy and assist in evaluation. NYCHA must also provide an *independent* physical needs assessment of their campus as part of the required outreach materials; NYCHA's own assessment is not enough. These materials must also describe potential impacts on staffing of each option presented.
- Finally, the mandated outreach materials must also disclose how much financing backed with property the Trust will get from NYCHA will be used for the Preservation Trust option.

At least 66% of all residents eligible to vote must do so before a vote can be certified

The draft includes an unconscionably low requirement for resident participation as a threshold for valid voting on a choice that will impact all residents at the development. Ten percent is incongruous considering the participation requirements the City and State impose on other similar decisions regarding the transformation of housing:

- 80% of all shareholders of a Mitchell-Lama cooperative must affirmatively approve leaving regulation entirely.¹

¹ NY Private Housing Finance Law Ch. 44b, Art. 2 § 35-a(2); (recently raised; see *New Law Raises Bar for Opting Out of Mitchell-Lama Program*, HABITAT, Jan, 7, 2022), <https://www.habitatmag.com/Publication-Content/Legal-Financial/2022/2022-January/New-Law-Raises-Bar-for-Opting-Out-of-Mitchell-Lama-Program>).

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- Two thirds of all shareholders of a Mitchell-Lama cooperative must affirmatively agree to have their coop regulated under a different set of rules (aka “Article 2 to Article 11 Conversion”);² and
- 80% of all tenants in a Tenant Interim Lease (TIL) building that is proposed for conversion from a rental property where the landlord is the City to a cooperative must affirmatively agree to purchase shares in the new cooperative before the conversion can move forward.³

In all cases, no less than 66% resident participation is enough for conversion to take place. If the threshold for participation is not met, no conversion can happen. NYCHA residents making key decisions about the future of their housing should have no less power to determine that future than Mitchell Lama shareholders. Lack of participation is a likely indicator of inadequate outreach and education; like the law guarantees for Mitchell Lama residents, NYCHA residents should not be put in a position of having their housing transferred from Section 9 to Section 8 without their knowledge. The same threshold for participation that applies to a conversion of regulatory schemes for Mitchell Lama coops should be applied to the Preservation Trust vote.

It is also notable that the draft regulations key participation to a small portion of Heads of Households, not eligible voters. At each development, there are necessarily fewer Heads of Households than eligible voters. As the Statement of Basis and Purpose explains,

In support of residents’ right to determine the future of their developments, the draft Voting Procedures expand the population of eligible voters beyond Heads of Household as minimally required by the Act to include any resident 18 years of age or older with permanent written permission from NYCHA to reside in the apartment.

Performing such a targeted expansion while keying the participation requirement to the lower Heads of Households number undermines the same resident rights that the expansion is designed to support.

As RPPH explained, the regulations must be amended to raise the participation requirement to at least 66% of all eligible voters before finalizing the voting procedures.

² NY Private Housing Finance Law Ch. 44b, Art. 2 § 35-a(7).

³ See NEW YORK CITY DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT (HPD), AFFORDABLE NEIGHBORHOOD COOPERATIVE PROGRAM (“ANCP”) FREQUENTLY ASKED QUESTIONS (Sept. 2017), <https://www.nyc.gov/assets/hpd/downloads/pdfs/services/ancp-faq.pdf>, at 6.

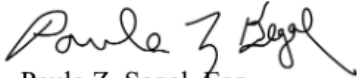
TAKEROOT JUSTICE

Key information must be disclosed to residents before they vote

The final regulations governing the Procedure must also include add an independent tenant advisor to guide outreach strategy and assist residents in evaluation. They must also require that materials provided to residents considering how to vote must include an independent physical needs assessment, projections of staffing impacts and disclosure of how much financing backed with any interest in the property the Trust will get from NYCHA is proposed to be used.

Thank you so much for taking these comments into consideration as your team prepares the final voting procedures. We look forward to seeing them reflected there.

Best,



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Courtney Bryan, Director

**Center for Court Innovation
Housing Preservation Trust Voting Procedures Public Comment
November 23, 2022**

The Center for Court Innovation (“the Center”) is grateful for the opportunity to provide comments on the voting procedures regarding the New York City Housing Authority’s (NYCHA) Housing Preservation Trust, and our shared mission to better serve tenant families and preserve public housing for future generations of New Yorkers. We urge the Housing Authority to take additional steps to (1) expand voting procedure outreach efforts and (2) expand posting for notices for rule changes.

In addition to improving the voting procedures so that residents can make an informed, meaningful choice among the options offered to them around maintaining the status quo, converting to Trust ownership, or becoming a Rental Assistance Demonstration (RAD)/Permanent Affordability Commitment Together (PACT), we ask that NYCHA include how these choices may impact the following topics so that residents can meaningfully choose. How will each choice impact (1) enforcement of compliance with building codes and (2) routine oversight under our City’s housing maintenance code for all developments within NYCHA. Lastly, to ensure the fair and legal calculation of rent and tenant protections how will each choice impact (3) transparency to support with lease conversion.

Organizational Background

For nearly 25 years, the Center has worked to create a more effective and humane justice system by launching operating programs to test new ideas and solve problems, performing original research, and providing expert assistance to justice reformers around the world. The Center operates programs in all five boroughs ranging from community-based violence prevention programs to reentry initiatives, civil access to justice programs, and court-based programs that reduce the use of unnecessary incarceration, just to name a few.

As practitioners, we work alongside NYCHA staff and residents within neighborhoods across the five boroughs to promote safety, justice, and community voice in public institutions. Our Harlem Community Justice Center and Red Hook Community Justice Center have hosted housing court proceedings--in partnership with New York State Unified Court System--for nearly 20 years, hearing landlord and tenant matters between NYCHA and tenant families. Through our onsite Housing Resource Centers, we support problem-solving on rent and repair complaints, lease renewals, and other housing issues, while working in close partnership with NYCHA’s property management, borough office and law department.

Our approach to this work is informed by a set of core values and frameworks that prioritize community empowerment, collaboration, and respect for those we serve. These values are embedded in the framework of procedural justice, which draws upon decades of social science research showing that people are more likely to comply with expectations and trust institutions when they feel they have been treated fairly; treated with respect; understand what is expected of them; and are given a voice in the process. The Center believes that giving voice means not only listening to community members but going that step further to empower them. Community empowerment recognizes that a community's greatest assets are its residents, and investing in residents yields greater buy-in and better outcomes for all. Through our Housing Resource Centers and other civil justice initiatives, the Center seeks to build community capacity by sharing expertise and resources that empower residents to identify and address their own problems, supporting one another, and ultimately enhancing access to justice.

I. Voting Procedures (Outreach) and Minimum Participation

We commend NYCHA's proactive step to make this process more democratic for residents to have notice and opportunities to have their voices heard on the complex issues facing public housing and its future. We recommend that Tenant Associations hold at least 2 meetings on the voting process (one during the evening and one during the day) to accommodate residents with different schedules and obligations. In addition, NYCHA should send at least 2 mailings to each household with notice of the vote, how to vote and the consequences. We recommend that NYCHA extend the means of disseminating information beyond Tenant Associations to reach all tenants through as many avenues as possible. Tenant participation and attendance can often be low at Tenant Association monthly meetings, while some developments may also be put at a disadvantage due to not having a Tenant Association. Additional outreach efforts should be taken into consideration for tenants who are unable to attend these monthly meetings. Specifically, NYCHA should proactively partner with local community organizations, local schools, libraries and the development senior center and community center to disseminate information about the vote, Trust and RAD/PACT.

It is concerning that only 10% of households per development are needed for minimum participation/a valid election to decide if the development would like to join the Preservation Trust, or remain in NYCHA as is, and/or join Rental Assistance Demonstration (RAD)/Permanent Affordability Commitment Together (PACT). This rule does not take into consideration the size and occupancy of the many different NYCHA developments. For instance, Stuyvesant Gardens is comprised of 329 units while Baruch Houses is comprised of 2,192 units. The sheer number of units per development vary drastically and to have an across-the-board participation percentage does not acknowledge population variables by development. We recommend a significantly higher percentage of households should be engaged in participating in the Preservation Trust voting process for the election to be valid.

Localizing information and resident engagement in partnership with community-based organizations will increase NYCHA's ability to inform residents of the upcoming changes and increase tenant participation in the Trust voting process. Center staff working in the Housing Resource Center at the Red Hook Community Justice Center have assisted over 1,500 residents in the Red Hook Houses. Much of this work consists of assisting tenants with *lease*

recertifications, transfer requests, submitting rent grievances, and problem-solving ongoing repair issues. Community-based organizations across the five boroughs, like the Center, have meaningful and impactful relationships with the public housing residents they serve.

II. Posting of Notices for any Rule Change

One of the Center's core values is *Procedural Justice*, the idea that people's perception of fairness is strongly impacted by the fairness of the process and the quality of their experiences and not only the final outcome of the process. In our experience working with thousands of NYCHA tenants at the Red Hook Community Justice Center, residents are not often informed of changes to their lease terms and unaware of administrative rule changes made by NYCHA. Additionally, NYCHA historically has not regularly engaged residents, community stakeholders and the general public in notice and comment periods for proposed rule changes.

Through conversations with residents and community members, there is consensus that notices throughout NYCHA developments often go unnoticed or are not put up in a timely manner. Residents have voiced concerns at the Red Hook Community Justice Center about receiving late notices for gas outages, water outages, and trash chutes being out of order. A more centralized approach to inform tenants of rule changes would be a progressive step in filling the void where tenants may feel there is a disconnect in receiving high priority information. Many residents change phone numbers and email addresses that go unnoticed by the management office. Sharing the rule change information with community partners would be an additional outlet for tenants to receive important information. In Manhattan, our Harlem Community Justice Center works in partnership with local NYCHA Property Management offices to help tenants with housing matters and increase civic engagement. Partnering with local community-based organizations to disseminate information and notices of rule changes would better blanket developments in getting information out.

The Center highly recommends that all notices be made readily available in languages besides English, particularly the top three languages spoken at each development. NYCHA is known to have one of the most diverse tenancies in the country. Having a dedicated website providing daily updates for each development explaining rule changes and other important information would be a great service to tenants in keeping them up to date on possible upcoming changes.

III. Compliance with Building Codes

For too long, public housing tenants have not been fully protected by local laws established by New York City Council. The Center believes that all public housing tenant families should be served by the same housing protections for repair and minimum maintenance standards in a similar manner guaranteed to private tenants. Given the long-term consequences of vote outcomes, we support including information on public outreach as to how each choice will impact issues of repair and minimum maintenance standards. For example, under the status quo option, NYCHA residents living in uninhabitable conditions are unable to obtain a city inspection through 311 under the Housing Maintenance Code of the City of New York. Including information as to whether their choice for a RAD/PACT or Trust would help NYCHA

residents make an informed and meaningful decision on an issue that impacts their day-to-day quality of life.

In Red Hook this year, over 140 tenants have obtained city inspections from the Department of Housing Preservation and Development (HPD) through a Housing Court process known as an HP Action. Tenant complaints of uninhabitable conditions have resulted in NYCHA being cited with over 860 code violations, which has attracted attention and resources from local Property Management and Borough Operations to address these repair issues. Further improvements to NYCHA's Work Order Reform process should be supported by tenant voice in the procurement process and compliance checks to ensure repair work is being completed.

Decades of disinvestment in the structural integrity of NYCHA buildings have left them vulnerable to a myriad of repair issues. While repair issues are greatly concerning for NYCHA developments, the ongoing effects of climate change have also put many NYCHA developments at risk of flooding and energy inefficiency. The Center applauds the acknowledgement of these persistent issues and provides possible steps to resolve them. Furthermore, when inspections and audits are done on the development level, it would be a great benefit to tenants if they were informed of the most important repair issues and the possible vulnerabilities that currently exist due to climate change. Having a priority-based system ranking the most detrimental issues would bring further transparency to tenants, giving them a better understanding as part of the decision-making process for selecting vendors and procurement services.

IV. Lease Conversion (Annual Recertification)

Given the long-term consequences of vote outcomes, we support including information on public outreach as to how each choice will impact issues of lease recertifications. Over the past year, our staff at Community Justice Centers in Brownsville, Harlem and Red Hook have assisted over 1,000 tenant households with their annual lease recertifications. The lease recertification process gives tenants a better understanding of their rent calculation, while also maintaining affordability under federal regulations. Public housing tenants often come to the Center to ask for assistance with completing their lease recertification due to gaps in accessing technology and/or having a sense of distrust based on past interactions at local NYCHA Property Management offices.

It is of the utmost importance that tenant families are proactively supported in any transitions from NYCHA's Section 9 traditional public housing to the new Section 8 models under the status quo, Trust or RAD/PACT options, and informed whether any option will result in changes to these processes. Community-based organizations in partnership with legal service providers should be engaged to ensure no tenant families lose their affordable housing during lease conversion. So often, we see NYCHA tenants have difficulty completing their past due annual lease recertifications, which places these families at a greater risk of evictions during Trust or RAD/PACT conversions. NYCHA should commit to robust Property Management staffing and diverse engagement strategies in the years leading up to any Section 9 conversions. The Center's partnerships with local Property Management offices and tenants to assist in completing lease recertification, is a model that can be scaled citywide.

V. Conclusion

In conclusion, the Center applauds NYCHA in giving tenants the ability to participate in the decision-making process and everyday development system functions. Thank you for the opportunity to offer feedback on this important matter. The Center looks forward to discussing these recommendations with you further and launching future partnerships together.

Citizens Housing and Planning Council (CHPC)
Public Housing Preservation Trust: Voting Procedure Comments
November 1, 2022

Voter Eligibility

- Decrease the voting age to 16.
 - Why? In the time it takes for a development to complete their selected program, participating 16-year-old voters will be 18 and potentially considered Heads of Households. Increasing the voting age will also improve participation levels and utilize NYCHA's Youth Leadership Council. Finally, other housing authorities, including in the U.K., allow voting for residents 16 and up.

Voter Outreach

- Include a post-marked ballot in every unit's rent statement during the month that voting will take place.
- Hire a third-party community engagement organization to conduct voter outreach and education activities on the campus.
 - Why? Hiring an outside group to facilitate engagement will ensure adequate outreach is done, increase transparency, improve engagement levels, and raise voter turnout numbers.

Conducting the Vote

- Expand voting options to include secure ballot boxes.
 - Why? Residents are used to using rent collection boxes in the management office. Secure ballot boxes, overseen by the third-party voting administrator, will improve voting access.
- Allow for in-person voting for the full voting period.
 - Why? In-person voting should be a standard option for the entire voting period, especially if the development has a high number of seniors who are less likely to vote online.
- Clearly define how many weekdays, weeknights, and weekends in-person voting will be available and for how many hours each. In-person voting should also coincide with highly attended events – like Family Day, resident meetings, on-site job trainings, bingo sessions and after-school programs.
- Increase the voting period from 21 days to 30 days.
 - Why? To effectively build trust with residents, NYCHA, resident leaders and the recommended community engagement consultant needs sufficient time to conduct outreach and get out the vote.
- Increase the minimum threshold from 10 percent to 20 percent.
 - Why? We question the long term buy-in of the voting procedures if the minimum is just 10 percent. To increase voter turnout, see recommendations above.



COMMUNITY VOICES HEARD'S COMMENTS ON NYCHA'S DRAFT VOTING PROCEDURES

Resident choice in the future of NYCHA developments represents an important paradigm shift in how NYCHA operates. Residents have been left out of decisions about their housing for too long. Residents understand the needs and the problems in their developments because they live it every day.

For years, members of Community Voices Heard (CVH) living in New York City Housing Authority (NYCHA) public housing have raised alarms about the dire conditions. CVH members have called out the negligence of local, state, and federal elected officials. Yet, many NYCHA residents continue to live in unacceptable and unsafe conditions.

We applaud giving residents the legal right to determine the future of their development. But we must acknowledge the persistent failures of the government leading to this moment. Residents are being asked to vote about an investment strategy to pay for basic repairs to make apartments and buildings habitable. NYCHA buildings are in disrepair because the Federal, State, and City government have made the political choice to under-fund public housing and NYCHA has mismanaged the resources it has. The state of New York's public housing reflects racist policy and the ongoing "war on poverty" waged by all levels of government.

The move toward resident choice and control represented by these voting procedures is an important first step toward changing the dysfunction in public housing management.

Core Parts of the Voting Procedures

In order for residents to make an informed choice when they vote, key elements must be in place: sufficient information to residents, direct outreach, and easy access to voting. CVH members have made recommendations to NYCHA that we are pleased to see incorporated into this draft plan.

In particular, CVH feels strongly that residents need in-depth information about the voting options. Residents must understand the repairs that would happen under each option and its

impact on existing plans. NYCHA must provide to residents in multiple formats and languages, as required by the draft rules.

A robust plan is needed to get voting information to the residents. Resident association leaders and community-based organizations must be partners with NYCHA in outreach efforts. We strongly support the requirement that NYCHA create a voter engagement plan that meets the needs of each development.

Finally, we agree that an independent and neutral third party must conduct the vote. We also agree that residents should be able to vote by mail, online, and in-person, to account for disabilities and differences in digital literacy.

The voting procedures reflect strong minimum standards to ensure that residents are making informed choices and can access voting.

Improvements Needed

While we agree with many of the requirements for voter outreach, some improvements are needed to ensure that residents can make an informed choice.

1. NYCHA must expand the voter outreach time period. This is necessary to ensure that NYCHA implements the plans completely and correctly accounts for the burden on resident leaders and community partners assisting with outreach. The voter outreach period must be a minimum of 120 days to accomplish the goal of informed choice and robust participation.
2. NYCHA should extend the online and mail voting period to 20 days (in addition to the proposed 10 days of in-person, mail, and online voting). Extending the time for voting by mail and online would allow for more outreach.
3. The minimum turnout of heads of households in order for a development vote to be valid must be 30%. Ten percent is too low for such an important decision that deeply impacts residents' lives. Although resident turnout is often low, this reflects NYCHA's communication failures. If NYCHA delivers on a robust engagement plan, turnout will be higher.
4. Residents should choose the third-party vote administrator. This ensures that residents are comfortable with the independence and expertise of the company operating the voting process.

Accountability

NYCHA has a long history of unfulfilled promises. Even when those promises were backed by legal obligation. These voting rules are important, but NYCHA must be accountable for

performing the work. Too often, NYCHA announces initiatives from the top, but staff working at the development fail to do their part.

NYCHA must take oversight responsibility for the voting process. NYCHA must work directly with resident leaders. Residents need a point of contact at NYCHA who communicates directly about each step of the process and who proactively asks whether NYCHA has performed adequately.

For too long, NYCHA and elected officials have ignored NYCHA residents. Residents have suffered the consequences. The opportunity to vote on the future of their developments is an important shift away from business as usual, toward recognizing the power and expertise of residents.

Submitted: November 16, 2022

CVH is a member-led, multi-racial organization principally composed of women of color and low-income families in New York State. CVH tackles tough issues and builds power to secure racial, social and economic justice for all New Yorkers. Through grassroots organizing, leadership development, policy changes, and creating new models of direct democracy CVH is creating a truly equitable New York State. We are the largest Black-led organizing institution in New York State.