

Congress of the United States
Washington, DC 20515

November 19, 2019

Gregory Russ
Chair and Chief Executive Officer
New York City Housing Authority
250 Broadway
New York, NY 10007

Dear Chair Russ:

As winter approaches, we urge the New York City Housing Authority (NYCHA) to ensure that all its residential buildings are properly heated.

NYCHA is the nation's largest public housing authority, and houses approximately 380,000 residents in 316 developments across the City. These residents depend on NYCHA to fulfill an important need: keeping their apartment units warm during the winter season.

In the past, NYCHA has often struggled to fulfill this responsibility. In 2013, press reports surfaced that NYCHA would shut down boilers unless temperatures fell below 25 degrees Fahrenheit. This ill-advised practice forced residents, including young children and the elderly, to go without heat for some of the coldest months of the year.

In 2016, the New York City Congressional Delegation was successful in passing an amendment as part of HR 3700, *the Housing Opportunity Through Modernization Act* (Pub. Law 11-201) that directed the U.S. Department of Housing and Urban Development (HUD) to issue model guidelines establishing minimum heating requirements for federally-supported public housing units such as NYCHA. HUD issued guidelines on November 19, 2018.

Yet despite these guidelines, NYCHA has been unable to keep all of its boilers working and its units at a proper temperature. It is completely unacceptable for any resident to be forced to live in these cold, and, often unsafe, conditions.

As you know, on January 31, 2019, NYCHA, HUD, and the City of New York entered into a Consent Decree in order to remedy the living conditions across NYCHA. Among other things, the Consent Decree requires NYCHA to maintain the following temperatures in apartments between October 1 and May 31 (the Heating Season):

- a. between the hours of 6:00 a.m. and 10:00 p.m., a temperature of at least 68 degrees Fahrenheit whenever the outside temperature falls below 55 degrees; and
- b. between the hours of 10:00 p.m. and 6:00 a.m., a temperature of at least 62 degrees Fahrenheit.¹

¹ Administrative Agreement between the U.S. Department of Housing and Urban Development, the New York City Housing Authority, and New York City. Exhibit B—REQUIREMENTS FOR HEAT, MOLD, ELEVATORS, PESTS, AND ANNUAL INSPECTIONS. January 31, 2019.

The Consent Decree further required NYCHA to establish an Action Plan that identifies, for each development, how NYCHA will respond to heating outages, taking into account resident populations, historical data about prior outages, the availability of on-site and remote maintenance personnel, and response times by October 1, 2019.² It is our understanding that NYCHA established an Action Plan and submitted it to the Federal Monitor by the required date of October 1, 2019.

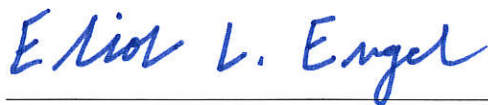
However, last month, Congresswoman Nydia Velázquez organized a meeting for the New York City Congressional Delegation and the New York Senators in Washington, D.C. so that we may discuss the future of NYCHA. At that meeting, we all made clear to you that we expected to see the details of the Action Plan as soon as possible so that we might review and discuss NYCHA's plan for maintaining units at the designated temperatures, as set forth in Consent Decree outlined above.

While we understand that the Action Plan is still under review by the Federal Monitor, we are becoming increasingly concerned about the lack of transparency of the Action Plan. Many of our constituents are already reporting heating outages in their NYCHA units.

Therefore, we write to you today to reiterate our expectation that the heating Action Plan be made available for our review as soon as possible. Further, we wish to make clear that should NYCHA's heating Action Plan be returned to NYCHA without Federal Monitor approval we expect to be notified of such an event and be provided a detailed understanding of why the Plan was not approved.

As the City prepares for the coldest months of the year, when temperatures frequently fall below the freezing point, we must all work together to ensure the temperature in NYCHA units are properly maintained and the health and safety of NYCHA residents are guaranteed.

Sincerely,



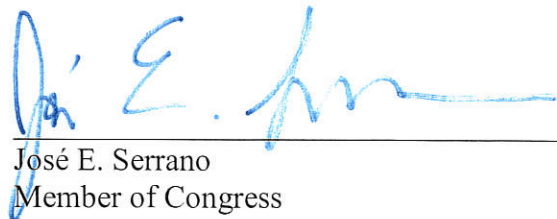
Eliot L. Engel
Member of Congress



Nydia M. Velázquez
Member of Congress




Grace Meng
Member of Congress

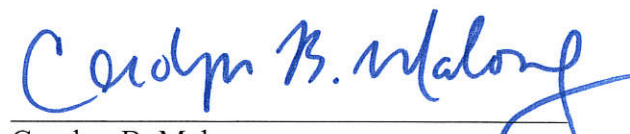


José E. Serrano
Member of Congress

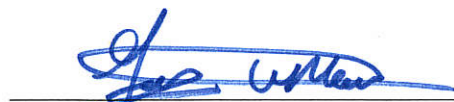
² Id.



Jerrold Nadler
Member of Congress



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Member of Congress



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