



Joint Testimony
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at Oversight Hearings,
Status of NYCHA's Tenant Participation Fund
New York City Council Subcommittee on Public Housing
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This hearing is an opportunity for us to find out what is happening to the NYCHA Tenant Participation Fund, as well as offer our observations. Our organizations have been working with public housing resident leaders since the 1990s, on key policy issues and on ways to strengthen resident involvement in decisions affecting their communities.

Since 2002, HUD has allocated a special funding stream—about \$3.8 million annually—to NYCHA specifically to promote and strengthen resident participation. We believe that these are critical resources that could potentially enable resident councils to reach out to their constituencies, communicate with each other, train their leadership, and build their capacity to achieve their objectives.

In the years since annual TP funds have flowed to NYCHA—a cumulative pool of about \$20 million at present—we along with the NYC Public Housing Resident Alliance and the Public Housing Residents of the Lower East Side (PHROLES) have tried to learn whether and how funds were being allocated. In 2003, we were told there was a stalemate between NYCHA and the Citywide Council of Presidents (CCOP) in reaching a Memorandum of Agreement (MOA). Later NYCHA announced that a portion of the funds had been used at the authority's initiative for various activities. In January 2007 NYCHA reported at Council hearings that they were on the verge of reaching agreement with CCOP, but there were no follow-up reports of subsequent success. The stalemate continued.

In recent months, with changes in both NYCHA and CCOP leadership, we were pleased to hear informal reports that there was some progress. Some of the nine NYCHA districts, or

some developments, were receiving funding. Proposals from District Chairs and Resident Councils were being solicited by NYCHA. Resident leaders appear to be cautiously optimistic. But there is still no systematic NYCHA accounting—on its website or elsewhere—concerning TP funds already allocated or proposed future uses and allocations. We hope this hearing is an opportunity to set the record straight and promote that kind of accountability.

\$20 million in TP funds is a considerable endowment that needs to be strategically invested in NYCHA resident organizations to enable them to be more effective participants in public housing decisions. The total looks smaller when you consider there are close to a half-million residents who need representation, covering over 340 developments across the city.

Important as these funds are, the history surrounding their handling by NYCHA, and the mutual-blaming game NYCHA and CCOP have played, leads us to draw the following conclusions and recommendations:

1. It is a mistake for HUD to allocate TP funds to NYCHA on behalf of resident governance, assuming the authority will be conscientious in coming to agreement with resident leaders. Despite its deserved reputation as a high-performing authority, NYCHA has not been effective in working with the resident structure to make the funds move as they have in many other large-cities.
2. The TP fund is another example of why CCOP and resident leadership need to be more independent of NYCHA. Recent CCOP changes and resolutions suggest they are already moving in the direction of greater autonomy and accountability. For that, present CCOP leaders are to be congratulated.
3. We would recommend that new mechanisms be found to transfer TP funds directly to CCOP for appropriation in accordance with a TP plan that it devises. CCOP would need to gain consensus from District and resident councils for the plan and account to them for the resulting use of funds, as well as to NYCHA and to HUD. CCOP should also be able to hire its own staff to accomplish this, and not be dependent on NYCHA staff resources.
4. If direct funding of CCOP is not feasible or acceptable, NYCHA and CCOP should agree on the appointment of an independent, non-profit intermediary to work jointly with all parties to develop TP plans, allocate and administer the funds, and account for results to all parties.

Thank you.

The Community Service Society (CSS) engages in advocacy, research and direct service to champion better job opportunities to break the cycle of intergenerational poverty among low-income New Yorkers. Our work is particularly targeted toward communities of color that have been historically disadvantaged and now comprise the majority of our city. We use a variety of tools to encourage decision makers in the public and private sectors to support measures to help these hard-working New Yorkers get ahead. CSS promotes policies and programs that result in systemic change and advance the economic security of the working poor and, as a result, strengthens our city.

The Legal Aid Society is the oldest and largest program in the nation providing direct legal services to low income families and individuals. The mission of the Society's Civil Practice is to improve the lives of low income New Yorkers by helping vulnerable families and individuals to obtain and maintain the basic necessities of life — housing, health care, food and subsistence income or self-sufficiency. The Society's legal assistance focuses on enhancing individual, family and community stability by resolving a full range of legal problems in the areas of immigration, domestic violence and family law, employment, housing and public benefits, foreclosure prevention, elder law, tax, community economic development, health law and consumer law. Annually, the Civil Practice provides legal assistance in more than 30,000 individual legal cases and matters for low income New Yorkers in literally every community district in all five boroughs of the City.

The Legal Aid Society achieves its mission in a number of ways. Through a network of 10 neighborhood and courthouse-based offices in all five boroughs and 23 city-wide and special projects, the Civil Practice provides free direct legal assistance in thousands of matters annually. Overall, combining individual representation with law reform litigation, advocacy and neighborhood initiatives, the Society successfully provides as many low-income New Yorkers as possible with access to justice. In addition to direct legal services, the Society provides extensive back-up support and technical assistance for community organizations in all five boroughs of the City providing services in low-income communities, "know your rights" trainings for community residents, and community education sessions on complex legal issues affecting low-income communities. When it is the most efficient and cost-effective way to help clients, the Society provides legal representation to groups of clients with common legal problems, including those referred by elected officials. Finally, the Society also operates an extensive pro bono program through which over 1,000 volunteers participate to provide more than 50,000 hours of legal assistance to low income New Yorkers annually.
