



*By electronic mail*

August 22, 2023

Commissioner Adolfo Carrión Jr.  
New York City Department of Housing Preservation and Development  
100 Gold Street  
New York, NY 10038  
carriona@hpd.nyc.gov

Maurice Dobson  
General Counsel and Deputy Commissioner for Legal Affairs  
New York City Department of Housing Preservation and Development  
100 Gold Street  
New York, NY 10038  
dobsonm@hpd.nyc.gov

**Re: HPD’s violations of Administrative Code of New York, Section 27-2154**

Dear Commissioner Carrión and Mr. Dobson,

We write to express our grave concerns regarding the New York City Department of Housing Preservation and Development’s (“HPD”) failure to comply with its obligations under the administrative code of New York City § 27-2154 and to demand that HPD immediately bring itself into compliance with these legal obligations.

In 2022, Governor Hochul signed into law an amendment to the Administrative Code of New York, Section 27-2154. That amendment requires:

The department of housing preservation and the department of buildings shall each maintain data on their respective websites recording open code violations in public housing developments owned by the New York City Housing Authority in the same manner as such departments maintain data recording open code violations of private entities.

*Id.* § 27-2154(1).<sup>1</sup> Section 27-2154 further instructs that this provision shall “take effect on the first of January next succeeding the date on which it shall have become law.” *Id.* § 27-2154(2). Because this provision became law on July 19, 2022, this provision went into effect on January 1, 2023.

---

<sup>1</sup> New York State Senate, Assembly Bill A9387A, <https://www.nysenate.gov/legislation/bills/2021/A9387>.

Despite this clear obligation, and despite the fact that this provision has been in effect for nearly eight months, HPD is categorically failing to meet these obligations. To this day, HPD does not maintain data on its website regarding open code violations in public housing developments owned by NYCHA. When a NYCHA address is entered into the HPD “Find Building Information” Portal,<sup>2</sup> the portal displays no information about the NYCHA address, and instead states only: “This property is under the jurisdiction of the New York City Housing Authority.”

HPD’s failure to comply with its clear, mandatory obligations under § 27-2154 directly harms NYCHA residents and their advocates by impeding NYCHA tenants and their advocates’ efforts to identify trends and patterns in violations and organize collectively to address common systemic issues in NYCHA developments. HPD’s inaction enables NYCHA’s decades-long, systemic failures to comply with the Housing Maintenance Code by making systemic violations in NYCHA buildings invisible to the public. Additionally, HPD’s unlawful failure to implement § 27-2154 frustrates the legislative purpose of the law, as explained in an earlier version of the law, “[t]o shed light on the conditions of public housing in the city by requiring that data of outstanding code violations in public housing developments be maintained in the same way that such data is maintained for privately owned housing.”<sup>3</sup>

In passing § 27-2154, the legislature made clear that HPD must treat NYCHA tenants like all other New York City tenants. However, HPD’s failure to comply with its clear statutory obligations has the effect of treating a large group of predominantly tenants of color significantly worse than residents who do not live in public housing. HPD’s lack of action to implement § 27-2154 is particularly galling, given that HPD’s stated mission is to “promote quality and affordability in the city’s housing, and diversity and strength in the city’s neighborhoods...by maintaining building and resident safety and health, creating opportunities for New Yorkers through housing affordability, and engaging New Yorkers to build and sustain neighborhood strength and diversity.”<sup>4</sup> As a direct consequence of HPD’s inaction on § 27-2154, thousands of NYCHA tenants—90% of whom are tenants of color<sup>5</sup>—are denied insight into the mold, leak, and other conditions that create serious violations of the Housing Maintenance Code.

We demand that HPD take immediate action to come into compliance with its obligations under § 27-2154. We also ask that HPD meet with us within two weeks of the date of this letter to discuss its plan to remedy the flagrant failure to comply with its legal obligations.

---

<sup>2</sup> HPD Online, <https://hpdonline.nyc.gov/hpdonline/>.

<sup>3</sup> New York State Senate, Senate Bill S5468, <https://www.nysenate.gov/legislation/bills/2015/2015-s5368>.

<sup>4</sup> HPD’s Mission, <https://www.nyc.gov/site/hpd/about/about-hpd.page>.

<sup>5</sup> NYCHA Resident Data Book Summary, 2022; <https://www.nyc.gov/assets/nycha/downloads/pdf/Resident-Data-Book-Summary-2022.pdf>.

Sincerely,



Jonathan Fox, Director  
Anna Luft, Public Housing Justice Project  
Supervising Attorney  
Allison Yurcik, Senior Supervising Attorney  
Tenants' Rights Unit



Danielle Tarantolo, Director  
Kate Fetrow, Staff Attorney  
Julia Russell, Senior Staff Attorney  
Genesis Miranda, Racial Justice Staff Attorney  
Special Litigation Unit

New York Legal Assistance Group  
100 Pearl St., 19<sup>th</sup> Floor  
New York, NY 10004  
(212) 613-5000  
jfox@nylag.org  
aluft@nylag.org  
ayurcik@nylag.org  
dtarantolo@nylag.org  
kfetrow@nylag.org  
jrussell@nylag.org  
gmiranda@nylag.org

Cc:

*By electronic mail*

Lisa Bova-Hiatt  
Chief Executive Officer  
David Rohde  
Interim Executive Vice President for Legal Affairs and General Counsel  
Eva Trimble  
Chief Operating Officer  
New York City Housing Authority  
90 Church Street, 11th floor  
New York, NY 10007  
Lisa.Bova-Hiatt@nycha.nyc.gov  
David.Rohde@nycha.nyc.gov

Eva.Trimble@nycha.nyc.gov

Representative Harvey Epstein  
107 & 109 Avenue B  
New York, NY 10009

Representative Chantel Jackson  
780 Concourse Village West  
Ground Fl. Professional  
Bronx, NY 10451

Representative Khaleel Anderson  
19-31 Mott Avenue  
Suite 301  
Far Rockaway, NY 11691

Representative Zohran Mamdani  
24-08 32nd Street  
Suite 1002A  
Astoria, NY 11102