

Independent Evaluation of Intake and Referral Ecosystem for Civil Legal Needs

February 1, 2023

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Section I-Stout Profile and Qualifications

1. Stout Risius Ross, LLC (Stout) is a global investment bank and advisory firm specializing in corporate finance, valuation, financial disputes, and investigations. In addition to these services, Stout's professionals have expertise in strategy consulting involving a variety of socioeconomic issues, including issues of or related to access to justice and the needs of low-income individuals and communities.
2. Under the direction of Neil Steinkamp, who leads Stout's Transformative Change Consulting practice, Stout is a recognized leader in the civil legal services community and offers the following services:
 - Economic impact assessments and policy research for civil legal services initiatives
 - Strategy consulting and action plan development for issues relating to access to justice
 - Non-profit budget development, review, and recommendations
 - Cost-benefit and impact analyses for non-profit initiatives and activities
 - Data-driven program evaluation and implementation
 - Dispute consulting and damages analyses for low-income individuals.
3. Neil Steinkamp is a Managing Director at Stout and a well-recognized expert and consultant on a range of strategic, corporate, and financial issues for businesses, non-profit organizations and community leaders and their advisors. Neil has extensive experience in the development of strategic plans, impact analyses, data evaluation, and organizational change. His work often includes assessments of data reporting, data collection processes, the interpretation or understanding of structured and unstructured data, the review of documents and databases, the development of iterative process improvement strategies, the creation of data monitoring platforms to facilitate sustained incremental change toward a particular outcome and creating collaborative environments.
4. Stout has been engaged by more than 50 non-profit organizations serving low-income communities across the United States. These engagements often included program or public policy evaluations, return on investment analyses, strategic action planning (organizational, statewide, and local), and market assessments of legal technologies designed to assist people with low incomes. In 2016, Stout was retained by the New York State Permanent Commission on Access to Justice (NYS Commission) to assist with developing and implementing a strategic action plan. The NYS Commission received a grant from the National Center for State Courts as part of its Justice for All project. Stout collaborated with the NYS Commission and stakeholders throughout New York to develop a statewide strategic action plan and local strategic action plans aimed at closing the access to justice gap in New York. Stout continues to work with the NYS Commission on implementing elements of the strategic action plan, the most recent of which was creating

and deploying a statewide survey to gather feedback from court users (represented and unrepresented).

5. Neil is currently serving as the evaluator of eviction right to counsel programs in Cleveland, Milwaukee, Connecticut, Maryland, and Chicago. Stout has conducted eviction right to counsel fiscal return on investment analyses and independent expert reports for advocates, coalitions, bar associations or government agencies in New York City, Philadelphia, Los Angeles, Baltimore, Delaware, Detroit, Newark, Pennsylvania, and New York (outside of New York City) and is currently conducting a cost-benefit analysis of an eviction right to counsel in South Carolina. Following the release of Stout's reports in New York City, Philadelphia, Baltimore, and Detroit eviction right to counsel legislation was enacted. In these engagements, Stout worked closely with funders/potential funders, legal services organizations, landlords, academics studying housing and eviction, government agencies and the continuum of care, non-profits serving low-income residents, community organizers, and impacted residents.

Section II-Executive Summary

6. Stout was engaged by the XXXXXXXX to evaluate XXXXXXXX's current intake and referral ecosystem for residents with civil legal needs. The purpose of the evaluation was to assess the effectiveness of:
 - XXXXXXXX's current intake and referral platforms
 - The legal information, resources, and/or referrals given to XXXXXXXX residents with low or moderate incomes when they perceive they have a legal issue.
7. Stout shared its findings with Just-Tech, a technology firm dedicated to the specialized needs of legal services providers nationwide and sought its feedback on our recommendations.
8. Through its interactions with the XXXXXXXX Working Group (the Working Group) and select members of the Working Group and the Executive Team (the subcommittee), interviews with leadership and staff of the point of entry organizations, and its research and mystery XXXXing, Stout learnings centered on certain key themes, including:
 - XXXXXXXX Legal Help is one of the most comprehensive legal assistance websites in the country.
 - Significant capacity constraints exist at civil legal aid organizations across the state.
 - Gaps in service exist in the private bar for lawyer referral across the state, particularly for certain matter types in certain regions.
 - The legal needs of community members do not appear to change materially based on whether or not they are income-eligible for intake at a civil legal aid organization. However, it is important to consider that people who have legal needs and lower incomes may experience disproportionately severe consequences if they are unable to secure assistance with their legal needs and may have particular difficulty accessing justice-involved systems relative to people with legal needs and higher incomes.
 - Key ecosystem stakeholders (e.g., civil legal aid organizations, community-based organizations, referral organizations, the courts) are not effectively sharing data among each other or using data to inform strategies to communicate better with community members about existing resources.
 - Point of entry organizations, other community resources, and the courts regularly seek to collect feedback from community members interacting with the ecosystem – the point of entry organizations and other community resources through follow

up surveys, and by the courts through its annual XXXXXXXX Supreme Court Public Satisfaction Survey.

- A variety of data sources exist that could be brought together, analyzed, and visualized to understand quantitatively how the intake and referral ecosystem is working, where there may be opportunities for iterative refinement, and to enable a sustainable, collaborative, continuous evaluation of the ecosystem.
- Gathering feedback from community members at each node of interaction can be instructive in identifying where in the ecosystem challenges may exist.

9. Based on these key observations, Stout developed 7 recommendations designed to enhance XXXXXXXX's intake and referral ecosystem for legal assistance as well as enabling an iterative, sustainable evaluation framework:

- #1: Leverage XXXXXXXX as the Primary Point of Entry When Possible
- #2: Incorporate into XXX an Automated Chat Feature
- #3: Invest in a Data Visualization Platform, Create Automated Reporting to Monitor Use of XXX, XXX XXX, and XXXX, and Incorporate Additional Data Sources
- #4: Assess Normalized XXXX and XXX XXX XXXX Volume and Operational Needs After Effective Leveraging of XXX to Maximize the Value of Referrals to XXXX and XXX XXX
- #5: Create and Deploy Client Follow-up and Court-based User Surveys
- #6: Develop a Framework for Continued, Sustainable Ecosystem Evaluation
- #7 Gather Feedback from Community Members at Each Node of Interaction with the Ecosystem

Section III-XXXXXXXXX's Intake and Referral Ecosystem

XXXXXXXX's Intake and Referral Ecosystem for Legal Assistance

10. The primary point of entry organizations in XXXXXXXXX's current intake and referral ecosystem are XXX, XXX XXX, and XXXX. While there are significantly more civil legal aid providers, community-based organizations, non-profits, and other pathways for community members to enter the ecosystem, these three organizations are often the first organizations to be contacted by community members with legal needs and refer community members to each other when they do not have the internal resources to assist them.¹ Another important organization to XXXXXXXXX's intake and referral ecosystem is 2-1-1. Many community members seek assistance from 2-1-1 for a variety of non-legal and legal needs. 2-1-1, given its breadth of topic areas and expertise in operating a XXXX center, is an integral component of XXXXXXXXX's intake and referral ecosystem. XXXXXXXXX's 26 self-help centers throughout the state also play an important role in the intake and referral ecosystem for pro se litigants and residents who may not have access to or are comfortable with using technology.
11. XXX is an online resource for community members who are trying to navigate the legal process without the assistance of an attorney. The website includes the innovative Guide to Legal Help (the Guide), self-help tools for 14 different categories of legal problems, information for community services and the courts, legal clinics and events, and assistance with e-filing in XXXXXXXXX. The architecture of XXX and the Guide is designed to determine the particular issue a community member is experiencing and where they are located to provide the most effective referral (i.e., XXX and the Guide do not make referrals/recommendations unless that referral/recommendation is available for the issue and in that geographic location). In calendar year 2021, more than 99,000 people interacted with the Guide, and there were nearly 3 million visits to XXXXXXXXX Legal Help across the state. Figure 1 includes several examples of XXX's website.

¹ Stout also met with 2-1-1 of Central XXXXXXXXX and MiChildSupport to understand better how clients with legal needs are accessing the ecosystem through these points of entry. Both 2-1-1 of Central XXXXXXXXX and MiChildSupport are important elements of an effective intake and referral ecosystem in XXXXXXXXX. Stout also met with XXXXXXXXX Indigent Defense Commission to understand better the frequency with which their clients are also experiencing civil legal issues.

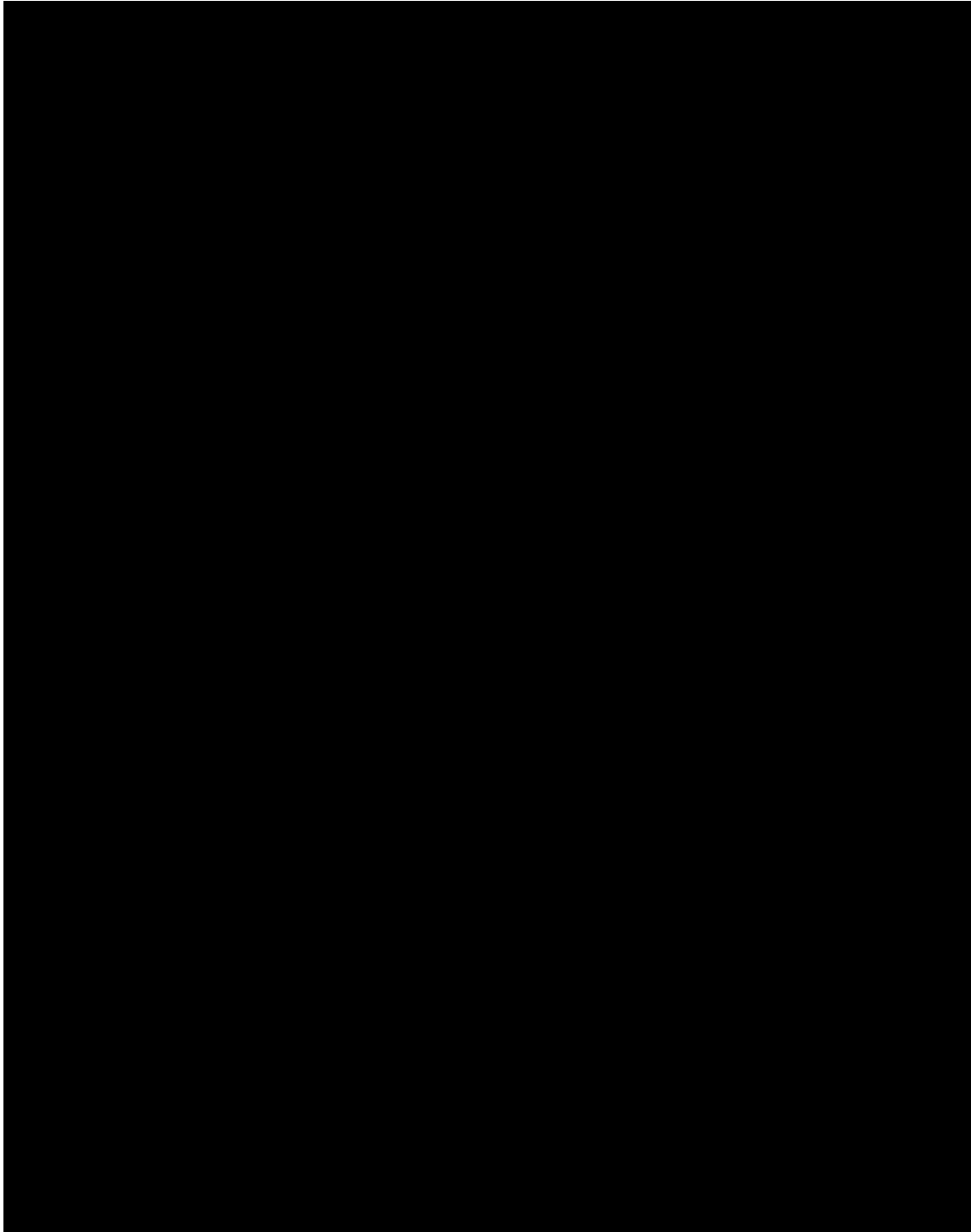
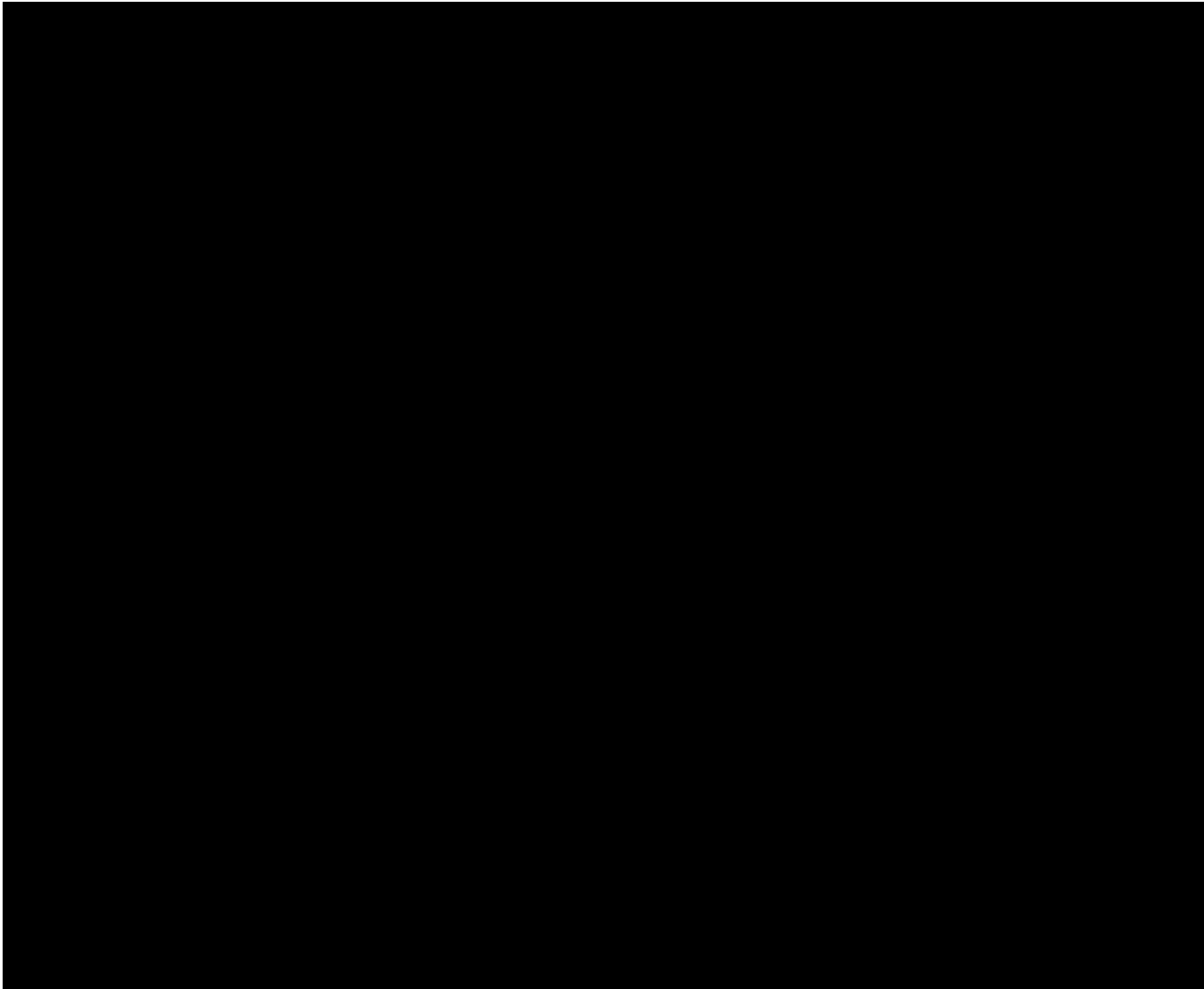


Figure 1

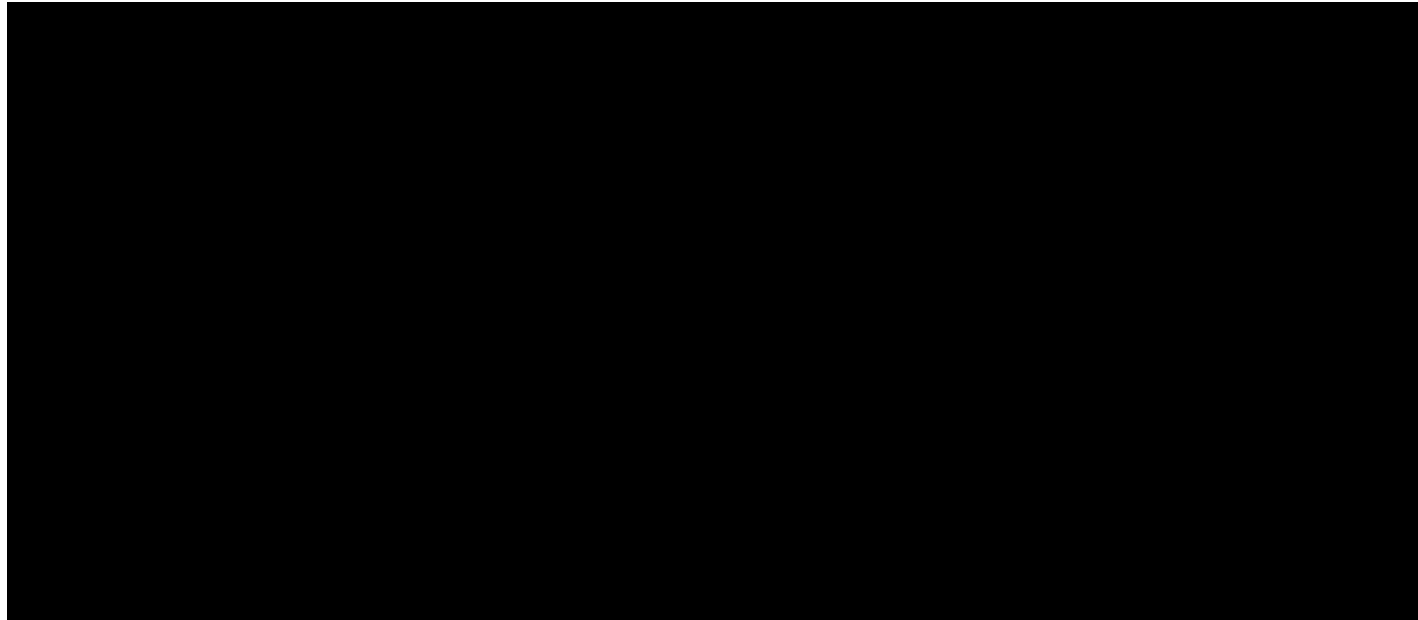
12. XXX XXX is a phone-based referral service staffed by XXXX representatives at the XXXXXXXXX (XXX). XXXX center representatives match community members with local private attorneys to assist with their legal issues. There is a \$25 fee for the referral service, which is retained by XXX to cover the cost of operating the program. Participating attorneys agree to provide 25 minutes of consultation at no charge to the community

member seeking assistance. XXX also maintains a free online directory of private attorneys across the state and has a modest means program where it connects community members with attorneys who offer reduced cost legal assistance. Any attorney in good standing carrying malpractice insurance in XXXXXXXXX can participate in the lawyer referral service and/or the modest means program. Attorneys who would like to participate are required to use the XXX's online portal to manage their information and referrals. For community members who receive a referral from XXX XXX, an automated client satisfaction survey is sent 2 weeks after the referral was made. In the fourth quarter of 2021 and the first quarter of 2022, XXX XXX was contacted approximately 4,800 times for assistance. Figure 2 includes several examples of XXX XXX's website.



13. XXXX is an attorney-staffed, phone-based service offering legal advice, brief services, and referrals for community members with legal issues. When a community member XXXXs XXXX, a legal assistant undertakes a brief screening and a conflict check before transferring the XXXX to an attorney. Attorneys at XXXX leverage an internal resource

known as the “wiki” which houses and organizes information related to referrals, community organizations, government agencies, courts, forms, and other resources to assist community members. Through its interactions with management and staff at XXXX, Stout learned that most community members contacting XXXX are seeking legal advice and/or assistance with forms and motions. Approximately 20% of community members contacting XXXX are referred for full representation. Figure 3 includes several examples of



14. In combination, these three organizations represent a robust network of resources available to community members with legal issues. The resources are expansive, diverse, and respond to community members needs at different phases of the legal process (e.g., assistance with completing forms, e-filing, and locating organizations providing legal advice or full representation).
15. Stout’s evaluation and recommendations are based on its review of and interaction with the primary point of entry organizations, feedback from “would-be” system users (i.e., mystery XXXXers), and advocates knowledgeable about capacity constraints and limitations of the organizations that could provide more extensive services. The ecosystem with its primary point of entry organizations (i.e., XXX, XXX XXX, XXXX), supplemental systems (e.g., 2-1-1 of Central XXXXXXXXX, providers of indigent defense services and periphery systems (e.g., the courts, self-help centers, and other community resources) serves as a valuable network in a severely resource constrained environment.
16. The current ecosystem includes a comprehensive set of tools and techniques to understand community members’ needs and connect them to resources that may be able to provide effective assistance, which ranges from access to forms to referrals for full representation. The current ecosystem is reasonably effective for people who have the skills to navigate it and for whom resources are available. However, particularly for XXX XXX and XXXX, internal and external resource constraints prevent them from responding to community

members' needs as promptly as would be possible with additional funding. For example, XXX XXX and XXXX are often unable to provide effective referrals for legal assistance due to capacity constraints and issue type limitations of civil legal aid providers and the availability of resources in the private bar for all matter types and in all counties across the state. As described in Stout's following recommendations, opportunities may exist to leverage the technology capabilities of XXX more fully as an initial point of entry. Leveraging XXX can enable a more efficient use of the limited resources of XXX XXX and XXXX in situations where self-help resources are insufficient or where digital access and/or digital literacy prevents community members from accessing XXX.

Overview of Civil Legal Case Filings and Civil Legal Aid Capacity in XXXXXXXX

17. In 2020, there were more than 130,000 new civil case filings in Circuit Court, more than 360,000 in District Court, and more than 1,900 in Municipal Court and Probate Court in XXXXXXXX.² These civil case filings include but are not limited to filings related to a range of family issues (e.g., divorce, paternity, support), landlord-tenant disputes, small claims, and all general civil cases for money damages.
18. A 2021 study by the American Bar Association found there were approximately 4 lawyers per 1,000 XXXXXXXX residents.³ In 2021 the XXXXXXXX State Bar Foundation estimated that approximately 322 full-time attorneys were employed by its grantees (i.e., civil legal aid organizations).⁴ Civil legal aid organizations funded by the Legal Services Corporation provide services to residents with incomes at or below 125% of the federal poverty guidelines. An estimated 1.7 million XXXXXXXX residents have incomes at or below 125% of the federal poverty guidelines, which equates to an estimated 1 civil legal aid attorney per 5,400 XXXXXXXX residents eligible for civil legal services.⁵ The significant difference is one demonstration of the severely limited capacity of civil legal aid organizations in XXXXXXXX.
19. Through its engagement with the primary point of entry organizations, Stout learned of additional capacity constraints. XXX XXX and XXXX shared that they often experience challenges referring or assisting community members with certain types of legal issues, particularly in certain regions of the state. For example, XXX XXX may not have any attorneys participating in the lawyer referral service who handle consumer debt cases. Often in these situations, the only resources XXX XXX can share are XXX (if the community member has not already visited XXX) and the XXX XXX directory. There may also be instances of community members from rural areas of the state contacting XXXX seeking

² See <https://www.courts.XXXXXXXX.gov/4a5431/siteassets/reports/statistics/caseload/2020/statewide.pdf> (excluding traffic violations).

³ "Profile of the Legal Profession." American Bar Association. 2022.

⁴ Grantee Annual Reports to XXXXXXXX State Bar Foundation.

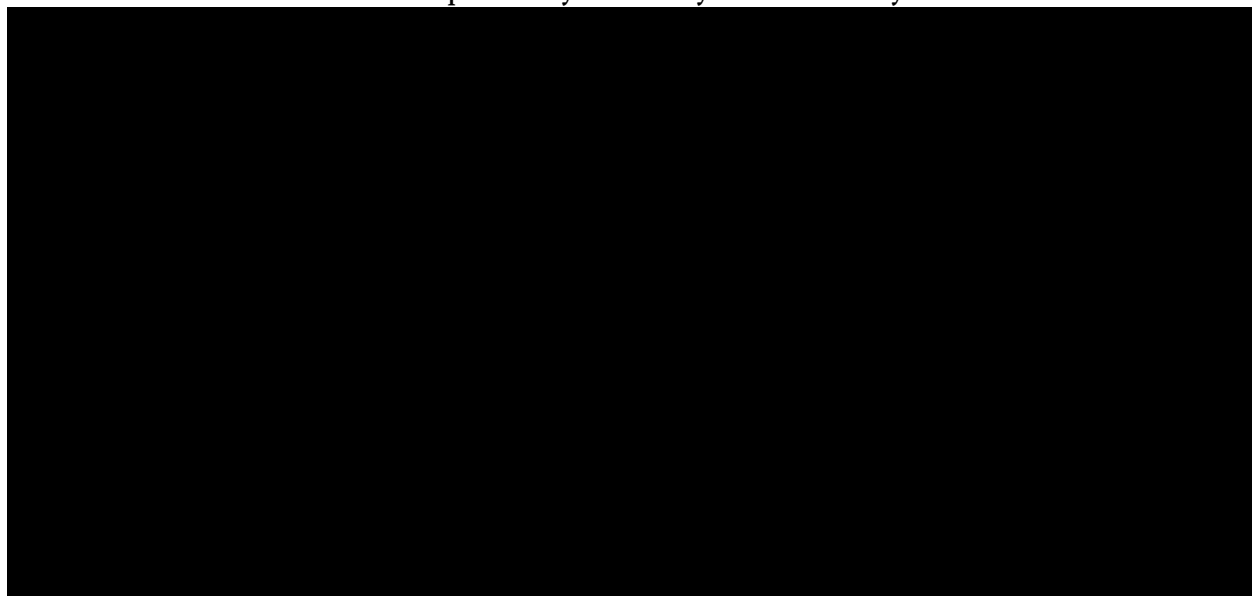
⁵ "2021 Access to Justice Campaign Report."

assistance with eviction who require full representation as the form of effective assistance, but there are no attorneys in their area specializing in landlord-tenant law. These capacity constraints (and others) were important for Stout to understand as it began its evaluation.

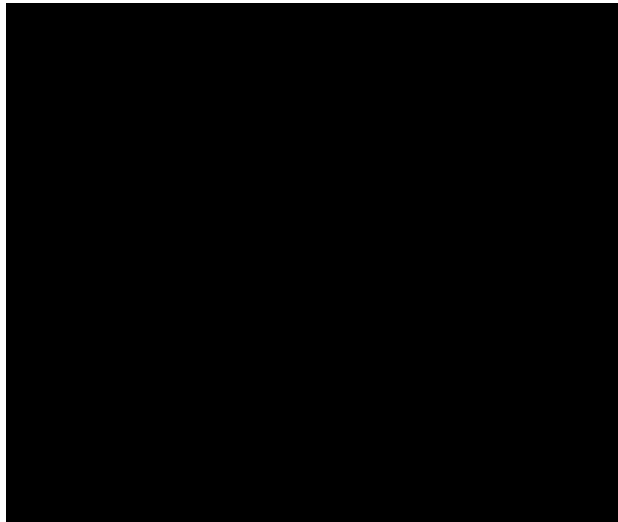
Section IV-Stout's Evaluation Process and Methodology

Evaluation Process and Methodology

20. In March 2022, Stout began meeting bi-weekly with select members of the Working Group and two members of the Executive Team (the subcommittee). The first several of these meetings focused on Stout learning who the primary stakeholders are in the XXXXXXXX intake and referral ecosystem, how the ecosystem functions, challenges experienced by different stakeholder groups (e.g., civil legal services providers, referral sources, community members with legal needs), and opportunities that may exist to improve the ecosystem. After Stout developed a broad understanding of the intake and referral ecosystem, Stout met individually with leadership of XXX, XXX XXX, and XXXX to develop a deeper understanding of each organization’s services, clients⁶, processes, technology platforms, data collection, key performance indicators, challenges, and opportunities. Stout also met with Central XXXXXXXX 2-1-1, and XXXXXXXX Indigent Defense Commission, who often interact with community members with legal needs or organizations assisting them.
21. XXX and XXX XXX provided Stout with data exports which Stout analyzed to gain a quantitative understanding of XXXX volume, referrals, assistance sought by clients, and from where in XXXXXXXX clients were coming. For example, Figure 4 shows the number of referrals XXX XXX made by county from October 1, 2021 through March 31, 2022, Figure 5 shows the number of interactions with XXX by county for calendar year 2021, and Figure 6 shows the number of cases opened by XXXX by client county in 2021.



⁶ XXX does not have clients and does not form attorney-client relationships with any website visitors as its purpose is to provide legal information only. For purposes of this report, any reference to XXX clients should be interpreted as XXX website visitors/users.



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23. Throughout the evaluation, Stout met with the subcommittee to leverage their experience and expertise, ask questions, and share what Stout was learning through its analysis of the data exports and meetings with point of entry organization staff. These meetings also provided Stout and the subcommittee the opportunity to discuss potential evaluation techniques.

24. Stout’s proposal contemplated an evaluation technique centered on observation. Stout would observe community members interacting with the ecosystem (preferably during their first interaction with the ecosystem) and develop a survey to gather feedback from the community members as to how effective the assistance they received was. Stout considered observing community members interacting with the ecosystem via a three-way XXXX or a screenshare for live chat interactions. The subcommittee and Stout discussed the logistics for undertaking this evaluation technique and amid privacy, confidentiality, and privilege concerns, decided to explore an alternative evaluation technique.

Supplemental Evaluation Methodology – Mystery Calling

25. Instead of observing community members interacting with the ecosystem, the subcommittee recommended Stout consider conducting mystery calls to the point of entry organizations. Mystery calling is often used as a quality assurance technique whereby a person poses as a customer or user of a system to assess the user experience. Although

mystery calling does not involve observation of actual system users, it does enable an evaluation of the effectiveness of the point of entry organizations' issue identification and referrals. Evaluating issue identification and referrals by the point of entry organizations is informed significantly by observing how staff at the point of entry organizations navigate issues presented by mystery callers.

26. The purpose of mystery calling was: (1) to experience the intake and referral ecosystem in XXXXXXXX firsthand; (2) to identify strengths, weaknesses, and opportunities for improvement at the moments of direct interaction with clients; and (3) to inform the development of key performance indicators, data collection recommendations, and iterative evaluation recommendations. Stout executed the following workplan for the mystery calling evaluation technique:

- Collaborated with the subcommittee and Working Group to create 10 distinct personas to be used by Stout's call center agents
 - Stout, the subcommittee, and the Working Group considered issue type, fact patterns, household demographics, employment status, urgency of issue, geography, and type of assistance the community member was seeking (e.g., locating and completing forms, legal information, representation). Having diverse personas enabled Stout to observe how the point of entry organizations responded to a range of needs. See Appendix D for the 10 personas.
- Developed scripts for each persona and data elements to be collected for each call
 - Stout sought assistance from the subcommittee in creating scripts for each persona. Subcommittee members from the point of entry organizations had intimate knowledge of the information sought from and questions asked of community members by their staff. The scripts included responses to common intake and referral ecosystem questions and were used to guide Stout's call center agents' conversations when conducting the mystery calling.
 - Stout also worked with the subcommittee to identify which structured data elements would be valuable to collect during the mystery calling. The primary data elements were objective factors that could be evaluated during the call such as whether the call was answered, a referral was made, clarifying questions were asked, essential information for the referral was provided, call duration, and call wait time. There were also qualitative factors Stout collected and measured through a scaled measurement. Stout reviewed the annual XXXXXXXX Supreme Court Public Satisfaction Survey to inform the development of qualitative factors to collect and

assess related to procedural justice. These qualitative factors included but were not limited to: ratings for whether and to what extent Stout's callcenter agents felt the point of entry organization representative understood and was empathetic toward their situation, how confident Stout's callcenter agents were that the assistance/information received would effectively resolve the persona's issue, and if next steps were clearly communicated.

- Leveraged Stout's XXXX center agents to conduct the mystery calling
 - Stout operates an independent call center staffed by bilingual agents with extensive customer service experience. Stout trained its call center representatives on the personas and how to use the scripts for the mystery calls as well as how to collect the structured data elements developed by Stout and the subcommittee.

27. Stout used the 10 personas and scripts to attempt 39 mystery calls over 4 weeks to XXX XXX and XXXX. This alternative evaluation methodology provided the opportunity for an independent third-party to experience navigating the XXXXXXXX ecosystem. Stout used the data collected during these mystery calls to inform its recommendations, particularly those related to addressing capacity constraints and identifying opportunities for training.

Comparison of XXX to other Legal Help Websites

28. As part of our evaluation, Stout reviewed 53 online resources similar to XXX – one for each state as well as Guam, the Virgin Islands, and Micronesia. Stout reviewed each website based on the presence of 15 features:

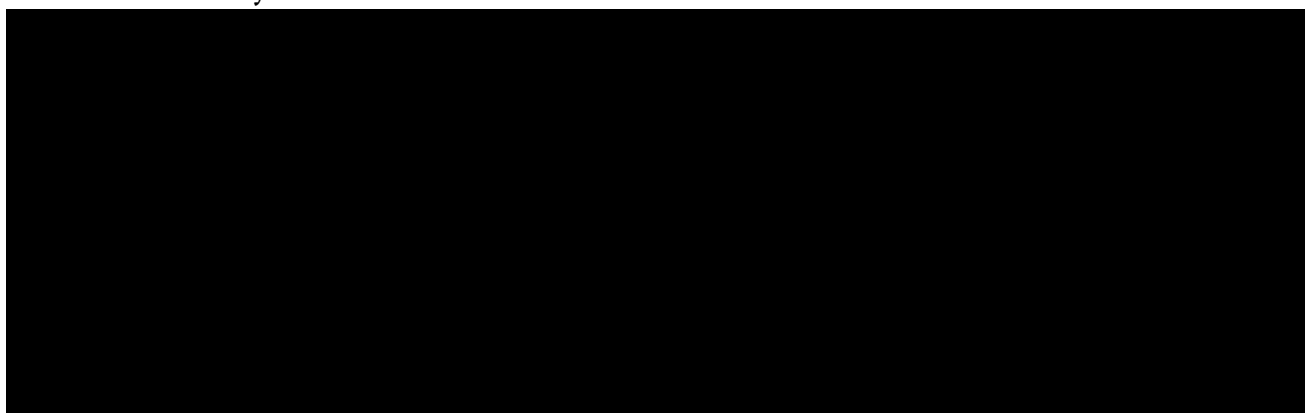
- Legal topic resources – common legal topics including, "Family," "House & Apartment," "Money & Debt" and "Personal Safety."
- Guided interviews – tools asking users a series of questions and the answers are used to populate legal forms or locate relevant resources.
- Self-help forms – forms available for a range of legal issues that a user can complete on their own.
- Access to legal clinics or lawyers – directs user to the addresses and phone numbers of legal clinics or lawyers.
- Applications for legal help – directs user through a series of questions to (1) determine their eligibility to receive free legal assistance, (2) provide advice from an attorney or paralegal or (3) referral to another legal service provider.

- Live chat – allows user to chat with staff and volunteers at the state legal assistance website who can direct them to the legal information they are looking for and, in some cases, provide legal advice.
- Automated chat or guide – allows user to chat with a robot or answer a series of automated questions on the state legal assistance website to direct them to the legal information they are looking for.
- Phone assistance – offers direct phone number of legal assistance website where users can speak with live agents.
- Information about the court system – offers insight into the workings of the state court along with providing advice for how individuals should prepare themselves for court.
- Multiple languages – allows user to translate the legal help website into multiple languages, such as Spanish, Mandarin, and Arabic.
- E-filing assistance – offers instructions on how to file court documents online if e-filing is available in the jurisdiction.
- Search bar feature – allows user to perform a keyword search, often to address a specific need.
- Engaging graphic design – features prominent, hover-over animation, which changes the color of the tab or box users have their mouse over and facilitates the search process.
- Topic based navigation – provides a drop-down tab for users, allowing user to differentiate between topics and subtopics.
- Quick exit feature – a feature created for a user experiencing intimate partner violence. Allows user to find help while having the ability to both exit the tab and switch it to an inconspicuous website.

29. Stout created a matrix of these website features and evaluated each of the 53 jurisdictions [REDACTED] XXXXXXXX Legal Help and Montana Law Help had 13 of the 15 features – the most across all jurisdictions. The two features XXXXXXXX Legal Help did not have were: (1) phone assistance where a user could directly XXXX the phone number of the legal assistance website and speak to a live agent and (2) a quick exit feature. Of the 53 websites evaluated, 11 had phone assistance and 24 had a quick exit feature. XXXXXXXX Legal Help is the only website offering assistance with e-filing and is 1 of 5 of the websites offering automated chat or guide functionality.

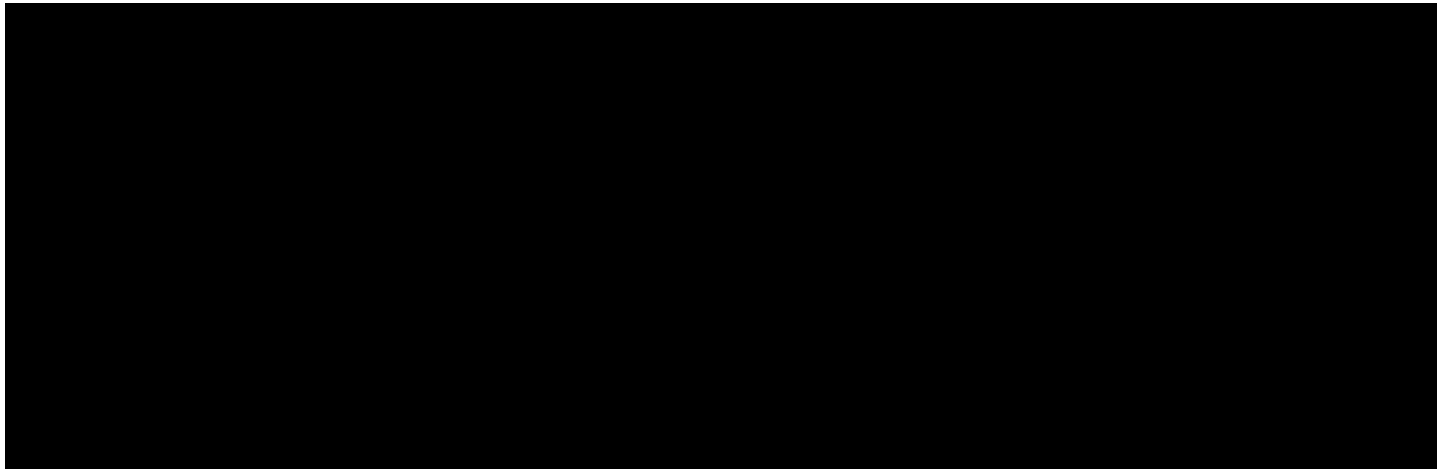
Select Observations from the Evaluation Process

30. The Commission, point of entry organizations, supplemental systems, and periphery systems in XXXXXXXX's intake and referral ecosystem are well positioned to increase the likelihood that community members are learning about available resources and information related to their rights. The ecosystem in XXXXXXXX effectively makes information available, however, given capacity constraints at organizations across the state and gaps in service at the private bar for lawyer referral, there will likely still be too few resources to refer people to for assistance with their legal needs. These capacity constraints exist for a variety of reasons. While there is a civil legal aid organization providing services to community members in every county,⁷ capacity at the organizations providing services in rural areas of XXXXXXXX, even relative to population size, is particularly limited. Similarly, private attorneys participating in the lawyer referral service may not cover all case types, or there may not be any private attorneys in a geographic area. Additionally, given the dwindling number of pandemic-related renter protections and availability of rental assistance, it is likely that capacity constraints will continue to exist as many jurisdictions are beginning to return to their pre-pandemic levels of eviction and foreclosure filings.
31. Community members may be assisted more efficiently and more effectively if they were to first use the variety of resources available at XXX, when possible. Stout learned from XXX, XXX XXX, and XXXX that family law is one of the most frequent issue types for which community members are seeking assistance, and the assistance generally sought is with finding information about a legal problem and completing forms. According to data regarding interactions with XXX in calendar year 2021, approximately 53% of community members interacting with XXX were seeking information about a legal problem or court forms. Figure 7 shows the types of assistance sought by community members accessing XXX in calendar year 2021.



⁷ Civil legal aid services are provided in every county although not all counties have civil legal aid organization offices. There is a Legal Services Corporation- and XXXXXXXX State Bar Foundation-funded civil legal aid program covering the Upper Peninsula and the northern portion of the Lower Peninsula

32. Stout analyzed XXX data for calendar year 2021 and estimates that at least 35% of community members who interacted with XXX in 2021 indicated needing assistance with a type of family law matter (e.g., divorce, custody, paternity). Furthermore, Stout’s analysis of XXX data showed the legal needs of community members does not change materially based on whether or not they are income-eligible for civil legal aid assistance. That is, community members with household incomes of more than 125% of the federal poverty guidelines have similar legal needs of those with household incomes of 125% or less than the federal poverty guidelines. Figure 8 shows the percentage of people interacting with XXX in calendar year 2021 by whether or not they are income-eligible for civil legal aid assistance. The blue bars are the percentage of people who interacted with XXX but were not eligible for civil legal aid assistance, and the orange bars are the percentage of people who were eligible (by month).

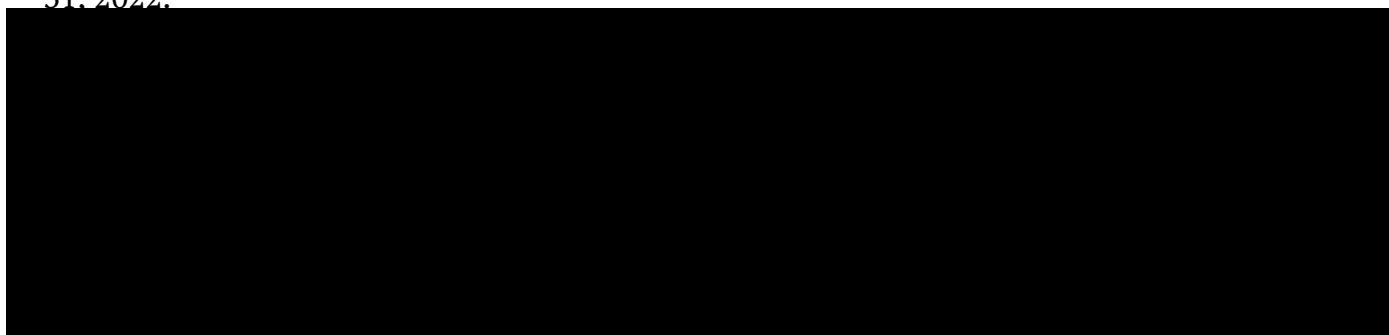


33. This observation emphasizes not only the importance of XXX and the Guide’s ability to provide information and resources for use by community members regardless of household income but also the need to expand eligibility requirements or create programs for people with legal needs but who currently have household incomes that make them ineligible for civil legal aid assistance. Directing community members to XXX first could ease capacity constraints at point of entry organizations, allowing them to focus on community members who are seeking a person-to-person interaction or who need more intensive assistance. Another example of effectively directing community members to more helpful resources is XXX XXX’s automated message indicating XXXXers who need assistance with eviction should contact XXXX or visit XXX for further assistance. Stout observed this feature during its mystery XXXXing.

34. Staff at XXX shared that they sometimes receive live chat requests for a phone number that community members can XXXX to speak with someone. Staff at XXX XXX and XXXX indicated community members who contact them sometimes indicate they were not able to navigate XXX (often because of literacy challenges – digital and otherwise – or access to technology). For community members expressing this need, XXX XXX and XXXX may

be the most appropriate points of entry. Self-help centers can also be useful for people needing to use technology but lacking skills, tools, or consistent access to the internet. The XXX Self-Help Center Working Group has been strategizing to improve and expand self-help centers across the state.

35. While the resources available across XXXXXXXX are vast, Stout did not observe a coordinated, strategic effort to inform community members about the point of entry organizations or other community resources. Through its work in other jurisdictions and assisting New York with the implementation of its Justice for All strategic action plan, Stout learned the importance of creating a pervasive sense of awareness about community resources among community members. Point of entry organizations, the courts, non-profits, community-based organizations and activists, the school and library systems, and places of worship are often viewed as trusted, legitimate messengers by community members. Figure 9 shows how community members who completed XXX XXX's follow up survey indicated they learned about XXX XXX for the period January 1, 2022 through March 31, 2022.



36. The relatively low percentage of community members indicating they learned about XXX XXX through a friend, Legal Aid, and XXX highlights an opportunity to create a strategic communication/outreach plan. In Stout's experience, effective communication/outreach plans have both a statewide component with consistent messaging applicable to all community members across the state and a local component with customized messaging applicable to community members in certain areas who may be experiencing different issues or who require different communication strategies. For example, communication/outreach strategies will likely differ between the Upper Peninsula and metro Detroit. Developing a strategic communication/outreach plan requires considering capacity at civil legal aid organizations and gaps in service in the private bar. To account for these constraints, analyzing metrics related to capacity and gaps in service will inform the type, frequency, and scaling (or curtailing when and where constraints exist) of communications/outreach and may also inform the delivery of virtual services when in-person resource constraints are particularly acute.
37. Stout learned through its interviews with the point of entry organizations that there is a breadth of data available across the ecosystem. XXX collects information via Google

Analytics for visits to its website and seeks feedback from community members through a 10-question survey. XXX XXX collects data related to XXXX volume, wait times, referral types, and issue types, which can be viewed at the county-level. XXX XXX also collects feedback from community members through a survey automatiXXXXy generated 2 weeks after referral. XXXX collects similar data to XXX XXX through its case management system and is working with XXX to create a follow-up texting survey. Stout learned XXXX and several other civil legal aid organizations have recently transitioned to a new, more flexible case management platform. Stout understands this case management platform is built on Salesforce – a platform used by a variety of non-profit organizations. The transition to this new platform provides the opportunity to consider collecting a set of common data fields across different point of entry organizations to collaborate to develop a common set of data definitions/data taxonomy. Collecting and defining data similarly can assist with data analysis and interpretation when trying to combine datasets from different organizations.

38. However, a mechanism for sharing (and analyzing) data between organizations and across the ecosystem does not currently exist, particularly how frequently organizations are making referrals to one another and for what issue types and what issue types they consistently struggle to make referrals for – either to a civil legal aid organization or within the private bar. Data from other organizations and the courts also appears to be underutilized. For example, data collected by 2-1-1 related to requests for assistance by topic area by county could provide insights on community needs, as could the underlying data XXXXXXXX Courts uses for its Caseload Reports. Data from the point of entry organizations, 2-1-1, MiChildSupport, and the courts could create a robust view of the ecosystem and serve as the basis for continued, sustainable ecosystem evaluation.
39. While the point of entry organizations send follow-up surveys to community members seeking feedback, this is the only point at which feedback is sought, which is generally at the end of their interaction with the ecosystem. One of the most critical components to iterative change and evaluation is continually seeking feedback at different nodes of interaction. Only seeking feedback at the end of the process is helpful, but it may not be as informative as asking for feedback at different points of interaction. Seeking feedback from community members interacting with the ecosystem at different points and during different processes (e.g., locating forms and navigating websites, finding phone numbers and experiences with XXXXing resources, issues with leaving voicemails and receiving timely XXXXbacks, experiences with private attorneys through lawyer referral services, interacting with courts clerks, using self-help centers, completing e-filing) will be instructive for understanding where challenges and barriers exist for clients at various points in the process of trying to find legal resources and within the ecosystem.
40. These observations – fully utilizing XXX’s capabilities and resource; easing capacity constraints and addressing gaps in service; sharing, analyzing, and visualizing data from the network of intake and referral organizations and other community resources; and

gathering feedback at different nodes of interaction to inform iterative, sustained evaluation – are the basis for Stout’s recommendations.

Section V-Recommendations

41. Stout’s recommendations will require significant coordination and collaboration among the Commission, primary point of entry organizations, supplemental systems (e.g., 2-1-1 of Central XXXXXXXXX, providers of indigent defense services), and periphery systems (e.g., the courts, self-help centers, and other community resources). The recommendations contemplate the Commission as the governance structure for guiding implementation. However, stakeholders involved in the implementation process may decide that an alternative governance structure should be used.

Recommendation 1: Leverage XXXXXXXXX Legal Help as the Primary Point of Entry, When Possible

42. The Commission should act to leverage XXX as the primary point of entry for people with civil legal needs and low- to moderate-incomes across XXXXXXXXX, when possible. XXX’s Guide to Legal Help (the Guide) is well positioned to be the initial resource used by people seeking legal information, forms, toolkits, and referrals to legal services for the first time. Stout learned through its interviews with staff at XXX XXX and XXXX and its mystery calling that these point of entry organizations frequently refer community members to XXX. Additionally, Stout learned through its mystery calling that when XXX XXX and XXXX referred the mystery callers to XXX, the mystery callers were overwhelmingly “somewhat confident” and “fairly confident” the referral to XXX would effectively resolve their issue. Having XXX as the primary point of entry, when possible, may also ease some of the capacity constraints and fill gaps in service described by XXX XXX and XXXX and observed through Stout’s mystery calling.
43. Stout also recognizes there may be local processes and preferences for how residents interact with XXXXXXXXX’s intake and referring ecosystem, including the primary point of entry organizations. XXX can be used as the primary point of entry and a resource for residents who have the technology skills to navigate XXX and who are seeking legal information and referrals for further assistance.
44. The Commission, in partnership with XXX, could develop a statewide communication strategy centered on XXX being the first resource people should use when they have legal needs. However, an important consideration is bridging the digital divide. Community members seeking assistance must still have the opportunity to contact other point of entry organizations via phone, especially for people with limited digital access or digital literacy. A statewide strategy leveraging XXX as the primary point of entry will require coordination and engagement among a variety of stakeholder groups including, but not limited to:
 - Courts – When pro se tenants are being notified of a civil legal action against them or appear at the court to file an answer or attend their hearing, the court could refer them to XXX for legal information, forms, toolkits, and referrals to legal

services.⁸ To fully leverage XXX as the primary point of entry, engaging with and educating the courts about the availability of XXX will be essential. Furthermore, there may be an opportunity to discuss with the courts the feasibility of including information about available resources with documents the courts are sending to defendants (or requiring others to send to defendants). In its first ever strategic agenda, the XXXXXXXX Judicial Council detailed strategies for making improvements to the court user’s experience, specifically through “enhancing/expanding educational and other resources (e.g., information, technology, personal assistance) available to court users so they are able to access and conduct business successfully with courts in-person and virtually” and “implement regulatory and other policy changes that will allow for an expansion of legal and non-legal assistance to court users.”⁹ These strategies communicated by the XXXXXXXX Judicial Council align with Stout’s recommendation to engage the courts on referring court users to XXX for legal information, forms, toolkits, and referrals to legal services and leveraging self-help centers when court users need assistance accessing technology.

- Trusted community organizations and stakeholders – Community members (with and without legal needs) often seek assistance from trusted community organizations and stakeholders such as 2-1-1, non-profits, local civic organizations, their child(ren)’s school, rental assistance providers, faith communities, the public libraries, health care community, and local government officials/agencies. Training these community organizations (possibly through engagement with statewide associations or groups like XXXXXXXX Non-profit Association and XXXXXXXX United Way) and stakeholders to refer their constituents to XXX as well as how to use XXX to assist their constituents directly can leverage XXX as the primary point of entry. Community organizations and stakeholders should also have materials detailing how to access XXX and how XXX can assist with legal issues.
- Plaintiffs – Plaintiffs should be encouraged to share XXX as a resource for actual or potential defendants in matters they have brought or are considering. Plaintiffs and/or plaintiff counsel could be engaged around certain matter types, including through bar associations (e.g., the family law bar, consumer debt bar, eviction/landlord-tenant bar). This engagement could include conversations with bar members about opportunities to provide information about available resources in notices or other documents they are sending defendants. Sending

⁸ See the XXXXXXXX landlord-tenant summons as an example of where XXX is included:

<https://www.courts.XXXXXXXX.gov/siteassets/forms/scao-approved/dc104.pdfv>

⁹ “2022-2025 Strategic Agenda: Planning for the Future of the XXXXXXXX Judicial System.” XXXXXXXX Judicial Council. April 13, 2022.

information to defendants about available resources can be particularly impactful when done as early as possible in the civil case process. For case types with notice period requirements, plaintiffs can be a critical resource connection point for defendants since the courts are typically not aware of notices until after the case is filed.

45. As this recommendation is implemented, it will be important to consider how people in crisis may seek assistance. Stout learned from the Working Group that many residents will submit applications for assistance at multiple organizations or contact several organizations at the same time. There may be ways to create targeted, customized messaging pointing people who are experiencing different circumstances to XXX as the primary point of entry and describing how this can be the first resource (but not necessarily the only resource) they use before seeking assistance from other organizations, when possible. While there will always be people who seek assistance from multiple organizations at once, this could assist with minimizing the frequency with which it happens. Engaging the courts, trusted community organizations and stakeholders, and plaintiffs involves person-to-person interactions and assistance. There is also an opportunity to identify places in communities where self-help centers (staffed or unstaffed) could be established or expanded upon, as there are currently 26 self-help centers throughout the state.¹⁰ The self-help centers would create an important access point to XXX where there may be fewer or no resources compared to other communities across the state or in communities where the digital divide is particularly acute.

Recommendation 2: Incorporate into XXX an Automated Chat Feature

46. While the XXX Guide assists community members in navigating to the resources they are seeking, there may be an opportunity to incorporate an automated chat feature into XXX. Stout learned from its interviews with XXX staff that community members may experience literacy challenges, difficulty with knowing how to answer certain questions within the Guide, or struggle to navigate XXX generally. Having automated chat functionality (sometimes referred to as a “bot”) could improve the experience of community members interacting with XXX. For example, Miami-Dade courts recently incorporated an artificial intelligence-based digital navigation assistant into their website.¹¹ The online chat window also has text-to-speech and voice command technologies, giving community members the option to verbally ask questions rather than typing – functionality for XXX to consider.

¹⁰ See <https://XXXXXXXXXlegalhelp.org/organizations-courts/self-help-centers> for details.

¹¹ “Miami-Dade Courts Now Offer Website Navigation Help via Online Chat with Digital Assistance SANDI.” Eleventh Judicial Circuit of Florida. July 25, 2022.

Recommendation 3: Invest in a Data Visualization Platform, Create Automated Reporting to Monitor Use of XXX, XXX XXX, and XXXX, and Incorporate Additional Data Sources

47. Considering the variety of new and existing data sources that could be analyzed to inform iterative improvement and evaluation of XXXXXXXX's intake and referring ecosystem, it would be prudent for the Commission to invest in a data visualization platform. Stout learned there are several sources of data (internal to the point of entry organizations and external through other stakeholders) that if brought together and analyzed, could create a robust picture of XXXXXXXX's intake and referral ecosystem. During its interviews with point of entry organizations and other stakeholders, Stout became aware of several data sets internal to XXX, XXX XXX, XXXX, and 2-1-1 for each interaction a community member has with the organization as well as client follow-up surveys. The data visualization platform would bring together these datasets, court-user surveys (including the annual XXXXXXXX Supreme Court Public Satisfaction Survey), data from the courts¹², and data from other stakeholders like XXXXXXXX Indigent Defense Commission grantees. Having common data elements collected across these providers/resources and creating user-friendly visualizations enables data-driven stakeholder collaboration and continued ecosystem evaluation.
48. The data visualization platform would include charts, graphs, maps, and tables to aid in identifying trends, patterns, and areas for further exploration or inquiry. Stout has experienced firsthand how transformative a data visualization platform can be for organizations and stakeholder groups endeavoring to understand complex systems and topics, particularly for large scale issues like measuring the justice gap and iteratively improving ecosystems. Each organization contributing data to the data visualization platform would be able to access their data and non-personally identifiable information aggregated at the county-level, for example, and should create a process for regularly reviewing the visualizations. The Commission should create a cadence for requesting data from the organizations (e.g., monthly, quarterly) and review the data visualization platform at each of its meetings to identify patterns and trends across issue types, geographies, and community member characteristics (e.g., age, household size, household income, type of assistance sought). As the Commission reviews the data visualization platform, it will be able to ask better questions and develop statewide solutions for ecosystem-wide challenges and bespoke solutions for localized issues.

¹² The 2022-2025 Strategic Agenda: Planning for the Future of the XXXXXXXX Judicial System describes the need for uniform data collection throughout XXXXXXXX courts. The document further states, "a unified technology system and infrastructure will better position the Judicial Branch for integration with other justice system stakeholders." As the court begins to develop uniform data collection practices and policies, there may be an opportunity to collaborate to incorporate new or different data elements that would inform the continued evaluation of XXXXXXXX's intake and referral ecosystem.

49. As XXX becomes more widely used as the primary point of entry (when possible), monitoring a variety of data points will be important. Automated data visualizations specific to XXX could include analyses and data to identify:
- Counties with high and low usage of XXX relative to the number of civil case filings in the county
 - Variations in use and adoption by matter type and county over time
 - Forms of assistance community members are seeking by county over time
 - Frequency with which community members are seeking assistance from XXX XXX or XXXX after interacting with XXX
 - Integrating reporting and data taxonomies across XXX, XXX XXX, and XXXX would create the opportunity for comparative metrics across the three organizations.
 - Alternative pathways for community members with digital access or digital literacy challenges.
50. In addition to XXX's current key performance indicators (e.g., number of visits, type of assistance sought, types of legal problems), these analyses will enable both a deeper and broader understanding of how XXXXXXXX residents with legal issues are seeking assistance.

Recommendation 4: Assess Normalized XXXX and XXX XXX XXXX Volume and Operational Needs After Effective Leveraging of XXX to Maximize the Value of Referrals to XXXX and XXX XXX

51. As previously mentioned, Stout learned that XXXX and XXX XXX often refer community members to XXX. After XXX is more widely used as the primary point of entry, XXXX and XXX XXX may experience a decrease in the number of XXXXs they receive. However, this is an opportunity to maximize the value of referrals to XXXX and XXX XXX and the referrals that they provide community members. As more community members use XXX as the primary point of entry, it is possible they find the resources they are seeking through XXX and do not need to seek assistance from XXXX or XXX XXX. When community members seek assistance from XXXX or XXX XXX after using XXX (typically through a referral by XXX), XXXX and XXX XXX's limited resources can be better deployed. Community members would be contacting XXXX and XXX XXX for assistance after interacting with XXX, and XXXX and XXX XXX would also continue referring community members to XXX. The referrals from XXXX and XXX XXX to XXX could occur at the first touchpoint they have with community members. For example, when someone XXXXs XXXX or XXX XXX, they could hear an initial recording that suggests they seek assistance

from XXX first and if they already have but need further assistance, they can be connected to a live person.

52. Even as XXXX and XXX XXX maximize the value of their limited resources by leveraging XXX as the primary point of entry, XXXX and XXX XXX could consider adding attorney/XXXX representative staff. The additional staff could help to minimize XXXX wait times and/or increase the likelihood that when a community member XXXXs XXXX or XXX XXX they will speak with a live representative. During Stout's mystery XXXXing approximately 89% of XXXXs to XXXX and 70% of XXXXs to XXX XXX required the mystery XXXXer to leave a voicemail and wait for a XXXXback. In addition to attorney/XXXX representative staff, XXXX and XXX XXX could consider adding staff who can further assist with analyzing and visualizing data, assessing internal and external capacity, and evaluating the effectiveness of referrals by issue type by county. Each of these internal operational activities is connected and serves to create a deeper understanding of XXXX and XXX XXX's data, clients, referral sources (referrals to XXXX and XXX XXX and referrals from XXXX and XXX XXX to attorneys or other legal aid programs), and gaps in service areas (geographic and issue). These internal operational activities will iteratively refine XXXX and XXX XXX's operations and highlight how to maximize the use of their limited resources. For example, by analyzing and visualizing data, XXXX and XXX XXX can identify issues and capacity gaps for each county quarterly. This information would be shared with XXX to ensure effective referrals and could be included in the data visualization platform (discussed in Recommendation 3) to demonstrate the need for further investment and/or stakeholder engagement.
53. Complementary to the internal operational activities, XXXX and XXX XXX should consider external facing activities like requiring monthly or quarterly capacity confirmation from all attorneys and non-profits/community resources to whom they refer clients (and collecting this data in a structured format to enable ongoing analyses of capacity), following up with all referred clients to ensure connection to the referral made, and using live, person-to-person warm transfers for referrals when possible. Following up with all referred clients to ensure connection to the referral made would be performed separately from client satisfaction follow up surveys and could be conducted via text message, phone XXXX, or e-mail. Stout recognizes that live, person-to-person warm transfers may require more time per XXXX. However, the intention of Stout's recommendations, in aggregate, is to reduce XXXX volume and maximize the value and impact of each XXXX.

Recommendation 5: Create and Deploy Common Client Follow-up and Court-based User Surveys

54. An evaluation of XXXXXXXXX's intake and referral ecosystem should consider the feedback of users – those who interacted with XXX, XXX XXX, XXXX and those who appeared pro se – and stakeholders about their experiences. To gather this valuable feedback, the Commission should develop a survey tool to solicit feedback from residents who interacted

with XXX, XXX XXX, and XXXX (and other point of entry organizations) and a separate survey tool to solicit feedback from court users who appeared pro se. Stout learned XXX XXX and 2-1-1 conduct client follow-up surveys, XXX has a 10-question survey on its website, and XXXX is working with XXX to develop a client follow-up survey. Given the interest in collecting feedback, there is an opportunity to create common questions across follow-up surveys to assess differences across organizations and highlight opportunities for ecosystem improvement.

55. The survey tool for those who interacted with XXX, XXX XXX, XXXX, and other point of entry organizations could include questions about how they found out about the point of entry organization, how their experience was XXXXing/interacting with the point of entry organization's website, what recommendations they have on how service could be improved, and if they were confident the assistance/information received assisted them in effectively resolving their issue. The survey tool for those who appeared pro se could include questions about whether they were aware of XXX, XXX XXX, XXXX, and other point of entry organizations and if they attempted to connect with them, how awareness of available resources could be better communicated, and how confident they were about navigating their legal issue without advice or representation from an attorney. It may be beneficial to work with the courts to deploy this survey in conjunction with the annual XXXXXXXX Supreme Court Public Satisfaction Survey or other activities undertaken by the court to solicit feedback from court users, as described in its 2022-2025 Strategic Agenda and 2022-2023 Operational Plan. Additionally, there may be an opportunity to collect feedback from judges, magistrates, and clerks regarding their views on the experiences of pro se court users.
56. Survey responses should be analyzed, shared across the point of entry organizations, used to provide important context to the quantitative data visualization platform, and considered when planning and executing enhancements to the ecosystem.

Recommendation 6: Develop a Framework for Continued, Sustainable Ecosystem Evaluation

57. An essential element of Stout's evaluation engagement was recommending how the intake and referral ecosystem could be continuously evaluated and improved. Stout learned that XXXXXXXX's ecosystem is built on a foundation of engaged point of entry organizations, robust tools and resources for community members, and internal and external datasets that can be analyzed and acted upon. The framework for iterative evaluation centers on creating systems and processes for continuous collaboration, data analysis, and client feedback. The Commission should:
 - Convene periodic (quarterly, semi-annual, or annual) statewide stakeholder meetings to review the intake and referral processes, periodic reports, data visualizations, and data analyses, and results from client and court user surveys.

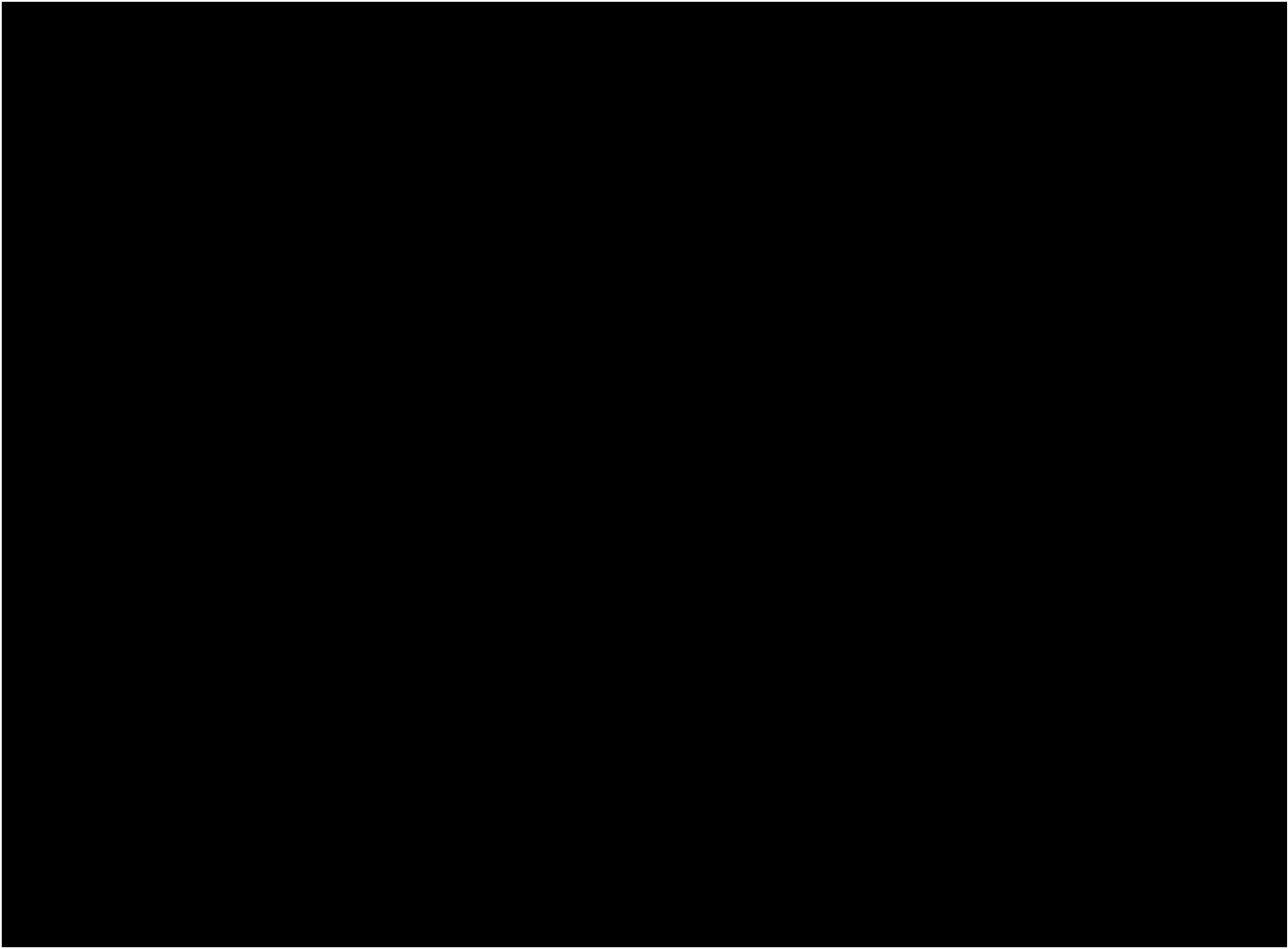
In Stout’s experience, inviting a breadth of stakeholder groups to statewide convenings is critical to developing widescale collaboration and awareness of resources. Stakeholders invited to the periodic statewide convenings should include primary and second point of entry organizations, the courts, 2-1-1, non-profits, community-based organizations and organizers, larger employers, representatives from the public education system, government agencies, the health care and faith communities, and the libraries. Inviting the courts to periodic convenings aligns with two initiatives described in their 2022-2025 Strategic Agenda whereby the courts are seeking to “establish methods for collaborating and providing needed services (e.g., housing, education, mental health, substance abuse and addiction, rehabilitation) across justice and social service systems” and “collaborate with partners to expand the availability of justice and community resources across the state, particularly in rural areas.”¹³

- Develop a quantitative measure of the “justice gap” in XXXXXXXX. The approach to measuring the justice gap in XXXXXXXX should consider the number of civil legal filings statewide and internal data collected by XXX, XXX XXX, and XXXX (including the quarterly capacity verifications). This combination of data presents an opportunity to conduct an innovative analysis that includes a measure of people receiving effective assistance (i.e., not legal representation) from XXX – a particularly challenging population to understand. The Commission could also consider requesting data from 2-1-1 and other civil legal aid organizations throughout XXXXXXXX to incorporate into its measurement of the justice gap. The purpose of measuring the justice gap is to understand more fully the number of people who need assistance, what form of assistance they need, whether that form of assistance is available, and whether they know about available resources. Figure 10 illustrates the XXXXXXXX intake and referral ecosystem leveraging XXX as the primary point and could inform the measurement of the justice gap in XXXXXXXX.
 - Figure 10 begins with XXXXXXXX residents experiencing circumstances that may involve legal issues for which they are seeking assistance. Residents may seek assistance with their legal issues from XXXX or XXX XXX, other community points of entry, the courts, 2-1-1, XXX, or a combination of these points of entry. When residents seek initial assistance from a point of entry organization that is not XXX, those point of entry organizations should refer the resident to XXX as the primary point of entry, when possible. There may be residents who contact a point of entry organization other than XXX initially and that point of entry organization

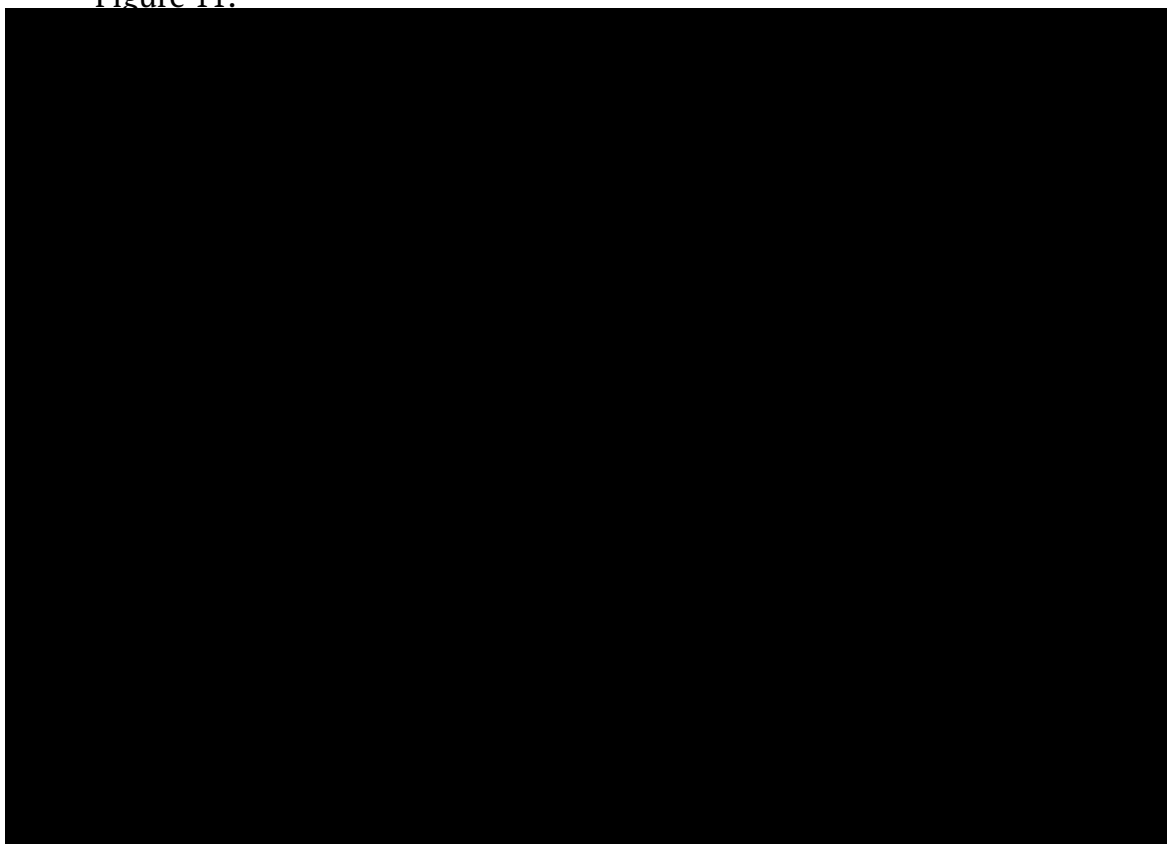
¹³ 2022-2025 Strategic Agenda: Planning for the Future of the XXXXXXXX Judicial System.” XXXXXXXX Judicial Council. April 13, 2022.

effectively refers them to a resource (see dotted line from XXXX/XXX XXX to Effectively Referred to Legal Aid or Private Atty).

- When a resident is referred to XXX, there will likely be 1 of 3 outcomes: the resident is referred to XXXX/XXX XXX, they received effective assistance through XXX (e.g., located the legal information they were seeking, located and completed a form, used the Guide to find a community resource), or they did not receive effective assistance through XXX. Residents who are referred to XXXX/XXX XXX from XXX will either be effectively referred to legal aid or a private attorney, or XXXX/XXX XXX will not be able to effectively assist them.
- Residents who do not receive effective assistance from the organizations within the ecosystem likely do not receive effective assistance because of insufficient capacity at the organizations or lack of resources within the ecosystem.
- The number of these residents, where they are located, the legal issue types they experience, and the assistance that would have been effective for them inform not only the measurement of the justice gap in XXXXXXXXX but also strategies to reduce it.
- A preliminary quantitative measurement of the justice gap in XXXXXXXXX could be based on data from each of the stakeholders described in Figure 10. The Commission could oversee a coordinated effort to collect data from the stakeholders related to XXXX volume, visits to XXX/the Guide, results from client surveys, the number of civil legal matters filed (by type by county by party representation), and referrals made. In combination, these data sets, when analyzed and visualized, would be the basis for an initial directional estimate of the justice gap in XXXXXXXXX. It is important to appreciate that the measurement of the justice gap in XXXXXXXXX will always require review and refinement. However, it can be impactful and informative to develop a reasonable estimate based on the best available data at the time of quantification. Over time, the Commission and stakeholders should collaborate to collect new or different data elements (or consider rephrasing or structuring current data elements) to continually refinement the justice gap measurement.



- Identify the ecosystem constraints and what strategies could be deployed by county to reduce the justice gap. Using the quantitative measure of the justice gap in XXXXXXXX and the variety of data sets being collected and analyzed, the Commission can identify ecosystem constraints such as geographic and issue type gaps in service, extensive wait times, the need for additional online or plain language forms, and challenges related to the digital divide. Once the constraints are identified, the Commission and relevant stakeholders across the state should iteratively implement strategies aimed at minimizing ecosystem constraints and reducing the justice gap through identifying priorities and following a cycle of implementation, analyzing and reporting, evaluating, and developing new strategies/recommendations. This process for iterative evaluation is shown in Figure 11.



58. The Commission could also consider how to integrate metrics/findings from the annual XXXXXXXX Supreme Court Public Satisfaction Survey for each county. The survey would provide not only the opportunity to incorporate important procedural justice elements into the Commission's continued evaluation framework but also to collaborate with the courts (statewide and by county). As a mechanism for continued engagement, the Commission could consider sharing aggregated reports and data at the county-level with the courts. As described previously, maintaining and expanding engagement across a breadth of

stakeholders will be crucial to creating and sustaining the feedback loop required for iterative ecosystem change.

Recommendation 7: Gather Feedback from Community Members at Each Node of Interaction with the Ecosystem

59. Stout's mystery calling underscored the importance of understanding users' experiences when interacting with the ecosystem at various nodes. In addition to collecting feedback from community members through follow-up surveys, it can be instructive to gather feedback at each node of interaction with the ecosystem to identify areas for improvement. The nodes of interaction considered should be expansive. For example, the feedback mechanism used should seek to understand challenges community members may have experienced:

- Trying to locate a phone number to speak to a live person
- Navigating or accessing online resources
- Locating and completing online applications for assistance
- Issues with leaving voicemails or not receiving timely callbacks by the point of entry organizations or private attorneys they were referred to
- Issues with language barriers, literacy, digital literacy, and access to technology
- Using self-help centers (staffed and unstaffed)
- Interacting with court staff and/or staff at point of entry organizations.

60. This process may highlight areas where additional training could be helpful. An element of Stout's mystery calling was aimed at assessing staff's interpersonal skills. Stout's mystery callers were asked to answer the following questions related specifically to their interaction with staff:

- Did the person you spoke with communicate what they next steps were?
- Did you understand what you needed to do next?
- How would you rate the time and care the person took to fully understand your circumstances?
- How would you rate the empathy the XXXX respondent displayed for your circumstances?

61. Results from this analysis indicated staff are clearly communicating, and there may be opportunities to provide additional training focused on spending time with the community member to understand and empathize with their circumstances. For example, Stout’s mystery callers indicated they did not feel the call representative spent adequate time with them to understand their issues or concerns. Stout’s mystery callers rated the time and care the XXXX representative took to fully understand their circumstances on a scale of 1 (not at all good) to 5 (very good). The average rating was 2.5 – between 2 (not good) and 3 (okay). While the relatively low rating may be a function of high call volumes (i.e., more calls could equate to spending less time with community members), developing additional training and reinforcing the importance of taking time to fully understand community members’ circumstances and displaying empathy throughout the phone call could improve the user experience. As call volumes normalize and XXX is fully leveraged as the primary point of entry, XXXX representatives may find they have more time to spend with community members maximizing the value of the XXXX for the community member and the point of entry organization.
62. The strategy for collecting feedback at each interaction node should include quantitative and qualitative data elements to be gathered for each interaction. This data should be collected in a format that enables it to be added to the data visualization platform, analyzed to inform the continued evaluation of the ecosystem, and shared with relevant stakeholders at periodic convenings.

Intersections with XXXXXXXX Judicial Council Strategies

63. In April 2021, the XXXXXXXX Supreme Court created the XXXXXXXX Judicial Council “to establish a strategic planning process and strategic agenda for XXXXXXXX’s judicial system.”¹⁴ The XXXXXXXX Judicial Council authored three documents as a result of the strategic planning process: XXXXXXXX Judicial Council Strategic Agenda, XXXXXXXX Judicial Council Operational Plan, and XXXXXXXX Judicial Council Plan At-A-Glance. The XXXXXXXX Council Strategic Agenda shares the long-term vision of the judiciary for the next three years (2022-2025). The XXXXXXXX Judicial Council Operational Plan details the strategic initiatives and goals the judiciary would like to achieve in the next year, and the XXXXXXXX Judicial Council Plan At-A-Glance is a one-page summary of the operational plan. Stout reviewed these three documents and found consistency and alignment between several of its recommendations and strategic initiatives/goals detailed by the XXXXXXXX Judicial Council. These aligned strategic initiatives/goals include:

¹⁴ 2022-2025 Strategic Agenda: Planning for the Future of the XXXXXXXX Judicial System.” XXXXXXXX Judicial Council. April 13, 2022.

- “Enhance/expand educational and other resources (e.g., information, technology, personal assistance) available to court users so they are able to access and conduct business successfully with courts in-person and virtually.”¹⁵
 - “Improve websites and enhance dissemination of information using a variety of media and platforms to reach all court users.”¹⁶
 - “Implement regulatory and other policy changes that will allow for an expansion of legal and non-legal assistance to court users (all types of cases).”¹⁷
 - “Ensure courts across the state have access to a wide range of services and programs that meet the needs of court users.”¹⁸
 - “Establish methods for collaborating and providing needed services (e.g., housing, education, mental health, substance abuse and addiction, rehabilitation) across justice and social service systems.”¹⁹
 - “Collaborate with partners to expand the availability of justice and community resources across the state, particularly in rural areas.”²⁰
 - “Continually solicit and listen to public/court user feedback.”²¹
64. The XXXXXXXXX Judicial Council’s development of the first-ever strategic agenda for the judicial branch presents a unique opportunity to collaborate with the courts. Recognizing the importance of the courts as a stakeholder, the Commission should consider how best to involve the courts in an iterative evaluation of the XXXXXXXXX triage and referral ecosystem as well as how to leverage it as a mechanism for data collection and community outreach.

¹⁵ Ibid.

¹⁶ Ibid.

¹⁷ Ibid.

¹⁸ Ibid.

¹⁹ Ibid.

²⁰ Ibid.

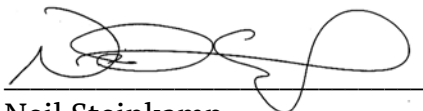
²¹ Ibid.

Section VI - Conclusion

65. Stout’s evaluation found that the ecosystem for intake and referral in XXXXXXXX has a variety of resources for community members with legal issues, engaged point of entry organizations and private bar members, but also issue type and geographic gaps in service. Through its conversations with stakeholders within the ecosystem and interactions with the point of entry organizations through mystery calling, Stout developed 7 recommendations for the Commission’s consideration:
- #1: Leverage XXXXXXXX Legal Help as the Primary Point of Entry, When Possible
 - #2: Incorporate into XXX an Automated Chat Feature
 - #3: Invest in a Data Visualization Platform, Create Automated Reporting to Monitor Use of XXX, XXX XXX, and XXXX, and Incorporate Additional Data Sources
 - #4: Assess Normalized XXXX and XXX XXX XXXX Volume and Operational Needs After Effective Leveraging of XXX to Maximize the Value of Referrals to XXXX and XXX XXX
 - #5: Create and Deploy Common Client Follow-up and Court-based User Surveys
 - #6: Develop a Framework for Continued, Sustainable Ecosystem Evaluation
 - #7 Gather Feedback from Community Members at Each Node of Interaction with the Ecosystem
66. In combination, these recommendations serve to leverage XXX as the primary point of entry organization, when possible, for community member with legal issues, deploy XXX XXX and XXXX’s valuable limited resources to their highest and best use, seek feedback from users of the ecosystem, and create a framework for iterative evaluation through stakeholder collaboration and sharing of data.

Assumptions and Limited Conditions

67. Stout's conclusions are based on information received to date. Stout reserves the right to change those conclusions should additional information be provided.
68. Stout's review, research, and evaluation was conducted on an independent basis. No Stout employee who worked on this engagement has any known material interest in the outcome of the evaluation.



Neil Steinkamp
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Ombudsperson Call Center Report – Q7 May 1, 2021 – July 31, 2021

STOUT RISIUS ROSS, LLC

Baez, et al. v. New York City Housing Authority (NYCHA),
No. 13-cv-8916 (WHP)

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On April 17, 2014, Judge William H. Pauley of the United States District Court for the Southern District of New York (the “Court”) approved a consent decree obligating NYCHA to abate mold and excessive moisture and their root causes in a timely and effective manner (the “Consent Decree”). In July 2018, the Court approved the Revised Consent Decree, which among other things, included the appointment of an independent Ombudsperson.

On September 20, 2019, the Court appointed César de Castro as the Ombudsperson and re-appointed him to serve through December 31, 2021 to address NYCHA residents’ complaints about leak, mold, and excessive moisture repair orders. The Court also re-appointed and directed Stout Risius Ross, LLC (“Stout”) to operate the Ombudsperson’s call center (“OCC”) for a period contemporaneous with that of the Ombudsperson’s appointment.

The OCC and the Ombudsperson, working collaboratively with the *Baez* Plaintiffs, plaintiff organizations, the Special Master, the court-appointed Independent Data Analyst (“IDA”), the court-appointed Independent Mold Analyst (“IMA”) and NYCHA (collectively herein as the “Parties”), has been successful in its efforts to assist NYCHA residents with mold and leak related complaints and identify opportunities for systemic operational change at NYCHA.¹ The OCC was developed to assist residents in situations where their mold and leak-related complaints are not being adequately addressed or resolved by NYCHA. NYCHA residents can now reach an independent party that offers effective and empathetic listening, proactive communication and timely case management to ensure their complaint is addressed. Throughout this process, the OCC seeks to have resident complaints promptly resolved by NYCHA and works with NYCHA to use OCC resident complaints as opportunities to refine and transform its culture and operational processes.

The OCC launched on November 4, 2019. This report provides an update and overview of the OCC operations, activities and call center metrics for the sixth reporting period from May 1, 2021, through July 31, 2021 (“Quarter 7” or “Q7”).

Pursuant to the Court’s September 20, 2019 order, this report is filed independently from the Ombudsperson.

¹ On December 23, 2020, the Court reappointed the IDA and IMA for a 1-year term through December 31, 2021.

I. Executive Summary

As of July 31, 2021, the OCC has been available for NYCHA residents for nearly 2 years and has assisted nearly 7,000 NYCHA residents with mold and leak-related complaints. The OCC has proven to be a very successful outlet for NYCHA residents to seek the help they need towards living in a healthier home, particularly during the COVID-19 pandemic.² As of the end of the quarter, NYCHA had nearly 54,500 open parent mold and leak work orders associated with mold and leaks in nearly 40,000 unique apartments (or 24% of all NYCHA apartments), of which 92% were open for greater than 7 or 15-days as required by the Revised Consent Decree. As such, at least 36,524 unique apartments were eligible for the OCC's assistance in Q7.

NYCHA remains committed to continuing the success of OCC operations by providing resources to service resident reports of mold and severe leaks and work to expedite the necessary repair activity to ensure its residents are living in a healthier home. Despite unexpected staff turnover, continued disruption arising from the COVID pandemic and other complexities in Q7, NYCHA's Mold Response Unit ("MRU") has worked diligently to help NYCHA residents with the help they need towards living in a healthier home and work with each development within NYCHA to improve its communication with residents and be held accountable to ensure that the proper repair work is completed to the resident's satisfaction.

NYCHA's Office of Mold Assessment and Remediation ("OMAR") and Compliance departments have particularly instrumental to the success of the operations through its support, collaboration, and adoption to implement the OCC's recommendations for organizational change strategies associated with mold and leaks. Understanding the feedback from both the residents' perspective as well as the operations perspective offers a unique opportunity for ongoing and sustainable transformative change in NYCHA's response to mold and leaks, and its efforts to effectively prevent recurrence and improve resident communication.

OCC's Impact to Date for NYCHA Residents Includes (but is not limited to):

- Assisted 6,837 NYCHA residents with 7,347 direct mold and leak-related resident reported complaints;
- Assisted 8,903 NYCHA residents with at least 9,413 direct and indirect mold and leak-related complaints (including other residents that did not directly contact the OCC for assistance);³
- Serviced over 3,600 resident-reported complaints per month (within a quarter);
- Placed nearly 36,000 calls with NYCHA residents;
- Monitored the completion of more than 28,000 parent and child work orders;
- Collaborated and received referrals from the NYCHA's Monitor team (Guidepost Solutions), elected officials, tenant organizers, or other non-profit organizations for over 715 NYCHA residents;
- Collaborated and received referrals from the NYCHA's compliance department for 348 resident-reported complaints;
- Assisted with relocation (temporary or permanent) for nearly 140 NYCHA residents;
- Conducted nearly 75 virtual inspections with NYCHA residents; and

² Refer to **Appendix A** for more information regarding NYCHA's COVID-19 guidance in relation to mold and leak work order remediation.

³ For example, this includes resident reported complaints that involve work in other units (e.g., the floors above or below) or if the resident submits an additional complaint after the initial complaint. This number is understated due to a lack of reporting on the number of units that each OCC resident-reported complaint affects.

- Collaborated with at least 15 NYCHA departments regarding resident reported complaints, systemic operational change opportunities, technical change opportunities, and/or standard procedure improvements.

NYCHA's dedication to better serve its residents and its commitment to ensure the success of the OCC has also been recognized by several sources, including (but not limited to):

- Congressman Ritchie Torres distinguished the Ombudsperson and OCC as "*a powerful tool*" helping NYCHA residents resolve mold and leak related complaints.
- News reporter Monica Morales from Pix11 News also featured a story on the OCC, highlighting resident success stories.
- New York assembly members (15 collectively) issued a joint statement to NYCHA's Chairman stating (in part) that the OCC and Ombudsperson have helped to ensure that needed repairs can be addressed by NYCHA to improve the quality of life in Public Housing.

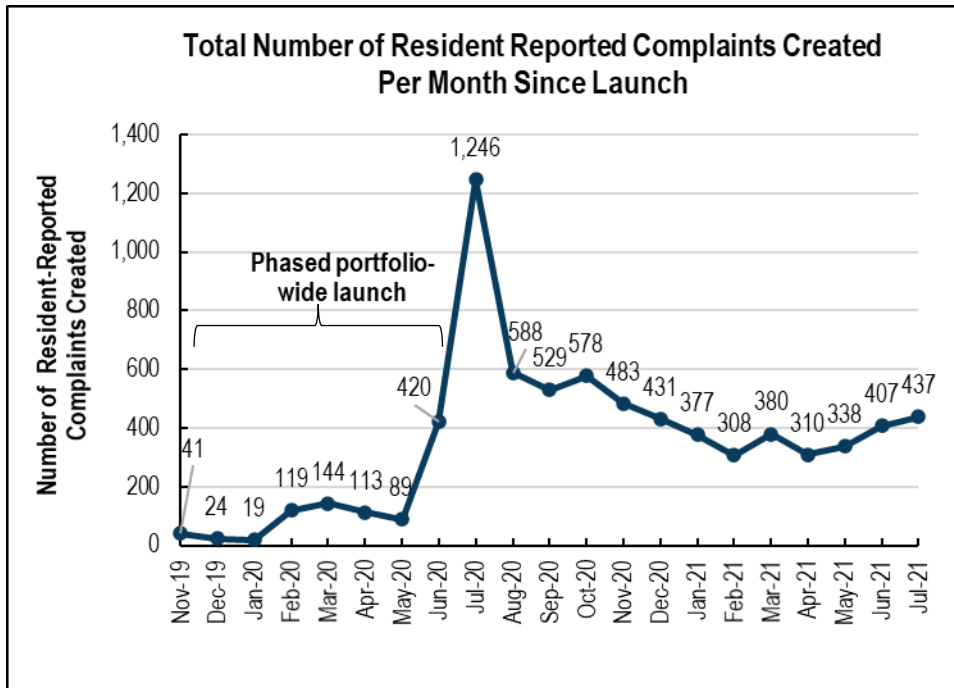
Need for effective, empathetic resident communication.

NYCHA needs to continue to evolve to a customer-centric culture through increased and improved communication with residents regarding the results of inspections, remediation plans, and scheduling of work. It remains that nearly all resident-reported complaints to the OCC have involved a breakdown of communication between the resident and NYCHA. The OCC has identified a variety of resident communication strategies and best practices (refer to Section III A starting on page 32) NYCHA should consider in its efforts to evolve to a more customer-centric culture and train its staff to better engage with residents. NYCHA's Resident Community Associates ("RCA") within MRU, who respond to OCC resident-reported complaints, set an example of how these strategies and best practices can be implemented. For NYCHA to operate effectively and efficiently, there will need to be a continued culture change at NYCHA to effectively communicate with residents (and internally) with the accountability and commitment needed to ensure that the proper repair work is completed. If this can be achieved, there will be a considerable reduction of resident-reported complaints to the OCC and significant improvements in NYCHA's ability to efficiently and effectively remediate mold and leaks. In Q6, per NYCHA's request, Stout developed recommendations regarding effective communication with NYCHA residents regarding mold and leak remediation. It is our understanding that NYCHA is evaluating those recommendations.

Demand for the OCC's assistance remains due to the severity of the resident reported living conditions.

As shown in Figure 1, there has been a steady demand for the OCC's assistance, with an average of 493 resident-reported complaints per month after the portfolio-wide launch on July 1, 2020.

Figure 1



In Q7, there were 1,219 new resident-reported complaints created, of which nearly 50% reported severe conditions and 26% reported they were living with respiratory health concerns that may have been caused by or exasperated by their current living conditions. Over 85% of the resident complaints received by the OCC required NYCHA to complete substantial repair work that requires scheduling of several appointments, follow-up communication, and quality assurance checks to ensure the work was adequately completed. These include unresolved on-going leaks and/or severe mold, oftentimes resulting in deteriorated walls, pest infestations, and unhealthy living conditions. For many of the reported complaints, residents were left with broken or missing fixtures such as sinks, cabinets, toilets, and/or showers or exposed holes in the wall due to wall breaks made to attempt a leak repair.

See below for examples of the conditions originally reported by residents to the OCC in Q7:⁴



If NYCHA can communicate more effectively, promptly conduct the necessary repair work and proactively communicate roadblocks from preventing progress on resident-reported complaints to the OCC, requests from the Ombudsperson can be prevented in future quarters and there will be a considerable reduction of OCC resources required to monitor these complaints.

The independence of the OCC and Ombudsperson remains essential.

The independence of the OCC and the Ombudsperson has been and will continue to be an essential element of the success of the OCC. NYCHA has made progress in conducting complex repair activities, ensuring the proper remediation steps are being taken (sometimes requiring re-inspections or follow-up work at the OCC's request), and working to re-establish trust with residents at certain developments. The success of the OCC requires NYCHA to be accountable for its work based on the resident's feedback and as a result, there has been a positive outcome for NYCHA residents. In Q7, additional efforts were required by the OCC and the Ombudsperson due to the increased number of resident-reported complaints with a lack of progress causing escalation, accounting for 66% of resident reported complaints serviced in the quarter. Such activity included engagement with development staff to discuss responsiveness concerns, requests for action on specific resident-reported complaints, and requests to meeting with NYCHA RCAs to better understand the obstacles it is facing. Significant resources are required by the OCC for escalated resident-reported complaints.

⁴ Progress has been made on each of these complaints, therefore, these pictures do not reflect current conditions. Refer to **Exhibit 1** for additional pictures.

César de Castro, the Ombudsperson, has been actively involved in the OCC. Mr. de Castro has been able to effectively communicate the significance of his appointment, the obligations he has under the Consent Decree, and the actions he can take if NYCHA does not use its best efforts to resolve resident complaints to the OCC. Mr. de Castro continues to emphasize the need for prompt responses from NYCHA staff to assist and aid in the scheduling and completion of the necessary repair work. Mr. de Castro's extensive experiences engaging with NYCHA residents have been helpful in overcoming communication barriers and working with NYCHA to ensure residents' needs are met.

For NYCHA to be successful in its efforts to effectuate continued and sustained culture change it will require substantial effort by NYCHA to serve residents through effective communication, individual accountability, commitment to conduct the proper repair work, effective and appropriate use of vendors to overcome staffing limitations or complex repairs, and a commitment to operational oversight via data strategy and operational processes, as discussed throughout this report.

Continuing to raise awareness of the OCC to all residents using multiple communication channels, with frequent distribution, is required.

In Q7, 36,524 unique apartments were eligible for the OCC's assistance, of which only 3% contacted the OCC with a new resident-reported complaint. This is likely due (in part) to a lack of resident awareness about the OCC.⁵ The OCC does not currently conduct independent outreach to NYCHA residents. In Q7, NYCHA's outreach regarding the OCC was on social media only. During the quarter, NYCHA did not use additional email notifications, rent mailers, robo-calls, flyering, canvassing or targeted phone outreach (as it had done during the initial roll-out from January – July 2020).⁶ However, in Q7 NYCHA launched its new Mold Campaign that included a multi-channel outreach plan including written materials (educational packet, flyer, posters, door hangers) and social media materials (website, videos, social media posts) which was shared with residents through rent mailers, door-to-door canvassing, building canvassing, social media posts, and other forms of resident engagement. Some of the marketing collateral contained information regarding the OCC, which may help improve awareness of the OCC.

In December 2020, legislation was passed that requires the City to provide NYCHA residents with information about the Ombudsperson and the OCC via the distribution of pamphlets, telephone calls and included in a rent statement.⁷ The OCC has not been made aware of any progress regarding the implementation of this legislation.

⁵ The OCC has received feedback from tenant organizations, community organizations, and residents (through canvassing activities and Monitor Referrals based on work order reviews) that they were not aware of the OCC.

⁶ NYCHA's OCC communication efforts are contemplated within the framework of all resident communication that NYCHA is doing. As such, giving consideration to NYCHA communication resources and other communication priorities, NYCHA believed the social media channels utilized were appropriate for promoting the OCC.

⁷ **Int. 1911-A** requires that the City provide NYCHA tenants with information about the Mold Ombudsperson, the Ombudsperson's call center, and how to file a complaint about mold. An agency or office designated by the Mayor will distribute pamphlets to NYCHA residents with this information. NYCHA residents will also receive this information via a telephone call. Tenants who are enrolled in electronic billing may receive an email with the information instead of a paper copy. Elected officials and community representatives would also receive pamphlets. The designated office would also be required to hold a public briefing about the Mold Ombudsperson at least once a year. This legislation went into effect immediately and was sponsored by Council Member Ritchie Torres. The bill was passed on December 10, 2020.

The OCC is hopeful that NYCHA will continue to raise awareness of the OCC to all residents using multiple communication channels, with frequent distribution. NYCHA must continue to communicate to residents that the OCC and the Ombudsperson are independent of NYCHA and is an outlet for residents who are not satisfied with NYCHA's efforts.

II. Resident-Reported Complaints to the OCC⁸

A. Resident-Reported Complaint Metrics Since Launch^{9, 10}

Since the OCC launched in November 2019, 7,347 resident-reported complaints have been received by the OCC, which increases to at least 9,413 resident-reported complaints when considering work involving multiple units (including other residents that did not directly contact the OCC for assistance).¹¹ It is estimated that the OCC has monitored the completion of nearly 29,000 parent and child work orders (or 33,000 including open work orders) and received nearly 36,000 phone calls from NYCHA residents. The OCC has assisted with relocation (temporary or permanent) of nearly 140 NYCHA residents and conducted 73 virtual inspections with NYCHA residents.

⁸ Number of unique complaints can vary over time based on the source of the complaint (e.g., resident-reported complaint and referral complaint for the same unit may be reported as 2 unique complaints and later merged into 1 complaint), eligibility of assistance (e.g., a complaint may be created for a NYC resident but if it later determined that the resident is not a NYCHA resident, the complaint will be excluded from reporting), and number of complaints per unit (e.g., resident may have created a complaint in Month 1 in the bathroom and an additional complaint in the bedroom in Month 2, depending on the nature the complaint, it may be reported separately or merged into 1 complaint). The status of complaints can vary over time based on the required repair activity (e.g., work may have been completed but is re-opened due to recurrence), or the resident's requests (e.g., to place complaint on hold due COVID-19 delays). Therefore, the number of unique complaints and complaint statuses may change quarter over quarter. The number of monitored work orders is estimated based on work order activity recorded in Maximo during the time period that the OCC resident reported complaint was open. The work orders are likely understated since it excludes all work orders for units that were transitioned to RAD, inspection work orders conducted by OMAR or the QA department, remediation plans created and managed by OMAR or its vendors, work orders in other units that are connected to the OCC complaint (e.g., complex leak work), remediation plans with child work orders that are not linked to the mold or leak parent work order, etc.

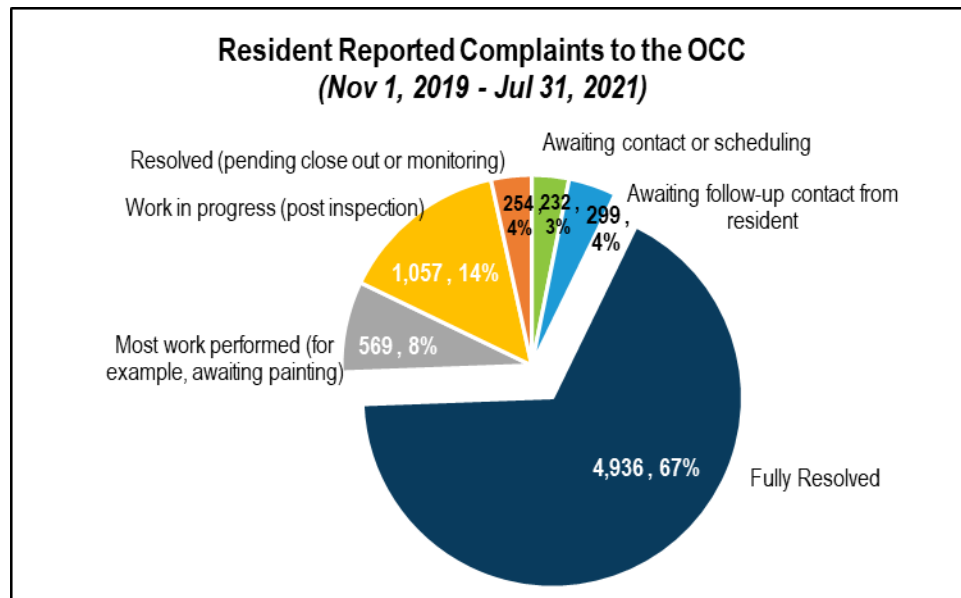
⁹ The resident-reported complaint metrics may change over time. Complaints may change status based on feedback received or may be merged if they are related to the same issue. The OCC evaluates call volumes, issues raised, escalations required, number of resident interactions, etc., to identify process refinement opportunities that could create operational improvements and efficiencies. Since adjustments to the data fields and methods of recording the data have been and continue to be modified and enhanced, it is possible that certain metrics are understated or not entirely representative of the actual activities conducted in the quarter. The OCC relies on MRU to populate the necessary data fields for MRU activity tracking. We have been informed that due to MRU staffing limitations and training of new resources, data fields were not always populated and therefore some reported metrics are likely understated.

¹⁰ On November 30, 2020, NYCHA announced that it transitioned 13 Manhattan developments with 1,645 apartments managed by NYCHA to private property management through the Department of Housing and Urban Development's ("HUD") Rental Assistance Demonstration ("RAD") and Permanent Affordability Commitment Together ("PACT") programs in Manhattan. The OCC worked to resolve all resident-reported complaints in those developments prior to the transition. Those with remaining work still pending were referred to the new private property management offices through NYCHA and the RCAs communicated this with each resident. It is our understanding that new private property management offices would prioritize OCC complaints. Those resident-reported complaints have been excluded from the OCC reporting metrics. As of the end of Q6, no additional developments were transitioned to RAD.

¹¹ For example, this includes resident reported complaints that involve work within other units (e.g., the floors above or below) or if the resident submits an additional complaint after the initial complaint. This number is understated due to a lack of reporting on the number of units that each OCC resident-reported complaint affects.

Figure 2 shows the distribution of resident complaints reported to the OCC, as of the end of the quarter. 71% have been resolved (including resolved and fully resolved), 8% have had most work resolved, 14% have work in progress, 4% are in the process of follow-up, and 3% are awaiting contact or scheduling.

Figure 2



1. Resident-Reported Complaints Serviced in Q7

In Q7, there were 3,360 resident complaints worked on or “serviced” in the quarter, which were either open at the end of the prior quarter (2,141) or opened within the quarter (1,219). This is the number of complaints with which the OCC assisted during the quarter.

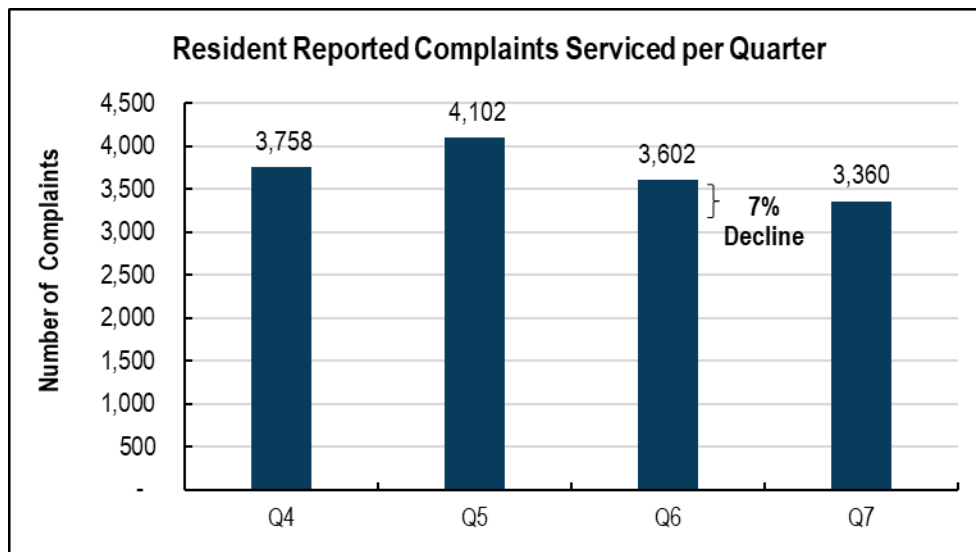
Of the 3,360 resident complaints serviced in the quarter, 1,261 (38%) were resolved in the quarter and 2,099 (62%) remained open (or unresolved) at the end of the quarter.

As demonstrated in Figure 3 there was a 7% decline in the number of resident-reported complaints serviced in the quarter. Contributing factors to the decline likely include:

- Declining rates of new resident-reported complaints in recent quarters (e.g., 51% decline from Q4 to Q6);
- NYCHA’s increased ability to more efficiently resolve aging (Q4 and prior quarters) resident-reported complaints through the completion of the necessary repair activity to the resident’s satisfaction; and
- NYCHA’s ability to complete work orders that were once on hold due to COVID-19.¹²

¹² Refer to Appendix A for information regarding NYCHA’s Work Order Guidance during COVID-19.

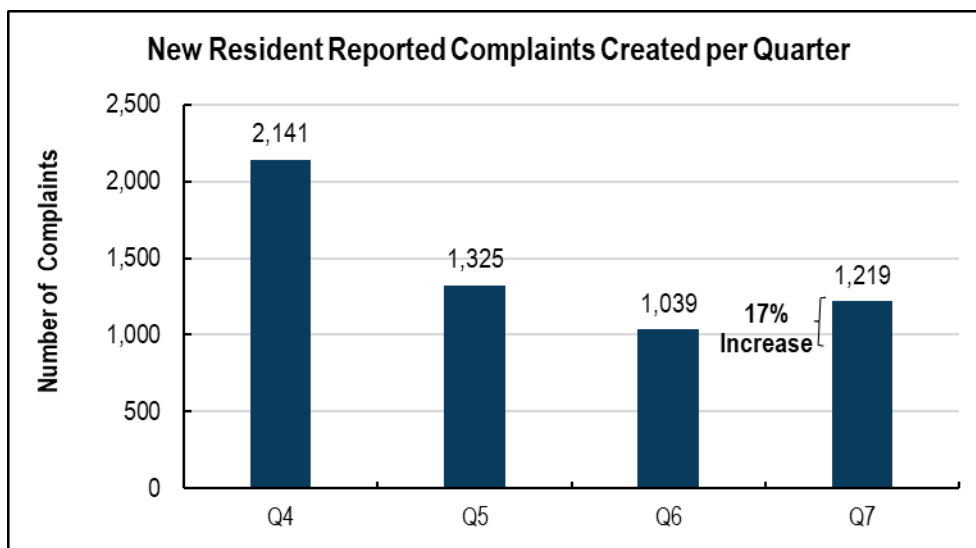
Figure 3



2. Number of New Resident-Reported Complaints Created this Quarter

In Q7, there was 1,219 new resident-reported complaints created, an average of 94 per week or approximately 406 per month. As demonstrated in Figure 4 there was a 17% increase, compared to 22% decline between Q5 to Q6 and 51% decline between Q4 and Q6.

Figure 4



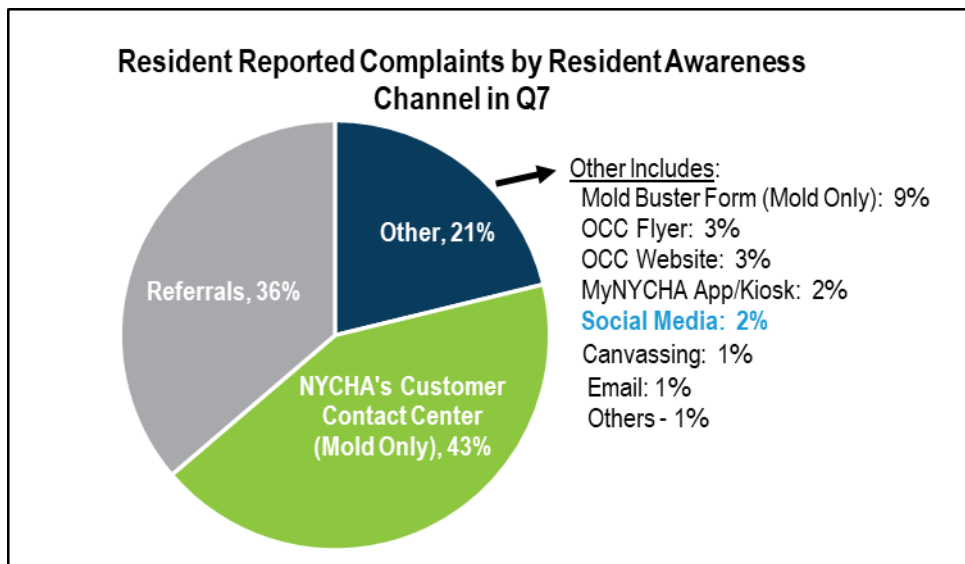
The increase in new resident-reported complaints is likely attributable to several factors (discussed throughout the report) including:

- Increased referrals from tenant organizations, NYCHA’s Compliance department, and NYCHA residents (word of mouth);
- Increased rate of resident-reported mold work orders within NYCHA (9% increase from the prior quarter); and
- Decreased COVID-19 concerns and transmission (allowing NYCHA workers in their unit).

3. Resident-Reported Complaints Created by Awareness Channel

In Q7, NYCHA’s OCC outreach activities remained consistent with prior quarters. Figure 5 shows the concentration of reported complaints sourced from representatives that are aware of the OCC including NYCHA’s Customer Contact Center (“CCC”) and Referrals (such as from tenant organizers, the HUD Monitor, 3-1-1, NYCHA’s Compliance department, NYCHA’s office of the inspector general, news press and other residents) which collectively accounted for 79% of complaints created in Q7. The other forms of targeted outreach including social media posts, flyering, canvassing robo-calls, email communication, mailers, etc., collectively accounted for the remaining 21% in Q7. Despite NYCHA’s efforts to conduct weekly or bi-weekly social media posts, only 2% of residents reported that they were aware of the OCC because of these efforts.

Figure 5



Other forms of targeted outreach that were effective in the initial launch of the OCC and prior to the COVID-19 pandemic (in Q1-Q3) such as email notification, rent mailers, robo-calls, door-to-door canvassing, flyering, or targeted phone outreach have not been conducted in recent quarters. The distribution of resident-reported complaints by awareness channel is an indication that further outreach using additional channels would increase resident awareness of the OCC. NYCHA remains open to considering additional measures to continue to promote awareness of the OCC, balanced by the many other resident communications NYCHA plans.

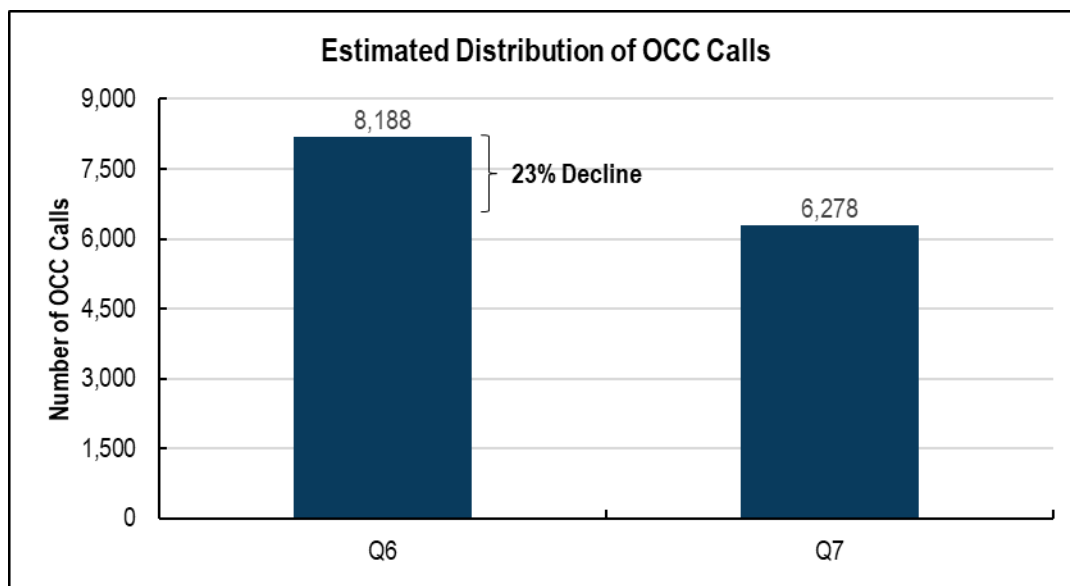
The OCC is hopeful that the legislation passed in December 2020 requiring the City to provide NYCHA residents with information about the Ombudsperson and the OCC via multiple awareness channels (e.g., distribution of pamphlets, telephone calls and included in a rent statement) will be implemented in Q8 and future quarters, increasing resident awareness of the OCC.

4. OCC Call Volumes

The OCC's main role is to process new complaints and confirm resident satisfaction once the complaint is resolved. It is expected that NYCHA will promptly address and resolve the residents' complaints and the OCC and Ombudsperson will monitor progress.

In Q7, the OCC had 6,278 calls with residents, with an average of 101 calls per business day. The distribution of languages preferred by residents included 86% English, 13% Spanish, and 1% other languages (including Russian and Chinese). As shown in Figure 6, there is a 23% decline in call volume compared to Q6. Despite the reduction in overall call volume, the number of calls per resident-reported complaint serviced in the quarter (2) has remained consistent with Q6.

Figure 6



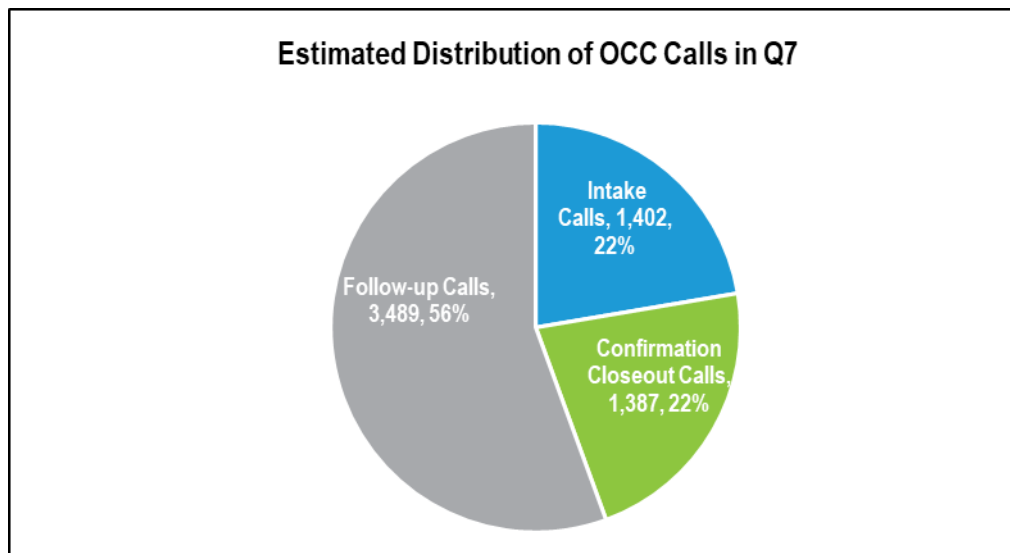
The decline in call volume is attributable to several factors including:

- A reduction of OCC resident-reported complaints serviced in the quarter (7%);
- A reduction of resident-reported complaints resolved in the quarter (indicating that the OCC is still awaiting NYCHA to finish the repair work) (31%); and
- Changes to OCC's call center technology and routing for follow-up calls which caused a decline in follow-up calls (discussed further below).

Figure 7 shows the estimated distribution of calls received in the quarter that were associated with conducting intake for a newly reported complaint or seeking confirmation that the work has been completed to the

residents' satisfaction (accounting for 44% of calls) versus follow-up calls with residents (accounting for 56% of calls).¹³ Resident follow-up calls and interactions to the OCC may include questions regarding a scheduled date, results of an inspection or the remediation plan, a missed appointment or unannounced appointment, frustration with an interaction with a worker or a delayed scheduling date, complaint about the recent work performed (or lack thereof) or seeking an update from NYCHA. The OCC expects no more than 10% of overall calls should be for follow-up interactions.

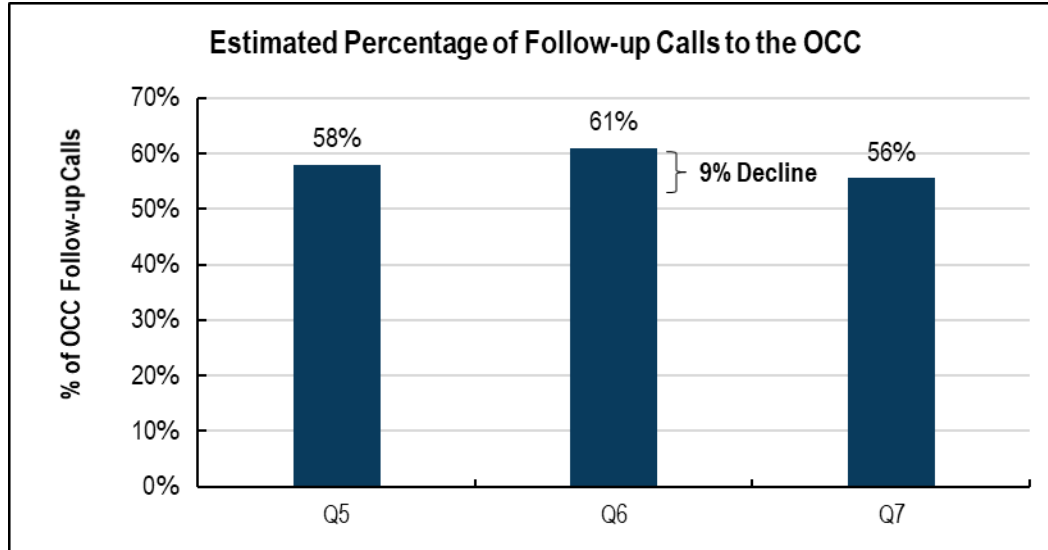
Figure 7



The OCC requests that the resident follow-up with the NYCHA's RCA for any questions about remediation activity or scheduling after the OCC intake process. However, the resident is also informed that they can follow-up with the OCC directly if they have any questions or concerns that the RCA could not appropriately address (or if they are unable to reach the RCA). Figure 8 shows a 9% decline in follow-up calls to the OCC in Q7, which is due (in part) to the OCC modification to the interactive voice response (IVR) system to allow residents to more quickly reach the OCC for follow-up calls.

¹³ The estimated distribution of calls is calculated based on the number of newly created resident-reported complaints (+15% for follow-up attempts if resident is not reachable) + the number of resident-reported complaints (+10% follow-up attempts if resident is not reachable). The remaining calls are considered follow-up calls.

Figure 8



In Q7, many residents contacted the OCC with the following types of follow-up calls:

- Failed attempt to contact the RCA and wanted an update from the OCC;
 - E.g., the resident had not yet heard from the RCA since OCC intake; the resident was unable to reach the RCA (voicemail was full or haven't received a returned phone call); the resident was unaware of who the RCA point of contact is and how that differs from the OCC; or the RCA does not speak their preferred language.
- A missed appointment or unannounced appointment (earlier than anticipated and/or without notice);
- Dissatisfaction with upcoming scheduling date (too far in the future), being asked to open a new work order for current remediation plan; or lack of progress on the repair activity (development delay in scheduling);
- Dissatisfaction with recent repair activity (e.g., work was not performed acceptably or improper interaction with the labor worker);
- Dissatisfaction with the on-going conditions within the apartment associated with missing or inoperable components (e.g., tub enclosure, sink, cabinets, etc.);
- Recurrence (e.g., the leak has returned while awaiting for next repair date); or
- Dissatisfaction of overall work during the OCC's closeout attempt (based on the RCA's feedback of resident satisfaction).

If NYCHA can more effectively and promptly communicate with residents, a significant proportion of the follow-up calls to the OCC can be prevented in future quarters. NYCHA has been receptive to the OCC's recommendations of strategies to reduce the volume of follow-up calls and has already implemented some of the recommendations (while others are under development or consideration), including:

- Creation of an RCA "fact sheet" or "flyer" that provides an overview of the RCA's role and list of their contact information which the OCC can share with the resident after intake and post on its website;
- Possible modifications to the interactive voice response (IVR) of the OCC phone line to direct a resident to NYCHA if they wish to speak to an RCA, which would reduce the follow-up calls to the OCC.

- RCA increased frequency of resident communication throughout the remediation process (e.g., providing interim updates if there are delays in scheduling or awaiting inspection results);
- RCA initial communication email to the resident with their contact information;
- RCA supervisor monitoring of RCA resident communication to ensure contact is made within 1 business day after OCC intake is completed;
- RCA automated reminder process to inform the development and the resident of the upcoming scheduled date;
- RCA supervisor monitoring of RCA's response and action to OCC questions raised during intake to address the resident concerns;
- RCA supervisor monitoring of RCA's voicemail box to ensure the RCA is reachable to address the resident's questions or concerns; and
- RCA script for communication with residents to confirm satisfaction of all work performed, request pictures or video; and inform the resident that the OCC will follow-up to close out the ticket.

5. Resident-Reported Complaints by Location and Complaint Type

In Q7, there were new resident-reported complaints created in 195 separate developments across the portfolio, with a range of 1 to 46 complaints per development. The top 27 developments accounted for 43% of all new resident-reported complaints in Q7. The top 5 developments with new resident-reported complaints included Lincoln, Patterson, Jefferson, Red Hook West, and Brownsville. New resident-reported complaints were opened in each borough (which were consistent with past quarters) including:

- Manhattan - 34%;
- Brooklyn - 31%;
- Bronx - 25%; and
- Queens/Staten Island - 10%.

The new resident-reported complaints to the OCC in Q7 included the following complaint types (which were consistent with past quarters):

- 46% associated with mold repairs only;
- 34% associated with both leak and mold repairs;
- 18% associated with leak repairs only; and
- 3% associated with other repairs not directly associated with leak or mold (e.g., ceiling damaged or paint).¹⁴

The proportion of mold-related complaints is due (in large part) to NYCHA's outreach activities related to the OCC. In Q7, 43% of new resident-reported complaints were from the CCC. The CCC only informs residents of the OCC when mold-related complaints are made, not leak-related complaints.¹⁵ If NYCHA increases outreach efforts across multiple channels with frequent distribution, the proportion of complaint types may change in future quarters.

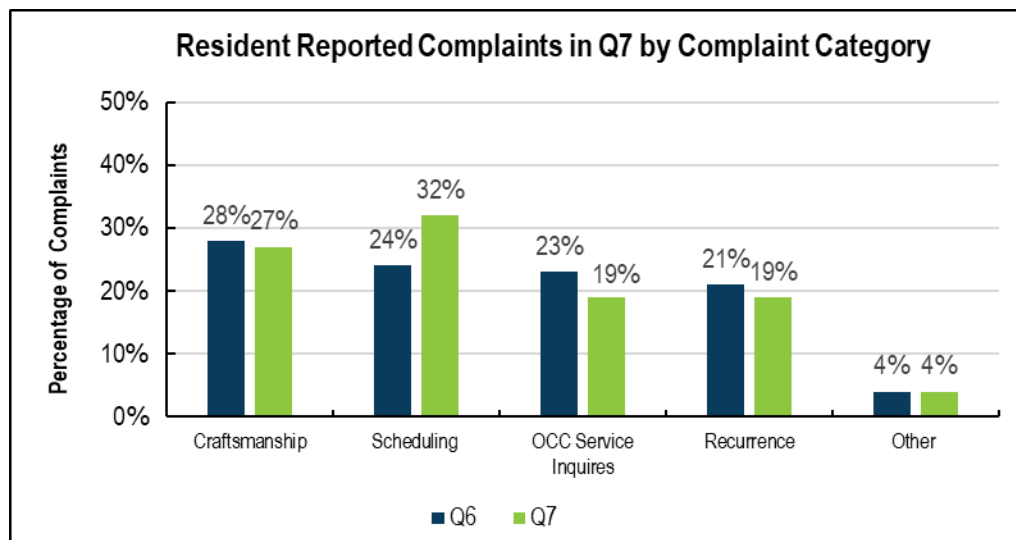
¹⁴ The reported work order type is determined after the inspections have been completed, therefore, all complaints filed in the quarter may not be included in this metric and complaint type may change over time.

¹⁵ Refer to **Section III** of this report for further information. NYCHA has indicated that it is committed to expanding the CCC outreach for leaks once it has stabilized the MRU processes, procedures, training, and staffing levels and can be adequately prepared to process the anticipated increased number of resident complaints to the OCC. The OCC is in support of NYCHA's efforts to stabilize the MRU operations related to OCC response before significantly expanding notification through the CCC.

6. Resident-Reported Complaints by Complaint Category

Figure 9 shows the distribution of resident complaints made to the OCC by initial complaint category in Q7 compared to the prior quarter. While the distribution below reflects the residents' initial complaint to the OCC, the OCC found that residents complaint category may evolve over time (e.g., complaint may start out as a scheduling complaint but there could be components of recurrence or missed appointments, etc.).¹⁶

Figure 9



In Q7 (consistent with Q6), nearly 50% of new resident-reported complaints were for complex situations regarding recurrence or craftsmanship (incomplete or poor quality of work).¹⁷ These complaints take longer to resolve due to the complexity of the repair activity, need for supplemental inspections (when applicable), interaction with multiple Departments within NYCHA, and relocation (when applicable). In Q7, there was an increase in Scheduling complaints due (in part) to work order backlog from prior COVID-19 restrictions and a lack of proper communication to resident regarding upcoming scheduling dates. Upon NYCHA's request, the OCC and IDA can analyze the proportions of complaints associated with these category to inform NYCHA opportunities for increased monitoring, communication best practices, or possible complex repair activity that may require capital projects (e.g., roofing or façade work).

- In Q6, upon NYCHA's request, the OCC started to track information regarding the types of Craftmanship complaints the OCC was receiving. In Q7 there were:
 - 77% - Work was started but not completed;
 - 10% - Poor quality work performed (e.g., plaster or paint);

¹⁶ Complaint category is used to determine the operational OCC process. Any OCC tickets that have not completed the intake process are excluded from this metric. The categorization does not go through a verification process or have specific requirements for eligibility (e.g., craftsmanship complaints do not require pictures or evidence of poor quality work and recurrence complaints are resident complaint regarding the recurrence of an issue).

¹⁷ The Recurrence percentage in Figure 9 above is not the overall recurrence rate for mold or leaks at NYCHA. Rather, the percentage is the percentage of OCC Complaints where the resident was indicating that their complaint was about a recurring issue.

- 7% - Other reasons such as a conflict with the worker; and
- 6% - Repair work was completed but a missing component or fixtures was never replaced.

7. Resident-Reported Complaints by Reported Conditions

In Q7, 49% of new resident-reported complaints received by the OCC involved reports of severe conditions and/or a lack of proper repair work leaving the resident without a fully operational apartment. These complaints often require substantial repair work that requires scheduling of several appointments, interaction with a variety of departments within NYCHA, and quality assurance checks to ensure the work was adequately completed. In Q7 there were:¹⁸

- 296 (or 24%) resident-reported complaints to the OCC where the resident reported a large area of visible mold (e.g., over 20 Sq. Ft. of mold);
- 134 (or 11%) resident-reported complaints to the OCC where the resident reported a hole in the wall (exposed cavity due to mold or leak repair activity);
- 113 (or 9%) resident-reported complaints to the OCC where the resident reported a severe and/or active leak (often requiring repair work within several apartments within the building line); and
- 51 (or 4%) resident-reported complaints to the OCC where the resident reported an inoperable or missing sink, toilet, cabinet, etc.

8. Resident-Reported Complaints by Complex Situations

Many of the complaints received by the OCC involve reports of lack of proper repair work in the past, complex repair work requiring access to multiple units, or complexities involving active lawsuits or resident communication barriers between the resident and NYCHA. These complaints often require substantial repair work that requires scheduling of several appointments, interaction with a variety of departments within NYCHA (e.g., Legal, Family Services, Resident Engagement, etc.), and quality assurance checks to ensure the work was adequately completed. In Q7 the following tickets were created with one of the following criteria:¹⁹

- 108 resident-reported complaints to the OCC where the resident was also involved in a Court case against NYCHA;
- 101 resident-reported complaints to the OCC that required complex building line leak investigations;
- 138 resident-reported complaints to the OCC that required work in other units in the building;
- 53 resident-reported complaints to the OCC of an additional mold or leak related complaint after OCC intake; and
- 44 resident-reported complaints to the OCC that required extensive exterior building repair work (29 required roof repair work, 10 required facade repair work, and 5 capital repair projects).

¹⁸ Metrics include both resolved and unresolved complaints created in the quarter.

¹⁹ Ibid.

As a result of the complexities and the required repair work, the following requests and activities were completed in Q7:²⁰

- Recommended re-inspections of a work order due to resident dissatisfaction of previous work performed for 422 resident complaints to the OCC;
- Requested an immediate (urgent) action taken for 314 resident complaints to the OCC (e.g., abate flooding conditions, immediate temporary repair, etc.);
- Recommended that NYCHA re-open a work order due to lack of proper completion for 141 resident complaints to the OCC;
- Recommended that NYCHA's Compliance department conduct a review or investigation into 88 resident complaints to the OCC of improper closure of work order(s), reports of possible misconduct or other resident-reported concerns;
- Used OMAR secured vendor contracts for an inspection for 44 resident complaints to the OCC and Quality Assurance ("QA") for 23 resident complaints to the OCC ;
- Conducted virtual inspections for 40 resident complaints to the OCC;
- Recommended that NYCHA have a 3rd party, independent of the development, attend an inspection due to conflict between the resident and the development staff for 26 resident complaints to the OCC²¹; and
- Conducted a work order investigation for 7 resident complaints to the OCC.

9. Resolved Resident Reported Complaints to the OCC

In total, 1,491 resident-reported complaints were resolved in Q7, accounting for 44% of the complaints serviced within the quarter (compared to 63% in Q6).²²

- 1,261 resident-reported complaints were fully resolved;
- 227 resident-reported complaints were resolved (pending resident confirmation); and
- 3 resident-reported complaints were placed on-hold (due to the resident's request).

Of the 1,261 fully resolved resident-reported complaints, the resolution type included:

- Remediation completed for reported mold or leak issue – 73%;
- Responded to resident service inquiry or question – 23% including; and
 - 66 resident complaints where the OCC left the resident a voice message (and/or email message) after 3 attempts with the resident's requested information (rather than connecting via phone).
- Referred to NYCHA's Compliance department or the resident was relocated – 4%.
 - 13 resident complaints resulted in relocation in Q7.

²⁰ Metrics include both resolved and unresolved complaints serviced in the quarter.

²¹ OCC has recommended that NYCHA consider the use of virtual inspections as an effective tool for situations where there is a dispute between the resident and development staff regarding resident dissatisfaction of the work (or lack thereof) performed.

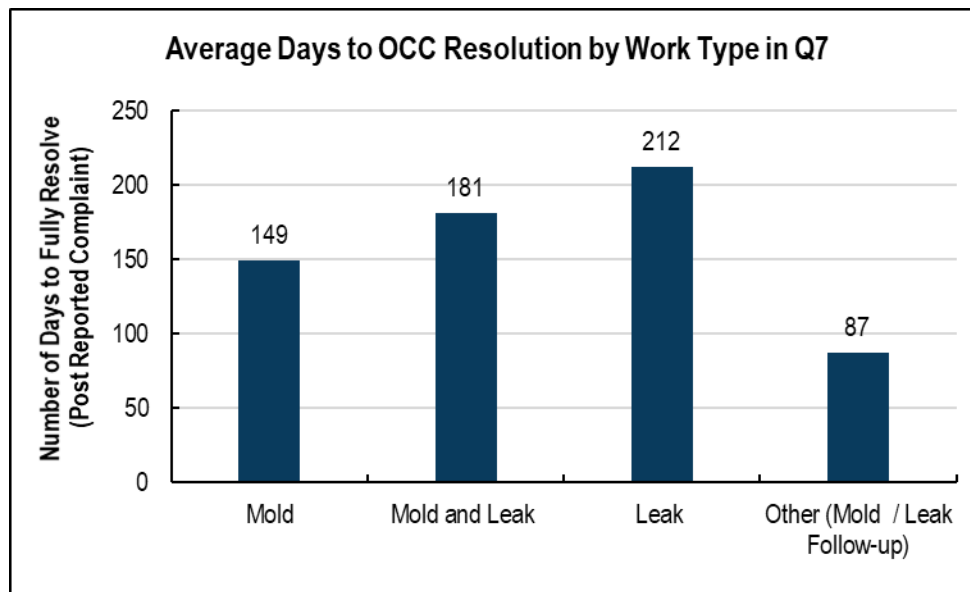
²² There were 45 resident-reported complaints created within the quarter and closed by merging the complaint into another ticket, which have been excluded. This situation can occur if two members of a household create separate complaints to the OCC or if there is an overlap from a referral whereby the resident has already directly reported the complaint to the OCC (e.g., Tenant organizer informs the OCC of the resident complaint and the resident directly contacts the OCC with the same complaint).

In Q7, the overall average number of days to resolve a resident-reported complaint to the OCC was 166 days (as compared to 138 days in the prior quarter), due (in part) to NYCHA making progress on work orders that were previously on hold or delayed due to COVID-19 (e.g., non-emergency leaks and paint). 12% of all resolved resident-reported complaints to the OCC were closed within 1 day, 8% in 2 to 30 days, and 79% after more than 30 days.

- NYCHA's previous COVID-19 work order guidance will continue to impact the number of reported days to resolve resident-reported complaints in Q8 for situations when the only remaining work was previously outside of NYCHA's work order guidance due to COVID-19 (e.g., painting or non-emergency leak). Many of these complaints were placed on hold for several weeks or months so the number of days is significantly higher than the actual number of days it took NYCHA to conduct the necessary repair work.
 - The OCC has found that many residents who were previously on-hold reported new complaints to the OCC during the re-opening process or required additional repair work (e.g., recurring mold, flaking plaster) due to the length of time that had passed since the remaining work was placed on hold.
- Resident-reported complaints involving extensive repair work in several rooms of the unit (where resident relocation may be required) took 275 days to resolve (on average).
- Residents' requests for advanced scheduling to accommodate the residents work schedules or other personal reasons.
- The OCC and MRU also observed staffing limitations in certain developments that required scheduling delays of 4+ weeks.
 - The OCC found that so long as the resident was informed of the next scheduling date and the reason for the delay, they often did not raise a concern as to the proposed timing of remediation activities, particularly once the mold cleaning or immediate leak issue had been resolved and only follow-up work was required (e.g., painting).

As shown in Figure 10, resident-reported complaints to the OCC regarding leak work required the longest time to resolve (on average 212 days). Many of these complaints required leak inspections to identify the root cause (involving other units within the building) and remediation activities that included multiple skilled trade workers (e.g., maintenance, plumber, plaster, painter) and multiple visits to the unit to complete the repair.

Figure 10



10. Unresolved Resident Reported Complaints to the OCC

There were 2,021 resident complaints to the OCC in Q7 that were open (or unresolved) at the end of the quarter, of which 41% were created in the quarter (as shown in Figure 11). Unresolved resident-reported complaints to the OCC created prior to Q4 are complex complaints requiring monitoring for relocation, complex repair work being conducted by a vendor, delayed scheduling due to a resident's request, or the remaining follow-up work has been delayed due to COVID-19.²³

²³ The Ombudsperson is monitoring the activity associated with these complaints and is working with NYCHA to resolve them within a reasonable period of time. If such action is not taken, the Ombudsperson may issue an Order to NYCHA to complete the necessary repair work within a specific timeframe.

Figure 11

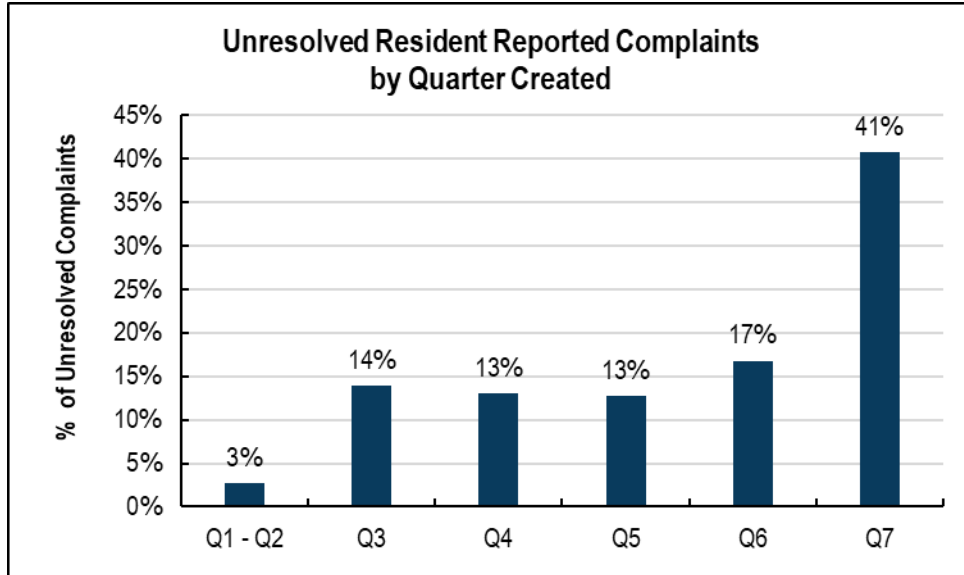
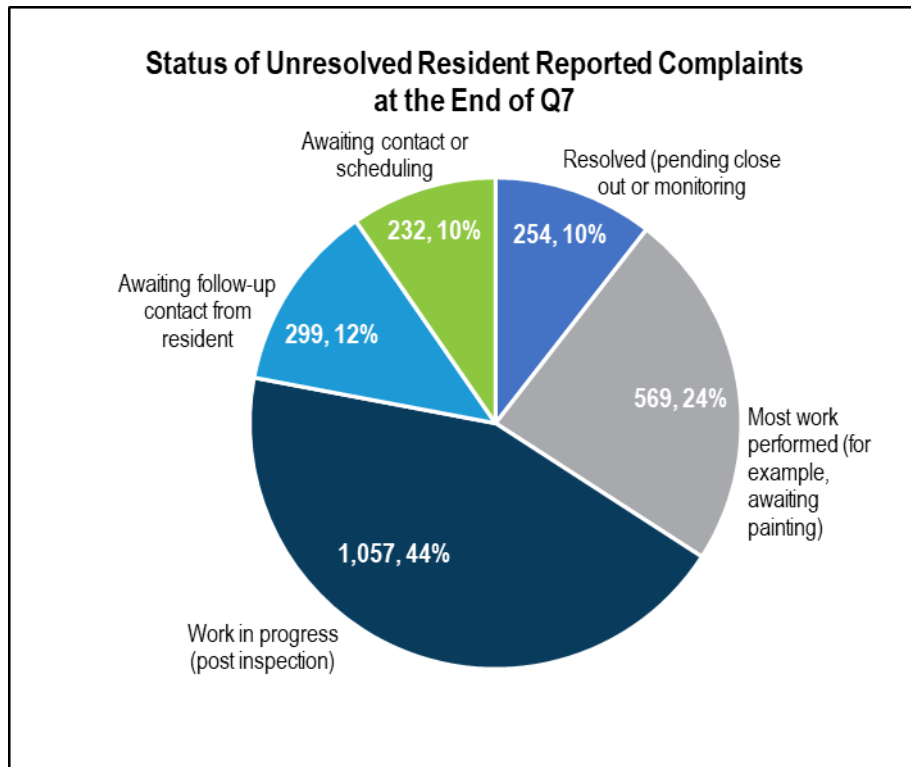


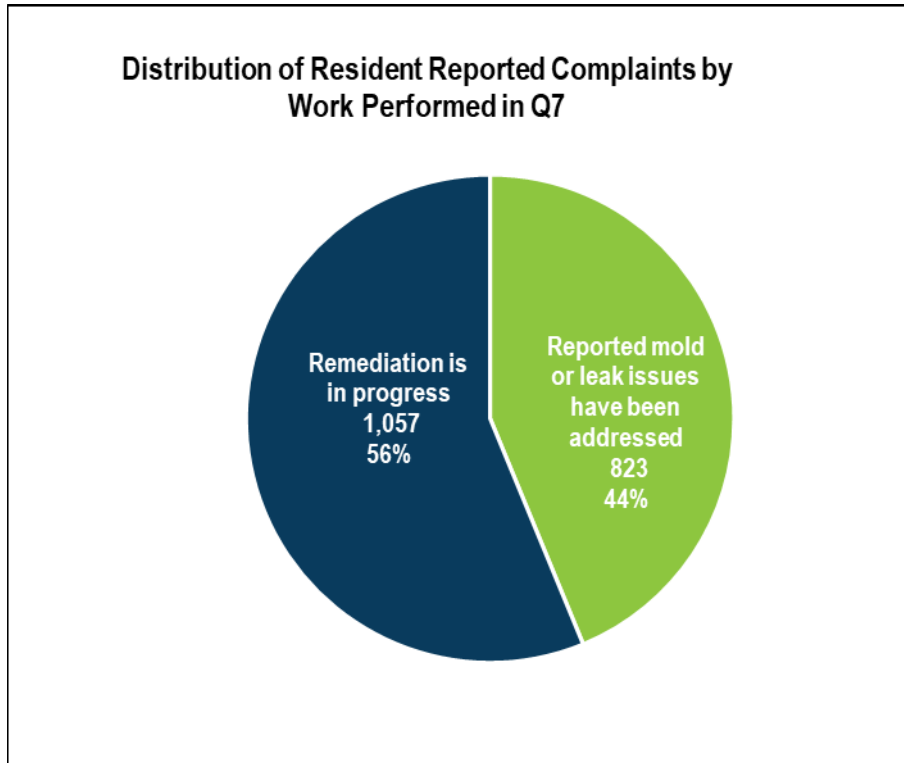
Figure 12 shows the status of unresolved resident-reported complaints to the OCC at the end of the quarter, of which 12% were awaiting follow-up contact from the resident to finalize the intake process with the OCC or NYCHA, 10% were awaiting scheduling contact or scheduling of their inspection, and the remaining 78% had activity occurred (e.g., inspection has been completed and remediation plan has been created).

Figure 12



Of the 78% of unresolved resident-reported complaints where activity has occurred, 823 complaints (or 44%) have had the mold or leak issue resolved, with only follow-up work remaining (if any), as shown in Figure 13.

Figure 13



B. Positive Resident Feedback

The OCC received positive feedback, gratitude and appreciation from over 80 residents throughout the quarter, as highlighted (and paraphrased) in Figure 14.

Figure 14

- “I am so grateful for all of the assistance from the OCC and my RCA. Without the OCC, these issues in my Bathroom would still be present and unresolved. Thank you!” (*Morris II Development*);
- “Thank you! NYCHA really did a great job and I appreciate you really hanging in there with me to ensure everything was completed correctly.” (*Albany Development*);
- “I am very satisfied with NYCHA’s work. The RCA did a wonderful job (regarding resident communication), I can’t even ask for more.” (*Wald Development*);
- “All the work is completed, even the paint. I am so grateful for the work that MRU and the OCC did, before you nobody would help me. You are the only ones that came through for my family and I will not forget that.” (*Whitman Development*);
- “I have never received assistance this fast, I am so glad the mold is finally gone.” (*Grant Development*);
- “Everything has been completed and it looks so great. A job well done, thank you for your work and making sure it went as quicky as it did.” (*Bronx River Addition Development*)

C. OCC and Ombudsperson Ticket Monitoring

In Q7, the OCC serviced 478 (or 14%) resident-reported complaints without the assistance of NYCHA due to the nature of the complaints (such as providing the resident with an upcoming scheduling date that had already been set). The OCC monitored the remaining 2,882 (or 86%) complaints serviced in the quarter that required NYCHA's MRU assistance, due to the complaints involving requests for assistance from various NYCHA departments.

1. OCC Ticket Monitoring Process

The OCC monitors the complaint activity to ensure that NYCHA is communicating with the resident and scheduling the necessary inspection(s) and repair work. OCC requests that the RCA reach out to the resident within one business day of assignment to the RCA and schedule the next step within 2-business days after speaking to the resident (or a later agreed upon time with the resident). Thereafter, the RCA should provide scheduling of the next step to the resident after the previous step has been completed. Historically, if the OCC did not receive an update of progress made or received a follow-up call from a resident regarding a lack of responsiveness, the OCC would "escalate" the complaint by informing NYCHA (the RCA assigned to the complaint, the RCA supervisor, and/or MRU). The OCC would also escalate resident-reported complaints that involved reports of severe conditions such as a flooding condition, mold growth of greater than 20 sq. ft., mold or leak issues involving several rooms of the unit, or other possible health hazards that did not indicate progress. That is, an escalation of a resident-reported complaint was triggered by severe conditions, lack of MRU responsiveness to the resident, or lack of scheduling or progress by the development. The OCC may escalate a complaint to NYCHA more than once. Any resident-reported complaint requiring escalation more than once (e.g., due to a lack of progress communicating with the resident or lack of scheduling repair activity) are placed under monitoring through the Ombudsperson.

In Q6, the OCC developed an automated ticketing monitoring system and report that allows NYCHA opportunities for increased oversight and management to ensure that progress is being made on all resident-reported complaints. This system includes 9 key categories (listed below) that are updated daily and emailed weekly to NYCHA stakeholders (MRU and RCA Supervisors). The categories have been selected based on the key operational steps required to ensure that NYCHA is communicating with the resident and scheduling the necessary inspection(s) and repair work, which will prevent resident reported follow-up calls or complaints to the OCC. The first page of the report is a summary providing a count of OCC tickets flagged per category. Each tab after the summary provides information regarding the total number of tickets, distribution charts (by RCA assigned, aging charts, priority level, etc.) and ticket details per category. The goal of this report is to ensure that the number of tickets flagged for increased oversight and management are very minimal and if there are tickets flagged in this report they are promptly reviewed and addressed. If NYCHA utilizes this report appropriately, the number of follow-up calls to the OCC and escalations should significantly decline in future quarters.

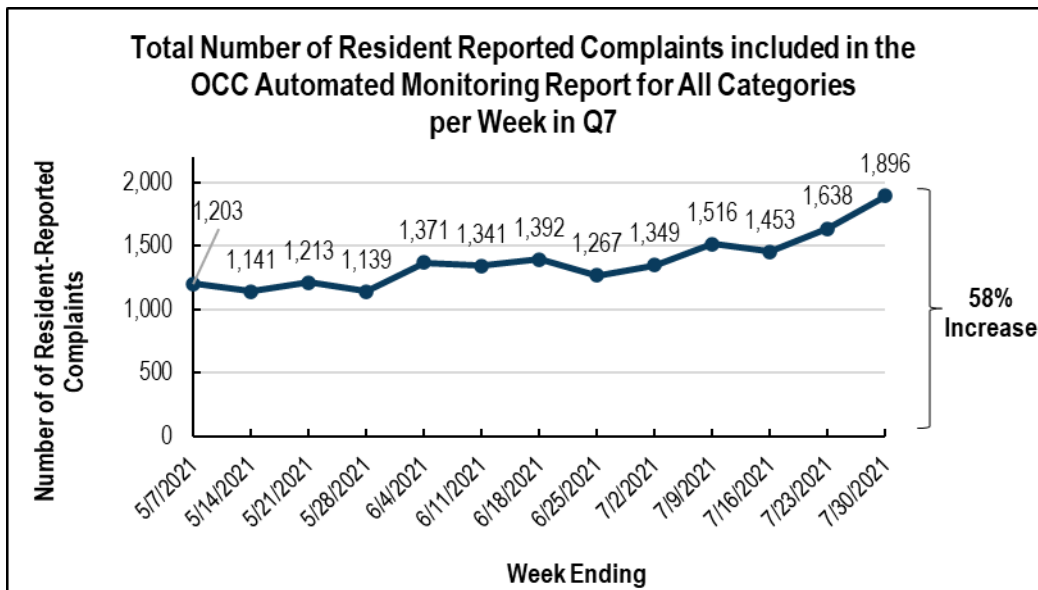
1. Initial Communication Not Made with Resident within 1 Day of the MRU Assignment Date;
2. Inspection Not Completed within 7 Days of the MRU Assignment Date;
3. Remediation Plan Not Created within 10 Days of the MRU Assignment Date;
4. Next Scheduled Appointment Date has Passed;
5. Ticket Not Updated within 7 Days and Next Appointment Date Pending;
6. Remediation Plan Not Assigned to a Craft After Inspection is Completed;

7. High Priority Ticket Not Updated within 2 Days and Next Appointment Date Pending;
8. OCC Escalated High Priority Ticket Open for Greater Than 90 Days and Next Appointment Date Pending; and
9. OCC Escalated High Priority Ticket (Escalated At Least 2x) and Next Appointment Date Pending.

In Q6, the OCC developed an automated ticketing monitoring system and report for the Ombudsperson to ensure that progress is being made on all resident-reported complaints. This report is designed similarly to the report designed for NYCHA but is focused aging and high priority complaints.

As shown in Figure 15, the weekly average of resident-reported complaints flagged in the automated ticketing monitoring report ranged from a total (across all categories) of 1,139 (weekly low) to 1,896 (weekly high), with an average of 1,378 (weekly average).²⁴ By the end of Q6, MRU's progress declined by 58% with nearly 1,900 resident-reported complaints being flagged in the automated ticketing monitoring report.

Figure 15



As shown in Figure 16, the weekly average per category ranged from 33 (in Category 1 - Initial Communication Not Made with Resident within 1 Day of the MRU Assignment Date) to 450 (in Category 5 - Ticket Not Updated within 7 Days and Next Appointment Date Pending). It should be noted that each category may involve responsiveness required by MRU or other NYCHA departments, of which some situations involve complex situations regarding relocation, capital repairs, building repairs, or vendors.²⁵ As discussed throughout this document, there are opportunities for NYCHA to continue to focus on improved resident

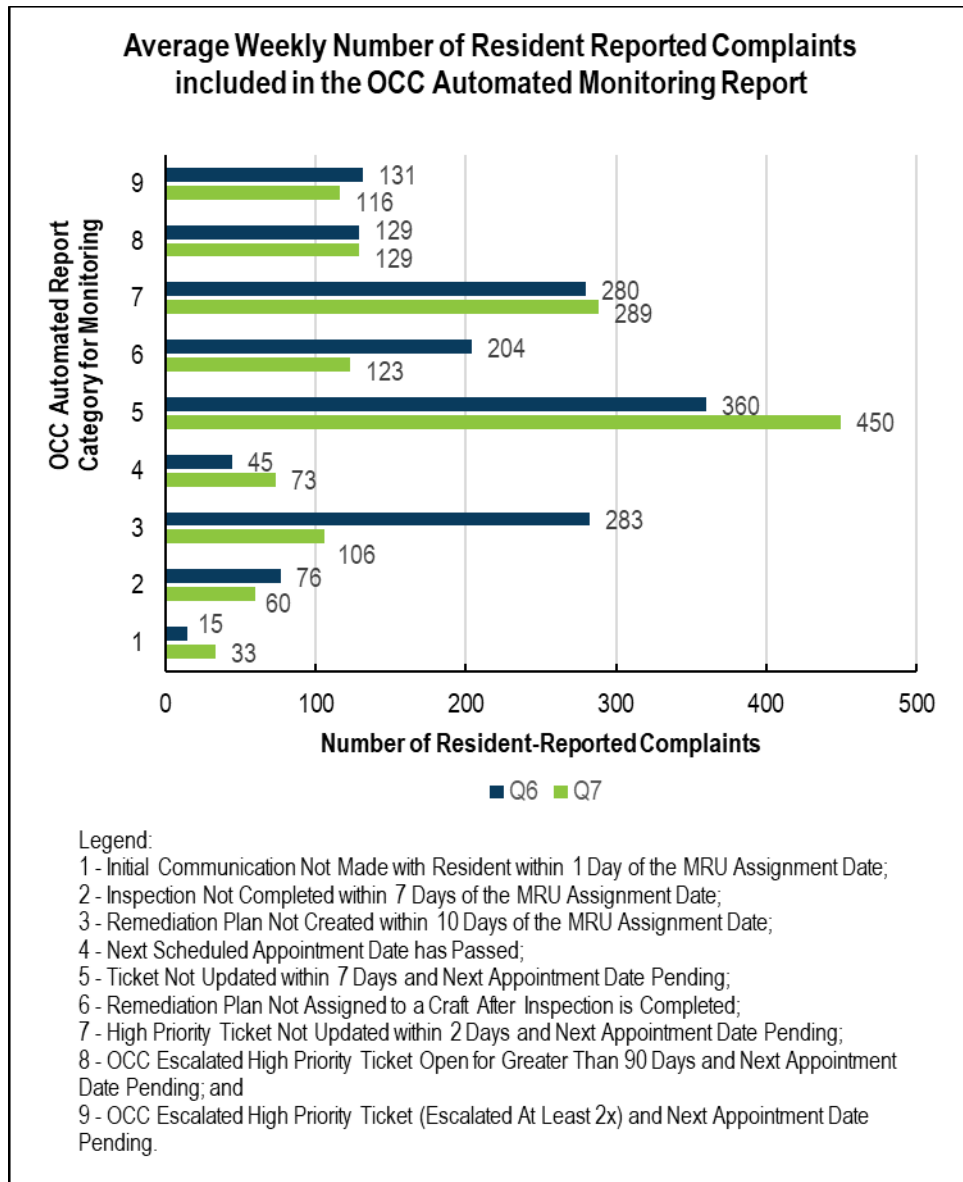
²⁴ The number of resident-reported complaints included in this report may be duplicative across various categories (particularly in Categories 8 and 9). The number of unique resident-reported complaints flagged in this report is not tracked because each element (or Category being flagged) needs to be independently reviewed and addressed.

²⁵ The OCC has informed NYCHA of opportunities to refine the automated ticketing monitoring system and report to exclude certain complex resident-reported complaints from these reports, which can be tracked and monitored through separate channels with extended timelines for responsiveness. NYCHA is considering these enhancements as it makes progress on reducing the number resident-reported complaints flagged in the report in the next quarter.

communication and scheduling the next step in the repair process efficiently which will reduce the number of resident-reported complaints contained within this report.

- For example, in Q7 there was an average of 94 new resident-reported complaints created each week, indicating that on average, 36% were not contacted within 1 business day after being assigned to MRU (compared to 19% in Q6).

Figure 16

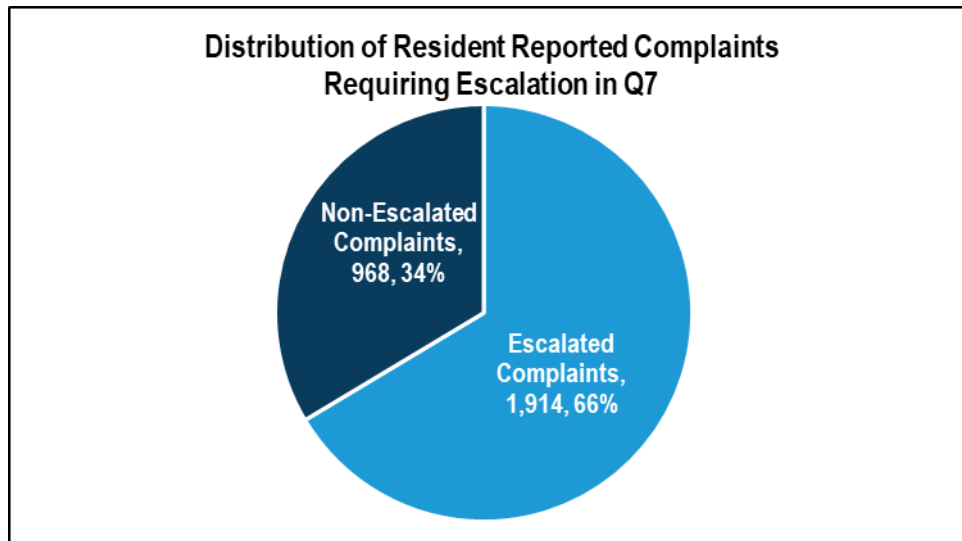


2. OCC Escalations to MRU

Due to the creation of the automated ticketing monitoring system and report, the OCC has reduced its efforts to proactively escalate resident-reported complaints lacking updates from NYCHA or next scheduling date since these situations are included in the automated ticketing monitoring report. The OCC escalations are focused on resident-reported follow-up complaints or lack of progress on high or urgent priority complaints that are not being addressed by NYCHA.

In Q7, the OCC escalated 1,914 resident-reported complaints. As shown in Figure 17, this accounted for 66% of complaints serviced in the quarter requiring MRU's assistance. These complaints required immediate action by NYCHA and frequent updates on the progress made or information regarding why such progress was not attainable.

Figure 17

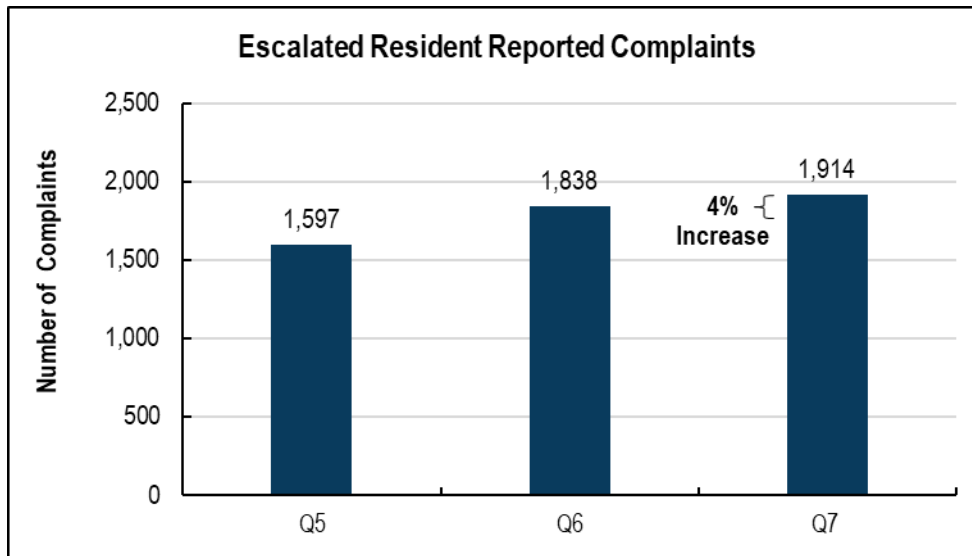


In Q7, the OCC revised its escalation notification process and expanded the escalation path due to the large volume of escalated complaints. In collaboration with MRU, the OCC created a more granular escalation path allowing for increased transparency of escalated tickets. The escalation process includes: Step 1 – RCA (with a copy to RA); Step 2 – RA (with a copy to MRU); Step 3 – MRU (with a copy to OMAR), and Step 4 – OMAR (with a copy to the Ombudsperson). The process includes an email push notification outside of the call center platform and allows for prompt action. For any resident-reported complaint that is escalated to Step 4 – MRU, it is automatically included in the weekly coordination call with the OCC and various departments within NYCHA including OMAR, Compliance, Environment Health and Safety (EH&S), and the CCC for increased oversight to ensure process is made. The OCC is hopeful that this new process will allow NYCHA to communicate more effectively and promptly conduct the necessary repair work, which will lead to a decline in resident-reported follow-up complaints and the necessary number of escalations by the OCC. If this can be achieved, a significant proportion of the OCC follow-up communication and administrative burden can be prevented in future quarters.

As shown in Figure 18, there has been a 4% increase in escalated resident-reported complaints in Q7 despite a reduction in the OCC's proactive monitoring and a reduction of resident-reported complaints serviced in the quarter. In Q7:

- The OCC received negative feedback from residents regarding NYCHA's progress on 219 resident-reported complaints; and
- The OCC escalated 655 resident -reported complaints due to a lack of responsiveness by the RCA, (which was a 16% decline from 781 in Q6).

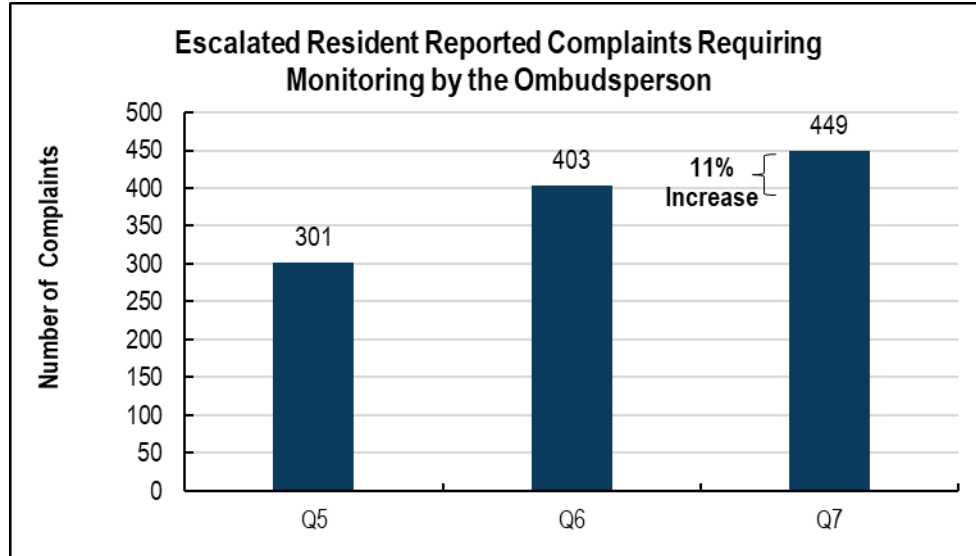
Figure 18



3. OCC Escalations Monitored by the Ombudsperson

All resident-reported complaints that required escalation more than once were placed under monitoring through the Ombudsperson. In Q7, 449 (23%) of resident-reported complaints that required escalation more than once, resulting in the Ombudsperson monitoring. As shown in Figure 19, there was an 11% increase in the number of resident complaints escalated in the quarter. If NYCHA can communicate more effectively and promptly conduct the necessary repair work, a significant proportion of the OCC follow-up communication and administrative burden can be prevented in future quarters.

Figure 19



4. Ombudsperson Activity

In Q7, the Ombudsperson's actions and requests to NYCHA included:

- The Ombudsperson held meetings with select developments with responsiveness concerns including Albany, Ingersoll, Manhattanville, and Queensbridge North. The Ombudsperson requested:
 - Feedback was collected at each meeting and increased oversight was requested by MRU. The OCC observed some increased responsiveness at these developments in the weeks following the meeting with the Ombudsperson.
 - Prioritization plans were created for the developments to ensure immediate progress was achievable.
- The Ombudsperson requested that MRU arrange meetings for him with the RCAs in small groups to solicit their feedback about the RCA program. The Ombudsperson wanted to gather observations and feedback from the RCAs interactions with various internal stakeholders to identify possible opportunities to increase responsiveness, improve resident communication and reduce the number of resident-reported complaints flagged in the weekly OCC monitoring reports. Prior to these meetings the Ombudsperson requested MRU's training materials for RCAs and RAs.
 - As of the end of Q7, it is our understanding that MRU was evaluating this request.
- Escalated Complaints – The Ombudsperson was involved in 5 resident-reported complaints due to a resident-reported follow-up complaint, disputes between the resident and NYCHA, and/or a delay in progress. The Ombudsperson issued specific requests for each resident-reported complaint in April 2021. As of the end of Q7, all 5 resident-reported complaints remained open and NYCHA was working on the Ombudsperson's requests for each complaint.

If NYCHA can communicate more effectively, promptly conduct the necessary repair work and proactively communicate roadblocks from preventing progress on resident-reported complaints to the OCC, requests from the Ombudsperson can be prevented in future quarters.

III. Factors Necessary For Continued Success

A. Need for Continued Effective, Empathetic Resident Communication

As discussed in prior quarters, NYCHA needs to continue to evolve to a more customer-centric culture through increased communication with residents regarding root cause issues, remediation plans, scheduling of work, and confirming satisfaction. It remains that nearly all resident-reported complaints to the OCC have involved a breakdown of communication between the resident and NYCHA. Residents were often unaware of the Mold Busters remediation standard procedure, the status of the repair work needed in their unit, or the next scheduling date. For MRU to operate effectively and efficiently (servicing OCC resident-reported complaints), there will need to be a continued culture change at NYCHA to effectively communicate with residents (and internally within the Authority) with accountability and a demonstration of commitment to ensure that the proper repair work is completed.

1. Resident Communication Strategies and Scheduling Best Practices

The OCC has assisted nearly 7,000 residents within NYCHA (with nearly 36,000 inbound and outbound phone calls). Based on these experiences, the OCC has identified a variety of different resident communication strategies and best practices that NYCHA should consider in its efforts to work towards evolving to a more customer-centric culture and working to train its staff to better engage with residents.

Key Elements of Empathetic Resident Communication:

- Active listening - NYCHA listening to the residents' description of health concerns, safety concerns, and prior experiences with NYCHA;
- Knowledgeable about the subject matter - NYCHA listening to the residents' description of the current complaint (diagnosis of the historic problem, not just the current situation and ensuring the proper classification of the reported conditions);
- Attentiveness - NYCHA responding immediately, with commitment and accountability, to the results of inspection findings and the conditions identified within the unit (e.g., sharing virtual inspections and/or pictures) and the sense of urgency to internally escalate severe conditions to supervisors and upper management (as needed);
- Accuracy - NYCHA carefully and empathetically discussing with the resident the findings of any inspection, the series of activities/work that need to be completed to effectively remediate the situation, any unknowns or uncertainties that are still being reviewed, whether a relocation may be necessary (and if so, what that process will be and why) when they will hear from someone regarding the next step in the process (and who that person will be), and what they can do if they have any questions or concerns about what was discussed or about work that is completed later;
- Proactive approach - NYCHA feedback from residents via a survey (or other methods) to gauge the effectiveness of the communication efforts being implemented and to offer the residents the ability to provide feedback; and

- Empathy - NYCHA listening to the resident's feedback with acknowledgment and concern with offering an opinion.
- Resident communication expectations and timing should be adhered to rather than unannounced visits.

Considerations and Strategies for Complex Resident Communication Situations

- Identification of situations or information that may cause the resident to feel strong emotions based on previous experiences (e.g., the idea that someone will "paint over mold" rather than remediated it properly);
- Develop strategies to proactively avoid communication roadblocks or conflict (e.g., ensure the resident is aware of the mold remediation process so their concern about "painting over mold" is addressed);
- Address communication setbacks or hostile interactions (e.g., resident refusal) by allowing the resident space and providing the resident an outlet to voice their concerns;
- Identify ways to re-establish trust after a conflict such as use of alternative methods of communication or additional points of contacts for communication (e.g., communication via email rather than via phone);
- Collaboration with other internal stakeholders (e.g., another family member or emergency contact) or external stakeholders (e.g., NYCHA's Family Services; Non-for-profit organization or community advocate) to assist in communication if progress is limited; and
- Develop guidelines or recommendations for assisting residents with complex situations such as hoarding, barriers due to mental health, or residency concerns regarding head of household.

Key Elements of Effective Resident Communication Regarding Scheduling

- During initial intake of condition to CCC -
 - Confirm resident contact information (also confirm this in follow-up interaction with the resident);
 - Identify the preferred method of communication for the resident (e.g., phone number, email, mail, etc.);
 - Provide an initial scheduling date to the resident and confirm the resident's availability (also provide a copy via mail, email or MyNYCHA App message); and
 - Provide information for where the resident can easily check on the status and schedule of upcoming work and how the resident can reschedule, if needed.
- Prior to scheduled appointment (1-2 days prior) -
 - Confirm scheduled appointment in advance of the date via robo-call or push notification to the resident using the preferred method of contact for the resident;
 - Use scheduling windows that are as narrow as possible and avoid all-day windows to minimize resident inconvenience;
 - Review the results of the appointment confirmation process to identify any scheduled appointments that need to be rescheduled for a future date;
 - Use real-time staffing assessments to identify when scheduled appointments cannot be met (due to planned or unplanned absences) and contact residents to reschedule; and
 - Avoid unannounced visits or unscheduled appointments;

- Day of scheduled appointment -
 - Effective planning to ensure work has been sequenced properly, the worker understands the scope of the work and materials required, and estimated time required to complete the work;
 - Effective communication with the resident regarding the timeframe of the scheduled appointment, the anticipated duration of the appointment, and the type of work being performed;
 - Monitor data related to all calls to residents to confirm that calls are being made for all scheduled work prior to arrival;
 - Pre-call to the resident 30-60 minutes before arrival to confirm availability and expected arrival time;
 - For situations regarding inspection or repair activity in more than 1 unit, the residents should be informed of possible delays or awareness that the work may not be in their unit at certain times;
 - Communicate any anticipated delays or need to reschedule due to staff shortages in advance; and
 - Communicate next steps and timing before leaving the appointment to ensure the resident understands what the next step will be.
 - Inform resident that they will be contacted about a post-work resident survey requesting feedback regarding the resident's experience and satisfaction.
- Post scheduled appointment -
 - Provide the resident with written confirmation that the work performed has been completed;
 - Provide the resident with written information regarding any Quality Assurance check (e.g., Mold Busters) that will occur in the future (e.g., 45 days later) with information on when it will be scheduled and communicated to the resident;
 - Complete a survey of resident experience and satisfaction using the preferred method of communication for the resident; and
 - Track and monitor survey results to ensure any concerns or dissatisfaction is addressed via a follow-up call with the resident to learn about what went wrong and how it can be resolved.

If NYCHA can effectively communicate with residents to ensure the proper repair work is completed on the scheduled dates, there will be a significant decline in resident-reported complaints to the OCC. NYCHA has been receptive to these recommendations and it is our understanding that the recommendations are being taken into consideration for revisions to NYCHA's Mold and Leak standard procedures by the Analytics and Process Change team within NYCHA.

Please see below for information regarding progress and opportunities identified this quarter:

- **Difficulties Associated with Relocations and Reasonable Accommodation Requests** – The OCC has observed that some complaints require significant repair work that can take a long time to effectively remediate (or require asbestos abatement) or where the severity of the conditions in the unit renders it uninhabitable and requires the resident to relocate, either temporarily while the necessary repair work is being conducted or permanently.
 - In Q7 (consistent with past quarters), resident relocations were each handled differently based on the facts and circumstances of the complaint, oftentimes involving the Property Manager, the Compliance department, and/or NYCHA's highest level (Chief Operating

Officer “COO”, formally referred to as the General Manager’s (“GM”) office) office. The OCC has observed that there are often complexities associated with these complaints regarding the location of the relocation (requiring the identification of one or several units, ensuring the comparable size of the unit (e.g., same number of bedrooms), the lack of availability of vacant units, the costs associated with the relocation, and other complexities regarding lease agreements and storage.

- NYCHA needs to create clear guidelines and policies regarding relocation criteria, moving expenses, temporary lease agreements, and the resident’s responsibilities to promptly respond. We are hopeful that in future quarters, NYCHA will work to develop an operational plan to ensure that relocations can be completed efficiently to ensure the health and safety of the residents are being addressed and the necessary repair work can be conducted immediately.
- There are also situations when a resident files a Reasonable Accommodations request to relocate due to a health or safety concern (e.g., breathing condition/asthma as a result of mold). The OCC found that residents who get to this point are often placed on a long waiting list (often lasting months or years) for a transfer due to a lack of available vacant units, particularly those that are 3+ bedrooms or larger. These residents do not appear to always be provided information about their location options and variations of estimated wait times based on the availability and number of people on the waiting list. The OCC has also found that some residents did not have an open or pending request, despite their belief that they were on the waiting list.
 - NYCHA needs to develop alternative solutions for residents who require relocation to ensure their health and safety concerns are being addressed (within reasonable expectations) and ensure that all communication is provided and understood by the resident.
 - NYCHA needs to regularly update residents that are awaiting a Reasonable Accommodations to check-in on the status of the relocation and ensure that the request is not closed without the resident’s written consent.
- **Recording Resident Satisfaction in Maximo** – In Q3 the OCC learned that NYCHA has a data element in the Maximo work order system to record resident satisfaction, including for mold and leak work orders. Based on feedback from MRU, it appears that this data field is not being used consistently across NYCHA. Recording and understanding resident satisfaction, and how that might change over time, will be instrumental to ensure there is consistent, effective, empathetic resident communication across the authority.
 - We are hopeful that in in future quarters, NYCHA will develop an operational strategy to review, respond to, and oversee the results of this data element (associated with mold and leaks).
- **Resident Satisfaction Robo-Call Survey** – In Q3 the OCC learned that NYCHA conducts an automated robo-calling survey to record resident satisfaction, including for mold and leak work orders. Based on feedback from MRU, it appears that this survey is not being used consistently across NYCHA to understand resident satisfaction and identify areas for improvement or best practices. In Q4, the court-appointed IDA created data visualizations to help NYCHA identify high and lower performers (individuals, developments, consolidations, and boroughs) as it relates to the resident satisfaction survey responses.
 - We are hopeful that in future quarters, NYCHA will develop an operational strategy to review, respond to, and oversee the results of this survey (associated with mold and leaks).

- **Resident Communication Regarding Complex Leaks**– In Q7 there were 101 new resident-reported complaints to the OCC that required complex building line leak investigations. The OCC received extensive feedback from residents indicating they reported leak issues to NYCHA in the past and nothing was done after the inspection by NYCHA. Residents reported that NYCHA would come to inspect the leak and be informed from a maintenance worker that they will return after they identified the root cause of the leak which was outside of their unit (e.g., the roof or units above or below). In many situations, residents report that nobody ever returned or informed them about whether repair work was performed to address the root cause of the leak.
 - The OCC is hopeful that the implementation of the Leak Standard Procedure will improve NYCHA’s communication process with residents regarding root cause repair work being completed outside of their unit.

- **Resident Communication Regarding Mold Buster QA Inspections** – In Q7 the OCC observed that some residents (less than 10) with open or recently closed Mold Buster QA inspections were unaware of the inspection, confused about its purpose (to re-inspect the area to confirm that the root cause was addressed and the mold had no re-occurred), and were not informed about the scheduling or results of the inspection. The OCC and court-appointed IDA have asked OMAR for information regarding the resident communication process (written and verbal) regarding the lifecycle of the Mold Busters QA process, including resident education regarding the purpose and process, scheduling, and understanding the results.

B. NYCHA’s Responsiveness to Resident Complaints to the OCC

The OCC was developed to assist residents in situations where their mold and leak-related complaints were not being adequately addressed or resolved by NYCHA. The OCC interacts directly with NYCHA’s MRU to assist in the facilitation and scheduling of inspections, the creation of the remediation plan, and the scheduling of repair work. For all resident complaints to the OCC where a resident has had an open mold or leak work order for more than 7 or 15 days (depending on the repair) before contacting the OCC, an RCA is assigned to the resident to ensure proper levels of communication and case management.²⁶ The OCC relies on MRU to provide prompt, resident-focused responses throughout the complaint process and ensure that the resident is being informed of progress throughout the process. The OCC monitors the complaint and remains available to assist the resident if they have any questions or concerns that the RCA cannot address. MRU must interact with various stakeholders at NYCHA for each complaint (such as property management staff, borough schedulers, skilled trade management staff, neighbor administrators, NYCHA’s Legal Department, vendors, etc.). To effectively resolve resident-reported complaints to the OCC, a continuous level of prompt, detailed, resident-focused responsiveness is required by all parties involved. The RCA must also provide the OCC responses to questions raised during intake and maintain a log of recent activity, including the root cause of

²⁶ The RCA position was created by NYCHA’s MRU department in Q1 with a singular focus and responsibility to communicate with residents and relevant teams within NYCHA (e.g., property management staff, maintenance workers, MRU, etc.) to ensure successful completion of resident complaints to the OCC. The RCA position is a dedicated resource to service mold and leak related complaints.

the issue, the remediation plan, upcoming scheduling dates, resident questions, and other relevant information.²⁷

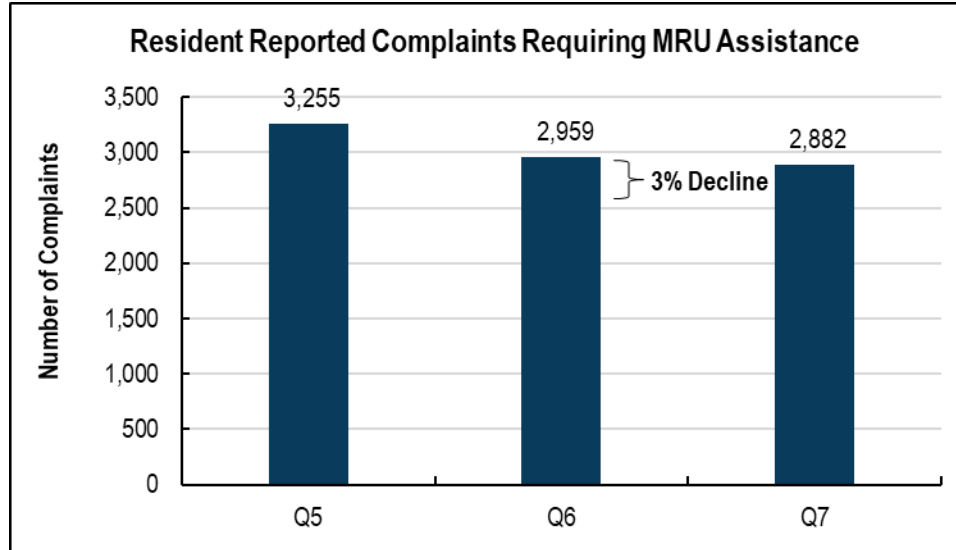
1. OCC Interactions with MRU (and RCAs)

Overall, MRU has demonstrated a commitment to resolve resident-reported complaints to the OCC in Q7. MRU is in a unique position where it does not have control over the volume of complaints provided to it, nor can it control the complexity of the complaint or rate of responsiveness that it will receive from the developments to take action. The RCA must proactively communicate with the resident, NYCHA, and the OCC to ensure progress is being made on each resident-reported complaint. The RCA must balance effective communication with the review of work order data to ensure the proper remediation plan is being created and scheduled appropriately. Despite MRU's best efforts to promptly respond and process each resident-reported complaint assigned to it, there were increased delays in responsiveness in Q7 (as discussed above). If NYCHA can schedule the necessary repair work and promptly respond to MRU requests, such delays, and related resources, could be considerably reduced in future quarters.

As shown in Figure 20, MRU had a 3% decline in requests for assistance on resident-reported complaints this quarter but an increase in OCC escalations and OCC escalations requiring the Ombudsperson's monitoring (refer to Figure 18 and 19 discussed above), accounting for over 65% of resident-reported complaints serviced in the quarter. In Q7, MRU continued to dedicate time and resources to create processes, procedures, tools, and templates to create efficiencies and prioritization plans for its internal workflow to best serve residents and train its staff (with a focus on the new supervisors). The OCC is hopeful that the increased oversight and management of the supervisors and the new operational tools (such as the automated ticket monitoring system) will increase responsiveness and therefore reduce the resources required of the OCC in future quarters (through a reduction of resident-reported follow-up calls and complaints).

²⁷ To effectively resolve resident complaints to the OCC, and ensure transparency regarding active cases and new developments, the MRU facilitates a weekly coordination call with the OCC and various departments within NYCHA including OMAR, Compliance, EH&S, and the CCC.

Figure 20



Please see below for additional information regarding progress and opportunities identified this quarter:

- **MRU Staffing Resources** – In Q7, NYCHA created an organization chart for its MRU team which contained a total of 38 employees including 30 RCAs; 6 RAs (5 RCAs assigned to each RA); 1 Program Manager; and 1 Senior Administrator. In Q7 MRU replaced the vacant Program Manager position but 3 vacant RCA positions remained at the end of the quarter (due to a loss of 6 additional staff in Q7). The staff turnover and vacancies limited progress in the quarter, leading to increased OCC escalations and some negative feedback from residents. In Q8, it will be important for NYCHA to ensure there is a greater level of ticket oversight by the RCA supervisors to reduce OCC escalations and tickets flagged in automated ticketing monitoring report.
 - In Q7, MRU and the OCC continued to work collaboratively to identify opportunities to streamline the case management processes by developing workflow prioritization protocols and procedure views, modifications to data collection processes, and a feedback system to share OCC ticket activity with other stakeholders. In Q7, the OCC held a training session with all RCAs and RAs to review the OCC's operations, workflows, data fields, and escalation processes. The RCAs and RAs provided valuable feedback and asked questions for areas of concern or confusion.
 - Last quarter the OCC offered to shadow the RCAs and/or RCA supervisors to better understand their daily workflows to inform system and/or process refinements to increase responsiveness and reduce the number of resident-reported complaints contained in the automated ticket monitoring report (refer to Figure 15 and 16). NYCHA has been receptive to this idea and plans to arrange meetings in Q8.
 - In Q7, MRU provided the OCC and Ombudsperson a weekly update regarding MRU's progress on its operations within the department. In Q5, it was requested that MRU expand this over time to provide additional information regarding ticket activity, level of backlog/non-responsiveness, delays and responsiveness concerns at certain developments, notable activity on open complaints, complex resident communication situations, etc. As NYCHA can continue to take a proactive steps towards managing the resident-reported complaints and

systemic opportunities to reduce future resident-reported complaints, the OCC's role can be considerably reduced in future quarters.

- In future quarters, it will be important for MRU to analyze the OCC resident-reported complaint volumes that each RCA can effectively manage to ensure they are appropriately staffed to meet the demands of the OCC volume. MRU will also need to evaluate its staffing structure to determine if additional RCAs would be required to ensure the proper levels of case management when NYCHA activates the CCC notification of the OCC to residents reporting leak complaints.
- **RCA Productivity and Monitoring Reports** – In Q6, the OCC worked in collaboration with MRU to develop a preliminary RCA automated monitoring system and report to gage and compare individual RCA productivity levels and manage the volume of open resident-reported complaints. Information including the volume of tickets, the average days open, the average days to update, the volume of complex cases (e.g., court cases, complex leak investigations, roof repairs, relocation, etc.), and the number of updates made per day is available for each RCA. This report is intended to provide the RCA supervisors with the tools to needed to ensure that the RCAs are successfully positioned to be able to manage caseloads assigned to them and prevent OCC escalations, which could considerably reduce the OCC efforts in future quarters.
 - In Q7 MRU's program manager was reviewing the monitoring system and report to identify opportunities to integrate it into the RA's workflow and oversight processes and planned to provide feedback to the OCC in Q8 on possible enhancements or revisions.
 - The OCC is hopeful that in future quarters, NYCHA will use this monitoring system and report to inform its business decisions regarding RCA assignments and resources to ensure that there is an increase in responsiveness for all resident-reported complaints.
- **RCA Communication with Residents** – There is currently no process in place for MRU to monitor RCA communication (or lack thereof) with residents. Each RCA is assigned a mobile device with a unique phone number. The calls are not recorded and the calls cannot be re-routed to other RCAs if the assigned RCA is on another call or not available.²⁸ This process makes it difficult for the RCA supervisors to monitor and provide feedback to the RCAs on communication strategies and best practices with the residents it serves.
 - In Q7, the OCC received complaints from some residents that, at times, the RCAs were not reachable (via live phone or the ability to leave a voicemail). MRU implemented the OCC's recommendation for processes around monitoring voicemails and conducting monthly audits of the RCAs' adherence to such policies. In Q7 the OCC received a limited number of requests from residents to be assigned a new RCA (for 4 separate RCAs) due to a lack of responsiveness. MRU re-assigned each case to the RA supervisor and worked to provide training to the RCA previously assigned to the resident-reported complaint.
 - In Q7, the OCC recommended that the MRU senior administrator review the RCA productivity and monitoring reports for select RCAs to evaluate complaint volumes and consider strategies to improve performance.

²⁸ During Q4, MRU conducted a pilot project for RCAs to communicate with the resident through the OCC call center platform, which provides complete transparency of call volumes and records the conversations, but due to operational inefficiencies identified during the pilot, RCA's current process and phone structure will remain.

- In Q7, the OCC recommended that the RCAs develop a process to inform residents if they will be unavailable (e.g., out of the office or unavailable) and offer their RA's contact information if the resident needs assistance in their absence.
 - In Q7, MRU conducted voicemail audits each month resulting in none of the RCAs having their voicemail box full. In Q8, the OCC will conduct randomized audits of the RCA mailboxes (as needed) to evaluate any resident-reported complaints regarding the RCAs not being reachable.
 - In Q5, the OCC recommended that RCAs be provided a call script for resident communication regarding satisfaction of the repair activity to ensure the RCA is asking relevant questions regarding remediation activities and follow-up work. The OCC also recommended that the RCA should request pictures or videos from the resident and/or development to ensure the work has been completed appropriately. The OCC recommended that recorded or written communication from the resident (e.g., email or SMS text message) be provided so the close-out process would be more efficient for the OCC (eliminating the need to contact the resident to confirm satisfaction).
 - In Q7, the OCC received a very limited number of resident-reported complaints sent to close out from MRU with recorded or written communication of resident satisfaction. The OCC is hopeful that this will increase in Q8 and future quarters, requiring a lower volume of calls from the OCC.
 - In Q7, the OCC received nearly 350 complaints (compared to nearly 450 in Q6) from residents that there was a missed appointment or the resident was unaware of the next scheduled date (after creating a resident-reported complaint with the OCC). These situations should be avoided if the RCAs are adhering to MRU processes and procedures regarding appointment confirmation and work completion confirmation with residents and associated data entry. In Q6, MRU informed the OCC that it increased the oversight of these procedures to ensure that RCAs are keeping residents informed of the scheduling dates or making them aware of any anticipated delays, which resulted in over a 20% decline of reported missed appointments in the quarter.
 - In future quarters, MRU should consider strategies to monitor and identify opportunities for improved resident communication by the RCAs such as resident feedback surveys or RCA supervisor shadowing.
- **RCA Training** – MRU hired and trained approximately 30 RCAs in the last several months. It is our understanding that the virtual training program included resident interaction techniques, responding to and reporting updates to the OCC, data field updates and case management, interacting with developments and the need for prompt escalation, understanding NYCHA's work order data system, and use of tools and technologies to gain efficiencies. In Q7, the OCC observed RCAs meeting the basic demand of this role. However, the OCC also observed the need for additional training and oversight associated with data field updates, case management and workflow prioritization, prompt escalation, and responding and reporting updates to the OCC (including sharing of resident communication, pictures, and other important information).
 - In Q7 (consistent with prior quarters), the OCC provided feedback and recommendations on individual RCAs and/or resident-reported complaints where there were opportunities for training, development associated with data field updates, need for prompt escalations, need for clear responses to OCC questions or structured notes, need for remediation plans with root cause inspection results, need for follow-up questions with the development to address the resident-reported complaint, and increased oversight based on resident-reported

complaints about engagement with the RCA. The OCC recommended that MRU conduct weekly reviews to ensure each RCA is getting customized feedback and training to properly adhere to MRU processes and procedures.

- In Q7, MRU's program manager provided a training program and resource guide to the RAs and RCAs regarding the data field population process. The OCC answered questions and provided feedback on the data fields and its intended use. As a result of this training program, MRU provided feedback to the OCC on alterations to the data fields to better align with its processes and streamline its operations. Requested adjustments were implemented within the quarter.
 - In Q7, MRU indicated that it conducted weekly audits of the RCA's adherence to updating the appropriate data fields. Based on the results of the audit, feedback is provided on individual cases. Due to the results of the audits, MRU increased the monitoring and audits to a daily cadence. MRU is hopeful that these increases measures will result in better performance in Q8.
 - The OCC has developed certain data restriction technology to prevent the RCAs from improperly editing or altering certain data fields. The OCC also developed and shared a data integrity dashboard with the RAs that flags select data fields that may not have been updated.
 - The OCC is hopeful that in Q8, the OCC will see an increase in RCA productivity and adherence to MRU processes and procedures which will reduce the level of follow-up interactions currently required by the OCC and reduce the number of failed data field audits.
- **Complex Resident Communication Circumstances** – In Q7, there were 502 resident-reported complaints to the OCC that involved communication barriers between the OCC, MRU (or the development), and the resident. These were situations whereby the resident did not agree with the inspection results (or remediation plan) associated with the reported complaint or the resident was not satisfied or willing to allow NYCHA to conduct the repair work. In many of these cases, the OCC suggested that MRU have a 3rd party from outside the development participate in the inspection and/or remediation activities (e.g., MRU representative, OMAR, representative, Compliance representative, Quality Assurance representative, or the IMA). NYCHA supported all of these requests in Q7 and it found it to be a good use of resources to circumvent resident refusal of scheduled appointments. In other cases, the OCC will suggest that MRU communicate with the resident via email (rather than phone) if there is a lack of responsiveness from the resident or refusal to engage. In some of these complaints, other departments may be involved to assist in communication with the resident (e.g., Property management office, NYCHA Borough Liaisons, or NYCHA Family Services). However, there have been resident complaints where these efforts have not been successful and agreed-upon next steps have not been determined.²⁹
 - The OCC recommended that MRU and the RCA supervisors closely monitor these resident-reported complaints to aid and support the RCAs to ensure progress can be made and roadblocks can be avoided (e.g., via the identification of triggers or areas of concerns) by proactively addressing them.
 - It is our understanding that in future quarters, NYCHA will consider creating guidelines on how it will define its “best efforts” to support resident-reported complaints involving complex circumstances.

²⁹ Resident-reported complaints in these circumstances are referred to the Ombudsperson for assistance regarding next steps.

- **MRU Demand for Spanish Language** – In Q7 (consistent with prior quarters), nearly 15% of complaints (437) required Spanish language interaction. It is our understanding that MRU has only 3 RCAs with Spanish language capabilities and that the other RCAs use language services to communicate with residents that require Spanish language. It is our understanding that the RCAs have some inefficiencies using the languages services and limits their ability to establish a rapport with the resident.
 - In Q7, the OCC received feedback from some residents that it was difficult to ask their RCA questions due to the inefficiencies associated with the language services or it was frustrating that the RCAs would contact them (or leave them messages) in English rather than Spanish. In some situations MRU has requested that the OCC assist with resident communication for Spanish residents.
 - In Q8, MRU should consider retaining additional Spanish-speaking RCAs for the 3 vacant positions to ensure prompt, effective resident responsiveness.

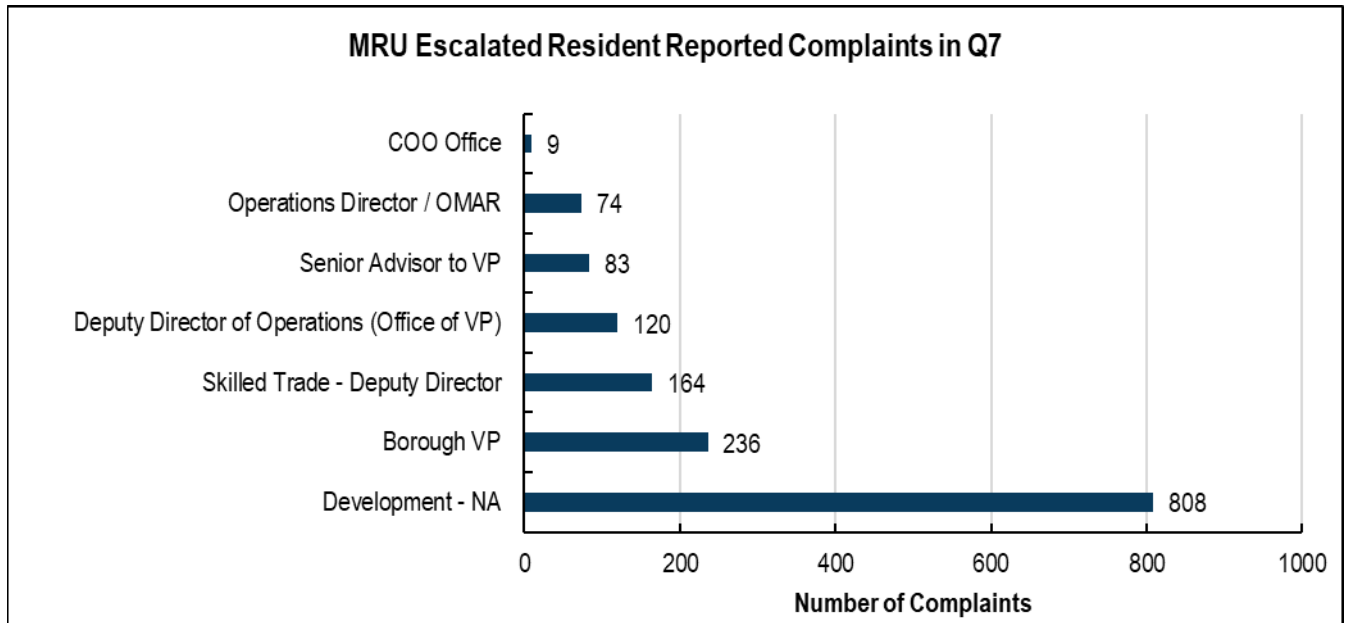
2. Overall Responsiveness with NYCHA Stakeholders

In Q7, the OCC saw continued progress towards effectuating a culture change within NYCHA. NYCHA has made progress in conducting complex repair activities, ensuring the proper remediation steps are being taken (sometimes requiring re-inspections or follow-up work at the OCC’s request), and working on re-establishing trust with residents at certain developments.

However, MRU also experienced on-going responsiveness issues at certain developments requiring substantial efforts and follow-up communication (and internal escalations) to receive the necessary information needed (e.g., scheduling date, updated remediation plan, a question regarding a missed appointment, verification of work being completed, or ensure the proper information is logged and created in the data system) to respond to the OCC and provide an update to the resident.

While it is our understanding that some of these delays in responsiveness have been due to staffing, coverage and management constraints, there will need to be a greater level of prompt and continuous, detailed, resident-focused responsiveness for all resident-reported complaints handled by the MRU. As shown in Figure 21, MRU internal escalations for resident-reported complaints included 7 different management offices among the boroughs, whereby some complaints were escalated to NYCHA’s highest level (COO). MRU internal escalations to the Neighborhood Administrator (NA) (808 in Q7) are often done proactively by MRU to ensure prompt action is taken to address the resident reported complaint and increase transparency across the development. If there is still a lack of progress due to staff coverage or delayed responsiveness (after multiple follow-up attempts to the NA) MRU will further escalate the complaint, accounting for 686 internal escalations in Q7. In certain situations, MRU had to enlist resources outside the development to conduct mold or leak inspections due to the persistent lack of responsiveness of the development. Increased responsiveness of the developments will be critical for the success of MRU and the OCC.

Figure 21



In addition to the internal escalations, MRU indicated the following activities associated with interactions with NYCHA developments in Q7:

- Follow-up with the development to seek a response regarding inspection findings or remediation plans for 2,387 resident-reported complaints (83% of complaints requiring its involvement);
- Requested expedited scheduling or a revision to the remediation plan for 1,792 resident-reported complaints (62% of complaints requiring its involvement); and
- Follow-up with the development (or skilled trades) in regard to 1,024 resident-reported complaints (36% of complaints requiring its involvement) due to a lack of adequate information included in the remediation plan, inspection findings, notes with the Maximo data system, and/or an upcoming scheduling date.

See below for additional information regarding progress and opportunities identified this quarter:

- **Executive Dashboard for Operations** – In Q4, the OCC and the court-appointed IDA worked with NYCHA to create new data platforms (including within NYCHA’s data environment) to provide greater visibility and clarity to NYCHA regarding open and closed work orders in combination with feedback from residents contacting the OCC. In Q4, the executive data analytic dashboard for each borough grouping was finalized and became available for all borough groups. This data platform contains data regarding work order trends, resident-reported complaint trends, and data associated with the strategies identified above. The OCC recommended that MRU (or the OCC) should facilitate recurring meetings with the borough groups to offer opportunities for collaboration and further discussions regarding best practices and strategies to reduce the number of follow-up requests required by MRU.
 - It does not appear that the borough groups assigned access to the data platform have logged into the system or reviewed the dashboard as of the end of Q7. It is our understanding that the operations team rely on the OCC work order data flag to identify and prioritize work orders associated with resident-reported complaints. We are hopeful that in future quarters, NYCHA will begin to utilize these dashboards (which show aggregated information and trends) and facilitate recurring meetings to review and respond to development-wide strategies and best practices to reduce resident-reported complaints to the OCC.
- **Participation from Other Departments (Legal, Family Partnerships, Social Services)** – In Q7, MRU (with the support of the Ombudsperson and OCC) worked with various departments to ensure certain resident-reported complaints could be effectively resolved. The OCC found that there are situations where the resident’s complaint to the OCC can be linked to or associated with, other situations beyond the mold and leak complaint (on-going legal cases, disputes between the resident and development, and/or cases with Social Services or Family Partnerships). These departments have helped ensure that proper protocols and appropriate actions are being taken to best serve the resident.
 - Such activities included:
 - Providing feedback on protocols for interaction with residents (including instructions to development for scheduling and staffing repair work), notice to the resident (two weeks in advance, two days in advance, etc.), and procedures for access dates;

- Written reports of resident legal cases and associated legal documentation (e.g., complaint, rulings, etc.);
 - Written reports or interoffice memos from Family Partnerships on activities, history of complaints/referrals, and emergency points of contact; and
 - Assisting MRU with effective communication with residents. It is our understanding that in Q7 the Legal department was involved in 4 resident complaints to the OCC and Family Services (and/or Social Services) was involved in 2 resident complaints to the OCC.
- **Feedback Sessions with Developments** – The OCC and Ombudsperson have recommended that MRU host monthly feedback sessions with the borough groups (and developments) to identify constraints and limitations associated with promptly resolving resident-reported complaints to the OCC. This process could assist MRU to develop plans and strategies to reduce the number of follow-up requests. In past quarters, MRU held feedback sessions with the borough groups to hear about their experiences working with MRU and servicing resident complaints to the OCC. During these sessions MRU provided feedback on resident communication best practices, need for responsiveness (and the number of escalations), scheduling difficulties, and capital repair constraints. It is our understanding that in Q7 NYCHA conducted feedback sessions for developments with responsiveness delays.³⁰
 - In Q7, developments with responsiveness delays included (but were not limited to):
 - Adams;
 - Albany;
 - Brownsville;
 - Fiorentino Plaza;
 - Ingersoll;
 - Unity;
 - Manhattanville;
 - Morrisania Air Rights / Jackson; and
 - Queensbridge North.
 - Feedback received from the developments in Q7 and prior quarters included:³¹
 - Vacancies at the staff and management levels;
 - Delays regarding planned capital repairs and asbestos inspections;
 - Lack of vendor contract funding or vendor availability;
 - Lack of inventory (e.g., tub enclosures, cabinets, etc.);
 - Complex resident communication barriers preventing the resident's allowance of work; and/or
 - Inability to provide a response to OCC requests (to MRU) in a reasonable amount of time with appropriate action steps due to competing demands of an unreasonable workload (based on resources available) and a large number of competing requests from other internal and external parties (such as NYCHA's Compliance department, Quality Assurance department, General Manager's office, and MRU and external parties such as the Monitor team, Mayor's office, court mandates, etc.).

³⁰ The OCC and Ombudsperson were not invited to attend these sessions.

³¹ It is our understanding that OMAR takes the feedback provided to them under advisement to determine strategies to assist each development and find opportunities to use its vendor contracts on complex matters.

- Strategies developed and implemented to reduce the number of follow-up requests in Q7 and prior quarters included:
 - Greater transparency at the senior leadership level of resident-reported complaints experiencing non-responsiveness from NYCHA to take action, with a listing of all open work orders associated with that unit;
 - Creation and access to an executive dashboard that the OCC provides for each borough grouping with data regarding OCC activity (and escalations) associated with the resident-reported complaints, reports of severe conditions, and metrics associated with open work order volumes and backlog;
 - In Q7, it does not appear that these tools were regularly used by NYCHA.
 - Creation of various dashboards (by the IDA) containing information regarding open work orders with missing fixtures (e.g., tub enclosures, cabinets, etc.), aging vendor work orders, or backlogs by craft where inventory may be required, vendor scheduling and procurement may required, or staffing assistance from other developments within the Borough; and
 - Creation of a data flag in Maximo for OCC work orders so the development can query live reports of open work orders.

Through MRU's continued support and oversight, the OCC is hopeful that cultural and operational changes will continue to take effect resulting in more effective communication with residents (and within NYCHA) and continued improvement in the accountability and commitment needed to ensure proper repair work is completed and addressed promptly.

C. Transparency and Individual Accountability are Necessary to Effectuate Culture Change

As discussed in prior quarters, NYCHA needs to continue to increase oversight of work order activity to ensure that standard procedures are being followed and proper remediation steps are being taken through on-going training and staff development. Additionally, NYCHA needs to prioritize the completion of the Leak Standard Procedure to properly identify and repair complex leaks.³²

In Q7 (consistent with prior quarters), the OCC received extensive feedback from residents indicating they reported mold and leak issues to NYCHA in the past and nothing was done to fix the issue. Through our review of these cases, the residents' reports are almost universally correct. For all resident-reported complaints, there is an increased level of case management and oversight of work performed, which provides accountability for each worker involved in the remediation process. The OCC will not close a complaint until the resident has indicated that the work has been performed to their satisfaction. There have been situations where the resident does not report satisfaction and the OCC will go back to NYCHA to understand what happened and seek additional work or a re-inspection if needed. The OCC will also provide a referral to Compliance for any resident-reported complaint where there is an indication of improper proper repair work. The goal is that with increased individual accountability to conduct the proper remediation steps, resident satisfaction will increase and cause a decline in resident-reported complaints to the OCC.

³² NYCHA completed a pilot project throughout Q4 and Q5. It is our understanding that NYCHA is developing the second phase of the pilot project, which is tentatively scheduled to begin in January 2022.

See below for information regarding progress and opportunities identified this quarter:

- **Re-inspections** – For situations where the resident contacts the OCC dissatisfied with repair work, the OCC requests that MRU conduct a re-inspection of the work to determine the root cause and ensure the appropriate remediation plan is created. The OCC has, on several occasions, requested that NYCHA conduct a thorough leak investigation for complaints of leak recurrence or non-visible leaks. The OCC has stressed the importance for NYCHA to identify situations where the root cause of an issue cannot easily be identified so that outside resources (such as the court-appointed IMA or vendors) can be enlisted. The OCC has found that the necessary investigation and remediation required for these complex complaints take a very long time for NYCHA to repair and requires substantial follow-up from the OCC to ensure progress and effective resident communication.
 - In Q7, the OCC requested re-inspections for 422 resident-reported complaints (13% of complaints serviced in the quarter). The OCC is hopeful that the implementation of the Leak Standard Procedure will improve NYCHA's ability to properly identify and repair complex leaks and reduced the need for re-inspections.
 - For certain developments with extensive leak-related issues, advanced training for leak investigation and remediation repair solutions for underlying root causes should be offered to maintenance workers and an emphasis to maintenance workers that non-visible leaks need to be investigated.

- **Recommendations to NYCHA's Compliance Department** – The OCC continues to receive feedback from residents in some situations indicating they reported mold and leak issues to NYCHA in the past and NYCHA closed the work order without completing the work. Residents noted they would create work order tickets (on the MyNYCHA app or through the CCC) but they would be closed without ever hearing from anyone (which could be seen on the MyNYCHA app or would be communicated to the resident from the CCC if the resident followed-up on the scheduling date). The OCC has been able to conduct work order reviews in these situations and has found that there are often cases where work orders were recorded as closed for “no work done,” “resident not home,” “resident refusal,” or “unfounded”. The OCC has also learned of instances where according to residents they were informed that a wall break was needed but was not performed (and the work order was closed as “unfounded” or “no work done”). For these situations, the OCC will recommend that MRU consider a referral to the Compliance department to review and/or investigate the activity associated with the complaint.³³
 - In Q7, 38 resident-reported complaints were referred to Compliance for review or investigation. It is our understanding that Compliance conducts an assessment and then may assign it to QA, EH&S or Customer Operations for review and investigation, or Compliance may conduct the investigation itself. In Q7, Compliance handled 26 cases, QA was assigned 11 cases, and EH&S was assigned 1 case. It is our understanding that Compliance makes recommendations, where appropriate, for staff accountability.³⁴ However, it is supervisory staff in NYCHA Operations who must decide whether to accept

³³ The Compliance department has access to all resident complaints to the OCC and participates on a weekly standing call with the OCC, MRU, and other NYCHA departments.

³⁴ It is our understanding that Compliance may recommend additional Mold Busters training and/or take employee corrective action, including but not limited to verbal warnings, instructional memoranda, or counseling memoranda.

and act upon Compliance's recommendations. In Q7, Compliance recommended staff accountability for 2 cases associated with OCC referrals.

- In Q7 (consistent with prior quarters), Compliance has been very responsive to all OCC referrals and requests to investigate worker activity. Throughout the course of the quarter, Compliance has provided updates on its investigations and asked the OCC for feedback on next steps or supplemental review.
- **Resident Reported Follow-up Complaints to the CCC** – The OCC has received feedback from numerous residents that they reported a complaint to CCC concerning a missed appointment, unsatisfactory repair work, inability to create a mold complaint on the MyNYCHA App (due to having another mold ticket open), or a lack of inspection scheduling when creating a mold ticket on the MyNYCHA App. During the conversation with the CCC, the resident would be informed that someone from NYCHA would reach out to them to reschedule or inspect the situation. In some situations, residents reported that they followed-up with the CCC several times before contacting the OCC to assist with scheduling their mold or leak work order ticket. Scheduling of repair work is the first step in the process and the CCC must be equipped to be able to resolve these issues directly with the resident. Additionally, NYCHA needs to take immediate action on all resident-reported follow-up complaints to avoid the unnecessary involvement and resources of the OCC or Compliance.
 - The OCC has worked with NYCHA to better understand the operational processes and procedures associated with processing CCC follow-up complaints and the mechanisms for the developments to review and respond to such complaints. Based on the information gathered there does not appear to be an operational process or strategy to ensure accountability and oversight of these complaints or understand the magnitude of the volume within the NYCHA developments. The OCC and court-appointed IDA recommended that immediate action should be taken to address these resident complaints.
 - In Q6, Compliance developed and implemented an operational oversight plan (across all 5 boroughs) to review, respond to, and oversee the results of these complaints (associated with mold and leaks). It is our understanding that this continued in Q7 and has successfully resolved hundreds of these complaints throughout the quarter. Additionally, its our understanding that Compliance received positive feedback from the developments on this program and provided them access to reports so it can be independently monitored.
 - We are hopeful that in Q8 and future quarters, the volume of these complaints will decline and thus reduce new resident-reported complaints to the OCC.
- **Additional Training for Workers** – In Q7, over 25% of resident-reported complaints to the OCC were assigned the craftsmanship swim lane. In these situations, the mold or leak repair was made but the work was unsatisfactory, did not solve the problem, or was not completed. Based on these findings and feedback from property management and the court-appointed IMA, NYCHA began offering additional Mold Busters field training to each borough grouping during the month in which the OCC launches at that location. NYCHA should also be closely monitoring Mold Busters Quality Assurance (“QA”) inspections for the identification of training opportunities for NYCHA staff. It is our understanding that NYCHA is keeping track of the areas in which additional training is needed to aid in developing supplemental training materials for staff. It is our understanding that the court-appointed IMA is also developing a supplemental training bulletin for NYCHA workers regarding certain mold and leak remediation activities (such as wall breaks). As discussed above, NYCHA is also in the process of creating a revised leak standard procedure which will provide additional

opportunities to train staff about leak investigations and remediation. This will be critical to NYCHA's ability to conduct proper and consistent leak remediation for NYCHA residents. It is our understanding that NYCHA's QA department is providing Maximo training when conducting its Quality Assurance visits and the Compliance department is providing Maximo training when it conducts inspection desk reviews.

- We are hopeful that in Q8 and future quarters, NYCHA will continue to provide increased training to ensure the work performed is to the resident's satisfaction and thus reduce new resident-reported complaints to the OCC.
- **Need for Better Data Recording** – In Q7 the OCC observed that (similar to prior quarters) there were several instances where NYCHA would indicate that work was completed for a work order but there would be no indication of any progress in the Maximo data system.³⁵ In situations where there were complex leak investigations, there was no information in Maximo to understand what investigative steps had been completed, where access was denied, and what the next steps were to resolve the issue. In other cases, the development has created a work order for the wrong unit which caused a delay in scheduling. In Q7, the OCC also observed that (similar to prior quarters) there were several instances where the resident would indicate that the work has been completed but the work order was still open in Maximo.³⁶ This creates significant inefficiencies for NYCHA as people will eventually have to confirm that the repair work was completed or not and delays the completion of sequenced work for the completion or a waste of resources if the work was already performed. Feedback from property management and borough schedulers indicated that there is a need for better training and reinforcement to record detailed notes and pictures in Maximo. It was also communicated that some workers do not have access to hand-held devices to enter such information and they needed to go back to the office to record the information.
 - In Q7, MRU had to reach out to the development (or skilled trades) regarding a lack of adequate information included in the remediation plan, inspection findings, notes with the Maximo data system, and/or an upcoming scheduling date for 1,024 resident-reported complaints. MRU provided feedback to the management staff regarding the administrative burden that can be alleviated when appropriate information is proactively populated.
 - The OCC also observed that in Q7 (consistent with prior quarters) there were several instances where NYCHA would create a child work order for a remediation plan but not link it to the parent inspection.³⁷ This creates significant inefficiencies for MRU to track and maintain the progress of the remediation plan and can complicate Baez compliance metrics and the QA process for mold complaints.³⁸
 - NYCHA should consider conducting regular formal training on the importance of updating Maximo work order data in real-time, providing more detailed notes in the system, and uploading pictures for each work order. NYCHA should also consider conducting quarterly

³⁵ This was also found through the court-appointed IMA's mid-stream quality assurance inspections where the data indicated that there were wall-breaks conducted with no follow-up repair work. However, upon inspection, the wall breaks were completed and repaired. This was also found through the Compliance department in its efforts to monitor delinquent mold work orders and follow-up SR complaints.

³⁶ The court-appointed IDA issued a report and recommendation based on the OCC's outbound calling survey, that a reasonable range of 40% - 60% of residents with long-term pending work orders could have had the work completed already.

³⁷ It is our understanding that in these situations, the RCA requested that the development re-link the child work order to the parent inspection.

³⁸ In a prior quarter, MRU analyzed 93 resident-reported complaints to the OCC and determined that 64 (nearly 70%) were affected by this.

assessments of physical inventory to ensure staff has the proper equipment and materials available to complete the repairs at each development.

- **Need for Updated Resident Contact Data** – In Q7 (consistent with prior quarters) the OCC observed that there were several instances where NYCHA was unable to reach the resident due to the phone number being out of service. For many of these situations there was no email address on file. When the RCA is unable to reach the resident they will review NYCHA’s data systems to see if the resident provided an alternative contact number or whether the resident had contacted the OCC using an alternative contact number. When alternative phone numbers cannot be retrieved, the RCA will request that the Development send a letter (via mail or under the door) or visit the resident’s home to request updated information. This process causes delays in scheduling repair activity and inefficiencies for the RCA and NYCHA in completing repairs. As discussed above, the OCC has provided NYCHA with Resident Communication Strategies and Scheduling Best Practices that would ensure updated contact information is regularly collected, verified and maintained.
- **Process to Reduce Missed Appointments** – As discussed in prior quarters, the OCC found that missed appointments continue to be a common reason for resident-reported complaints to the OCC. Based on conversations with NYCHA, it appears there are no data reporting processes in place to notify the property management office or borough scheduler of appointments scheduled for the day for each worker.³⁹ Therefore, there is no automated efficient process to review and prioritize work orders, identify capacity constraints, and reschedule any anticipated missed appointments. In Q1 of the OCC, the court-appointed IDA created the architecture of an automated daily user report of scheduled work orders to provide to the property management office, borough schedulers, and/or RCAs the ability to prioritize and communicate any anticipated rescheduling demands in advance of a missed appointment. It is our understanding that NYCHA is in the process of building this report in its operating environment. The creation of a new process to reduce the number of missed appointments will positively impact all residents (not just those that reached out to the OCC) and will likely reduce the number of resident complaints to the OCC regarding missed appointments.
 - It is our understanding that in Q3, NYCHA was working to develop and integrate an automated daily user report of scheduled work orders but it had not yet been operationalized. It is our understanding that NYCHA’s Strategic Planning Department is overseeing this initiative in conjunction with an auto scheduling pilot program.
 - It is our understanding that RCAs send proactive emails at the beginning of each week to each development to inform them of their upcoming scheduled appointments for residents who reported a complaint with the OCC.
- **Proactive Efforts to Remediate and Close All Open WOs** – At the end of the quarter, NYCHA had nearly 54,400 open parent mold and leak work orders associated with mold and leaks in nearly 40,000 unique apartments (or 24% of all NYCHA apartments), of which 92% were open for greater than 7 or 15-days. In Q7 (similar to prior quarters), the OCC found that some residents had several open parent work orders related to mold and leaks within the same unit (and room). For these situations, the OCC asked that MRU coordinate and resolve all open work orders in a given room.

³⁹ It is our understanding from OMAR that the property management supervisory staff can create a query in the data system to identify work order tickets that have a past scheduled date without a proper labor record to identify missed appointments.

Ongoing efforts to resolve all open work orders related to mold and leak will help NYCHA reduce its backlog of open work orders and reduce the demand for the OCC.

- As discussed above, the court-appointed IDA issued a report and recommendation in Q5 recommending that NYCHA should conduct an automated multi-channel outreach program to all residents with long-term pending (open) work orders. NYCHA should track all resident communication, as well as which residents indicated the work was completed (by the resident and by NYCHA, separately) and analyze these work orders to develop best practices that would minimize the frequency with which long-term pending (open) work orders have had the work completed but have not been closed. This iterative process can be used when any work order reaches 100 days in age and again at 200 days in age or other intervals as set by NYCHA.
- **Data Strategy to Develop Operational Processes and Procedures** – NYCHA needs to use data to develop regular operational processes, procedures, and responses to effectively monitor and prioritize inspection, work order and Q&A activity, resident-reported complaints, and requests from internal and external stakeholders. NYCHA needs to develop iterative processes to address new issues that arise with effective strategies and goals to best utilize current resources, identify opportunities for change, and ensure accountability.
 - Each quarter, the court-appointed IDA identified several analyses and data visualizations for OMAR and Compliance’s review that are intended to allow NYCHA the ability to monitor individual accountability and compliance such as resident satisfaction survey responses, children work orders closed with no work done, repeated unfounded work orders, QA failures, etc. It is our understanding that Compliance has been using these tools in its daily operations.

D. Critical NYCHA Resource Constraints Necessary to Overcome to Ensure the Continued Success of the OCC

As discussed in prior quarters, NYCHA needs to retain additional resources to remediate mold and leak complaints promptly including maintenance workers and skilled trade resources such as plumbers, painters, and carpenters. NYCHA should also utilize virtual inspection technology to ensure efficient use of current staffing available.

Please see below for information regarding progress and opportunities identified this quarter:

- **Vacant Management Positions** – There are currently vacant management positions across NYCHA developments, such as Property Manager, Supervisor of Caretakers, etc. Because these management positions are unfilled, the existing management staff is required to complete all required inspections, scheduling and follow-up work, and interaction with the RCAs for resident-reported complaints. It is our understanding that NYCHA sent temporary relief (or floating staff) to help alleviate the constraints, when possible. While temporary support was encouraging, the OCC found that there appeared to be a breakdown in communication associated with the knowledge transfer regarding resident remediation plans, resident communication, and coordination with the RCAs. NYCHA has indicated that there are often staffing constraints or delays to conduct mold inspections due to the lack of management positions on-site due to alternative working schedules (AWS) (e.g., only one superintendent or assistant superintendent on staff because they rotate weekend availability and no maintenance workers available to aid in the inspection).
 - For NYCHA and the OCC operations to be efficient and effective, these management positions will need to be filled promptly. The OCC is hopeful that NYCHA will fill vacant positions as soon as possible.
- **Staffing Constraint – Maintenance Workers** – All developments across NYCHA have a significant number of open work orders. Many of the open work orders are complex, requiring two maintenance workers to work together (across different units) to identify root causes and repair the issue(s). Based on feedback from NYCHA, there are severe staffing constraints at the maintenance worker level due to turnover and its inability to replace those positions. The Ombudsperson and OCC were also made aware of staffing limitations due to a lack of funding for overtime and loss of available workers due to other demands such as pest programs. Also, NYCHA's previous COVID-19 work order guidance has created a severe backlog of open work orders for non-emergency leaks that will need to be addressed since the work order restrictions have been lifted.
 - In Q6, NYCHA reported that the Butler Development in the Bronx (which houses 4,235 residents within 1,492 units) was severely short-staffed with only 1 maintenance worker on site.⁴⁰ In Q7, NYCHA reported staffing constraints at Edenwald, Saint Nicholas, Mill Brook, Throggs Neck, Unity Plaza, Baruch, WRUR (Brownstone), East River, Lafayette, Mitchel, Sotomayor, and Tilden.
 - For NYCHA and the OCC operations to be efficient and effective, these vacant positions will need to be filled promptly.

⁴⁰ <https://www1.nyc.gov/assets/nycha/downloads/pdf/pdb2020.pdf>

- **Staffing Constraint – Skilled Trades** – Many developments across NYCHA have a significant number of complex work orders that can take a long time to effectively repair. It is our understanding that many of the work orders require pipe repairs and that nearly all pipes in certain buildings require asbestos abatement, causing delays in remediation. Also, many work orders involve multiple units, requiring more time to investigate and repair these complex circumstances. NYCHA indicated that the skilled trade resources are very short-staffed in all skilled trade positions, most importantly plumbers, painters, and carpenters. Such work can require 2 or 3 different skilled trades and each trade often has a backlog (sometimes up to several weeks away). This often requires work in more than one apartment so scheduling and sequencing the work by skilled trade becomes a challenge. Also, NYCHA's previous COVID-19 work order guidance created a backlog of open work orders for non-emergency mold and leak-related repairs that are being addressed since guidance lifted in Q6.
 - In Q7, NYCHA reported staffing constraints at Edenwald, Saint Nicholas, Mill Brook, Throggs Neck, Unity Plaza, Baruch, WRUR (Brownstone), East River, Lafayette, Mitchel, Sotomayor, and Tilden.
 - In Q7, the OCC observed significant delays and missed appointments for asbestos inspection work orders. MRU has closely monitored these work orders but indicated that NYCHA is severely short-staffed with only one 3-person team across all NYCHA for this work.
 - It is our understanding that NYCHA has been increasing its vendor capacity to compensate for certain staffing constraints. NYCHA has allocated \$32 million for contracts focused on mold and leaks over a period of several years. In addition, NYCHA has approved an additional 211 skilled trade staff and 56 maintenance workers that it anticipates hiring through June 2022, as part of its Transformation Plan. As of April 16, 2021 (within Q6), all maintenance worker positions have had a selection made and more than half had confirmed start dates. In Q7, NYCHA Operations was in the process of creating openings for the skilled trade staff and HR was developing a larger recruitment and prioritization plan which was launching in Queens/Staten Island.
 - For NYCHA and the OCC operations to be efficient and effective, adequate skilled trade resources will need to be available in each development.

- **Virtual Inspection Technology** – In Q2, the OCC launched a virtual inspection pilot and has since offered virtual inspections to NYCHA residents to assess the severity of mold or leak issues. Virtual inspections will enable NYCHA to better serve residents while also prioritizing the health and safety of the NYCHA residents and workers. The OCC has found virtual inspections to be a very effective method to expedite repair work and/or resident relocation because the internal escalation process (within NYCHA) allows for transparency of the conditions. Virtual inspections can also create efficiencies for NYCHA by reducing the time spent conducting inspections, identifying necessary materials for repairs, accelerating the creation of work orders, assist with remote training or complex triage, etc. In Q3, a working committee for virtual inspections was formed consisting of representatives from different teams within NYCHA (including OMAR, Compliance, and EH&S) to consider how to integrate virtual inspections for a variety of use cases including reports of simple complaints (that a worker could walk the resident through the repair), reports of resident dissatisfaction of repair work performed, pre-remediation inspections or assessments (for vendors or skilled trade), virtual unit walkthroughs for relocations, oversight of common space cleanliness, opportunities for training, etc. In Q4, the OCC memorialized the pilot with a document regarding insights and recommendations for implementation in NYCHA's operations including sections on

technology, use cases, process details for conducting virtual inspections, and spreading awareness of virtual inspections.

- NYCHA was committed to the pilot and it is our understanding that it is working with leadership to evaluate the integration of the technology into its operations. The OCC is hopeful that NYCHA will implement virtual inspection technology in Q7 or future quarters.

E. Effective Use of Vendors

As discussed in prior quarters, NYCHA must effectively use vendors (and have the appropriate contracts in place) to overcome temporary staffing constraints. NYCHA reported that at the end of Q7, there were nearly 54,400 open mold and leak parent work orders, of which 92% had been opened for over 7 or 15 days as of the end of the quarter.

Please see below for information regarding progress and opportunities identified this quarter:

- **Vendor Backlog** – Due to the limited availability of skilled trade resources, the use of vendors is increasingly important for leak-related work orders and resident-reported complaints. Based on the open work order data, the average days a work order is pending awaiting vendor work is very long. NYCHA's property management has indicated that there was a 6- to 8-week backlog for certain vendors, such as plumbers and painters. These vendors can only be utilized to assist with leak-related work orders, not mold remediation due to State laws.
 - It is our understanding that it is the responsibility of the vendor to communicate with the resident regarding the scheduling of work and the responsibility of the property superintendent (and/or OMAR and MRU) to monitor completion of the work and closing of the work order, depending on the vendor contract. It will be important for NYCHA to monitor such activity to ensure vendor(s) are appropriately communicating with residents and the superintendent is promptly reviewing such activity and updating work order information.
 - At the end of Q7, OMAR was in the process using vendors to assist select OCC complaints with only paintwork remaining whereby the resident was interested in having their entire unit painted (not just the affected room). It is our understanding that NYCHA will contact some of these residents for scheduling and prioritization when the vendors become available at each development (under a "development blitz approach") and will refer the remaining complaints to the developments to perform the remaining work.
 - In Q7 (consistent with prior quarters), the OCC observed continued vendor backlogs, and high levels of open long-term pending work orders. The OCC also observed severe staff storages for plumbers in select developments with scheduling delays of at least 4-8 weeks. Once this issue was raised to OMAR, it agreed to utilize vendor contracts to conduct the necessary repair work, when able.
 - The OCC is hopeful that vendors can be further utilized in Q8 and future quarters to complement NYCHA staff and ensure work is being completed within 7- or 15-days, as required by the Baez Revised Consent Decree.
- **OMAR's Mold Assessor and Remediator Contracts** – It is our understanding that NYCHA has executed three Mold Assessor and two Mold Remediator contracts to remediate and repair complex cases of mold (where conditions impact multiple rooms, involve repair work in a ceiling or wall cavity,

and require multiple skilled trades to satisfactorily resolve). As of Q6, NYCHA was in the process of securing 2 additional contracts for mold remediation.

- In Q7, OMAR used these contracts on several resident-reported complaints to the OCC that required substantial repair work. While this is a great resource to remediate severe conditions, the OCC has observed that these contracts have limited resources and it can take a long time to schedule an inspection and develop a scope of work (weeks or months), before beginning the repair work.⁴¹ The OCC often doesn't receive the OMAR CM inspections reports and is not provided with work orders associated with the remediation plan so tracking progress is not possible. In Q7, MRU set up a weekly meeting with the OMAR CM team to receive updates of progress on all OCC cases so that the resident could remain informed of the next steps.
- Throughout the last several quarters, OMAR awarded additional vendor contracts for a total of \$10 million to address leak repairs and \$50 million for the ventilation program. OMAR has retained 3 additional vendors (and additional scope of work lines) to the contracts in its efforts to expedite the timeline to conduct work. In Q6, NYCHA entered into 3 \$10 million Job Order Contracts and added 13 additional lines were allocated to OMAR's 2021 budget to administer these contracts.
- For the OCC operations to be efficient and effective, management must prioritize skilled trade resources to mold-related work orders and increase the availability of vendor contracts to conduct remediation work on leak issues. There must be a greater level of oversight and management of the vendor contracts to ensure repair activity is expedited. The OCC is hopeful NYCHA will further utilize these contacts in Q8 and future quarters.

⁴¹ It is also our understanding that these contracts may be very costly to NYCHA, reaching hundreds of thousands of dollars for just one unit and often require asbestos investigation (and abatement) and resident relocation.

F. The Commitment to Data Strategy, Individual Accountability at NYCHA, Collaboration and Resident Engagement Creates Significant Opportunities for Improvement

As discussed in prior quarters, NYCHA must maintain a commitment to data strategy, individual accountability, collaboration, and resident engagement with a continuous pursuit of opportunities for improvement.

The OCC's resident engagement, findings from detailed work order reviews, and collaboration with various internal and external stakeholders (including the Parties and Tenant Associations) have already provided significant opportunities for operational changes across the NYCHA portfolio. This combination of perspectives, activities, and processes informs standard procedure, use and interpretation of data, resident communication, and the effective use of NYCHA resources. Understanding the feedback from both the residents' perspective as well as the operations perspective offers a unique opportunity for ongoing and sustainable transformative change in NYCHA's response to mold and leaks, and its efforts to effectively prevent recurrence.

In June 2021 (within Q7), at the request of the Plaintiffs, the IDA and OCC issued a report and recommendations regarding strategies to improve NYCHA's progress towards compliance in Baez. This 40-page document outlines the four phases necessary to develop a comprehensive, sustainable, data-driven, effective strategy to improve its compliance required by the Baez RCD, including the development of interim milestones, iterative processes, daily / weekly / monthly operational responses, collaboration with Compliance and other NYCHA departments, continual evaluation mechanisms, feedback sessions from the field, technical training of staff, leadership training of management, resident communication best practices and training, culture change initiatives, identification of staffing constraints and barriers to improvement, etc.

- In Q7, Compliance kicked off an Enhanced Oversight Program (EOP) to improve compliance indicators at Brownsville Houses with the IDA, OCC and various departments within NYCHA (e.g., EHS, OMAR, Property Management, Skilled Trade, etc.). During the four-month oversight period, EHS, OMAR, and Compliance will provide technical assistance and support to development staff on the Mold SP, Maximo, and leak tracing. EHS will also perform periodic compliance oversight of key activities such as mold inspections and mold remediation. The EOP team will also seek to identify roadblocks to improved compliance (lack of staffing, IT issues, procurement issues) and will actively seek to remove roadblocks in order to meet the four-month performance milestones. Weekly meetings and a regular onsite presence will help to build connectivity between Property Management staff and the overall NYCHA support departments, as this connectivity is key to fostering a shared agency mission of Baez compliance.

Please see below for information regarding progress and opportunities identified:

- **IDA Initiatives Identified in Support of the OCC** – The court-appointed IDA worked with NYCHA (OMAR, Compliance, EH&S, and Operations) to identify and/or implement data tracking and/or information provided to residents regarding mold and leak remediation including, but not limited to:
 - Identification of building lines with high volumes of mold and/or leak work orders to help identify certain buildings that may be prioritized for capital repairs;
 - Identification of different mold work order classifications that the CCC agent can select when creating a mold inspection work order with a resident that does not follow the Mold Busters standard procedure;

- OMAR inspections associated with mold complaints do not follow the Mold Busters standard procedure and do not have parent or child work orders created which circumvents Baez compliance;
 - Identification of progress toward compliance (by development) to remediate mold and leak work orders within Baez 7 or 15-day requirements;
 - Information and data tracking associated with repair work conducted by developments that were scheduled to transition to RAD within the quarter;
 - Discrepancy between resident provided a scheduling time frame on the MyNYCHA app (8:00 a.m. – 12:00 p.m. or 12:00 p.m. – 4:00 p.m.) and NYCHA worker provided scheduling time frame (8:00 a.m. – 4:00 p.m.) which can lead to missed appointments and resident frustration;
 - Identification of long-term pending work orders that have been resolved but are recorded as being open in the system;
 - Identification of improper CCC communication to residents and lack of calls being recorded by the CCC agents;
 - Identification of resident satisfaction survey response data that does not appear to be operationalized or utilized by OMAR, MRU, or Compliance;
 - Identification of CCC follow-up ticket data for reports of missed appointments or unsatisfactory work that does not appear to be operationalized or utilized by OMAR, MRU, or Compliance;
 - Identification of children work orders that are not associated with the leak or mold parent work order, which may be understating NYCHA’s compliance with the *Baez* consent decree;
 - Identification of concerns with how CCC was classifying certain conditions which have caused significant inefficiency and confusion that frequently occurs when NYCHA staff arrive at a unit expecting one condition only to learn that it is a very different condition that the resident is experiencing (e.g., peeling paint or flaking plaster);
 - Identification of priority building lines (and individual floors) that are in the most need of repair work based on the history of created parent work orders for both mold and leaks;
 - Identification of Mold Busters inspection work orders that were conducted in less than 5 or 10 minutes that were closed as “Unfounded”;
 - Identification of labor workers with large volumes of Mold Busters inspection work orders that were conducted in less than 5 or 10 minutes that were closed as “Unfounded”;
 - Dust wipe child work orders creating an administrative hold on the completion of paintwork orders; and
 - Data tracking and need for an operational monitoring process to ensure proactive inventory re-stocking for tub enclosures, cabinets, etc.
- **Preventing Resident Complaints to the OCC** – While NYCHA works on the systemic factors outlined in this report to reduce resident-reported complaints and prevent the need for residents to contact the OCC, NYCHA has the opportunity to utilize data strategy to identify residents that may have a higher propensity to have a complaint (e.g., the long term open work order, recurring mold and leak work orders, open or exposed wall, awaiting the repair or replacement of a sink, toilet, shower, or cabinets, several open work orders, etc.) and proactively reach out to ensure the proper repair work is conducted.
 - NYCHA planned to conduct proactive outreach to residents that have several open mold and leak work orders to lower the number of resident complaints to the OCC, but this has been delayed due to staffing and resource limitations.

- The OCC is hopeful that NYCHA will conduct this outreach in future quarters.

G. Recurrence Complaints

As discussed in prior quarters, NYCHA needs to properly address resident recurrence complaints associated with complex building repairs (e.g., roof repairs, façade or exterior brickwork repairs, pipe replacement, etc.) and develop interim solutions to ensure the health and safety concerns raised by the residents and reduction of duplicative work currently required by NYCHA.

Please see below for information regarding progress and opportunities identified this quarter:

- **Interim Repairs and Routine Inspections** – In Q7, nearly 20% of resident-reported complaints to the OCC were recurrence-related, whereby NYCHA had completed the mold or leak repair in the past but the resident-reported that the problem had returned within a year. These are often situations related to poor ventilation within the unit or lack of root cause remediation due to building needs (such as needed roof repair work, pipe replacement work, façade or exterior repair work) that is left unfinished which leads to a recurrence of the reported mold or leak condition. For many of these complaints, the OCC was informed that complex building repair work is required and despite any remediation work within the unit, there is a higher likelihood of recurrence.
 - MRU works with the developments with these capital repair issues to develop interim solutions to ensure the health and safety of the resident. Such solutions included temporary roof repair work and waterproofing the unit to try and prevent recurrence. It is also our understanding that routine inspections will be conducted by the development on a bi-annual or annual basis to ensure the conditions are remediated if they return.
 - In Q7, the OCC was informed by some residents that the mold or leak had recurred. As a result, the OCC created follow-up complaints for these residents and requested a re-inspection to be conducted. If requested, the OCC and the court-appointed IDA can analyze these follow-up complaints in further detail (including work order investigations and building line analyses) to better understand the reported recurrence and offer any opportunities for training, required inspections (e.g., roof, façade, building line pipes, individual units, etc.) or interim repairs.

H. Continuing to Raise Awareness of the OCC

In Q6, OMAR created new social media outreach content regarding the OCC which was published regularly in Q7 and is scheduled through August 2021.⁴² However, new resident-reported complaints created through this channel accounted for only 2% in the quarter. While a multi-channel, frequent outreach campaign would raise awareness of the OCC to all residents, as discussed above, NYCHA's efforts to raise awareness about the OCC must be balanced against other communication and outreach commitments by NYCHA to residents on a wide range of topics. NYCHA has indicated its commitment to ensuring residents are made aware of the OCC and the importance of regular, multi-channel outreach, with advanced notice and use of approved

⁴² The OCC works with OMAR, Compliance, and the Department of Communication (DOC) to facilitate effective and efficient communication to the OCC when planned social media messaging is scheduled for distribution (or lack thereof) to ensure the OCC is aware of when messaging is provided to residents.

content. The OCC is hopeful that NYCHA will continue to evaluate the opportunity to expand its outreach efforts to other communication channels in future quarters, balanced against its other communication priorities. There may also be opportunities to raise awareness about the OCC through the efforts of other stakeholders and community groups.

In Q7, NYCHA launched its new Mold Campaign that contained a multi-channel outreach plan including written materials (educational packet, flyer, posters, door hangers) and social media materials (website, videos, social media posts) which was shared with residents through rent mailers, door-to-door canvassing, building canvassing, social media posts, and other forms of resident engagement. Some of the marketing collateral contained information regarding the OCC, which may help improve awareness of the OCC.⁴³

Please see below for information regarding progress and opportunities identified this quarter:

- **NYCHA Communication with Residents Regarding the OCC** – It will be important for NYCHA to reinforce the independence of the Ombudsperson and OCC to residents as well as the fact that NYCHA is taking action to become more resident-focused and accountable. Residents have expressed confusion in calls to the OCC, and the Parties, about whether the OCC is part of NYCHA, creating the potential for lack of engagement from residents because of factors such as skepticism or fear. The fact of its independence has been an important element of the OCC’s communication with residents and provides an opportunity for dialogue and trust with the resident. The Ombudsperson and the OCC have emphasized to NYCHA that it must communicate to residents that the OCC and the Ombudsperson are independent of NYCHA. The Ombudsperson and the OCC have been working with NYCHA to ensure that all written communication to residents includes such language. The OCC and Ombudsperson have reviewed and approved all content published within the quarter to ensure that the independence of the OCC is clearly stated in outreach materials about the OCC.
- **Pending Outreach Channels** – In Q1, in coordination with the Ombudsperson and OCC, NYCHA developed a monthly communication plan to inform residents about the OCC and to clearly demonstrate that the Ombudsperson is independent of NYCHA. The communication plan contemplated multiple communication channels (over several weeks) for each borough grouping launch. See below for the current outreach channels available to residents:⁴⁴
 - OCC contact information has not yet been made accessible to residents on:
 - MyNYCHA app for reports of leaks.
 - Residents who report mold conditions through the app are notified that if the resident has a complaint after opening the work order the OCC can be contacted. However, reports of leaks or moisture conditions included in the Baez Revised Consent Decree are not provided this notification in the app at this time.
 - It is our understanding that NYCHA plans to re-consider this once the Leak standard procedure has been implemented (which is not anticipated until late 2022) and MRU is adequately staffed.

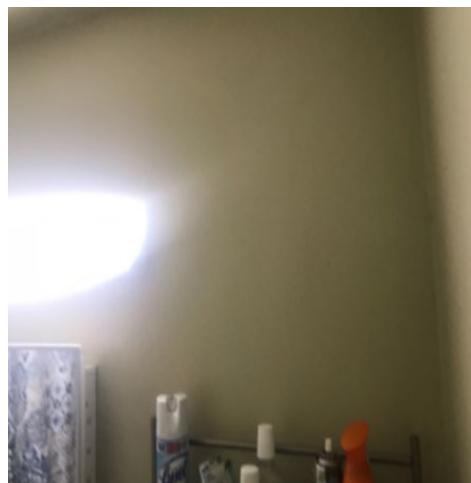
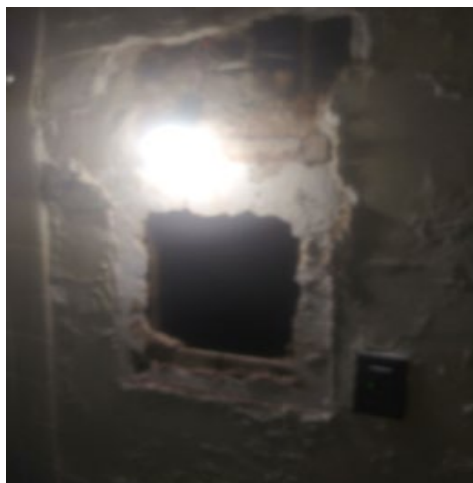
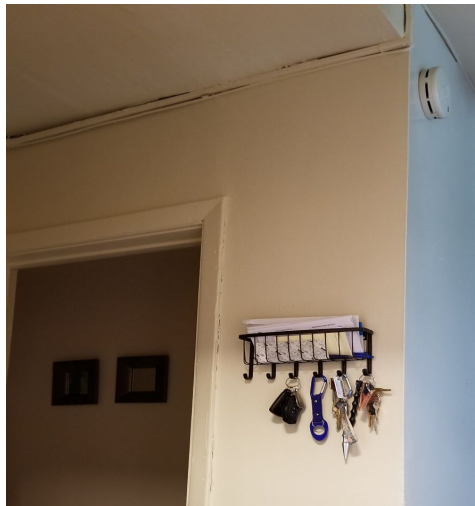
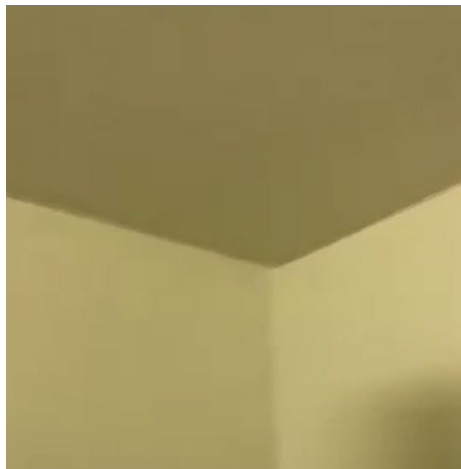
⁴³ The OCC information is contained on NYCHA’s website and on the last page of the educational packet. The OCC information is not included in the written materials such as the flyer, poster, or door hangers.

⁴⁴ Refer to **Appendix B** for outreach examples.

- NYCHA's Customer Contact Center (CCC) interactive voice response ("IVR") system for reports of leaks.
 - Residents who report mold conditions through the CCC are notified that if the resident has a complaint after opening the work order the OCC can be contacted. However, reports of leaks or moisture conditions included in the Baez Revised Consent Decree are not provided this notification at this time.
 - It is our understanding that NYCHA plans to re-consider this once MRU is adequately staffed which the OCC supports.
- NYCHA residents who have a mold inspection conducted that is considered "unfounded" and informed that no mold is present. As mentioned above, the court-appointed IMA estimated that nearly 50-60% of mold inspections that are closed as "unfounded" may be overstated and therefore do have a mold or excess moisture problem.
 - It is our understanding that the OCC contact information is provided on the mold inspection review form (shown in Appendix B) which is only provided to residents when the inspection results are "founded" and require a remediation plan.
 - It is our understanding that NYCHA is in the process (scheduled for December 2021) of including the OCC contact information to the Mold Inspection Receipt form which indicates whether the mold is "founded" or "unfounded". This will ensure all residents who report mold conditions are provided with the OCC contact information.

Exhibit 1 –Resident-Reported Complaint Examples to the OCC

A. Before and After Example



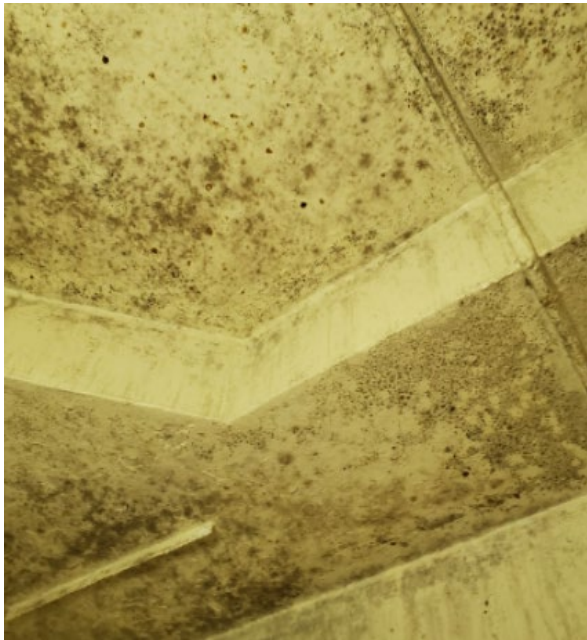
B. Brooklyn Residents



C. Bronx Residents



D. Manhattan Residents



E. Queens and Staten Island Residents



Appendix A – NYCHA’s Work Order Guidance During the COVID-19 Pandemic

On March 12, 2020 (amid Q2) New York’s Mayor, Bill de Blasio, declared a state of emergency in New York City in response to the COVID-19 pandemic.⁴⁵ As a result, NYCHA has communicated various updates regarding the measures that it has taken in response to the pandemic.⁴⁶ In Q7, NYCHA continued to expand the types of work employees will be permitted to conduct in-units, including work associated with mold and leak complaints. As of May 3, 2021 (in Q7), NYCHA provided notice to all staff that it had lifted suspension on all work orders.

The OCC has included a link to the NYCHA Journal on its website and informs residents of the current guidance. The OCC also makes sure the resident is comfortable with having repair work scheduled and conducted. For residents who do not wish to have work conducted, the OCC can request advanced scheduling or place the resident’s ticket on-hold until they are comfortable having repair work conducted.

Please see below for historic guidance pertaining to mold and leak work orders conducted within units that were made available to residents via the NYCHA Journal (emphasis added):

- March 13 and 16, 2020 – NYCHA would conduct some leak-related complaints that were considered “emergency repair (e.g., gas/**water leaks**, stoppages, etc.)”^{47,48} This guidance unintentionally excluded mold work orders.
- March 20, 2020 – NYCHA provided more context regarding leak-related work orders that were being conducted including “...**water leaks**, gas leaks, **flooding conditions**, stoppages, electrical issues, and hazardous conditions.”⁴⁹ This guidance excluded mold work orders.⁵⁰
- April 6, 2020 – NYCHA expanded the work orders it would address including “...conducting mold inspections and, if mold conditions are found, the necessary remediation and repair work. Paint related to mold conditions is suspended.”⁵¹
- April 17, 2020 – NYCHA requires that all staff wear face coverings (also referred to as PPE) during work within a unit - “Governor and the City issued another Order requiring all essential employees to wear a face-covering that covers the mouth and nose when in direct contact with members of the public – that is, when employees are within six feet or less of any other person in the workplace, including coworkers and residents.”⁵²

⁴⁵ <https://nychajournal.nyc/update-from-nycha-chair-and-general-manager-on-covid-19-measures/>.

⁴⁶ NYCHA is informing residents about COVID-19 updates through emails from NYCHA Chair Gregory Russ and General Manager Vito Mustaciuolo, direct phone calls, robocalls, notices posted in buildings, push notifications from the MyNYCHA app, and updates on NYCHA websites and social media. (<https://www1.nyc.gov/site/nycha/about/covid-19-FAQ.page>).

⁴⁷ <https://nychajournal.nyc/covid-19-update-on-staff-working-in-apartments/>

⁴⁸ <https://nychajournal.nyc/covid-19-updates-related-to-nycha-property-management-offices/>

⁴⁹ <https://nychajournal.nyc/nycha-development-property-management-offices-services-update/>

⁵⁰ It is our understanding that the COVID-19 work order guidance disseminated to the property management staff included mold work orders as of March 20, 2020, although this was not communicated directly to residents via the NYCHA Journal.

⁵¹ <https://nychajournal.nyc/development-services-update/>

⁵² <https://nychajournal.nyc/face-coverings-additional-protections-nycha/>

- October 6, 2020 – NYCHA expanded the work orders it would address related to leak related complaints - “**Perform all repairs associated with a defined set of leak work orders**, described in further detail in the Work Order Guidance, regardless of Priority Code.”⁵³
- November 12, 2020 – NYCHA expanded the work orders it would address related to leak related complaints - “Perform all repairs associated with an additional set of leak work orders, described in further detail in the Work Order Guidance, regardless of Priority Code” associated with **water leaks or stoppages affecting the walls, toilets, and sinks**.⁵⁴
- February 3, 2021 – “NYCHA is now authorizing painting related to mold.”⁵⁵
- May 3, 2021 – “All work in occupied units, including scheduled repairs for non-emergency work, annual inspections and other skilled trades or maintenance work, is no longer suspended.”⁵⁶

⁵³ <http://nychanow.nyc/guidance-regarding-covid-19/>

⁵⁴ <http://nychanow.nyc/guidance-regarding-covid-19/>

⁵⁵ https://my.nycha.info/Public/Mailer/docs/Phase-3-of-Work-Order-Guidance-Expansion-version10-1-19-2021.pdf?utm_source=chair%2bwork2%2b3&utm_medium=email&utm_campaign=chair%2bwork2%2b3

⁵⁶ <http://nychanow.nyc/guidance-regarding-covid-19/>

Appendix B – OCC Outreach Examples

A. OCC Flyer



The flyer features a background image of a multi-story brick apartment building under a blue sky with clouds. A yellow and brown graphic design frames the top and bottom of the text. In the top right corner, the text "MOLD BUSTERS AT NYCHA" is written in bold, yellow and black letters. In the top left corner, there is a logo for the Housing Authority of the City of New York, which includes a stylized building icon and the text "HOUSING AUTHORITY".

MOLD BUSTERS AT NYCHA


What is Mold Busters?

Mold Busters is NYCHA's program to effectively and efficiently remediate mold. It is a vital part of NYCHA's commitment to providing residents with the healthy and safe homes they deserve.

To report mold or a leak in your apartment and initiate the Mold Busters process, call the Customer Contact Center (CCC) at 718-707-7771 or use the MyNYCHA app.

Who is the Ombudsperson?

NYCHA is under a court order to effectively remediate mold and excessive moisture in a timely fashion. The Court has appointed César de Castro as the Ombudsperson to consider complaints from Residents if NYCHA fails to comply with that order. Mr. de Castro will address NYCHA residents' complaints about leak, mold and excess moisture repair orders. Mr. de Castro and the Ombudsperson Call Center (OCC), which works under Mr. de Castro's direction, are completely independent of NYCHA.



What is the Ombudsperson Call Center?

The OCC receives complaints by Residents who have already contacted the NYCHA CCC but still have concerns about mold, leaks and any associated repairs that have not been completed properly or have not been completed on time. Residents with such concerns can contact the OCC at 1-888-341-7152 or at ombnyc.com. Do not call the OCC unless you have first contacted NYCHA regarding a particular mold or leak problem and are dissatisfied with NYCHA's performance.

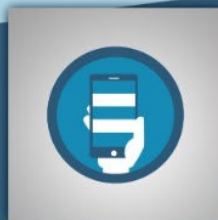
Common Reasons to Submit a Complaint to the Ombudsperson Call Center:

- You scheduled a mold inspection or the repair of a leak and NYCHA did not show up for the appointment.
- NYCHA conducted a mold inspection but did not tell you the next step in the repair process.
- NYCHA scheduled a mold or leak repair and it has taken longer than the required 15 days to complete the repair and this is causing a problem for you.
- NYCHA started the mold remediation process and/or leak repair work but did not complete it and did not provide you with a follow-up appointment date to complete the repair.
- NYCHA completed the mold or leak repair but the work was unsatisfactory or did not solve the problem.
- NYCHA completed the mold or leak repair but the problem came back again even though NYCHA tried to repair it.

B. MyNYCHA Kiosk

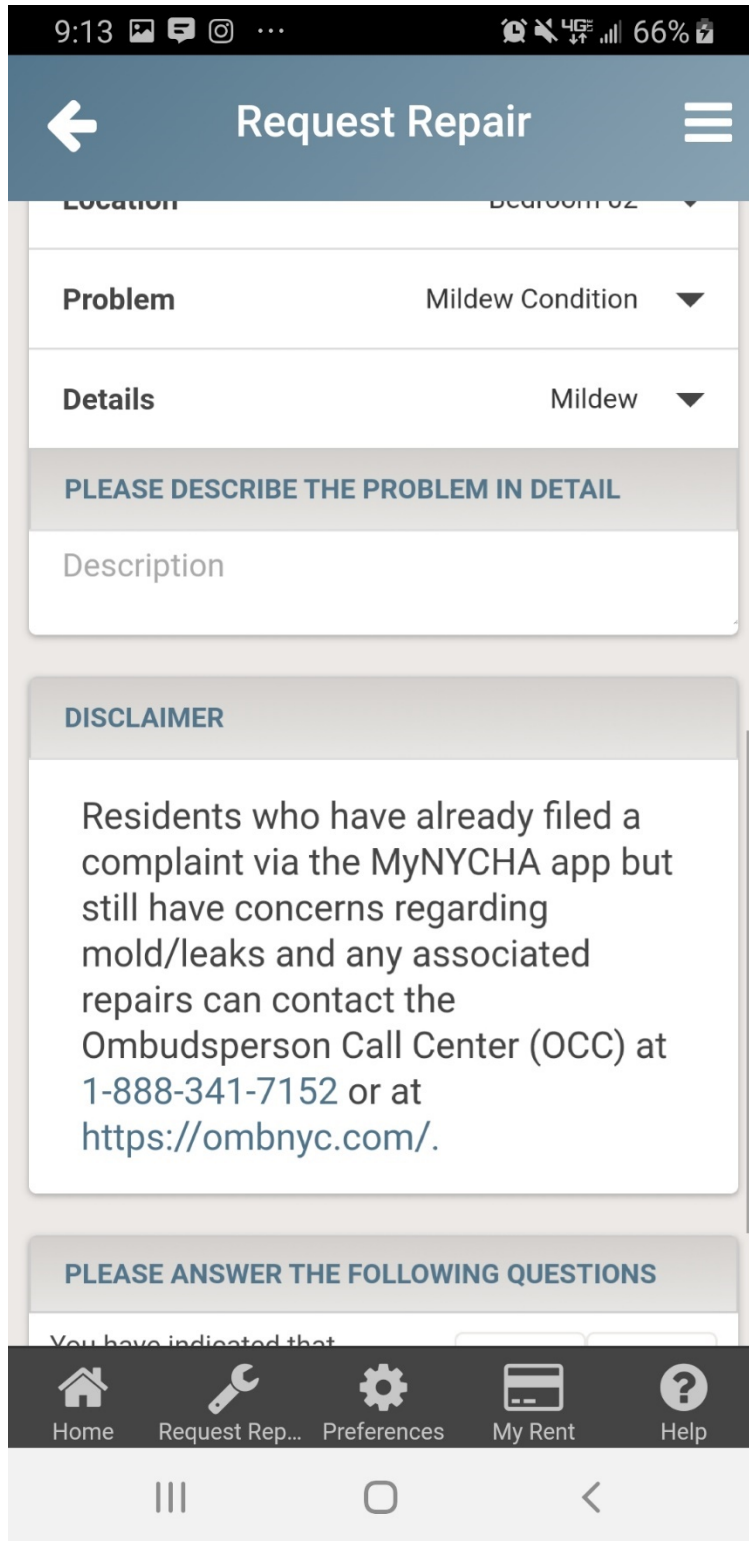
Residents with mold or active water leaks in their apartment should enter a work order by calling the **NYCHA Customer Contact Center at (718) 707-7771**. Residents can also use the MyNYCHA app or website.

Touch Screen to Begin



Residents who have already contacted the NYCHA Customer Contact Center but still have concerns regarding mold/leaks and any associated repairs can contact the **Ombudsperson Call Center (OCC) at 1-888-341-7152 or at ombnyc.com**.

C. MyNYCHA App Notification



D. NYCHA Mold Busters Mold Inspection Review Form



**Notice:
Mold Inspection Review**

11/04/18

JANE DOE
100-10 100TH STREET 3G
QUEENS, NEW YORK 11433

On **10/31/18** NYCHA conducted the initial inspection for work order # **60070080** NYCHA has found mold, water damage, and/or a moisture level indicating excessive moisture and/or a possible leak.

The likely root cause is: **LEAK ABOVE OR ASIDE**

Based on this root cause and the remediation method selected, follow-up work orders have been automatically generated. Below is a summary of the work that is needed to correct this root cause and remediate the mold or moisture condition:

Work Order #	Failure Class	Problem Code	Craft	Estimated Scheduled Date
62711365	Floor	FloorTilesDML	Maintenance	
62711366	Floor	Needs Cleaning	Caretaker	11/11/18
62645326	Mildew Condition	Mildew	Painter	11/13/18

If you do not have a scheduled date listed above, NYCHA will contact you to schedule appointments needed to complete the repairs or to discuss next steps if capital repairs are needed to remediate mold or moisture in your unit.

NYCHA is committed to completing all mold and excessive moisture work orders within 7 days for simple repairs and 15 days for complex repairs, starting from the date that the initial complaint is reported to the Customer Contact Center. If resident access is not provided for the scheduled follow-up appointments, NYCHA may use its right to access a resident's apartment, immediately after providing 48 hours' notice, as indicated in the NYCHA Resident Lease Agreement.


A final quality assurance re-inspection will be conducted by NYCHA staff 30 to 45 days after the necessary work orders are completed to ensure that the mold and excessive moisture remediation work was done correctly and effectively.

If you have any concerns regarding this notice or repair, you can reach the Ombudsperson Call Center (OCC) at 1-888-341-7152 or at <https://ombnyc.com/>. If OCC cannot resolve your concerns, they will contact Cesar De Castro, the Ombudsperson, to resolve the issue.

A translation of this document is available in your management office.
La traducción de este documento está disponible en la Oficina de Administración de su residencial.
所居公房管理处備有文件譯本可供索取。
所居公房管理处备有文件译本可供索取。
Перевод этого документа находится в офисе управления Вашего жилищного комплекса.

E. NYCHA Website – Mold Busters

NYC NYCHA Housing Authority
311 | Search all NYC gov websites


Italiano | Translate | Text-Size

Home
About
Eligibility
Residents
Section 8
Business
Submit Concern
Search

Resources
Pay Rent
Engagement
Service Interruptions

Customer Contact Center

MyNYCHA

Domestic Violence

Emergency Management

Extermination Visits

Family Partnerships

Lead-Based Paint Inspections

Mold Busters

NYCHA Journal

Parking

Reasonable Accommodation

REES


Residents Policies & Procedures

Smoke-Free NYCHA

Share

Print

Mold Busters



The Mold Busters process introduces new mold inspection tools (clockwise from top): borescope (camera/viewing device for tight spaces), hygrometer (humidity detector), proliometer (surface moisture detector) and anemometer (airflow detector).

Photo: Mold Busters Inspection Tools

NYCHA is committed to providing residents with the healthy and safe homes they deserve. To fulfill this commitment, NYCHA is taking proactive measures to meet the obligations of both the 2018 Revised Base Consent Decree and the 2019 HUD Agreement. As part of this process, NYCHA has revised its standard procedure for addressing mold complaints and introduced "Mold Busters" – an innovative new program informed by industry standards to effectively and efficiently remediate mold. NYCHA began a citywide roll out of Mold Busters in January 2019 and completed implementation on September 2, 2019.

NYCHA will take the following measures to comprehensively address mold and moisture conditions:

- **Better Tools:** Staff will use new tools to find and fix mold's root causes, including moisture meters and new mold-fighting paint.
- **Enhanced Training:** Beginning in January 2019, over 2,500 staff members will receive comprehensive hands-on training in performing apartment inspections for mold and mold remediation.
- **More Accountability:** A new inspection and record keeping process will identify the underlying causes of mold and/or moisture problems. A new quality assurance process will ensure that staff properly address the root causes of mold and moisture. Finally, NYCHA has implemented a regular schedule to ensure that malfunctioning roof fans are identified and repaired in a timely manner.
- **Streamlined Response:** NYCHA will prioritize and better coordinate mold-related repairs across skilled trades.
- **Improved Communication:** NYCHA will improve communication with tenants by creating new informational tools and meeting with local Resident Associations to share information about the Mold Busters process.

[Mold Busters Public Presentation NYCHA 2.0 Resident Webinar Video](#)
[NYCHA's Mold Standard Procedure](#)
[Ombudsperson and Ombudsperson Call Center Information](#) [English](#) | [Español](#) | [中文](#) / [မြန်မာ](#) | [हिन्दी](#) / [Bengali](#)

Residents who have already contacted the NYCHA Customer Contact Center but still have concerns regarding mold/leaks and any associated repairs can contact the independent, Court-appointed Ombudsperson Call Center (OCC) at 1-888-341-7152 or at ombnyc.com. If the OCC cannot resolve your concerns, they will contact Cesar de Castro, the independent, Court-appointed Ombudsperson, to resolve the issue. The Ombudsperson's Call Center has been in operations since November 2019 and is available for all NYCHA residents. Please refer to www.ombnyc.com to learn more about how the OCC can assist you.

F. Email Notification

From: **New York City Housing Authority** <noreply@everbridge.net>
 Date: Thu, Jul 23, 2020 at 2:23 PM
 Subject: Ombudsman_7_23



[Please click here to acknowledge receipt of this message](#)

Hello, this is the New York City Housing Authority calling to remind you that the Ombudsperson Call Center (or OCC) that is independent of NYCHA is active at your development. Residents who have already contacted NYCHA but still have concerns about mold, leaks and any associated repairs that have not been completed properly or on time can contact the OCC at 888-342-7152 or email at ombnyc.com

With the recent spread of COVID-19, NYCHA is still committed to its residents. During this time, NYCHA will be focusing on emergencies only. Mold inspections will continue, however, all non related emergencies will be postponed until further notice.

G. NYCHA Intergovernmental Newsletter



COVID-19 Update #48

We hope that this has reached you in good health. Thank you for your commitment in serving the residents and employees of NYCHA. Together, we can support our communities in need. This issue will highlight the following topics:

- Customer Contact Center Annual Recertification Prompt Update
- Ombudsperson Call Center: Mold Busters
- The Summer Bridge 2020 Program: Application Due Tomorrow
- NeON Food Pantries

Customer Contact Center (CCC) Annual Recertification Prompt Update

Calling the CCC for Annual Recertifications? The new prompt to be connected with the unit is option 5. For this and other options, please see below.
 CCC Hotline: 718-707-7771

- For Maintenance Press 1.
- For Section 8 Housing Press 2.
- For Applications press 3
- For Public Housing Emergency Transfers press 4.
- For Annual Recertifications and Rent Hardship press 5.**
- For Lockbox and Parking press 6.
- For the Compliance Department, the Environmental Health & Safety Department or the Quality Assurance Unit, press 7

Ombudsperson Call Center: Mold Busters

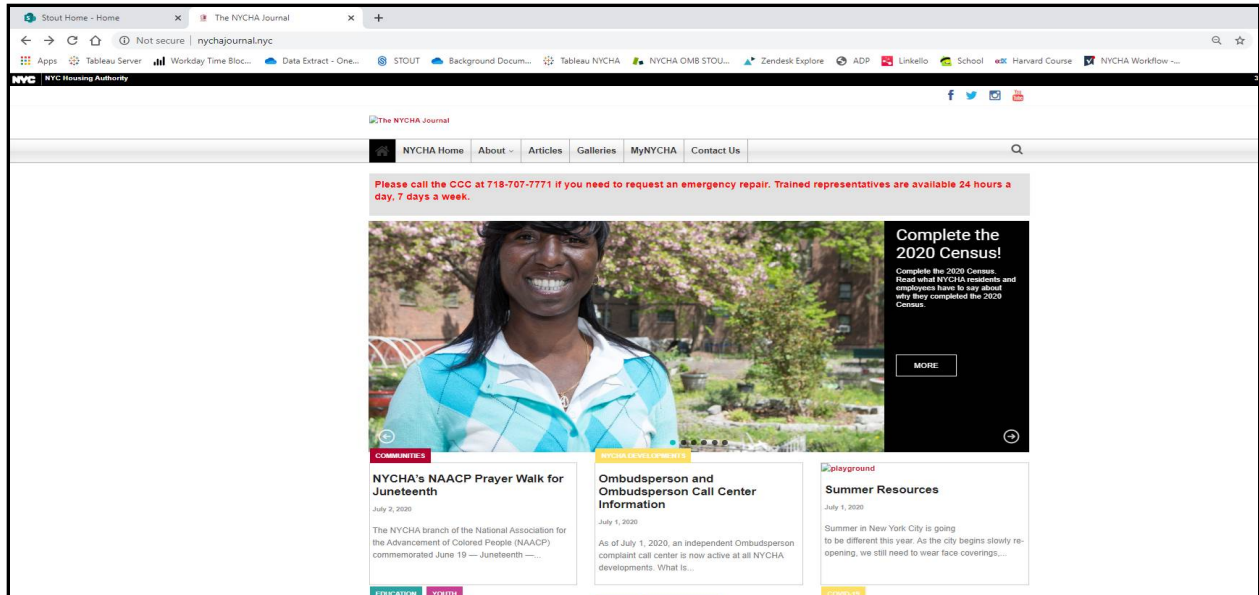
NYCHA is under a court order to effectively remediate mold and excessive moisture in a timely fashion. The Court has appointed César de Castro as the independent Ombudsperson to consider complaints from residents if NYCHA fails to comply with that order. Mr. de Castro and the Ombudsperson Call Center (OCC) are completely independent of NYCHA. The OCC is now active at all NYCHA Consolidations.

Residents with mold concerns can contact the independent OCC at 1-888-341-7152 or at http://secure.web.cisco.com/1aGSEW8d_KRISDECruuMfuGrtA7PFuL_vv5ZwvR9_Xhek7UNf7cRHxv8f6tBY13k5p22AAuGW9mMj6EJ6f68JZcaXGb4_m561_YZqEFG-nvWQny92CJcJ6sv6RrB0B09cQbSL.
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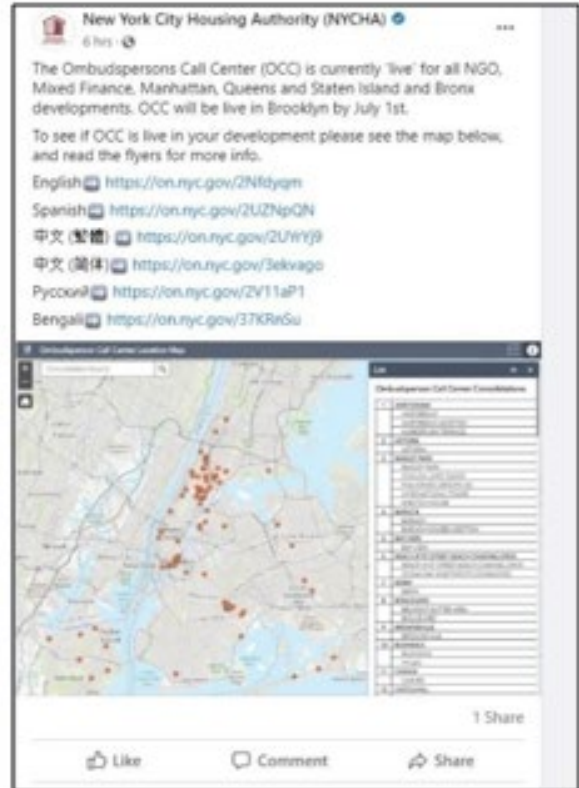
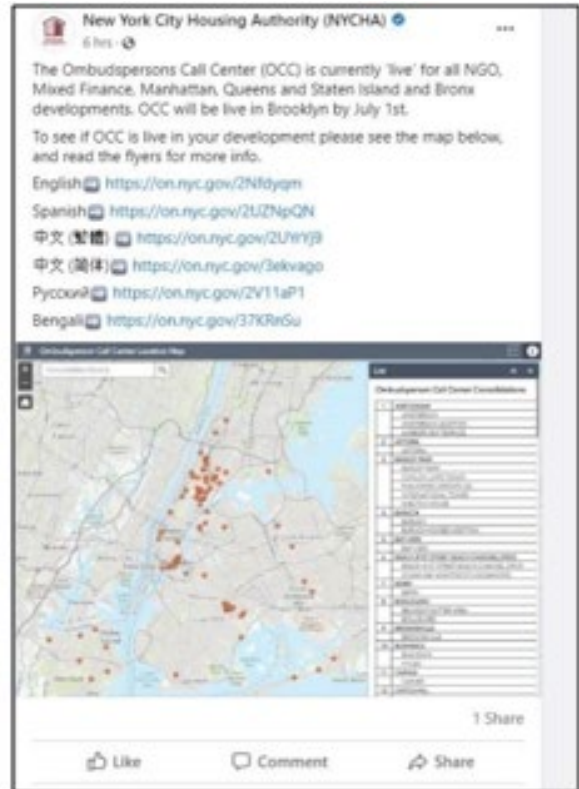
Please refer [here](#) for additional information regarding Mr. de Castro and the Ombudsperson Call Center (OCC).

H. Social Media Posts

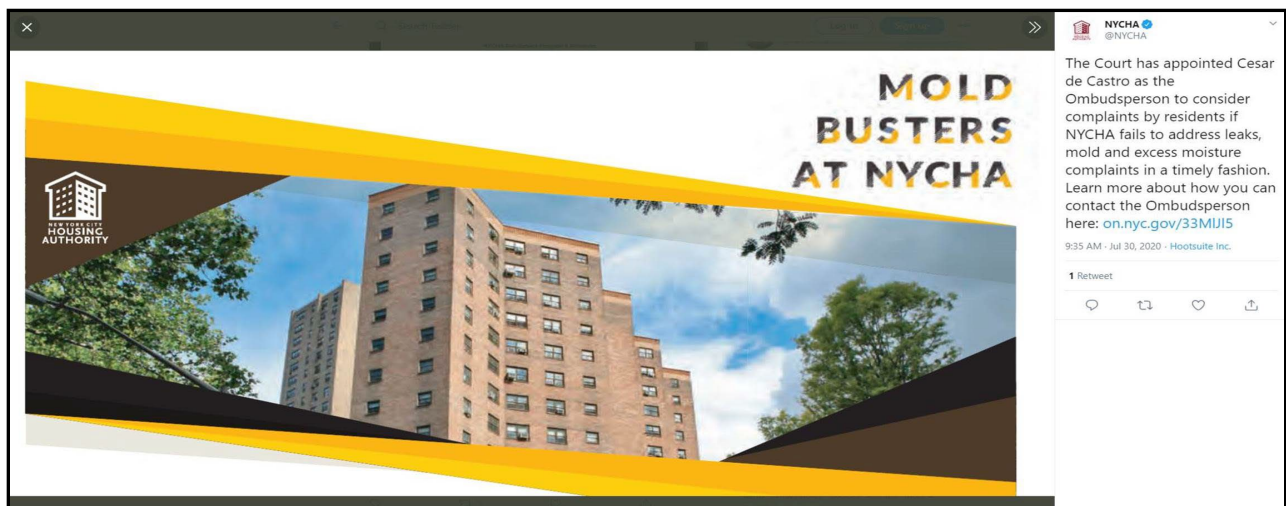
1. The NYCHA Journal



2. Facebook



3. Twitter



4. Instagram



Appendix C - OCC Operation Overview

The OCC has been created to receive complaints from residents who have already contacted the NYCHA Customer Contact Center (CCC) but still have concerns about mold, leaks and any associated repairs that has not been completed properly or has not been completed on time. Complaints can be submitted to the OCC via phone (Monday – Friday 9am – 5pm) at 1-888-341-7152 or through a web-form at www.ombnyc.com.

The OCC's operations are guided by this general process:

- Provide an independent and supportive resident experience through effective and empathetic listening, proactive communication and establishment of trust.
- Determine the process needed to seek resolution to the resident's satisfaction (based on the resident's complaint).
- Ensure there is timely case management and escalate the complaint if there is a lack of responsiveness or willingness to resolve the issue raised. A complaint will not be closed until the remediation of the work has been completed to resident's satisfaction or a relocation has been conducted.
- Evaluate and investigate resident complaints through data analysis of NYCHA's Maximo work order database and offer observations and recommendations to NYCHA's Mold Response Unit (MRU), Compliance department and/or Environmental Health and Safety (EH&S) department.⁵⁷
- Perform strategic data collection and recommend operational enhancements.

Common reasons for residents to contact the OCC include:

- A resident scheduled a mold inspection or the repair of a leak and NYCHA did not show up for the appointment (Missed appointment complaint).
- NYCHA conducted a mold inspection but did not tell the resident the next step in the repair process (Scheduling complaint).
- NYCHA scheduled a mold or leak repair and it has taken longer than the required 15 days to complete the repair and this is causing a problem for the resident (Scheduling complaint).
- NYCHA started the mold remediation process and/or leak repair work but did not complete it and did not provide the resident with a follow-up appointment date to complete the repair (Scheduling complaint).
- NYCHA completed the mold or leak repair but the work was unsatisfactory or did not solve the problem (Craftsmanship complaint or Improper closure of a work order complaint).
- NYCHA completed the mold or leak repair but the problem came back again even though NYCHA tried to repair it (Recurrence complaint).
- A resident who has a report of mold or a leak related issue but does not have an open work order (New mold or leak related issue complaints).
 - In these situations, the OCC assists the resident in opening a mold or leak work order with the CCC, if requested. If the resident, however, experiences any issues (discussed above) after opening the work order with NYCHA, they are advised to contact the OCC back.

⁵⁷ NYCHA supports this data analysis by extracting mold and leak data twice a week to populate a Tableau report that allows OCC call center representatives and NYCHA's RCAs to rapidly view a unit's history of mold and leak complaints by inputting easy-to-obtain resident information: name, address, etc.

- The OCC also receives service inquiries to better understand what the OCC is and how it can help them (OCC service inquires complaints).

The OCC interacts with NYCHA's Office of Mold Assessment and Remediation (OMAR) unit. OMAR developed a specialized task force, the Mold Response Unit (MRU) within OMAR that monitors complaints received from the OCC to ensure successful resolution and closure. For all resident complaints to the OCC where a resident has had an open mold or leak work order for more than 7 or 15 days (depending on the repair) prior to contacting the OCC, a NYCHA Resident Community Associate ("RCA") (formally known as a Resident Coordinator or "RC") may be assigned to the resident to ensure proper levels of communication and case management, if needed.⁵⁸

Once the OCC receives the complaint from the resident, they will contact the resident to discuss the proposed next steps for anything that cannot be resolved during the initial intake. The OCC's objective is to have an actionable next step for the resident within 1 business day. Such next steps may involve the OCC to request:

- OCC and/or NYCHA to receive photos, video, and/or conduct a virtual inspection with the resident to better understand the issues they are facing;
- NYCHA RCA to contact the resident within 1 business day of OCC intake and assignment;
- NYCHA immediately schedule and conduct a re-inspection of prior work performed;
- Expedited scheduling for work orders that have been open for longer than 7 or 15 days;
- NYCHA to reach out to the resident to discuss the results of the Mold Busters initial inspection and/or associated remediation plan; or
- Referral of the complaint to NYCHA's Compliance or EH&S departments depending on the circumstances.

The length of time to resolve a complaint is contingent on a variety of factors including the complexity of the repair, the scheduling availability (and preferences) of the resident, and the staffing constraints, scheduling limitations, and inventory of materials at NYCHA.

In response to the COVID-19 pandemic, the OCC provides NYCHA residents with information about COVID-19 on its website, including NYCHA's policies during these times. The OCC also informs residents of the current guidance, makes sure the resident is comfortable with having repair work scheduled and conducted, and provides the resident with feedback on what to expect regarding social distancing and the need for wearing a face covering.

The OCC completed the phased portfolio-wide launch by July 1, 2020. Throughout the launch, the Parties facilitated meetings with each borough grouping (before and after the launch) to identify staffing limitations and resources that NYCHA will need to address resident complaints to the OCC. For the OCC to continue to be successful, NYCHA will need to continue to assess the staffing limitations and other resource constraints at each development and work to ensure those positions are filled or other resource solutions are identified. Effective (and regular), multi-channel communication and collaborations within various departments within NYCHA, will be critical to the continued success of the OCC.

⁵⁸ The RCA position was created by NYCHA's MRU department in Q1 with a singular focus and responsibility to communicate with residents and relevant teams within NYCHA (e.g., property management staff, maintenance workers, MRU, etc.) to ensure successful completion of resident-reported complaints to the OCC. The RCA position is a dedicated resource to service mold and leak related complaints.