

## **Executive Summary**

### **NYCHA's Draft Amendment to the Annual PHA Plan for FY 2023**

Federal law allows a public housing authority to modify or amend its Annual PHA Plan or "Plan." Significant amendments to the Plan are subject to the same requirements as the original plan.

NYCHA's Draft Amendment to the Annual PHA Plan for FY 2023 is available for public review on NYCHA's website: <http://www1.nyc.gov/site/nycha/about/annual-plan-financial-information.page>. NYCHA will also provide a copy of the Draft Significant Amendment to each development's Resident Association President. The Draft Plan will also be made available at the management office of every NYCHA public housing development during regular business hours.

NYCHA will hold a hybrid in-person and virtual public hearing on July 12, 2023 and will accept written comments on the Draft Significant Amendment through July 15, 2023. Please see the Notice on page 2. NYCHA met with the Resident Advisory Board members for their comments in eight (8) meetings from March to May 2023.

#### **Transfer Policies**

NYCHA is updating the definition of the preferences for apartment transfers to address situations in which tenants must be relocated for repair or renovation work, including when expeditious relocation is needed due to health, safety, or environmental concerns, or in connection with major modernization projects (e.g., comprehensive modernization and the Preservation Trust). The updates allow NYCHA to offer relocated residents an opportunity to return to their original developments once the repair, renovation, or health, safety, or environmental concern is addressed or completed. Tenants whose apartments have become uninhabitable will continue to be included.

#### **Public Housing Income Limit Requirements Statement**

By Federal Register notice dated July 26, 2018, the U.S. Department of Housing and Urban Development (HUD) issued instructions for implementing the mandatory public housing income limit requirements in the Housing Opportunity Through Modernization Act (HOTMA). These requirements apply only to the public housing program. Housing authorities were required to implement these HOTMA requirements by March 24, 2019.

HUD approved a Significant Amendment to NYCHA's FY 2019 Annual Plan on June 19, 2019, which included a summary of NYCHA's public housing over income policy.

Under HOTMA, when a household's income exceeds 120 percent of Area Median Income (AMI) for twenty-four (24) consecutive months, housing authorities have the option to either evict them or offer them a new lease with the rent being the greater of the Fair Market Rent (FMR) or an amount of monthly subsidy for their unit including amounts from the operating and capital fund (the subsidy amount).

As stated on page 16 of NYCHA's Significant Amendment to the FY 2019 Annual Plan, NYCHA has chosen to allow these households to remain in public housing, paying higher rent according to a HUD formula described

on page 19. On February 14, 2023, HUD issued final regulations implementing HOTMA, including the over income requirements. The main aspects of the over income requirements under the new regulations are discussed on pages 19 and 20.

## **Real Estate Activities**

### **Demolition Disposition Activities**

NYCHA will use every tool available to protect the affordability of New York City's housing stock and strengthen public housing for this and future generations of New Yorkers. As part of this Significant Amendment to the FY 2023 Annual Plan, NYCHA is requesting HUD approval for demolition/ disposition activities at the following developments: Fulton, Elliot, Chelsea and Chelsea Addition, and PSS Grandparent Family Apartments.

***Fulton, Elliot, Chelsea and Chelsea Addition***- In 2021, resident leaders at Fulton, Elliot, Chelsea and Chelsea Addition selected a development team to lead comprehensive renovations across the four developments through the PACT/RAD program. As planning and engagement at the campus continued, the development team, at the direction of resident leaders, started an investigation into different rehabilitation and redevelopment scenarios for the community. In 2023, residents have been presented several options for the future of their campus, two of which contemplate plans to build new replacement housing for all residents as part of a larger redevelopment of the campus. Conversations are ongoing and final timelines for the project are not yet determined. Residents will continue to lead the direction and plan for the future of their community.

***PSS Grandparent Family Apartments (951 Prospect Avenue in the Morrisania section of the Bronx)*** – NYCHA partnered with Presbyterian Senior Services (PSS) and the West Side Federation for Senior and Supportive Housing, Inc. (WSFSSH) to establish this building dedicated to households with generation-skipping family compositions. NYCHA and WSFSSH are exploring options to reposition this residential building from Section 9 to Section 8 subsidy through HUD's Section 18 Demolition/Disposition process. Section 18 application submission dates have not yet been finalized.

***Permanent Affordability Commitment Together (PACT)*** - In this Significant Amendment to the FY 2023 Annual Plan, NYCHA is requesting HUD approval to convert Hernandez, Meltzer Tower, Seward Park Extension, and Bay View through the Rental Assistance Demonstration (RAD) program. Through this action, all units in the developments will be operated outside the federal public housing program. Households will be transitioned to Project-Based Section 8 assistance.

### **Capital Improvements – FY 2023 Capital Fund Annual Statement/Performance and Evaluation Report and 5-Year Action Plan**

On May 8 and May 9, 2023, NYCHA presented an overview of the Authority's Capital Planning Program and the FY 2023 Capital Plan and 5-Year Action Plan to the Resident Advisory Board (RAB).

NYCHA's FY 2023 Capital Fund Annual Statement/Performance and Evaluation Report and 5-Year Capital Plan are included in the Amendment in Attachment E, on pages 38 through 54.

NYCHA's FY 2023 Capital Plan continues to focus investment to address the key issues outlined in the HUD Agreement: (1) investment in roofs, facades, and plumbing components to help address mold, (2) investment in heating and elevator systems to address boiler and elevators deficiencies, (3) investments in waste management plan to control pest issues, and (4) safety and security investments in fire alarms, new entrances and CCTV systems. In addition, to address sites with a (i) high incidence of mold complaints and/or (ii) potential lead paint risks, NYCHA will be undertaking comprehensive modernization efforts with a variety of funding sources including federal funds.

The Capital Fund Program Action Plan is complemented by similar investments, including roofs, heating plants, elevators, waste management and comprehensive modernization projects, that will be funded with City and State resources.