

Community Service Society of New York

Resident Participation in Public Housing: Making It Effective

An unusual opportunity to strengthen resident participation in public housing has emerged at a time when this involvement is becoming much more important. The federal 1998 Quality Housing & Work Responsibility Act gave local housing authorities unprecedented power to set their own policies — on rents, admissions, development plans, sales, conversions, demolitions, and the like — under looser federal strings. In 2001, HUD recognized the need for stronger resident involvement as authorities become more autonomous, by allocating a first-time set-aside from operating funds — \$25 per unit to each authority — to support resident participation.

The New York City Housing Authority (NYCHA) will receive \$3.8 million annually, for the next two years, to turn over to its resident advisory structure. How these resources are used is an important question. NYCHA is the nation's largest housing authority, and reputedly the best. But its participation structure has not been effective in representing resident interests over the recent period of federal and local policy shifts, with potentially adverse effects on residents.

The stakes are particularly high in New York City. In a tight rental market, the city relies heavily on public housing as its primary low-income housing resource: 182,000 units in 342 developments — a twelfth of the city's rental units — house nearly 600,000 residents. The preservation of this stock as a low-

income housing resource will depend on how residents weigh in on NYCHA plans and decisions. This paper reviews the recent record of resident participation and offers recommendations for more effective resident involvement.

Policy Background

Housing authorities — para-governmental bodies that localities create to develop, own, and manage public housing under federal funding — have existed since the 1930's. But visible failures in many large cities and a two-decade federal withdrawal from housing have left them with a backlog of capital needs and inadequate federal subsidies, both for operations and capital improvements.

The 1998 Housing Act deregulated housing authorities, giving them greater flexibility to set their own course. With uncertain federal funding, authorities feel growing pressure to become more "entrepreneurial," to explore their options — to raise rents and income requirements, cut services, or succumb to market pressures — to survive Washington minimalism. Many authorities hold real estate in market areas ripe for redevelopment. Indeed, the 1998 Act encourages them to invest in partnerships with the private sector but prohibits expansion of public housing.

The changing dynamic of local decision-making heightens the potential for conflict between authorities and their resident constituencies. Accordingly, the



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1998 Act created new mechanisms for accountability to residents. It required authorities to prepare annual plans in collaboration with a Resident Advisory Board (RAB), with public hearings prior to HUD submission. It also required authorities to include residents on their governing boards. Whether these measures and new resources promote constructive dialogue between authorities and residents depends largely on the capacity of existing participation structures.

Resident Participation as of 1996

The litmus test for NYCHA's resident advisory structure occurred in 1996. Congress had drafted a public housing reform bill with anti-tenant provisions that should have raised red alerts for resident leaders: (1) The 1969 Brooke Amendment was slated for repeal; it guarantees tenants rents — at most, 30 percent of household income; (2) tenancy was considered temporary — authorities would set a “graduation date” by which residents intended to be able to leave; (3) residents were required to “volunteer” eight hours monthly for community service or face eviction; (4) HUD and the IRS would conduct “income verification” to identify households whose tax returns differed from incomes reported for rent determination; and (5) NYCHA was designated the nation's first housing authority to be federally deregulated, within a year of enactment. In the summer of 1996, the Mayor and the NYCHA chair had written Congress endorsing the bill. It is unclear whether the NYCHA resident advisory structure — the Council of Presidents (COP) — concurred, but it remained silent on these issues.

Given NYCHA's scale, its participation structure is appropriately complex. The nine-member COP is

the front line of resident participation, but two lower levels of resident organization determine who sits on the COP. The basic building block is the *resident association (RA)*. HUD “964 regulations” give residents the right to organize an association in each development. The second level is the *district council (DC)*, consisting of RA presidents in each of nine NYCHA geographic districts. Each DC elects a district chair. Together, the nine district chairs comprise the COP, which meets directly with NYCHA officials. The COP's mission is to represent its residents citywide in dealings with NYCHA, to see that RAs are effective, and that RA presidents are informed and consulted about issues and pending decisions.

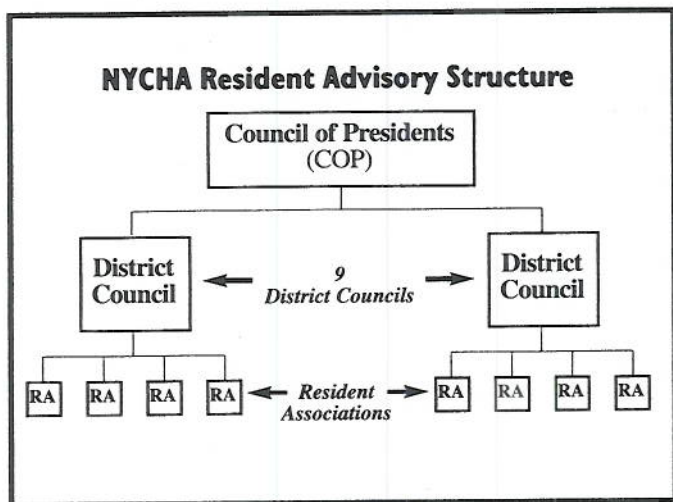
Despite its mission, the COP kept a low profile while Congress promoted deregulation and strong anti-tenant policies, with mayoral and NYCHA endorsement. These events led to the emergence of an independent resident voice, the New York City Public Housing Resident Alliance.

The Resident Alliance — Early Experience

In May 1996, several housing advocates met in Manhattan with the Washington-based Center for Community Change to explore strategies to address the bill. It was clear few resident leaders were aware of Congressional deliberations. Neither NYCHA nor the COP had gotten the word out.

Luckily, one resident leader had a mailing list of RA presidents. The Community Service Society (CSS) agreed to hold a briefing on the bill. On a Saturday morning in June, over 150 resident leaders packed the conference room. Enraged by what they learned, they formed a steering committee. A subsequent rally opposite NYCHA headquarters was well attended but received little notice. A few weeks later, a City Hall press conference was the first stop in a three-bus trek to the Babylon, Long Island district office of Congressman Rick Lazio, who was shepherding the bill through Congress.

The COP kept its distance, but resident leaders were starting to exercise an independent voice without it. Based on the precept “knowledge is power,” the Resident Alliance was formed in 1997 as an independent citywide nonprofit organization “to inform and connect residents, so that they can have a more effective voice...in government decisions that affect their homes and communities.” The Community



Service Society and the Legal Aid Society serve as “resource organizations” providing technical and legal assistance to the 11-member resident board of the Alliance on policy and advocacy options.

The Alliance mustered several key victories in a short time. In 1997, it got the word out on a NYCHA “Moving To Work” demonstration proposal to HUD that would deregulate 16 developments. HUD required resident involvement in proposal preparation and a public hearing. Large numbers of residents turned out to oppose the proposal and condemn NYCHA’s secrecy in preparing it. COP supported the proposal, but NYCHA, stunned by the resident response, withdrew it the following day.

In September 1998 — the 11th hour for the federal reform bill — Alliance members met in Washington with Senator Alfonse D’Amato. In the midst of a reelection campaign, the Senator agreed to use his seniority to remove anti-tenant provisions and retain the “964 regulations” viewed by residents as their “bill of rights.”

In October 1999 NYCHA held a public hearing on its first annual plan under the 1998 Act. The Alliance reached residents and elected officials across the city through informational workshops outlining key issues in the plan. About 1,500 residents turned out for the hearing in a Manhattan auditorium built to hold only 700. With 20 elected officials testifying in support, the Alliance scored on two major counts: (1) NYCHA committed itself to preserving ceiling rents, despite HUD regulations calling for their termination by 2003; and (2) NYCHA also agreed to expand the Resident Advisory Board beyond the nine COP members for preparation of future annual plans.

Effects on the Participation Structure

The Alliance’s early successes demonstrated that informed resident leaders could exercise an effective voice and underlined shortcomings in the existing participation structure. Alliance board members agree they would not be needed if the COP did its job. The Alliance’s growing recognition pointed to the COP’s close relationship with NYCHA and the need for more assertive representation of resident interests.

When, in early 1999, NYCHA first announced its selection of the COP as its Resident Advisory Board, the Alliance feared it would rubber-stamp NYCHA decisions. It launched a “COP Is Not Enough” campaign pressing for expansion of the RAB. The

Alliance questioned the COP’s compliance with 964 regulations for “jurisdiction-wide” resident councils. Elections were required every three years — district chairs had been elected five years earlier when NYCHA created the COP. Also, regulations required all resident councils to have by-laws governing procedures — COP and some of the DCs had none.

The RAB issue surfaced strongly at the October 1999 NYCHA hearings. NYCHA quickly shored up the COP’s legitimacy by holding district elections and having by-laws adopted. NYCHA met with the Alliance and the COP to discuss the expanded RAB. It was agreed to comprise 36 public housing residents, including the COP. Three new RAB members would be elected in each district upon nomination by their resident associations.

A new cadre of resident leaders was supposed to energize the RAB, but the experience has been mixed. During two annual planning cycles, it met biweekly with NYCHA from March through June to prepare draft annual plans for release. Anecdotal reports indicate there was too little time in a NYCHA-controlled agenda to assess the impact of NYCHA proposals or raise off-agenda issues. The RAB did not meet independently to formulate its own agenda of policy concerns. Meetings were convened and run by NYCHA.

The Alliance was an independent organization without standing as a “duly elected” resident council under HUD regulations. But the Alliance has set the agenda of resident issues in the NYCHA annual plans: opposing minimal admission rates for poor waiting-list families; signaling possible termination of NYCHA ceiling rents that keep better-off families in the community; and seeking stronger “Section 3” implementation by NYCHA in its use of construction contracts to maximize resident job opportunities. The Alliance “issue sheet,” distributed through various outreach avenues, forms the spine of most resident and official testimony at the annual hearings.

Issues and Opportunities for the Future

Making participation effective is less a matter of changing current structure than making it work — changing the way it operates and the way NYCHA relates to it. The Alliance is a useful model, despite its limited resources, in terms of its independence and its capacity to get information to residents.

RECOMMENDATIONS

Capacity Building at Developments: Only two out of three NYCHA developments have organized resident associations. Where they exist, many RAs report low participation and rely on a small core of long-term leaders. New federal resources must help organize and strengthen the RAs.

Independent Resident Leadership and Technical Assistance: The RAB places new responsibilities on resident leaders to address citywide policy issues. Leaders are experienced in “bread and butter” issues — conditions, safety, renovations, “getting what I want for my development.” While these are vital concerns, resources should also be used to strengthen the capacity of the COP and the RAB to engage in dialogue with NYCHA professionals on citywide policy issues. One of the Alliance’s strengths is its use of outside expertise independent of NYCHA. The COP should tap external resources rather than rely exclusively on NYCHA.

NYCHA Institutional Change: NYCHA’s success as the nation’s largest renter, where other authorities have failed, has been hard-won. Although residents have valid complaints, NYCHA runs a relatively tight ship that extends to resident participation. It oversees RA elections — a practice some question as intrusive — and the by-laws they develop. NYCHA has a presence at all resident meetings, a constraining if not intimidating influence. These practices stem from a paternalistic attitude: what is good for NYCHA is good for residents. The equation is certain to be tested over time, particularly as NYCHA undertakes more entrepreneurial strategies.

NYCHA is exempt from the federal requirement that its board include a resident because its three-member board, appointed by the mayor, is full time and salaried. It is worth asking what added value a salaried board brings to NYCHA — why its charter should not be changed to include non-salaried resident board members. Two State Assembly bills propose just that.

Modernizing Resident Communication: NYCHA’s enormous scale reinforces the perception

that COP is closely allied with management. The district council is the critical, mid-level node for information flowing from the COP to RA presidents and, in turn, to grassroots residents, and for channeling resident feedback upward to the COP. A conscientious district chair must carry information from COP-NYCHA meetings to the DC, consult with RA presidents (who then consult with members), and then decide what word to carry back to COP and NYCHA and how to vote. The daunting process makes the DC its weakest link. District chairs must rely on oral communication and paper passing to reach hundreds of RA presidents and thousands of concerned residents.

COP chairs differ in how much effort goes into communication with their constituencies. The temptation is to act unilaterally and relate primarily to NYCHA. Resident leaders were shocked recently to learn the COP had approved a Rent Amnesty Program without consulting them. Proposed changes in RAB selection have been rushed through the DCs by the COP, creating dissension in at least two districts. COP-NYCHA meetings are not open, even to RA presidents. COP minutes are not made available, so that interested RA presidents cannot track its agenda.

Federal funds offer an opportunity to make participation more effective by promoting a more independent participation structure and using advanced communications to get information to elected leaders and grassroots residents. The basic question is whether resident leaders are prepared to press for strategic changes and whether NYCHA is open to them.

The COP and other resident leaders should use new federal resources to promote a more informed, collaborative resident leadership. There are hopeful signs of emerging rapport between the COP and the Alliance. Otherwise, NYCHA will continue to be insulated from the concerns of the public it was created to serve in setting its future plans. And the Resident Alliance will have its work to do.

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