



**THE CITY OF NEW YORK
BRONX COMMUNITY BOARD 6**

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Honorable Vanessa L. Gibson, Bronx Borough President

Honorable Oswald Feliz, New York City Council Member, 15th District

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MS. EVONNE CAPERS
Board Chairperson

MR. RAFAEL MOURE-PUNNETT
District Manager

March 14, 2024

Adam Weinstein
President & CEO
Phipps Houses

Bronx Community Board 6 represents the neighborhood of West Farms, with Board members that live in and around the Lambert Houses complex. Bronx Community Board 6 voted in favor of the Lambert Houses rezoning, in large part to Phipps and the School Construction Authorities' commitment to a new school in the Lambert complex. The Board and local residents are deeply concerned that the School Construction Authority will not build a school in Lambert due to the amount of time Phipps has taken with the project and current seat demand (as opposed to seat demand when the rezoning occurred). The rezoning provided a timeline whereby Phipps would offer an option for a school by June 2024 (or 90 days from providing a blueprint for Building 10 to the SCA). The Board would like to know why Phipps did not prepare Building 10 to be ready in 2024, and when it will be ready. We are concerned that this rezoning occurred on the promise of a new school, and Phipps has executed the construction of the project in a way that jeopardizes a new school in Lambert.

Tenants of Lambert Houses have raised concerns about various issues at both Tenant Association meetings and a recent CB6 Housing committee meeting. The Board asks that Phipps address the concerns below:

Concerns about the new construction buildings of Lambert and transfers

1. Tenants are not able to view the new apartments in the new Lambert buildings. Tenants would also like to see the floor plans for these units.
2. Tenants allege they have received no information on when transfers to the new buildings will take place, or how unit selection will be conducted. Phipps staff attended a Tenant Association meeting in August 2023 and did not clarify tenant concerns. There has been no update since.
3. Tenants report a lack of information on moving out of Lambert with a portable Section 8 voucher. Tenant are unclear on their rights as portable voucher holders and if the portable voucher expires and are unable to make an informed decision on moving out of the complex with a voucher.
4. Tenants report a lack of information on their guaranteed right to move into the new Lambert buildings.
5. Tenants report a lack of information on their future apartment size (number of rooms) and rent.
6. Tenants report that disabled tenants are not being offered first floor apartments. Current Lambert buildings have frequent elevator failure and tenants are concerned about being trapped on upper floors of the new buildings.
7. Tenants in 988 East 180th Street reported heat issues through the winter of 2023/2024. HPD issued numerous C Code violations for failure to provide heat and hot water this winter. Tenants allege the Superintendent of the building responded to complaints about heat by telling tenants they were throwing off the heat sensors by running space heaters. Tenants allege the Super did not admit to any issues with the heating system in the building. Phipps has since confirmed in writing that the heat issues were a

result of the heating system's software, not tenant action. Tenants want confirmation that other new construction buildings in Lambert will not have systemic heating failures and that maintenance staff will not gaslight tenants about the cause of heating issues. Tenants are owed a rent abatement for this failure to provide heat at 988 East 180th.

Concerns about the existing Lambert buildings and management practices

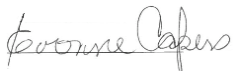
8. Tenants allege that there is no face-to-face interaction with management office staff. Tenants are directed to call a phone number and speak to someone. The management office voicemail is full.
9. Tenants allege the management office is not providing translation services for tenants who do not speak English.
10. Tenants allege the management office is sending documents, including recertification, in English, to tenants who have asserted to the management office that they do not speak English. Tenants report explaining to management office staff that they do not speak English, and then being directed to sign documents they do not understand, or risk losing their apartments.
11. Tenants report submitting their lease recertifications into the designated location at 988 East 180th Street, and management not processing leases for months on end. Tenants report then receiving calls months later about errors on recertifications, without any offer to help troubleshoot the recertification process from staff.
12. Tenants allege that management does not provide signed leases, so tenants live for years on end with no tenant record of a lease. Tenants are not informed of their right to access their tenant file.
13. Tenants allege chronic rent overcharge – management (allegedly) regularly adds arrears to tenant accounts that are not owed, often in thousands of dollars. Tenants report miscalculations in income that also lead to overcharge. Tenants report attempting to speak with management office staff and being told to “apply for a One Shot Deal”. Tenants allege being sued in housing court for arrears they do not owe, which tenants interpret as landlord harassment.
14. Tenants allege chronic rent overcharge – because management takes so long to process leases, management charges tenants the market rate rent for ‘failure’ to renew their lease. Tenant defense attorneys are unclear why management does not seek these funds directly from HUD once tenants prove that they did submit recertification documents and paid the correct rent based on their income. Attorneys representing management direct tenants to apply for One Shot Deals for arrears based on this management error and overcharge.
15. Tenants allege regularly receiving documents that are sent to the wrong apartment, disclosing confidential information of other tenants.
16. Tenants allege that the lobby doors of all the old Lambert buildings are broken. Tenants allege that the intercoms do not work. Tenants allege that the key fobs do not work.
17. Tenants allege chronic trespassing and loitering in the old Lambert buildings, with onsite security doing nothing to address the issue.
18. Tenants allege elevators are regularly out of order in the old Lambert buildings.
19. Tenants allege insufficient hot water and plumbing issues in the old Lambert buildings.
20. Tenants report seeing and hearing management office staff selling units outside of the legal waitlist process. Multiple tenants have reported that management office staff sell vacant units for \$5,000 to apartment seekers who have not gone through the legally required steps to get an apartment in Lambert.

The Board has been notified by tenants that a letter was sent out dated February 28, instructing tenants to submit their application for the new buildings by March 15. We find it reprehensible that Phipps would demand tenants submit relocation applications without answering the questions tenants raised at the August 1st meeting. We do not agree with the argument made in the letter – that because a meeting was held seven months ago, tenants must apply to relocate with no further questions answered.

Management reviews for Lambert Houses conducted for the U.S. Department of Housing and Urban Development indicate many of the same concerns relayed by tenants. In 2021, Lambert's Lease and Occupancy Rating was 59/100 – unsatisfactory and worse than the 2019 score of 67. HUD indicated corrective action was needed for tenant files. HUD found repeated instances of annual unit inspection records missing, failure to conduct annual inspections, missing sex offender background checks and checks completed after move in, leases being issued for less than a year, lease addendums not approved by HUD, repeated failure to produce VAWA language in leases, errors in security deposit ledgers, missing signatures from leases, repeat failure to issue initial annual recertification notices to tenants, failure to provide reminder notices, miscalculations in annual income, failure to verify tenant income and potential to admit ineligible tenants, failure to process rent changes, and demanded a 100% file review. The Board asks - has this comprehensive review been conducted? Complaints from tenants indicate that management practices have not changed since the management review.

In light of these allegations, Bronx Community Board 6 requests that HUD conduct an emergency audit of Phipps Houses management practices in Lambert Houses with public access to the audit's findings. Bronx Community Board 6 also asks that Phipps address the above concerns at both Tenant Association meetings and Community Board meetings, with written responses and verbal explanations in both English and Spanish. The Board asks that Phipps clarify its policy for each of the concerns above if it cannot comment on individual cases. Bronx Community Board 6 requests that Phipps provide regular updates to the Board and Tenant Association on the transfer and relocation process for existing Lambert Tenants.

Regards,



Evonne Capers

Chair

Bronx Community Board 6

CC:

U.S. Department of Housing and Urban Development

US Congressman Ritchie Torres

NYC Council Member Oswald Feliz

NYS Senator Luis Sepulveda

NYS Assembly Member Karines Reyes

NYC Mayor Eric Adams

NYC School Construction Authority

Mobilization for Justice

New York Legal Assistance Group