

# ADVOCATES FOR JUSTICE

*A Public Interest Organization*



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April 23, 2021

By Email (c/o [evelyn.sanchez@nycha.nyc.gov](mailto:evelyn.sanchez@nycha.nyc.gov))

Greg Russ  
Chair and Chief Executive Officer  
NYC Housing Authority  
250 Broadway  
New York, NY 10007

Re: Pausing RAD/PACT Program While Federal  
Capital Funds Are Being Budgeted In Congress

Dear Chairman Russ:

We write as counsel to a growing number of NYCHA tenants. I wrote previously as counsel to tenants at 401-419 West 19th Street. We have now been retained by a number of tenants at Harlem River Houses, including tenants at 52 and 70 Macombs Place, 2641 Adam Clayton Powell Boulevard, and 211 East 151st Street. Tenants in this development are being harassed and cajoled, daily, to sign new leases with PACT participant and C&C Apartment Management. Their records have already been transferred to C&C.

There is no question that these leases do not contain the guarantees or rights that NYCHA tenants have in NYCHA leases, which contain express references to Federal law, and give C&C Apartment Management far greater rights than NYCHA has to impose various fees and evict tenants. The diminution of NYCHA tenants' rights was made clear by U.S. District Judge William Pauley III in last week's decision in *Baez v. NYCHA*, where he found that tenants whose apartments have been transitioned to PACT housing are excluded, by the terms of the PACT program, from the protection of the mold agreement the Court helped fashion in 2014, an agreement which NYCHA never abided with. Other protections, both statutory and those involved in the HUD Consent Decree, are likely similarly destroyed by PACT.

It seems to us that the continued rush into PACT/RAD NYCHA-wide is both arbitrary and capricious. President Biden has asked for \$40 billion for public housing capital repair in his Infrastructure Bill. Senate Majority Leader Schumer, joined by Congress Member Nydia Velazquez, has proposed that that number be increased to \$80 billion. Senator Schumer, earlier

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this week, stated that NYCHA would receive **every dollar required to meet its capital needs**. I spoke with him and he reaffirmed to me that this was a major goal of his. By the end of June, NYCHA will have \$40 billion available to be drawn. That being the case, putting aside the fact that your organization will likely move slowly and squander lots of that money, why aren't the PACT/RAD conversions underway being frozen? Why are tenants having their arms twisted at Harlem River Houses to sign the C&C leases?

I write on behalf of my clients to demand that all efforts to get NYCHA tenants to sign leases cease—**immediately**. If those efforts do not cease by May 1, 2021:

- we will file suit to block further PACT/RAD conversion on behalf of a class of all NYCHA residents.
- our clients will commence a rent strike, putting funds in escrow until the PACT/RAD harassment ends.

Very truly yours,

*Arthur Z. Schwartz*

Arthur Z. Schwartz

AZS:dr

cc: Senator Charles Schumer  
Mayor Bill de Blasio  
Congresswoman Nydia Velazquez  
Congressman Adrian Espaillat  
Congressman Jamaal Bowman  
Congressman Ritchie Torres