



## Press Release

[Main page](#) | [Archive](#)

### FOR IMMEDIATE RELEASE

Press contact: Kate Kiely, 212-727-4592 or [kkiely@nrdc.org](mailto:kkiely@nrdc.org)

If you are not a member of the press, please write to us at [nrdcinfo@nrdc.org](mailto:nrdcinfo@nrdc.org) or see our [contact page](#)

## COURT: NYCHA Violating Agreement to Repair Mold & Moisture Problems in Public Housing

NEW YORK (December 15, 2015) – A federal judge today ruled the New York City Housing Authority has failed to provide timely and sufficient repairs to rampant mold and moisture problems in public housing that aggravate tenants' asthma, as required by a settlement reached with the Natural Resources Defense Council and the National Center for Law and Economic Justice two years ago.

In December 2013, NRDC and the NCLEJ—which had filed a class action lawsuit on behalf of affected tenants and community partners South Bronx Churches and Manhattan Together—reached a settlement with the public housing authority. Under the terms of that settlement, NYCHA agreed to:

- Acknowledge that water is the root cause of mold and therefore address the problem at its source, rather than relying on the insufficient cosmetic fixes it has used in the past (i.e. painting and bleaching over moldy walls).
- Respond to mold and moisture complaints within a specific, reasonable timeline: The simplest of repairs in seven days and more complex repairs in 15 days.
- Recognize that indoor mold and moisture are a health threat to residents with asthma, acknowledging that they are entitled to civil rights protections under the Americans with Disabilities Act.

Today, a U.S. District Court judge granted NRDC's motion to enforce the terms of this settlement, acknowledging that the authority has been in violation of the agreement from the day it was signed.

Additionally, the judge granted the parties' request for a court-appointed independent authority—called a Special Master—to oversee NYCHA's compliance with the order moving forward. NRDC and NCLEJ, with continued pro bono support from the law firm of Hogan Lovells, will have the opportunity to propose candidates for that responsibility.

### A statement follows from Albert Huang, senior environmental justice attorney at the Natural Resources Defense Council:

"This is a victory for the nearly half million New Yorkers who live in public housing and deserve a safe, healthy home. The court has agreed that NYCHA is failing to provide timely and adequate repairs to rampant mold and moisture problems that can make residents sick. We look forward to ensuring there is independent oversight of the authority moving forward, in order to make sure NYCHA upholds the terms of their agreement."

### Background:

- Excessive moisture in NYCHA buildings – which are home to 400,000 New Yorkers – has led to a rampant and severe mold problem. Many apartments have recurring and uncontrolled mold growth, wet and rotting walls, musty odors, bubbling and peeling paint, and infestations of cockroaches and other vermin.
- This is particularly problematic for residents with asthma, as these conditions may aggravate symptoms of this disease, which is found at a higher rate among public housing residents than other populations of the city. In fact, one study found that asthma prevalence among children living in New York City public housing is nearly two times higher than rates among kids living in other types of housing in the city.
- These conditions can lead to difficulty breathing, coughing, wheezing and, in the worst cases, hospitalization. As a result, tenants often miss work or school, and require additional doctor and hospital visits. Children and the elderly are particularly at risk. In fact, children living in low-income neighborhoods in the city are three times more likely to be hospitalized for asthma than children in wealthier neighborhoods.
- Historically, the city has failed to address these problems at their source. It would often take several months for NYCHA to respond to repair requests, if they responded at all. When repairs were made, the agency used superficial, cosmetic fixes – such as bleaching and painting over moldy walls – that did not keep the problem from coming back.

The Natural Resources Defense Council (NRDC) is an international nonprofit environmental organization with more than 2 million members and online activists. Since 1970, our lawyers, scientists, and other environmental specialists have worked to protect the world's natural resources, public health, and the environment. NRDC has offices in New York City, Washington, D.C., Los Angeles, San Francisco, Chicago, Bozeman, MT, and Beijing. Visit us at [www.nrdc.org](http://www.nrdc.org) and follow us on Twitter [@NRDC](https://twitter.com/NRDC).