



AUDIT AT A GLANCE

Evictions in NYCHA's PACT Program

What questions did the audit look at?

- ▶ Do Permanent Affordability Commitment Together (PACT) Property Managers comply with established eviction policies?
- ▶ Do eviction rates differ at New York City Housing Authority (NYCHA) conventional public housing developments and PACT developments?

Why does it matter for New Yorkers?

In 2022, the Comptroller's Office surveyed NYCHA residents to identify their most significant concerns about the agency and guide "resident-powered audit" processes in the coming years. Based on residents' input, the Comptroller presented potential audit topics to the Committee and members voted for two audit subjects, one of which was to examine PACT Property Manager's compliance with eviction policies and assess eviction rates.

NYCHA provides public housing to NYC residents through conventional developments, the PACT Program, and other programs. PACT converts the federal subsidy supporting developments from the public housing program to the Housing Choice Voucher Program (known as Section 8 housing), which provides access to new funding sources that can be used to preserve and rehabilitate apartments and keep them affordable. NYCHA identifies developments with the highest capital needs and residents vote on whether to participate in the PACT program.

The audit found that the eviction rate at PACT developments greatly outpaced that at conventional NYCHA developments and is nearly on par with the Citywide rate. Additionally, eviction and eviction filing rates varied dramatically between PACT developments, due in part to NYCHA's inadequate guidelines. Finally, the audit found that PACT Property Managers did not conduct outreach to tenants and report evictions, eviction filings, and pre-eviction notices and outreach to NYCHA. Since NYCHA was not aware of all eviction proceedings, NYCHA did not ensure that tenant rights were protected.

The purpose of NYCHA is to provide safe, affordable housing to New Yorkers. However, the audit found that PACT tenants were more likely to be evicted or the subject of eviction proceedings than their public housing counterparts. The frequency with which PACT Property Managers evict or petition to evict tenants contradicts NYCHA's stated goals.

What changes did the agency commit to make following the audit?

- ▶ NYCHA agreed to regularly review and compare eviction, eviction filing, and eviction notice rates at both PACT and conventional NYCHA developments.
- ▶ NYCHA agreed to strengthen reporting requirements and procedures and periodically inspect resident files to ensure pre-eviction outreach is accurately recorded and complies with NYCHA's Guidelines.

AUDIT FINDINGS



Eviction rates at PACT properties significantly increased from Fiscal Year 2023 to FY2024.



PACT eviction rates greatly exceeded NYCHA's rate and was nearly as high as the Citywide rate.



PACT eviction filing rates exceeded both NYCHA and the Citywide rate



NYCHA's eviction guidelines are inadequate.



PACT Property Managers failed to report all eviction filings and executed evictions.



Audit Recommendations	Agency Response
1 Perform trend analyses of Citywide, NYCHA, and PACT Property Managers' eviction and pre-eviction activity rates, and track PACT Property Managers' performance and associated eviction risk.	DISAGREED
2 Consider PACT Property Managers' performance, including compliance with NYCHA's Guidelines for PACT Partners as well as eviction, eviction filing, and pre-eviction notice issue rates, before awarding new developments. Ensure PACT Developers and residents are provided with accurate performance data.	DISAGREED
3 Post annualized eviction and eviction filing rates for PACT Property Managers and NYCHA conventional public housing on NYCHA's website. These should be provided each year.	DISAGREED
4 Ensure NYCHA's Leased Housing Department shares eviction certifications with NYCHA's Asset Managers.	DISAGREED
5 Regularly review publicly available reports and websites, such as the NYC Open Data Evictions dataset and the Displacement Alert Portal, to identify evictions that occur at PACT Developments and compare to reported monthly legal proceedings for completeness.	DISAGREED
6 Regularly obtain data from the NYS Office of Court Administration for all eviction filings for PACT Property Managers and compare to reported monthly legal proceedings for completeness.	DISAGREED
7 Regularly review and compare eviction and eviction filing rates at PACT Projects to NYCHA rates to determine if rates are excessive.	AGREED
8 Regularly review and compare eviction notice rates across PACT Projects to determine whether PACT Property Managers are initiating evictions at higher rates and investigate why.	AGREED
9 Require PACT Property Managers to provide arrears reports and review for escalating balances and corresponding outreach to impacted tenants.	DISAGREED
10 Require PACT Property Managers to maintain supporting documentation of pre-eviction outreach (e.g., letters, appointments to discuss, social service referrals, etc.) in resident files.	AGREED
11 Periodically inspect a sample of resident files to ensure that pre-eviction outreach is accurately and completely recorded, and that it conforms to NYCHA's Guidelines.	AGREED
12 Restrict column data to specific values for Monthly Legal Proceedings Reports to ensure data received from Property Managers are valid and entered in a consistent format (e.g., dates [including month, day, and year], arrears amount, contact information [phone number, email address], etc.) to minimize data entry errors.	AGREED
13 Ensure that Monthly Legal Proceedings Reports include dedicated fields to track at least the minimum requirements of NYCHA's Guidelines.	AGREED
14 Include fields in Monthly Legal Proceedings Reports that indicate when a pre-eviction outreach or pre-eviction notice is added to the report to track how long it takes for cases to be added. Save monthly reports for comparison purposes.	DISAGREED

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