

# Tenant Training Toolkit: The Asthma Free Housing Act

**N Y L P I**

JUSTICE THROUGH  
COMMUNITY POWER



**A HEALTHY HOME  
IS A HUMAN RIGHT.**

HEALTH JUSTICE ADVOCACY CLINIC  
COLUMBIA LAW/MSPH

## Tenant Training Toolkit: Asthma Free Housing Act

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\*These materials were created and/or assembled by students in the Columbia Law School Health Justice Advocacy Clinic on behalf of New York Lawyers for the Public Interest (NYLPI).

## Introduction to Materials

Local Law 55, the Asthma Free Housing Act, law requires that landlords of buildings with three or more apartments—or buildings of any size where a tenant has asthma—take steps to keep their tenants’ homes free of pests and mold, including safely fixing the conditions that cause these problems. Tenants can call 311 to initiate inspections, or request a referral from their provider if they have been diagnosed with moderate to severe persistent asthma.

The resources contained within this manual are designed to be used in conjunction with the New York Lawyers for Public Interest’s slides, and the supplemental resources from City departments contained in the toolkit folder, to train tenants, staff, or other constituents on Local Law 55, also known as the Asthma Free Housing Act.

We hope that these materials will be useful to tenant advocacy groups, community-based organizations, and others in informing and training their constituents about the Asthma Free Housing Act. Please contact NYLPI (<http://www.nylpi.org>) with any questions.

### Other Materials Included in Tenant Toolkit

- New York Lawyers for Public Interest’s Training for Tenants PowerPoint Slides (which include talking points in the “presenter notes” section)
- NYC Department of Health and Mental Hygiene fact sheet on Local Law 55
- 311 flow chart for what to expect from the inspection process

## Instructions

New York Lawyers for Public Interest’s Training for Tenants PowerPoint slides explain Local Law 55 and steps that tenants can take to successfully navigate its processes. By using the outline and script below, presenters can use the slide deck to inform tenants of their rights and what the law requires, as well as providing tips on preparing for inspections, communicating with landlords, and requesting referrals. The slides culminate in a fun “Justice Jeopardy” game to reinforce the information provided in a creative way. The outline provided in this manual is designed for these slides.

A brief survey to gauge attendees’ knowledge about Local Law 55 is also included in the manual, and can be administered prior to the training, at the slide denoted “survey.” The survey should be used to gauge attendee’s knowledge of Local Law 55 prior to your training. For populations with low reading levels, literacy, and/or numeracy, it may be helpful to read the questions out loud, or receive answers through a 1-on-1 interviewing format. Other resources from City departments included in the toolkit can be distributed as reference materials for tenants to take home with them.

# Tenant Training Presenter Outline

## **Training Introduction [SLIDE 1]**

Hello, and welcome. We're here today to talk about a new law, Local Law 55, that aims to help tenants keep healthy homes and get rid of mold and pests. We welcome any questions or comments; we want this training to be as helpful as possible. We're first going to talk a little to provide some information; then we'll have an interactive portion of the session, and of course leave time for questions. We'll be leaving you with [insert item here].

We also wanted to provide a little disclaimer about the law we'll talk about: some of this new law doesn't cover NYCHA housing. What we'll say about referrals from doctors applies to NYCHA tenants too, but the ability to call 311 for an inspection only applies to private tenants. NYCHA has its own inspection process and its own regulations on what must constitute a healthy home, and NYCHA homes also must be free of mold and lead.

## **Pre-training Survey [SLIDE 2]**

\*Optional pre-training survey\*

## **Healthy Homes Discussion [SLIDES 3-4]**

### **What does a healthy home look like to you?**

- A healthy home can look different for everyone, and so everything you said is exactly right. Today, we're here to discuss what the *law* says a healthy home is.

## **What is a hazard? [SLIDES 5-7]**

The Asthma Free Housing Act, also known as Local Law 55, which we're talking about today, protects tenants from: Mold and Pests

### **MOLD**

What is mold? It comes in many different forms. [pictures if we can]

- Mold can be black, green, or white (which makes it hard to see sometimes).
- Mold will grow in places with a lot of moisture, such as around leaks in roofs, windows, or pipes, or where there has been flooding. Mold grows well on paper products, cardboard, ceiling tiles, and wood products.
- Mold can also grow in dust, paints, wallpaper, insulation, drywall, carpet, fabric, and upholstery.

Large mold infestations can usually be seen or smelled, but not always! How can someone find mold without seeing or smelling it?

- Buckling/curved walls or lumps that you can see behind wall paint.
- If someone is persistently sick without explanation, that may be a sign of mold.
- Mold can cause those with allergies or asthma to become sick, including coughing, wheezing, stuffy noses, or even fever.

## **PESTS**

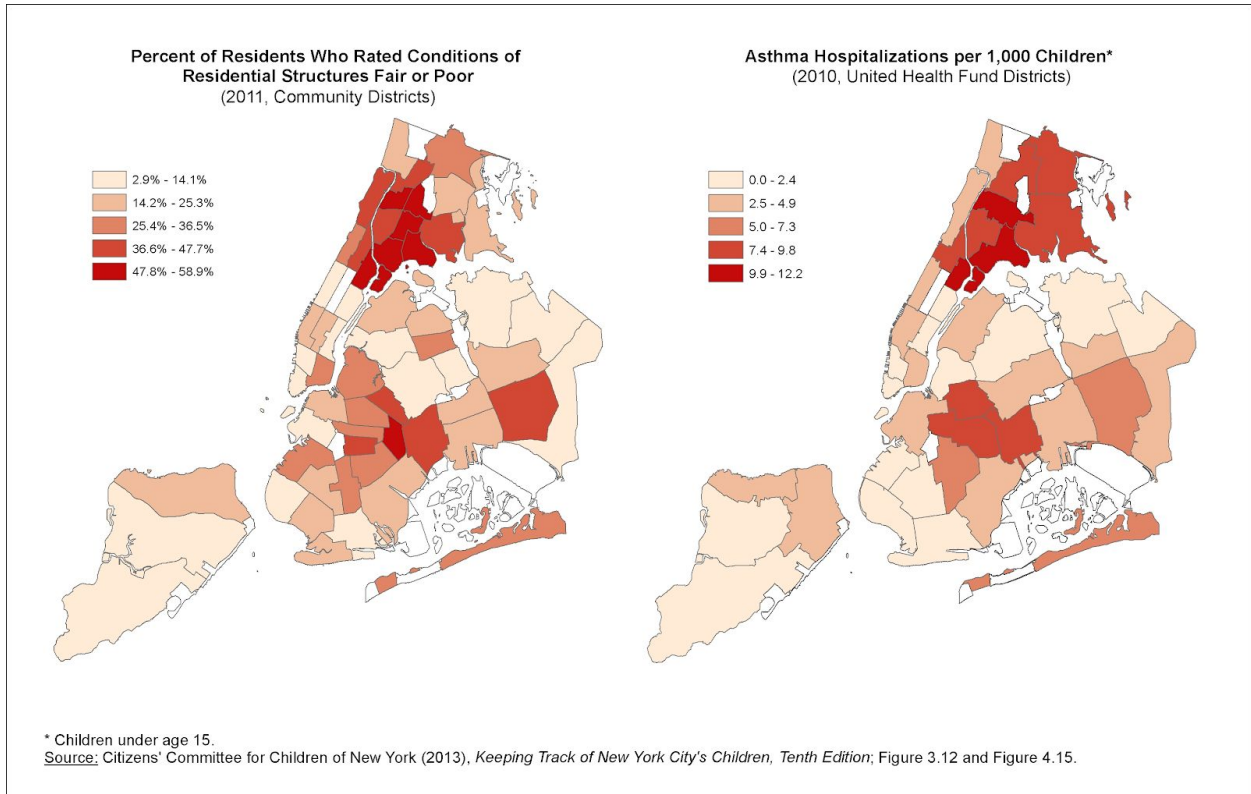
Insects like cockroaches and rodents like mice or rats, can contaminate food, damage homes and make asthma and allergies worse.

- The chemicals, called pesticides, used to get rid of pests can also cause health problems. Pesticides can cling to carpets, furniture, and other surfaces in your home and are dangerous to people and pets if not properly used.
- Pests such as cockroaches and mice are far too common in many NYC households. In some neighborhoods, over 50% of households report seeing cockroaches every day and mice within the last 3 months. Cockroach and mouse body parts and droppings can trigger allergic reactions or asthma attacks in some children and adults. In NYC, asthma affects over 1 million New Yorkers.

## **Why It Matters: Asthma [SLIDE 8-10]**

Asthma is a lung disease that can make it harder for air to move in and out of your lungs. Asthma cannot be cured, but steps can be taken to manage it, and hopefully get it under control. Certain things can make your asthma flare up, does anyone know of what those things may be?

- Mold, cockroaches, rodents, exercise, change in weather, or having the cold or flu may be some things that you notice flares up you or your child's asthma. As you can see, environmental factors can play a huge role in asthma management.
- If you or someone you know has asthma, you know that it can really affect your quality of life.
- Asthma is a leading cause of emergency room visits and hospitalizations in certain neighborhoods in New York City. Further, asthma can be very expensive to manage. The yearly medical cost of asthma was \$3,266 per person in 2018. You can keep that money in your pocket by ensuring your home is healthy.
- Poor housing quality and exposure to mold and pests has been linked to more people with asthma and more deaths from asthma.



This visual gives you an idea of the number of children who have been hospitalized for asthma, and importantly - the areas in New York that they live in.

### **Local Law 55 Introduction [SLIDES 11-13]**

Local Law 55 creates a way for people living in New York City to hold their landlords accountable for removing allergens in their home that can exacerbate asthma.

- Our goal is to give you information about your landlord's responsibilities under this law, and to talk about some of the potential barriers that you may encounter. We hope that this information will allow you to raise any issues with your housing with your property owner.

Your property owner has a responsibility to keep your unit free of mold and pests. That includes actually fixing any problem such as a leak, not just cleaning or painting over mold on the wall. What else do they have a responsibility to do?

- **Inspect:** once per year and if there is a complaint.
- **Certify:** that the unit is free of mold and pests.
- **Safe Work:** Use safe work practices when responding to complaints about mold and pests
  - Property owners must thoroughly clean, when cleaning mold use either wet cloths or vacuums to remove dust; sealing and throwing away all cleaning

materials. Use safe cleaning products for getting rid of pests, also called Integrated Pest Management.

- **Really Fix It:** Fix underlying problems (moisture, holes where pests get in) as well as the visible issue itself.

### **What You Can Do Under the Law to Vindicate Your Rights [SLIDES 14-24]**

We're going to talk a little bit about some things you can do: call 311 to get your unit inspected, go to housing court, and ask a doctor for a referral. How to get your unit inspected in three stages: File a Complaint, Receive an Inspection, and Follow up.

#### **1. File a Complaint**

- The first stage is to file a complaint by either calling 311, or reporting online. The link for filing a complaint is on the handout that we have provided you.
- Once you file a complaint you will be asked if the issue has been fixed and if it hasn't then an inspection will be scheduled.
- Your landlord will be notified that someone has made a complaint.

If you or your child has asthma, have your doctor request a free home environmental inspection for you. Tips for talking with your doctor or healthcare provider include:

- **Share** if you have seen mold/pests
- **Ask** If you or someone in your household has been diagnosed with persistent moderate or severe asthma, ask your doctor to request a free home environmental inspection for you through the New York City Health Department's Online Registry

#### **2. Receive an inspection**

At each stage of the inspection process (before, during and after), there are some key things to remember, **Track, move furniture, and write it down!**

- **Before an inspection - Track**
  - To make sure the inspector actually comes, check your complaint status online and don't be afraid to call them back. This is important because if the inspector comes and you're not there, they will consider the complaint "closed" and won't come to inspect unless you open a whole new complaint.
  - To check on whether they've come, you can check on the complaint via its tracking number, which allows you to go online and check the status. If they come when you aren't there, they should leave a card for you to call and make an appointment.
- **During an inspection - Move Furniture**



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- Inspectors are not required by the law to look behind or move your furniture. If the mold or pests are behind furniture or not always visible, consider moving these items.
- **Before, during, and after an inspection - Write It Down**
  - The more you write down or take pictures of, the easier it will be to hold the inspector and landlord accountable.
  - If you receive a notice that they closed a complaint because an inspector couldn't gain access at a certain time---and you know you were there at that time---look for any evidence, such as timestamps on photos, that can show you were there at that time.
  - The notice of violation will have a date on it by which the landlord must fix the issue. If they don't fix it by that date, consider taking photographs to show that they haven't done their job.

**\* TIP: JustFix NYC app and website can be helpful in organizing this.**

### **3. Follow Up**

- After the inspector comes, if the landlord doesn't fix your issue, you can call them again. The department can then take steps to fix the issue itself.
- Be sure to show any pictures you've taken or other things you've written down.

### **LANDLORD RELATIONSHIP [SLIDE 25]**

- This training is meant to be informative, and we want to ensure that you have the tools necessary to make the right decision for you. However, we also want to emphasize that harassment and retaliation from your property owner are illegal.
- In addition, there is safety in numbers. If there is a building-wide problem, we are happy to see if we are able to connect you to a tenant organizer to help with a group action.

### **HOUSING COURT [SLIDE 26]**

- Tenants can also go to housing court if mold/pest issues are not fixed.
- Many online resources exist to help tenants with this process: the housing court website, and Housing Court Answers.
- New York Lawyers for the Public Interest can assist you with referring you to an attorney if you think you may be interested in Housing Court.

### **Justice Jeopardy Game [SLIDES 27-36]**

### **Question & Answer [SLIDE 37]**

## Pre-Training Survey

Thank you for attending this training regarding tenant rights under the Asthma Free Housing Act/Local Law 55. Please answer the following questions to the best of your ability.

1. What best describes your race/ethnicity? Please select all that apply:
  - Non-Hispanic White
  - Non-Hispanic Black or African American
  - Hispanic/Latinx
  - Asian
  - Native Hawaiian or Pacific Islander
  - Native American/American Indian
  - Other, please specify: \_\_\_\_\_
  
2. What is your age group?
  - Under 17
  - 18 - 24
  - 25 - 34
  - 35 - 44
  - 45 - 64
  - 65 +
  
3. What is your zip code?  
\_\_\_\_\_
  
4. Before this training, had you heard of The Asthma Free Housing Act/Local Law 55?
  - Yes
  - No
  - Do not know/Do not remember
  
5. Has there ever been a time you wanted to report a pest or mold problem in your home but something got in the way of you reporting it?
  - Yes
  - No
  - Do not know/Do not remember
  
- 5a. If YES, please describe what prevented you from reporting the issue.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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6. Did you move into your current apartment between 2018 - 2020?

- Yes → **Continue to question 6a**
- No → **Skip to question 7**
- Do not know/Do not remember

6a. If YES, In the lease, did your property owner/ landlord inform you of your rights under The Asthma Free Housing Act/Local Law 55?

- Yes
- No
- Do not know/Do not remember
- Not Applicable (N/A)

7. Have you ever received the flyer that describes The Asthma Free Housing Act/Local Law 55 from your property owner?

- Yes
- No
- Do not know/Do not remember