

The seal of the City of New York is a circular emblem. At the top is an eagle with wings spread, perched on a globe. Below the eagle are two figures: on the left, a Native American holding a bow and arrow; on the right, a Dutch settler holding a plow. The seal is surrounded by a wreath and the Latin motto "EUREKA CIVITATIS NON" at the bottom, with the year "1625" in the center.

The Public Advocate: Solving Everyday Problems

Annual Report 2001-2002

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*From the Desk of Public Advocate
Betsy Gotbaum*

October 2002

Dear Friend,

Every year the Public Advocate issues a report on the progress the office has made over the past twelve months. This reports spans the entire fiscal year 2002. I served as Public Advocate during the second half of the period, from January 1 to June 30, 2002. Mark Green, my predecessor, held the office for the first half.

I hope this report makes clear that the goal of my administration is to work alongside city agencies to improve service to the public. My extensive experience in the public and private sectors has taught me that cooperation, not confrontation, is the key to change. City agencies have responded to the collaborative approach.

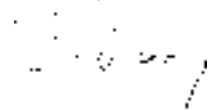
I call this year's report *The Public Advocate: Solving Everyday Problems* because of the focus I have placed on the office's ombudsman unit, which helps New Yorkers cut through the red tape of government bureaucracy. The core of the report is the statistical analysis of the work of the ombudsman unit: in the last year we helped 11,754 people, a slight drop from the previous year due to the prolonged loss of telephone service after September 11th.

Scattered throughout the report are *Everyday Problems* that have been solved by our ombudsman (or, I should say, *ombudswoman*) unit. The stories reflect the tremendous range of issues that confront the ombudsmen and ombudswomen—and their persistence in finding solutions. In the coming year, I plan to upgrade the office's outdated technology to improve our efficiency in advocating for you.

The body of the report, *Working for a Better New York*, details what I have been doing to improve the quality of your life over the past year. We don't just wait to hear about problems from you. I have been traveling across the city to houses of worship, schools and senior centers, meeting New Yorkers and listening to your concerns.

The office of Public Advocate was designed to help individuals with government-related problems—and to seek out recurring problems that suggest a need for change in the system. That's what I have been doing since January, and I'm proud of my accomplishments to date. With your support, we can do even more for New Yorkers in the years ahead.

Sincerely,



Betsy Gotbaum



Working for a Better New York

Advocating for Better Schools

School Overcrowding

As Public Advocate Gotbaum promised in her campaign for office, she has been investigating waste and mismanagement in school construction. In June 2002 she issued a report showing that the high cost of new schools reduces the number of classrooms that can be built and prolongs the overcrowding crisis.

In the course of preparing the report, the Public Advocate came across many situations involving red tape that held up construction progress and raised costs. For example, she learned that many of the windows at P.S. 214 in Flushing, Queens, did not open or close. Some were stuck half open while others were nailed shut. Classrooms could be stifling in summer or freezing in winter. The Department of Education and the School Construction Authority each blamed the other for lack of progress on repair. When the Public Advocate intervened, both agencies agreed to move forward with the repair.

In September the Public Advocate issued a follow-up report on the need to reduce class size in elementary grades. The Public Advocate's reports (www.pubadvocate.nyc.gov) recommend that the management structure of the school construction process be reformed to make a single agency responsible. That means the bureaucrats will not be able to take refuge in blame and finger pointing any more.

Guide to the Public Schools

In September the Public Advocate began surveying parents of New York City public school students to find out what they most need to know to help their children through the system. The Public Advocate's office often hears from parents who have come up against a bureaucratic brick wall when they need information on how to register or how to enroll in special programs. There is currently no "one-stop" information source for such parents. Using the information collected in the surveys, the Public Advocate will publish a guide to schools for parents throughout the five boroughs in Spring 2003.

Improving the School System

Recently the Public Advocate's office has investigated a number of school issues to offer the new Chancellor ideas for educational reform. All the reports mentioned are available on the Web at www.pubadvocate.nyc.gov.

- A report to be issued in cooperation with Advocates for Children explores the large number of students "discharged" from high schools every year. It appears that new, more stringent educational initiatives may lead to some students being "pushed out" of the system in order to keep the drop-out rate down. The Department of Education must make sure that more programs are available for high school students challenged by new educational standards and increased testing.

- A report on the current five-year plan for school construction examines the Department of Education's success to date in creating new classroom seats for overcrowded school districts. The city can expect the number of students in middle and high schools to grow over the next several years. Yet the increasingly high cost of school construction has reduced the available funds. High schools in Queens and the Bronx face particularly significant overcrowding even if all the planned schools could be built. The Department of Education must create a plan to end this overcrowding. Plans must also include a strategy for a return to normalcy: currently far too many schools have gyms and art rooms serving as classroom space; play yards are taken over by temporary classroom structures.

- A report on the school breakfast programs indicates that although New York City has the highest percentage of students eligible for the low-income free breakfast program in all of New York State, the percentage of such students actually taking advantage of the program is the lowest in the state. Studies show that proper morning nutrition can be crucial to success in school. The city must work harder to insure that eligible students take advantage of this federally-funded program.

- A report on classroom size in public elementary schools shows that in the last two years real progress has been made in reducing average class size in kindergarten through the third grade. Yet the city still falls short of the goal of 20 students per class. More significantly, class size jumps in the fourth grade, and increases in each subsequent year. Far too many fourth- to sixth-graders are in classes approaching 35 students in size.

Solving Everyday Problems

The New York City Charter makes helping people cut through government red tape a key role of the Public Advocate. As the city's ombudswoman, Public Advocate Gotbaum assists average New Yorkers caught up in the city's bureaucracy. In the final section of the report, you will find a full account of all cases handled by the ombudsman unit. Below are a few stories of New Yorkers helped by the Public Advocate:

Medicare Delay

Lily F., a retired employee of the New York City Housing Authority, called the Public Advocate's office and spoke to Ombudsman Adam Levin. She reported that the Authority was sending her Medicare reimbursement checks to the wrong address. The Housing Authority's delay in issuing a replacement check and sending it to the right place had strapped Lily financially. Despite calls from both Lily and her daughter, the Housing Authority could not explain the hold-up.

Adam immediately called the Housing Authority about the problem, and within a few weeks Lily finally received her check. Lily's daughter credited the Public Advocate in a letter: "Thank you for the outstanding work you have done to resolve the Housing Authority's mishandling of my mother's Medicare reimbursement check. I know from my telephone discussions with the Housing Authority that your intervention had the necessary impact to get their office involved in rectifying the error made by the Housing Authority. This was something that I had not been able to accomplish. Your assistance was invaluable and so appreciated. Thank you!"

Advocating for Seniors

Saving Senior Centers from Budget Cuts

In February, when the Department for the Aging announced that seven “underutilized” senior centers would be closed, Public Advocate Gotbaum recruited volunteers to survey the threatened centers. Their goal was to find out if the centers were truly “underutilized” and if alternative locations were available.

The survey showed that many seniors relied on the threatened centers and that most alternative locations were too far away to be practical. The Public Advocate reported her findings to the Department for the Aging Commissioner and the City Council. Through the united advocacy of many concerned elected officials, the centers were saved and are fully operating today.

Senior Action Line (212) 669-7670

The Public Advocate operates a phone line staffed by senior volunteers who help callers with senior problems. Dawn G., a homeless and disabled recipient of Social Security, called the Senior Action Line to complain that she was not receiving her payments. The Social Security Administration said the checks had been sent to the General Post Office but Dawn did not find them there. An ombudsman repeatedly called Social Security on Dawn’s behalf. In response, Social Security officials finally arranged for Dawn to receive the missing checks at a temporary address. With the money, she obtained housing. The Senior Action Lines helps with dozens of cases like these every year.

Hunger among the Elderly

In early October, the Public Advocate issued a report on the nutritional needs of New York’s growing senior population. The report analyzes the capacity of senior centers and meals-on-wheels against current and future need. Statistics show that existing services do not meet need. More and more seniors are forced to resort to soup kitchens and food pantries. The report (available on the Web at www.pubadvocate.nyc.gov) recommends that the city increase outreach to seniors about available nutritional benefits, such as food stamps, and develop a master plan to prepare for need in the coming years.

Access-A-Ride

The Public Advocate’s office receives many complaints each month about Access-a-Ride, the city’s transportation program for the elderly and disabled who cannot use the mass transit system. Access-a-Ride users, often on their way to doctors’ appointments, experience long waits for scheduled pick-ups, time-consuming detours and outright cancellations. After an appointment, some wheelchair-bound users find themselves stranded in a strange neighborhood without the scheduled ride home.

To help these New Yorkers, Public Advocate Gotbaum brought together elected officials and disability advocates to build a platform of recommendations to put forward to the MTA (which runs the program). In October the coalition presented their recommendations on the steps of City Hall. The Public Advocate believes that by working together the coalition will be able to achieve significant reforms in the system.

Advocating for Women

Supporting Education for Women on Public Assistance

The Public Advocate has worked to protect women trying to free themselves from public assistance. In late spring, the Public Advocate met with a group of mothers on public assistance who attend college in addition to fulfilling their 35-hour-a-week work requirement. Many of the women spoke of their difficulty getting child care reimbursement from the city's Human Resource Administration (HRA). The delay forced them to miss classes and fall behind in their studies. Formerly a single mother herself, Public Advocate Gotbaum brought their cases to the attention of HRA officials, who made sure that the women began receiving timely payments for child care. The Public Advocate believes that the city must do all it can to support those who are trying to free themselves of public assistance through education.

Protecting Women from Sexual Predators

The Public Advocate has worked to insure that the City protects women against sex crimes. In reaction to a recent increase in rape, she called on the Mayor to increase educational outreach about rape prevention. The Public Advocate believes the police department should reach out to neighborhoods that show an increase in sex crimes, offering sexual-assault awareness programs. The Department of Education should create a high school sexual awareness curriculum for boys and girls aimed at preventing date rape. The Public Advocate has met with anti-sexual-violence advocacy groups and assistant district attorneys in charge of sex crime prosecution to encourage the adoption of her recommendations.

Solving Everyday Problems

This is Government!

Linda N. called the Public Advocate's office and spoke to Ombudsman Mimi Gilles about her problem with the city's housing bureaucracy. Linda is a landlord who participates in a New York City Housing Preservation and Development (HPD) rent subsidy program. In April 2001, Linda was overpaid by HPD for rental subsidies. Linda called HPD, reported the problem and sent in a check for the overpayment. HPD assured her that the mistake would be corrected. For the next three months, the same overpayment occurred. Each time, Linda sent back a check in the amount of the overpayment.

Finally an HPD staffer told her, "Don't keep paying us back. We'll take the overpayments out of your future checks." HPD began taking money out of Linda's subsidy as promised. However, the agency took \$1,132 too much. In the months that followed, Linda spoke with half a dozen different HPD employees; each assured her that he or she would take care of the problem. Nothing happened. Finally Linda called the Public Advocate.

After hearing the story, Mimi contacted HPD's Office of Budget and Fiscal Affairs requesting an audit of Linda's account and the issuance of a refund check without further delay. The agency promised to help but a month later, when the problem was a year old, nothing had happened. An HPD staffer told Linda, "What do you expect? This is the government!"

Mimi went back to work. She contacted HPD with all Linda's records and kept after the agency in the following weeks. Finally, HPD processed a reimbursement check. Linda called Mimi to say, "It never would have been settled without the intervention and follow-up of the Public Advocate! Thank you, so much."

Presiding over the City Council

The Public Advocate is the presiding officer of the City Council. The role allows her to raise issues that arise from her investigations. As presiding officer, she is able to bring the people's agenda to the legislative floor. Working in unison with City Council members also means more effective results. Below is a list of the legislation the Public Advocate has sponsored so far this year:

Bills

Prohibit business with institutions that engage in predatory lending practices.

A local law prohibiting the City from doing business with institutions that engage, directly or indirectly, in predatory lending practices.

Lead poisoning prevention

A local law in relation to childhood lead poisoning prevention, including the avoidance and correction of lead-based paint hazards in housing, schools, day care facilities and playgrounds.

Standards making passenger ferry service accessible to disabled individuals.

Placement of automatic external defibrillators at certain public places.

Providing for low-wage workers

A local law ensuring that low-wage workers employed by firms receiving certain service contracts or economic development benefits from the City of New York are paid a living wage and are provided health benefits.

Resolutions

Campaign for Fiscal Equity v. State of New York in the appeal of the Supreme Court Appellate Division's decision.

Resolution calling on the Mayor to file a friend-of-the-court brief on behalf of the plaintiff in the Campaign for Fiscal Equity v. State of New York in the appeal of the Supreme Court Appellate Division's decision.

Strongly condemning the murderous terrorist attacks against civilians in Israel.

Resolution strongly condemning the murderous terrorist attacks against civilians in Israel and calling upon the President and the United Nations to work together to seek the closing of the United Nations Mission office of the Palestinian Authority in New York.

U.S. Navy to vacate its training facility on the Puerto Rican Island of Vieques

Resolution calling on the United States Navy to vacate its training facility on the Puerto Rican island of Vieques and to stop violating the civil right of peaceful assembly on Vieques.

Minority- and women-owned business enterprise

Resolution calling for the Council to investigate the need for a minority- and women-owned business enterprise program, including a study by Baruch College.

Safety of the Airbus A-300-600

Resolution calling upon the United States House of the Representatives to hold hearings on the safety of the Airbus A-300-600 and the adequacy of pilot training programs.

Bringing Together the Public and Private Sectors

The Fund for Public Advocacy

Public Advocate Gotbaum has created the not-for-profit Fund for Public Advocacy to greatly expand the reach of her office in a time of budget cutbacks. As the economic recession demands the reduction of city budget and staff, private support is more important than ever for innovation in government. The Fund will strengthen the ombudsman unit, make city government more accessible, implement innovative programs to increase government responsiveness and expand the Child Welfare Project. The fund will raise foundation support to sponsor projects that improve government service to New Yorkers.

Fighting Rushed Charter Revision

In July the Mayor appointed a charter revision commission that had only 44 days to review the charter, hold public hearings and write referendum proposals. The Mayor asked his commission to put nonpartisan elections and a change in mayoral succession on the ballot. The Public Advocate believes that radical alterations to the city's constitution require far more public discussion before being brought to a vote. The 1988-89 charter commission deliberated for two years and held 31 public hearings. This summer, a coalition organized by Public Advocate Gotbaum persuaded the commission that these important changes could not be sufficiently discussed in a mere 44 days during the summer doldrums.

The commission chose to put only one proposal on the ballot this fall. On the surface, the item appears only to hasten the time before a new election should the mayor have to leave office unexpectedly. If vot-

Solving Everyday Problems

Filling Pot Holes

Bronx resident Jose R. called the ombudsman unit to report that a pot hole in the street in front of his house had caused a motorcyclist's hospitalization. Jose had already been complaining for six months to the Department of Transportation and his Community Board. The ombudsman called the Department of Transportation's Bronx Borough Commissioner, who arranged for the street's repair in a matter of days. Jose called shortly afterward to say thanks.

Detour for Disabled

Disabled Manhattan resident Marion B. called the ombudsman unit to complain that her Access-a-Ride trips inside Manhattan were routed through other boroughs to pick up more passengers, adding significantly to her travel time. Access-a-Ride is the Transit Authority's shuttle program for elderly or disabled New Yorkers who cannot use the city's subways and buses.

The ombudsman called the Metropolitan Transit Authority's Paratransit Division, which responded by switching Marion to a route within Manhattan, greatly shortening her travel time. Marion called the office to say thank you for the help. Access-a-Ride is one of the most frequent sources of complaints to the Public Advocate. As a result, the Public Advocate has been working with advocates for seniors and the disabled to persuade the Transit Authority to improve service.

ers read the fine print, they will discover that the referendum also takes from the Public Advocate the right to preside over the City Council, a role essential to the city's watchdog. The office of Public Advocate was created as a counterweight to our increasingly strong mayor. For that reason, the mayor has often tried to weaken the office. As recently as 1999, Mayor Guliani presented to the voters the same proposal to take from the Public Advocate the role of presiding over the Council. Voters rejected the idea by a 3-to-1 margin. Public Advocate Gotbaum wonders why it is necessary to revisit the issue so soon.

The Public Advocate supports swifter elections if a mayor has to leave office unexpectedly but the proposal on the ballot is flawed. Under this proposal, the city could have as many as four mayors and six elections in just over one year. That's no way to help the city through the crisis of a mayoral vacancy.

In any case, there are other means of making such changes without diminishing the power of the Public Advocate. For example, the Mayor could make the change legislatively in Albany as has been done in the past.

Strengthening the Ombudsman Unit

Public Advocate Gotbaum feels the ombudsman's unit is the key role of her office. Since taking office she has assessed the effectiveness and management structure of the unit, and has been working to implement improvements that will bring the unit to the cutting edge of government innovation and efficiency. Through city capital funding, the office will modernize its technology in the next fiscal year to allow faster response by ombudsmen and more cases to be handled.

Working for Better Service to the City's Non-Profits

As soon as she took office, the Public Advocate began hearing complaints from not-for-profits that contract with the city to provide community services such as health care. Often the organizations have to wait months after beginning to provide the services before the city actually pays. In early February, the Public Advocate's policy unit began meeting with a group of not-for-profits to explore issues surrounding New York City's contracting process. The not-for-profits include the Human Services Council, UJA, United Neighborhood Houses and City Project.

The Public Advocate staff has also been meeting with the Mayor's Office of Contracts to learn more about the process. The issues range from streamlining the contracting process to speeding up payment so that nonprofits can provide needed services better. The office has also conducted research into how other cities utilized online accessibility as a means of better managing contracts.

Advocating for Safer and Cleaner Neighborhoods

Sensible Trash Plans

Waste management policy in New York City is a quagmire of political, economic, technical, and environmental considerations. In July 2002, Public Advocate Gotbaum published a report in order to facilitate informed decision-making. The report's primary purpose was to encourage the Mayor to make waste disposal more equitable. The Public Advocate believes the Mayor should prioritize three goals:

- Be cost-effective, efficient, and sustainable.
- Reduce environmental impact by taking diesel trucks off the road.
- Insure that no community is discriminated against.

Shortly after the release of the report, the Mayor released his own plan that met most of these goals.

Disaster Preparedness

The Public Advocate designed the Preparedness Project for New York City in response to citizen concern about recent warnings of possible terrorist attacks. Public Advocate Gotbaum believes that only public education can ease this anxiety. New Yorkers need to know what the city is doing for the security of its residents and what individuals can do to prepare themselves. Funded through the Fund for Public Advocacy, the project has launched a public information campaign through a brochure distributed at public libraries, Web pages at www.pubadvocate.nyc.gov and numerous public events throughout the five boroughs.

Helping Volunteer Ambulance Companies

In the immediate aftermath of 9-11, the Public Advocate raised nearly one million dollars through the United Way of New York City for volunteer ambulance companies that lost vehicles and equipment at the World Trade Center. Since January, she has been helping the volunteer companies acquire improved radio systems and better air filtration equipment to enable better response to catastrophic situations in the future.

Solving Everyday Problems

“It was impossible to reach anyone who could help. . . .”

Manhattan resident Mitchell C. urgently needed a death certificate to close the affairs of his late father. So he went in person to the Department of Health’s Office of Vital Records to apply and pay for the certificate. Unfortunately, he received by mail the death certificate of the wrong person.

Mitchell could not reach the Department of Health’s Office of Vital Records by phone to request a correction. Fearing further delay, he called the Public Advocate and reached Ombudsman Adam Levin. Adam repeatedly contacted the Office of Vital Records until the agency produced the correct document. Mitchell wrote: “It was impossible to reach anyone who could help me—short of going back downtown, filling out another form, standing on another line and hoping and praying that the person I spoke to was the right one—or would I be sent to another office to speak to another person and have to fill out more forms... Your action and its nature reflected brilliantly on your office, your function and your new director. Frankly, I’ve always been skeptical of the office of Public Advocate or ombudsman. After all, a public functionary whose job it is to help ordinary citizens navigate their way through the daunting bureaucracy of New York City? My New York cynicism just had to kick in. How wrong I was. And I came away from this whole experience with a very affirmative feeling that ‘we are not alone’. You were very much my advocate and you executed superbly. Congrats and thank you.”

Advocating for Lower Income New Yorkers

Hunger Crisis

Over the summer Public Advocate Gotbaum learned about homeless New Yorkers who were refused emergency food stamps because of red tape. This caused her to look at the food stamp situation more deeply. Emergency food stamps are meant to be available to destitute applicants within 24 hours. Apparently the city is not always living up to this policy. The Public Advocate called on the city to investigate its procedures regarding emergency food stamps.

After looking into the emergency food stamp situation, the Public Advocate began investigating the entire program. A report issued in August (available at www.pubadvocate.nyc.gov) showed that use of food stamps in the city is down slightly over the last year—despite the increase in unemployment. In other large cities across the country with growing unemployment, food stamp use has gone up. In New York use of soup kitchens and food pantries has greatly increased over the last year. Hunger is growing but the federally-funded support program is not reaching those in need. There is no excuse for failing to get more food to needy New Yorkers when it will not cost the city a penny.

The Public Advocate feels the city must work much harder to reach eligible people, especially the elderly and the working poor, who don't know about the availability of food stamps. New York's application, at 16 pages, is also far too long and complicated. Other localities have received federal approval to reduce the application to two pages. New York should follow their lead.

The Child Welfare Project

The Public Advocate's Child Welfare Project helps families through the city's sometimes nightmarish foster-care system. Advocates look out for the well-being of children and also help reunite divided families.

The Child Welfare Project (formerly known as C-PLAN), which was created by the Public Advocate's office in 1995, continues to be a leader in child welfare reform. Its unique approach includes investigating complaints by not only conducting interviews, but by also participating in case conferences held at child welfare agency offices and observing family court hearings. In addition to providing information and referral services and advocacy assistance to families, youth and service providers, the project is involved in efforts to improve child protection, foster care services and legal services in family court. In June, the project provided leadership in bringing together eight organizations (including the Administration for Children's Services, and the New School's Center on New York City Affairs) to organize a conference on child protection, which explored better ways of serving families who are reported to the state child maltreatment hotline.

This spring, Ms. R., a mother of three children and a victim of domestic violence, contacted the Child Welfare Project when her children were removed from her care. Ms. R. had her husband jailed for abuse yet was now being blamed for "failure to protect." An advocate arranged for the mother to see her children and found her an attorney specializing in domestic violence. The attorney successfully challenged the city and returned the children to their mother's care.

Saving the Fare

The Public Advocate has joined elected officials and transportation advocates in opposing a hike in the bus and subway fare. More than six million New Yorkers use mass transit everyday. Our extensive transit system makes the city a good place to do businesses. Mass transit also reduces traffic congestion and air pollution. Because of mass transit's critical importance to the city, we must keep service efficient and affordable.

The Public Advocate opposes both a fare hike and service cuts. A fare hike could have a dampening effect on the city's economy. New York lost 100,000 jobs as a result of September 11th. Unemployment is now at a high of 7.6%. A higher transit fare makes the city less attractive to business. A fare hike also puts the burden on low income workers, the elderly on fixed incomes and the disabled.

The Public Advocate recognizes that the city is facing economic hardship and a difficult task lies ahead for the MTA. In such times, business, labor and government must come together and set priorities. The Public Advocate believes that our number one priority must be saving the fare and maintaining the services of the region's critical mass transit system.

Advocating for Better Housing

On August 6, 2002, in a fire at 3569 DeKalb Avenue in the Bronx, 8-year-old Jashawn Parker lost his life. Subsequent research conducted by the Public Advocate's office showed that years of violations had been issued against this building by the Department of Housing Preservation and Development (HPD). Records also show that prior to the fire, Housing Court had refused a request from tenants and HPD to put the building in the hands of an administrator.

Solving Everyday Problems

Keeping Families Together

Elizabeth D., a disabled grandmother in her 50s, came to the Public Advocate's office for housing help although she was barely able walk. A homeless shelter resident, she could not have the hip surgery she needed because the hospital would not release her to a shelter. Moreover, she had just taken on the care of her son's two small children. Now the Administration of Children's Services was threatening to put the children in foster care unless Elizabeth had a home.

At the Public Advocate's office, Elizabeth met with Ombudsman Mimi Gilles. After listening to the story, Mimi contacted the New York City Housing Authority. She told the staff that they must find permanent housing for this family if Mrs. D. was to have her surgery and hold onto her grandchildren. Shortly afterward, Mrs. D.'s name was put on a prioritized housing list for Brooklyn. A week later she called Mimi with the message: "We got an apartment here in Brooklyn. Thanks so much for what you did for us!"

Daytime Street Lights

The Public Advocate frequently hears from New Yorkers about problems with street lights. Upper Manhattan resident Brian A. reported that the lights in Fort Tryon Park were on during the day but off at night, creating a safety hazard. His complaint to the Parks Department went nowhere until an ombudsman contacted both the Departments of Parks and Transportation to get action. Soon afterward, the lights in Fort Tryon Park were readjusted to go on at night and off in the day!

The Public Advocate visited the apartment on September 24, 2002, six weeks after the fire. One apartment affected by fire still had several broken walls, some of which had been axed by firefighters. Other problems predated the fire. Several tenants showed unacceptable conditions in their apartments that the landlord had failed to repair, including holes in the floor that small children could fall through. All evidence pointed to a negligent landlord endangering the lives of tenants.

Since then, the Public Advocate has been working with HPD to help the tenants. On October 8, she revisited the building and found very little had changed. As a result, she called on the Housing Court to give control of the building to an administrator who would make the necessary repairs. The Public Advocate believes that the city does not have a good system for protecting residents from negligent landlords. Her office is exploring such cases through the five boroughs and formulating a set of recommendations for the city.

Public Advocate Complaint Resolution Report

The complaint resolution report show that between July 1, 2001, and June 30, 2002, 11,754 New Yorkers contacted the Public Advocate's ombudsman's service about problems with government. Most of the calls (77%) concerned New York City agencies but 23% were about problems with state or federal agencies. The figures also show that most clients contacted the Public Advocate by telephone (62%) followed by written complaints (26%) received through the U.S. mail, fax or e-mail. One percent of constituents came to the office in person.

Complaints are categorized by cases "advocated" and cases "referred." In "referred" cases, the constituent is put in touch with a city office that offers a practical route for solving the problem in question. If this route does not work, the constituent can come back to the office to "advocate" the problem. Often callers to the Public Advocate's office have already exhausted all the usual methods for resolving complaints directly with city agencies. "Advocating" their problems can require the ombudspeople to make dozens of calls to city agencies and to the complainant in order to resolve the situation. The text of this report describes some of the issues that the ombudsmen face.

The figures reported by the ombudsman service this year are much in line with previous reports. There are two notable changes. The Administration for Children's Services now accounts for 16% of complaints as compared to only 5% two years ago. This can be attributed to the increased outreach of the Public Advocate's Child Welfare Project. The project, described in this body of this report, helps resolve problems of children and families in the foster care system. The other notable change in this year's report is that 12% of federal complaints involved the Federal Emergency Management Administration. Two years ago there were none. The increase is due to the ombudsmen's advocacy for problems of New Yorkers related to the events of September 11.

The city agencies that are the subject of the most calls to the Public Advocate are the New York City Housing Authority (7%), the Human Resources Administration (7%) and the Metropolitan Transit Authority (6%). It should be noted that many MTA complaints have to do with the Access-a-Ride program (as discussed in the body of this report). Although many complaints relate to the red tape of large city bureaucracies like these, other complaints are about quality-of-life issues, such as honking horns and street lights. The ombudspeople are knowledgeable about city agencies and keep good working relationships that make solving problems easier. It is a priority of Public Advocate Gotbaum to make sure that city agencies respond quickly and positively to calls from the ombudsman unit.

The Public Advocate's office prides itself as the place where New Yorkers can turn when no one else can help. This year's statistics testify to that mission.

SUMMARY TABLE OF CONSTITUENT COMPLAINTS AND INQUIRIES

TOTAL COMPLAINTS	11,754	% OF TOTAL
New York City Agencies	9,031	77%
New York State Agencies	2,146	18%
Federal Agencies	577	5%

FORM OF COMPLAINTS

Written complaints	3030	26%
Telephone complaints	7301	62%
In-person complaints	272	2%
Senior Action Line	159	1%

COMPLAINTS AND INQUIRIES LISTED BY NEW YORK CITY AGENCY

Agency	Advocated	Referred	Subtotal	Total	% of Total
Department for the Aging				113	1%
HEAP	9	0	9		
SCRIE	20	2	22		
Other	72	10	82		
Borough Presidents	31			31	
Buildings Department	240	41		281	3%
Business Services Department	16	6		22	
Center for Animal Care and Control	13	1		14	
Administration for Children Services				1428	16%
Agency for Child Development	26	1	27		
Foster Care	392	887	1279		
Child Support	92	14	106		
Other	16		16		
City Council	15	2		17	
City Planning Commission	45	3		48	1%
City Clerk	41	3		44	
City University of New York	13	1		14	
Citywide Administrative Services				69	1%
Department of Personnel	31	5	36		
Other	24	9	33		
Civilian Complaint Review Board	20	5		25	
Civil Service Commission	5	1		6	
Community Boards	40	10		50	1%
Comptroller	62	13		75	1%
Conflict of Interest Board		2		2	
County Clerk	6	2		8	
Corrections	36	4		40	
Consumer Affairs	261	139		400	4%
Cultural Affairs	3			3	
Design and Construction Department	13	1		14	
District Attorneys	44	7		51	1%

Agency	Advocated	Referred	Subtotal	Total	% of Total
Economic Development Corporation	5	0		5	
Board of Education	344	33		377	4%
Board of Elections	54	6		60	1%
Department of Employment	4	2		6	
Department of Environmental Protection				437	5%
Environment Control Board	78	5	83		
Water Meter	95	10	105		
Air	41	2	43		
Basin Cleaning	15		15		
Hydrants	1	2	3		
Noise	70	14	84		
Sewer/Basin Repair	8		8		
Water Leak	20	1	21		
Other	69	6	75		
Department of Finance				242	3%
Parking Violations Bureau	122	3	125		
Other	92	25	117		
Fire Department				77	1%
EMS	29	1	30		
Other	43	4	47		
Department of Health				234	3%
Vital Records	56	0	56		
Pest Control	39	6	45		
Other	113	20	133		
Health and Hospitals Corporation	66	19		85	1%
Department of Housing Preservation and Development				386	4%
Code	113	15	128		
Landlord	8	1	9		
Legal	6	0	6		
Alternative Program	12	1	13		
No Heat/Hot Water	38	0	38		
Housing	46	13	59		
Rent Housing Maintenance	14	1	15		
Other	109	9	118		
Housing Authority				615	7%
Applications	175	13	188		
Maintenance	45	23	68		
Personnel	11	0	11		
Tenant/Management Relations	44	14	58		
Community Relations	12	3	15		
Section 8	76	25	101		
Other	166	8	174		
Homeless Services	87	17		104	1%
Housing Development Corporation	3	0		3	
Human Resources				676	7%
Income Support	355	13	368		
Division of AIDS Services	9	0	9		
Medicaid	81	3	84		
Food Stamps	37	0	37		
CASA	42	32	74		
Protective Services for Adults	32	7	39		
Other	56	9	65		
Human Rights Commission	39	11		50	1%

Agency	Advocated	Referred	Subtotal	Total	% of Total
Department of Information, Technology, and Telecommunication	43	29		72	1%
Department of Investigation	9	7		16	
Office of Labor Relations	37	5		42	
Landmarks Preservation Commission	12	0		12	
Law Department	12	4		16	
Libraries	11	3		14	
Loft Board	2	0		2	
Marshal	17	3		20	
Mayor's Office	149	20		169	2%
Office of Medical Examiner	1	0		1	
Mental Health Retardation and Alcoholism Services	17	2		19	
Metropolitan Transportation Authority				564	6%
Triboro Bridge and Tunnel Authority	9	0	9		
Transit Authority	240	116	356		
Access-A-Ride	114	33	147		
Other	41	11	52		
Miscellaneous	137	143		280	3%
Off Track Betting	1	0		1	
Parks and Recreation				118	1%
Forestry	25	1	26		
Parks Maintenance	23		23		
Recreation	32	0	32		
Other	19	18	37		
Payroll Administration	8	0		8	
Pension System				82	1%
Actuary	1	0	1		
NYCERS	29	5	34		
Fire Pension Fund	0	2	2		
Board of Education	3	1	4		
Police	13	1	14		
Teachers	20	7	27		
Police Department				453	5%
Housing Bureau	0	0			
Police	389	62	451		
Transit Bureau	2	0	2		
Department of Probation	3	0		3	
Public Administrator	12	1		13	
Public Advocate Reports/Inquiries	308	14		322	4%
Records and Information Service	5	3		8	
Rent Guidelines Board	17	0		17	
Department of Sanitation	133	11		144	2%
Sheriff's Department	19	1		20	
Standard and Appeals Board	3	0		3	
Taxi and Limousine Commission	15	3		18	
Department of Transportation				315	3%
Traffic Enforcement	49	5	54		
Other	215	46	261		
Trade Waste Commission	2	0		2	
Unions	8	2		10	
Utilities	139	11		150	2%
Youth and Community Development				4	
CDA (Community Development Agency)	1	0	1		
Youth Services	3	0	3		

COMPLAINTS AND INQUIRIES BY NEW YORK STATE AGENCY

Agency	Advocated	Referred	Subtotal	Total	% of Total
Department of Aging	3	2		5	
Department of Agriculture	9	8		17	1%
Assembly	5	2		7	
Attorney General	88	55		143	7%
Department of Banking	52	27		79	4%
Departmental Disciplinary Committees	2	3		5	
Cemeteries	4	1		5	
Comptroller	7	0		7	
Consumer Protection Board	21	15		36	2%
Convention Center Development	1	0		1	
Crime Victims Board	10	3		13	1%
Development Corporation	2	0		2	
Division on Human Rights	4	0		4	
Community Dispute Resolution	2	0		2	
Department of Corrections	18	8		26	1%
Department of Education				46	2%
Office of Professional Discipline	17	5	22		
Proprietary Schools	4	3	7		
Other	11	6	17		
Environmental Conservation				18	1%
Bottle Bill Law	3	0	3		
Other	14	1	15		
Governor's Office	9	1		10	0%
Department of Health				165	8%
Office of Professional Misconduct	19	4	23		
Other	107	35	142		
Board of Higher Education	19	10		29	1%
Housing & Community Renewal				196	9%
Code	12	2	14		
Discrimination	2		2		
Harassment	17	8	25		
Legal/Eviction	25	12	37		
Other Code Rent	27	7	34		
Other	71	13	84		
Housing Court	102	28		130	6%
Department of Insurance	119	37		156	7%
Department of Labor	132	59		191	9%
Legal Issues	399	92		491	23%
Licensing	19	6		25	1%
Lottery	2	1		3	
Mental Retardation & Development Disabilities	14	0		14	1%
Mental Health	1	0		1	
Motor Vehicles				62	3%
Repair Shops	5	5	10		
Other	43	9	52		
Office of Parks and Recreation		1		1	
Public Service Commission	128	45		173	8%
Secretary of State	5	2		7	
State Police	1	0		1	
Department of Social Services				4	
Visually Handicapped	1	0	1		
Other	3	0	3		
State University					
Temporary Commission of Investigation					

Agency	Advocated	Referred	Subtotal	Total	% of Total
Department of Taxation	15	2		17	1%
Department of Transportation	8	5		13	1%
Division of Veterans Affairs	1	0		1	
Workers Compensation Board	34	6		40	2%

COMPLAINTS AND INQUIRIES LISTED BY FEDERAL AGENCY

Agency	Advocated	Referred		Total	% of Total
Attorney General	1			1	
Environmental Protection Agency	9	2		11	2%
Equal Employment Opportunity Commission	12	3		15	3%
Education Department	1	0		1	
House of Representatives	3	0		3	1%
Housing and Urban Development	41	4		45	8%
Department of Justice				89	15%
Immigration Issues	79	6			
Other	3	1			
Postal Service	28	10		38	7%
Commerce Department	2	0		2	
Commission on Civil Rights	1	0		1	
Comptroller of the Currency	12	8		20	3%
Consumer Protection Safety Board		1		1	
Federal Emergency Management Agency	58	9		67	12%
Federal Aviation Administration	11	1		12	2%
Federal Bureau of Investigation	6			6	1%
Federal Communications Commission	14	15		29	5%
Food and Drug Administration	4	1		5	1%
Federal Deposit Insurance Corporation	1	0		1	
Federal Housing Administration		1		1	
Federal Reserve Bank	1	0		1	
Health Care Financing Administration	1	0		1	
Department of the Interior	2	0		2	
Internal Revenue Service	4	0		4	1%
Department of Labor	20	14		34	6%
National Labor Relations Board	2	0		2	
National Transportation Safety Board	1	0		1	
Safety & Health Administration					
Small Business Administration	1	3		4	1%
Securities and Exchange Commission	4			4	1%
Senate	3	0		3	1%
Social Security Administration	48	9		57	10%
Department of State				6	1%
Passports	5	1			
Other	0	0			
Federal Trade Commission	46	29		75	13%
Department of Transportation	5	8		13	2%
Armed Forces	6	0		6	1%
Veterans Administration	7	2		9	2%
Treasury Department	1	1		2	
White House	5	0		5	1%