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**Boston Housing Authority Filing in Boston City Council  
December 10, 2025**

The Boston Housing Authority (BHA) hereby responds to the Boston City Council's request for additional information related to the elevators at Ruth Barkley apartments and BHA communities across the city, as filed in Council by Councilor Flynn on October 22, 2025. We have grouped our responses under topical headings.

**Ruth Barkley Apartments and Elevator Modernization**

The elevators at Ruth Barkley have been a priority focus area for BHA over the past several years and we remain committed to investing significant resources to ensure that elevators are reliable and well maintained for our residents. We agree with the Council that elevators are a critical component of BHA infrastructure that need to function appropriately to comply with accessibility laws and allow BHA residents, many of whom are elderly and disabled, to come and go from their homes as they please.

In the past year the BHA has secured new routine maintenance and modernization contracts for elevators in the BHA portfolio. At Ruth Barkley, BHA has current contracts for elevator maintenance and repairs, including response in the event of an outage (Schindler Elevator Corp.), and modernization work (H.J. Russell Co., Inc. with United Elevator Corp. as their elevator subcontractor) at Ruth Barkley. Additionally, BHA utilizes Motion Elevator at Ruth Barkley as a backup resource should other contractors have issues related to capacity or responsiveness. The BHA does not currently have any unpaid invoices related to elevator modernization and maintenance work, and maintains a productive relationship with our elevator contractors. From time to time, invoices are not paid promptly for various legitimate reasons, including the failure of the contractor to include the supporting documentation required by the contract, leaving BHA unable to review the cost submitted relative to the work performed. This vetting is critical to ensure public resources are appropriately spent and that work was conducted as specified. Scrupulous BHA attention to these contract reporting provisions, however, when combined with the limited administrative capacity of certain elevator contractors, had in the past combined to create a situation where significant invoice balances were incompletely-documented and therefore unpaid. Since a restructuring of management responsibilities in late 2024, the BHA has worked

closely with its elevator contractors to streamline the invoicing process, resolve any open disputes, and to assist the contractors in completing the necessary forms to receive payment from the BHA.

Modernizing an elevator is a complex project that takes time and requires a significant investment from the BHA. As we have mentioned to the Council previously, the BHA has a capital backlog of over \$1 billion and receives a small fraction of that (roughly \$30 million) on an annual basis. The BHA has publicly stated on many occasions that the funding to maintain its public housing properties is drastically inadequate and have predicted many of the challenges with our public housing infrastructure that we are now experiencing.

Nevertheless, BHA remains committed to the goal of modernizing elevators and providing consistent and reliable elevator service to all BHA communities. The BHA has committed more than \$20 million to elevator capital projects across our portfolio in the past year, an investment that is in addition to resources dedicated to ongoing maintenance, repair, and emergency upgrades. At Ruth Barkley in particular, the BHA is leveraging more than \$7 million in city, state, and federal funding to complete an elevator modernization project across four buildings at the site, which as mentioned is under contract with H.J. Russell and United Elevator. During this ongoing modernization project at the high-rise buildings at Ruth Barkley, our plan where possible is always to keep at least one elevator in service at each address while the modernization work is ongoing. Throughout the project, technicians from United Elevator will be present on site or on-call to resolve any issues as they arise and ensure consistent access for residents to their homes.

When possible, the BHA has utilized emergency procurement processes at Ruth Barkley in the hopes of responding to critical elevator related work on a shortened and more efficient timeline. To be clear, the legal authority for emergency procurement is both granted by the state (DCAMM) and tightly restricted to the narrowest possible resolution of an immediate life and safety threat. One time when this was possible recently, at 42 Harrison Archway, the BHA sought and received state approval in July 2024 to proceed with emergency work on the two elevators at that address, which have since been restored to reliable service, resulting in the AAB closing the complaint for that address. Even this emergency process, however, took 14 months from waiver approval to project completion.

For a long-term elevator modernization, the BHA is **required** to procure an architecture/engineering firm, which develops stamped plans and specifications that are used to permit and construct elevators, and administers the actual construction work to ensure that a general contractor constructs the work in accordance with those plans and

specifications. In this sense, modernization planning is quite literally the development of the construction bid documents. While this is happening, the BHA has – and is simultaneously and separately required to have – a competitively procured elevator service contractor who engages in smaller, short-term capital projects, routine maintenance, and emergency response service. BHA actively maintains and repairs elevators to keep them running while it utilizes a phased approach to elevator work in multi-elevator properties to ensure ongoing access at the site and individual buildings.

The BHA is currently contracted for more than \$20,000,000 in elevator upgrades spanning Ruth Barkley, Torre Unidad and Commonwealth. The architect/engineering (A/E) fees for such projects are about 6.8% of construction costs, which fall in within a typical 5-10% range. Within A/E fees, about half are associated with planning and document development, i.e. the initial 50% of a design contract. The BHA therefore estimates \$688,000 in fees associated with elevator planning, or about 3.4% of construction costs for associated projects. We want to assure Councilors that the funds for these elevator projects are being spent on essential steps towards elevator modernization, not on open-ended planning exercises.

As we continue to work on modernizing the Ruth Barkley elevator portfolio, we remain in close communication with the Architectural Access Board about the site. According to BHA's records, the BHA currently has six (6) active cases before the Architectural Access Board at Ruth Barkley. Three (3) additional matters were recently closed by the Board. On November 6, 2025 the Board requested status updates from the BHA on three (3) of the open matters and BHA timely provided updates on December 5, 2025. Two (2) of the open matters are scheduled for hearings in the first quarter of 2026. The last open matter is based on a First Notice the BHA received June 27, 2025 and timely responded to on July 23, 2025. Four of the six open matters are in relation to the elevators that are included in the modernization contract discussed above.

### **Accessibility-Related Procedures and Protocols at BHA**

As we previously shared with the City Council, BHA has updated our elevator protocols to increase transparency and accountability around response to elevator outages. The protocols, in English, Spanish, and Chinese, have been posted on site and hand-delivered to resident units at Ruth Barkley and sites with elevators. These protocols were developed in collaboration with the City's Disabilities Commission and were submitted to the Massachusetts Architectural Access Board. The protocols are available on the BHA website [here](#). We have recently updated our internal staff-facing guidance to also ensure that our staff will communicate to residents when an elevator that has been reported as down is found instead to be functioning, so that there is no confusion in those cases.

At Ruth Barkley, BHA staff continue to work closely with residents to address challenges in the event of elevator outages. The BHA provides staff assistance to residents upon request during an elevator outage that includes assistance with bringing needed items to resident's apartments (i.e.; groceries, prescription medication, etc.) and is happy to do so when residents inform BHA that such assistance is needed.

More broadly, the BHA has a Reasonable Accommodation Procedure and a Reasonable Accommodation Coordinator; information related to [Reasonable Accommodations](#) is on the BHA's website and we encourage residents to contact the Reasonable Accommodation Coordinator as needed. The [Tenant Grievance Procedure](#) is also posted on the BHA's website. The BHA has and will continue to offer transfers to households who are dependent on elevator service as a reasonable accommodation as we work to modernize and upgrade elevators, whether at Ruth Barkley or other sites. Because elevator work by necessity can take a significant amount of time, transfers can offer a more immediate solution for residents, should they choose this option. We have offered numerous residents living at sites with challenging elevators the opportunity to relocate to developments with more reliable accessible features and infrastructure, and we would urge any resident who feels they need this reasonable accommodation to request it and go through the interactive process.

The BHA continues to comply with the Americans with Disabilities Act (ADA), Section 504 and state laws related to people with disabilities. In 2002, the BHA entered into a Voluntary Compliance Agreement (VCA) with the U.S. Department of Housing and Urban Development (HUD). Prior to signing this VCA, the BHA completed a needs assessment showing that 2.2% of 13,800 units on its property were accessible while demand in the City of Boston was 3.8%.. Under this VCA, the BHA committed to making 5% of its inventory accessible on a portfolio basis, and BHA and HUD worked jointly to implement and monitor progress. In 2014, HUD closed its monitoring of the BHA's compliance because the BHA had completed its requirements under the VCA. Nonetheless, BHA continues its efforts to add more accessible apartments in Boston for extremely low-income individuals, including through the redevelopment and capital work described below.

### **Redevelopment and Capital Investments in Accessibility**

BHA takes seriously its role as a citywide actor to increase the overall supply of accessible housing stock for elders and people with disabilities in a city with many old, inaccessible buildings, even beyond the BHA's portfolio. One way that we do this is by awarding BHA's project-based vouchers to new affordable housing projects, including permanent supportive housing projects, that disproportionately serve a disabled

population and typically provide more accessible units than the required 5%. Indeed, most of these projects funded in partnership with the City of Boston in recent years have included at least 10% accessible units, sometimes more. Examples of private projects we have supported in this way include the newly-opened 900 Morrissey in Dorchester, 140 Clarendon in Back Bay, the Lyndia in Jamaica Plain, and many others.

We have also often included accessible units above the 5% mandate in redevelopment projects on BHA land, and have hugely increased the visitability of our subsidized portfolio overall through this redevelopment work. The first new building we and WinnDevelopment are currently constructing at Mary Ellen McCormack in South Boston, for example – a 1016-unit site with zero accessible units today – will contain 10% accessible units. Across the way, at the Anne M. Lynch Homes at Old Colony in South Boston, our nearly-finished redevelopment with Beacon Communities has replaced every former public housing unit, going from only 27 accessible units out of 840 originally, to 101 out of 887 total today. The 47 additional net-new deeply-affordable units that we added there are also focused on serving seniors.

At Whittier in Roxbury, where our partner POAH is completing the final phase of our CHOICE Neighborhood Initiative, pursuant to which we replaced all the previous public housing accessible units along with adding additional density, and much more accessibility than the original 10 units. At Mildred C. Hailey in Jamaica Plain, the two new buildings just finished by The Community Builders contain accessible units served by brand new elevators, and one major goal of the redevelopment site plan at Mildred C. Hailey is to take down the buildings with elevators which are well past their useful lifespan and replace them entirely with a more fundamentally accessible design. Bunker Hill in Charlestown is another site with very few accessible units (37 out of 1100), due the existing building typology; our newly-opened building there with Leggat McCall Properties and J.J. Corcoran contains 6 handicap accessible units and 4 hearing/visual accessible units out of 102.

BHA is also undertaking significant accessibility-related projects at sites where it does not have private development partners. We currently have design projects under way to increase accessibility at General Warren in Charlestown, Plant Court in Jamaica Plain, and Fairmount in Hyde Park, for example. We have received funding from MassHousing to make additional accessibility improvements at our elderly and disabled buildings in East Boston (Heritage) and Lower Mills. And in September we started a major occupied rehab of St Botolph in the South End, another development for elderly and disabled residents.

BHA's ability to create these transformational redevelopment projects is dependent on project-specific competitive funding. In part due to the aging elevators, BHA

previously applied, some time ago, for HOPE VI funding to fully redevelop the Ruth Barkley site. Due to concerns related to gentrification at the time, however, both neighborhood advocates and residents like Ruth Barkley herself were opposed to a redevelopment, so the BHA did not receive the funds for this site. Per recent discussion at our Council hearing, BHA would be open to revisiting with residents the question of redevelopment at Ruth Barkley Apartments – especially now that new models of ongoing (post-redevelopment) public ownership allow us to address some of the previous privatization concerns. However, the BHA always wants the impetus for redevelopment to come from residents themselves first and foremost, and would have to begin any such conversations there.

The BHA also continues to consider how to incorporate and implement accessibility and assistive features in all its capital work and operations. For example, as part of its Five-Year Capital Plan process, the BHA determines its capital needs, including accessibility, and determines how it can improve and modify its accessibility. In addition, the BHA works with architects, engineers, and code consultants to incorporate accessibility requirements in the plans and specifications of its capital projects.

While this response has focused on physical accessibility, the BHA also undertakes many other types of capital projects with implications for residents with disabilities. For example, the BHA has a large number of significant ventilation, window, and heat-pump projects ongoing, all of which are focused on improving indoor air quality and thereby enabling residents with disabilities such as asthma to breathe easier in their homes.

Because of the centrality of redevelopment and the capital program to the BHA's work to improve accessibility at our sites, our official 504 Coordinator is Joseph Bamberg, our Chief of Planning, Construction, and Development.

BHA annually publishes our 5-year capital plan, including for elevator upgrades and modernization at BHA communities, on the BHA website. A simplified chart of recently completed, ongoing, and forthcoming projects are here:

<https://bit.ly/bhacapitalsummary>