

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON JUSTICE SYSTEM

Jointly with

COMMITTEE ON HOUSING AND BUILDINGS

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February 24, 2020
Start: 10:15 a.m.
Recess: 5:25 p.m.

HELD AT: Council Chambers - City Hall

B E F O R E: Rory I. Lancman
Chairperson

Robert E. Cornegy, Jr.
Chairperson

COUNCIL MEMBERS:

Fernando Cabrera
Margaret S. Chin
Mark Gjonaj
Barry S. Grodenchik
Farah N. Louis
Bill Perkins
Carlina Rivera
Helen K. Rosenthal
Ritchie J. Torres
Andrew Cohen
Laurie A. Cumbo

COUNCIL MEMBERS:

Alan N. Maisel
Deborah L. Rose
Mark Levine
Deborah L. Gibson

A P P E A R A N C E S (CONTINUED)

Jumaane Williams
Public Advocate

Elizabeth Thompson

Kim Statuto
Bronx New York Tenants Association

Randy Dillard
CASA

Lloyd Smith
Flatbush tenant

Anthony Cannataro
Administrative Judge NYC Civil Court

Jonathan Lippman
Former Chief Judge State of New York

Jordan Dressler
Civil Justice Coordinator

Erin Drinkwater
Deputy Commissioner of Intergovernmental and
Legislative Affairs for DSS

A P P E A R A N C E S (CONTINUED)

Raun Rasmussen
Legal Services NYC

Adriene Holder
Legal Aid Society

Joanna Laine
Association of Legal Aid Attorneys

Justin La Mort
Mobilization for Justice

Beth Goldman
NYLAG

Alexandra Dougherty
Brooklyn Defenders

Jonathan Fox
NYLAG

Rogelio Tec
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Manhattan Borough President

Mary Fox
Housing Conservation Coordinators

Leo Asen
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A P P E A R A N C E S (CONTINUED)

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NYC Metropolitan Chapter of New York State
Alliance for Retired Americans

Andrew Scherer

Roger Juan Maldonado

Alison King

Marlene Jean Noelle
Brooklyn Tenant Coalition

Judith Bernard
Catholic Migration Services

Esteban Giron
Crown Heights Tenant Union

Patricia Bowles Simmons
Goddard Riverside Law Project

Emily Goldstein
Association of Neighborhood and Housing
Development

Robert Villagomez
CASA

Robert Conkling
Goddard Riverside

Julie Colon
Northwest Bronx Community and Clergy Coalition

A P P E A R A N C E S (CONTINUED)

Amy Collado
Catholic Migration Services

Sarah Guillet
Flatbush Tenant Coalition

Xavier Simpson

Oksana Mironova
Community Service Society

Austen Refuerzo
Neighborhood Defender Service

Jenny Laurie
Housing Court Answers

Richard Brender
Assembly Member Gottfried's Office

Samanthia Thompson
Morris Heights

Sophie Collyer
Center on Poverty and Social Policy at Columbia

Sonja Shield
UAW 2320 Legal Services Staff Association

Lillie Carino Higgins
1199 SEIU

Xiomara Loarte
Central Labor Council

A P P E A R A N C E S (CONTINUED)

William Whalen
DC37 Municipal Employees Legal Services

Jared Trujillo
Association of Legal Aid Attorneys UAW 2320

Kadeem Morris
Community Legal Services of Philadelphia

Daniel Joseph Wiley
Program Manager of Housing Justice at Ironbound
Community Corporation

Noel Sanders
City Life Vida Urbana

Lawrence Carty
City Life Vida Urbana

Fitzroy Christian
CASA

Flandacia Jones [sp?]
New York State Nurses Association

Normal Archer c/o Elena Rodriguez
Housing Works

Sandra Mitchell

Jose Miranda
Catholic Migration Services

A P P E A R A N C E S (CONTINUED)

Tabatha Holley
Pastor of New Day Church

Jacquelyn Simone
Coalition for the Homeless

Daniel Buck
Center for Independence of Disabled New York

Ignacio Jaureguilorda
Center for Court Innovation

Claunick Duronville
CAMBA Legal Services

Dennis Donnelly
Communities Resist

Ernestina Biafania [sp?]
Catholic Migration Services

Tyrone Anthony
President of 300 W. 46th St. Tenant Association

Yvette Salmon [sp?]
Catholic Migration Services

Jessica Penkoff
Volunteers of Legal Services

Lesvia Mendez
Catholic Migration

A P P E A R A N C E S (CONTINUED)

Joselyn Gomez
CASA

Lucette Claremont
CASA

Marta Puentez [sp?]
Catholic Migration Services

Vivian Sonnenfeld [sp?]
Metropolitan Council on Housing

George Sotiroff
CASA

Dion Hawkins

Claire Schapira
Mobilization for Justice

Gordon Lee
New York Communities for Change

2 CHAIRPERSON LANCMAN: Good morning,
3 everyone. Let's settle down so we can get started.
4 Thank you. Good morning. I am Council Member Rory
5 Lancman, Chair of the Committee on the Justice
6 System, and welcome to this joint hearing with the
7 Committee on Housing and Buildings, chaired by my
8 colleague, Council Member Robert Cornegy, on the
9 implementation and potential expansion of this city's
10 landmark 2017 legislation creating a right to
11 counsel, also known as Universal Access to Legal
12 Assistance for Households Facing Eviction in Housing
13 Court or NYCHA. We're joined-- no, ladies and
14 gentlemen, I know everyone is very excited and
15 enthusiastic about today's hearing, but if we cannot
16 applaud or otherwise interrupt, we will all be able
17 to have an opportunity to have our say. We are
18 joined by Council Members Mark Levine and Bill
19 Perkins as well as Council Members Barry Grodenchik
20 and Fernando Cabrera and Margaret Chin. As recently
21 as 2013, only one percent of tenants facing eviction
22 in Housing Court were represented by counsel. That
23 year, tenants in nearly 260,000 cases had to navigate
24 eviction proceedings on their own, and the result was
25 nearly 28,000 households kicked out of their homes

2 without any real ability to defend their legal
3 rights. Fast-forward to last year, 2019, where the
4 city invested 105 million dollars in tenant legal
5 services programs. Sixty-two percent of tenants
6 facing eviction with household incomes below 200
7 percent of the poverty level. In the 20 zip codes
8 serviced by Universal Access have had lawyers to
9 defend their rights. That's 41,000 households with
10 lawyers to defend their right to stay in their home.
11 So have close to 3,000 more living in the New York
12 City Housing Authority. In 84 percent of these cases
13 the tenants were able to remain in their homes.
14 That's thousands of families whose lives were not
15 disrupted and traumatized by homelessness and
16 uncertainty. But substantial gaps remain, both in
17 terms of income eligibility and the kinds of legal
18 proceedings still not covered, and these gaps are
19 dangerous in a city where nearly half of renters pay
20 at least 30 percent of their income on rent and more
21 than a quarter pay at least half their income on
22 rent. The current income eligibility of 200 percent
23 of poverty level or about 34,000 dollars for a family
24 of two excluded over 30 percent of tenants facing
25 eviction in Housing Court or tenants in close to

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2 57,000 cases. Additionally, Universal Access does
3 not yet extend to all of the forms in which tenants
4 must fight to stay in their homes or to keep those
5 homes livable, such as so-called HP proceedings,
6 NYCHA Tenancy Termination proceedings, Supreme Court
7 Ejection cases, Housing Preservation and Development
8 Hearings for Mitchell-Lama residents, or even appeals
9 of their basic underlying Housing Court case. The
10 two bills being heard today, Intro. 1104 and Intro
11 1529 seek to address these gaps, and to ensure the
12 tenants know that legal services are available to
13 them. The two prime sponsors of those bills, Council
14 Members Mark Levine and Vanessa Gibson will discuss
15 them further in their remarks, I'm sure.
16 Additionally, there are issues of inaccessibility and
17 overcrowding in Housing Court itself. But as we
18 begin today's hearing, we should not lose sight of
19 the fact that this project has expanded rights for
20 vulnerable New Yorkers and made great strides in
21 leveling the playing field to make New York a fairer,
22 safer, and hopefully more affordable place for all of
23 us. With that, I turn it over to my co-chair for
24 this morning's hearing, Council Member Rob Cornegy.

25

2 CHAIRPERSON CORNEGY: Thank you, Co-Chair
3 Lancman. Good morning everyone. I'm Council Member
4 Robert Cornegy, Chair of the Committee on Housing and
5 Buildings. I want to thank Chair Lancman of the
6 Committee on Justice System and other members of the
7 Committee on Housing and Buildings for joining this
8 hearing on the implementation and expansion of Right
9 to Counsel in Housing Court. Local Law 136 for the
10 year 2017 created the ground-breaking Universal
11 Access to Legal Services Program. This program
12 provides free legal representation to tenants who
13 earn less than 200 percent of the federal poverty
14 level and who are facing eviction in Housing Court or
15 termination of tenancy from NYCHA. The Local Law
16 also requires the provision of free limited legal
17 assistance for tenants who earn more than 200 percent
18 of the federal poverty level. Since the start of the
19 Universal Access program, evictions citywide have
20 decreased 30.1 percent; 84 percent of the tenants
21 represented by counsel provided through Universal
22 Access have been able to remain in their homes.
23 Despite these successes, more still needs to be done.
24 Tenants who need legal representation for Housing
25 Court proceedings frequently make too much to qualify

2 for the program while not making enough to pay for
3 their own legal representation. Representation is
4 limited to Housing Court to NYCHA termination of
5 tenancy proceedings, leaving tenants subject to
6 housing preservation and development administrative
7 hearings and Supreme Court ejection cases without
8 representation. Intake spaces in court lack privacy,
9 requiring tenants to discuss personal matters in
10 hallways and in other open and public areas. In
11 addition, due to limited outreach, many eligible
12 tenants do not learn about the program's existence
13 until they are in Housing Court. In this morning's
14 hearing, we're looking forward to learning more about
15 the success and short comings of the Universal Access
16 program. In addition, as we will discuss further by
17 my colleagues, Council Member Levine and Council
18 Member Gibson, we'll be hearing Intro. Number 1104
19 which will expand the eligibility requirements for
20 Universal Access, and Intro Number 1529 which will
21 improve outreach, allowing tenants to become more
22 engaged and educated about their rights in Housing
23 Court. At this time we're going to hear opening
24 statements from sponsors and co-sponsors of proposed
25 Intro 1104 and proposed Intro. 1592, Council Member

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2 Levine and Council Member Gibson, starting with
3 Council Member Levine.

4 COUNCIL MEMBER LEVINE: Thank you, Chair
5 Cornegy. Thank you, Chair Lancman, for those
6 excellent opening statements, for convening this
7 hearing, and more importantly for being steadfast
8 allies in the fight for Right to Counsel this term
9 and last term. You know, often when we make policy
10 around here it is difficult or even impossible to
11 show the impact in any measurable way. We don't have
12 that problem with Right to Counsel. Chair Lancman
13 recited some statistics, and today, Community
14 Services Society is out for report that show in
15 dramatic fashion that the law we passed in 2017 has
16 increased the number of tenants with attorneys in
17 Housing Court, has dramatically decreased the number
18 of evictions, that has even led to landlords filing
19 fewer eviction proceedings and most powerfully is
20 already showing that fewer families are entering our
21 homeless system, citing eviction as the cause for
22 their homelessness. This is extraordinary impact,
23 but we are not naïve, and we understand that this
24 program and the tenants that it protects face threats
25 on many front. From landlords who have enacted

2 tactics to get around this law by confronting tenants
3 before they have met with their attorney, before they
4 know they have an attorney, intimidating them,
5 pushing on them unfavorable stipultio agreements,
6 again, before they even know they have an attorney,
7 landlords who know that tenants are not represented
8 in the appeals stage and are gaming the system to get
9 to that point when they know that the tenant will not
10 have an attorney. We face the threat of a hostile
11 administration in Washington, which has shamefully
12 refused to increase the federal poverty level, so
13 that fewer and fewer New Yorkers considering the
14 broader economic environment are under the
15 eligibility requirement as established in the Right
16 to Counsel Law. We face the threat of elections next
17 year, and who knows whether the powers that be in the
18 City will share our values in protecting tenants.
19 And so we need to act now. We have to act now.
20 Through Intro 1104, which will expand income
21 eligibility for this program from 200 percent of
22 poverty as defined by the Federal Government to 400
23 percent. That will cover 90 percent of those who
24 have landed in Housing Court who are facing an
25 eviction. That will cover those people who are in

2 need, who wouldn't have the means to pay for an
3 attorney otherwise. This legislation will enshrine
4 in law coverage of our fellow New Yorkers in public
5 housing, in NYCHA, and other government-financed
6 housing. This legislation will cover tenants at the
7 appeal stage so the landlords can no longer game the
8 system that way. Intro. 1529, no less important, will
9 ensure that there is ongoing organizing and outreach
10 to tenants led by community-based groups, nonprofits
11 who have the trust of tenants, who will be in
12 buildings, on the doors, so that tenants know they
13 have this right before they land in court, so they
14 will stand and fight, so they will not be intimidated
15 by the tactics of landlords so they will not sign any
16 unfavorable agreements before they have an attorney
17 by their side to protect them. This is an extremely
18 important package of bills that we call Right to
19 Counsel 2.0, and I am thrilled today that it has over
20 two-thirds of the members of this body as co-sponsors
21 on each bill, a veto-proof majority. Yes, you can
22 wave your hands for that. That does not happen often
23 around here, and we are grateful to our colleagues
24 for this broad support in the City Council. Thank
25 you to all our colleagues who have signed on. Thank

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2 you to my partner in this effort, Vanessa Gibson, and
3 thankyou to Chairs Cornegy and Lancman for convening
4 this hearing today.

5 CHAIRPERSON LANCMAN: Thank you. I'd now
6 like to invite Council Member Vanessa Gibson to give
7 opening remarks. Let me just mention that we've been
8 joined also by Council Member Andy Cohen from the
9 Bronx and the Public Advocate Jumaane Williams.

10 COUNCIL MEMBER GIBSON: Thank you so
11 much, Chair Rory Lancman and Chair Robert Cornegy.
12 Good morning everyone. You look good in the audience
13 today. Welcome to the City Council Chambers. So
14 excited to have all of you here today. I am Council
15 Member Vanessa Gibson. I'm proud to represent
16 District 16 in the great borough of the Bronx, and I
17 know many of you represent the Bronx and other
18 boroughs, and I want to say thank you for being here
19 today. We are so excited about today's hearing, and
20 I thank all of you for joining us earlier at our
21 press conference as we collectively continue to
22 support Intro. 1104 and Intro. 1529. I am honored to
23 join with my amazing colleague and partner in this
24 process, Council Member Mark Levine, for all of his
25 work, his ongoing commitment and honestly, our

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2 relentless efforts to achieve Right to Counsel 2.0.

3 Ladies and gentlemen, this has been a game changer,

4 and all of you understand that every movement in

5 society have always been led by the people and not

6 politicians, and I thank every tenant organizer, ever

7 advocate, every member of the Right to Counsel

8 Coalition for your ongoing work. We started this

9 journey in 2014 when the Administration prior to us

10 had only invested six million dollars in civil legal

11 services. 2014 we came up with this idea that maybe,

12 just maybe, tenants could have a right to free legal

13 representation in Housing Court when they face an

14 eviction, and low and behold, many did not believe we

15 would be successful. Many probably thought that we

16 were crazy to even think of this idea, but years

17 later, look at where we are. Forty percent reduction

18 in evictions across the City of New York. There has

19 been a decrease in the number of cases filed by 15

20 percent, and to date, this Administration has

21 invested 128 million dollars in access to legal

22 services. This is a game changer. The city of New

23 York, I am so proud led by this City Council, has

24 been the first municipality to enact Right to Counsel

25 to date, and since we started this journey-- because

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2 we were first-- you have seen Newark, San Francisco,
3 Washington D.C., Minneapolis, and Philadelphia all
4 enact similar measures, and not done yet. Other
5 places like Cleveland, Boston, Los Angeles, and
6 Detroit are currently considering Right to Counsel.
7 So, New York City led the way, because we all
8 fundamentally believe that access to affordable,
9 quality, and stable housing is a fundamental right,
10 and for too long, the scales of justice were not
11 balanced in Housing Court. Most tenants went to
12 Housing Court alone, signing stipulations that they
13 could not agree to, but look at what can happen when
14 we organize and get together with a common goal:
15 arming tenants with a free attorney. It has been a
16 game changer. Instead of less than 10 percent of
17 tenants having attorneys, now we are closer to 70
18 percent of tenants have an attorney in Housing Court.
19 So, we are sending a message to every landlords that
20 tries to circumvent the process. We see you and we
21 are coming after you. You will not displace tenants.
22 You will not harass tenants and think you can get
23 away with it, because you know what? You get a
24 lawyer. You get a lawyer, and everyone has been
25 getting a lawyer, and I am proud of that. So to

2 every, every member of the Right to Counsel
3 Coalition, we thank you for being with us since 2014
4 on that three-year journey when the Right to Counsel
5 was codified in Local Law in 2017. And now today's
6 hearing and the two bills on our agenda as Council
7 Member Levine has said, is to take Right to Counsel
8 to the next level, because we know that work remains
9 undone. We know we have to continue to cover tenants
10 in appeal cases, residents who live in New York City
11 public housing. We need to make sure we cover our
12 seniors and those that are making minimum wage that
13 are still working poor. They should have a right to
14 counsel as well. And so I look forward to today's
15 hearing. I thank you all for not only your work, but
16 most importantly sharing your story. Most tenants,
17 if not all, have a story and a testimony of your own
18 personal story, and through your own pain you have
19 turned that pain into a plan and a purpose of action,
20 and we commend you for that. So, I look forward to
21 today's hearing. I want to once again thank the Right
22 to Counsel Coalition, one of our biggest champions,
23 our former Chief Justice, Justice Jonathan Lippman,
24 thank you for always being with us every step of the
25 way. We appreciate you. And to all of our legal

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2 service providers, our unions, AARP, DC37, Casa
3 Bronx, Northwest, Goddard Riverside, Catholic
4 Migration, Flatbush Coalition, and everybody else.

5 Thank you so much and thank you Council Member Levine
6 as well as Chair Cornegy and Chair Lancman. Thank
7 you all for being here today.

8 CHAIRPERSON CORNEGY: So, as mentioned
9 earlier, we are joined by our New York City Public
10 Advocate Jumaane Williams, who will be having an
11 opening statement as well.

12 PUBLIC ADVOCATE WILLIAMS: I thank you,
13 Chair Cornegy and Chair Lancman. I thank you to the
14 Right to Counsel Coalition and everyone who has
15 brought us here. As a tenant organizer and housing
16 advocate for over two decades I've seen too many
17 people facing eviction who are taken advantage of
18 because they either don't know their legal rights or
19 don't have the proper legal aid. Here in City Hall
20 up in Albany [sic] across the borough, we need to
21 work to continue to secure and protect and expand the
22 rights of tenants. I remember personally when I used
23 to go as an organizer it was left up to the opposing
24 side whether or not someone like me could sit with
25 the tenant to assist them through the court process.

2 More often than not, the opposing side would not
3 allow us to provide any kind of assistance. So, the
4 tenant was left there to fend for themselves. The
5 Right to Counsel Bills passed by Council Members
6 Levine and Gibson, while I was a member of the body,
7 were definitely a landmark victory, and I'm proud to
8 support these efforts to expand on that progress, and
9 I congratulate them again for being in the forefront
10 of this. This has been a very successful model for
11 that nation. Eighty-four percent of represented
12 tenants are remaining in their homes, and the
13 eviction rate has declined by over 30 percent since
14 implementation began. Moreover, eviction filings
15 dropped six percent from 2018 to 2019 and have
16 dropped 15 percent since the City started funding
17 expanded representation in 2013. By increasing the
18 income standards, we would allow more tenants to be
19 supported by broadening protections and legal actions
20 outside of the Housing Court system. We can better
21 adapt to both individual cases and systemic
22 injustices. It's critical we do all we can to level
23 the playing field for struggling tenants in the City
24 facing an affordable housing and a homelessness
25 crisis, and these bills are vital in expanding access

2 to support. It only makes sense that we would
3 increase it. From what a dollar could buy, we are
4 now the most expensive we've ever been in this city,
5 and the dollar does not stretch in New York City like
6 it does in other places. So we have to be fair to
7 people who need the assistance as well. Just a few
8 months ago, we put out the worst landlords watch
9 list, and unfortunately, those worst landlords often
10 have much more resources than the tenants trying to
11 fight back for themselves and their neighbors.

12 Advocacy groups around the City are doing good work
13 to organize and support tenants in need, and we in
14 City Hall should expand programs to strengthen these
15 efforts through legislation and sufficient funding,
16 and the housing affordable crisis justice can't be
17 decided based on the price tag, and anyone knows that
18 any real affordable housing program must start with
19 preservation, and preservation is the key to
20 affordability and these services that we're providing
21 and trying to expand are a lynchpin in preserving
22 people in the homes that they already have. So, I
23 just wanted to make sure I added my voice on the
24 record for this, and thank you so much again. I'm
25 looking forward to hearing some remarks.

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2 CHAIRPERSON LANCMAN: Thank you. I'll
3 note we've also been joined by Council Member Alan
4 Maisel. Now, we'll hear from our first panel: Randy
5 Dillard, Elizabeth Thompson, Kim Statuto [sp?], and
6 Lloyd Smith.

7 CHAIRPERSON CORNEGY: I think it's worth
8 noting that the format for today's hearing was
9 changed so that we could absolutely hear directly
10 from the people who are most affected by these bills,
11 and to put a face to the suffering that's happening
12 in our city. So, I want to thank you for joining us
13 this morning and for committing to going first.

14 CHAIRPERSON LANCMAN: So, with that, if
15 you'd raise your right hand we could swear you in and
16 being today's testimony. Do you swear or affirm the
17 testimony you're about to give is the truth, the
18 whole truth and nothing but the truth? Terrific.
19 We've got five minutes on the clock each. In
20 whatever order you want to begin is fine with us.
21 Just pull the mic close to you, please, and push the
22 button so you see the red light.

23 ELIZABETH THOMPSON: Okay.

24 CHAIRPERSON LANCMAN: Perfect.

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2 ELIZABETH THOMPSON: My name is Elizabeth
3 Thompson. I live in the Bronx. I live at 2757
4 Claphlin [sp?] Avenue on the west side off of the
5 armory. I've been in this building for 35 years.
6 Off and on I've been having problems with my
7 landlords. Try to accomplish it by myself, it didn't
8 work. I got a Legal Aid lawyer, had to pay 10,000
9 dollars thinking that was it. With this 1104 Intro.,
10 they've been helping me out. Northwest Bronx got me
11 involved with the lawyer, and it's-- Every time I go
12 to the court I have to pay additional money. What am
13 I doing? I live in a mansion? I don't see it, but
14 it's like constantly I'm being harassed, and I'm
15 tired of it. So I'm hoping y'all do this bill, this
16 Intro. Bill and my lawyer definitely will help us.
17 We'll push it because it's wrong. I'm a senior
18 citizen. When I became-- as I'm becoming a senior
19 citizen earlier when I was younger, I was wondering
20 why does senior citizen have so much problems. They
21 want my apartment, and if I didn't come up with that
22 money I would have been in a shelter. And like I was
23 telling them, I'm too old to go to the shelter. I'm
24 not used to sharing a room with anybody. And it's
25 wrong for us senior citizen to have to go through

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2 this. With this Intro. 1104, it should help us fight
3 as many landlord as possible. So, the thing-- I'm
4 hoping y'all would help us push this, not only for
5 me, for all senior-- and veteran that's laying out in
6 the street. My ex-husband was a veteran, and when I
7 applied for social security, think, hey, everything
8 will be alright as I become a senior, but it's not.
9 We need this law pushed. We need help. I will be
10 back if I don't get any help with this. I don't
11 like-- they say I'm a bully, elderly bully, and I'm
12 not going to lie, I am. So the thing is, please push
13 these two Intro. To help us senior citizens to fight
14 these landlords. My lawyer is fantastic. Thank you.

15 CHAIRPERSON LANCMAN: Thank you.

16 KIM STATUTO: I'll go. Good morning. My
17 name is Kim Statuto. I'm a tenant of 1515 Selwyn
18 Avenue, Bronx, New York Tenant Association. I was a
19 product of evictions, not recently, but 26 years ago,
20 1994. I was pushed out of an apartment in Manhattan
21 that my mother left me when she passed. So, I know
22 about the trauma and the pain of eviction. I walked
23 home with four children from school seeing my stuff
24 sitting on the sidewalk. Didn't know what to do.
25 What could I do? I'm a product of the shelter

2 system, so I know it all too well. Moving forward,
3 there wasn't a right to counsel, tenant advice,
4 nothing. I went to court. I heard three words: Let
5 the eviction stand. I didn't know what it meant in
6 1994, and I found myself in the street. Twenty-six
7 years later, I'm in the Bronx. September 5th, 2018, I
8 woke up to no gas. Not something I did. Gas was
9 shut off by Con-Ed due to illegal piping done by my
10 landlord. Forty-seven units were put in jeopardy for
11 two years without knowledge. There was a leak, and
12 thank God it was a leak and it was caught, because I
13 might not be sitting here to testify today. Fourteen
14 months we fought due to help of CASA, and the tenants
15 in 1515 Selwyn. I knew nothing about Right to
16 Counsel, funding right to counsel, none of that. We
17 didn't even know where to go. We woke up to no gas
18 and lies from the management and landlord. CASA came
19 in, educated us, helped us find a path to take the
20 landlord to court. What did that do for us? It
21 helped us get a 25 percent abatement on our rent. It
22 helped DACR give us a building-wide rent reduction.
23 It helped the landlord sign into stipulation, no
24 NCIs, no IAIs for 30 years for the tenants on the
25 court case. None of that could have been possible

2 without educating tenants, because I didn't know none
3 of that. We stood there with no answers. Elected
4 officials, CASA and tenants stood with us in that
5 long, hard journey fighting for gas, let alone the
6 500 HPD violations that was on this building before
7 all of the gas situation started. Vanessa Gibson was
8 one of them that was a staunch person standing there
9 fighting with us in the cold winter, holidays. No
10 gas to cook. We were given a 10-dollar hot plate and
11 said, "Do what you got to do." We are still in court
12 with this landlord, but we are not giving up. I'm
13 here to say 1529 is important. An educated tenant is
14 a tenant with power. I needed that power, and I had
15 organizations like CASA to guide us, to help us, to
16 understand what our rights were, to let us know that
17 it was okay to take this landlord to court, not
18 because we owed rent, but because we were being
19 denied services promised to us, promised to us, and
20 leases. Took them 14 months to get this landlord to
21 his knees. My landlord is listed as number four on
22 the worst tenant landlord list. How does that make
23 me feel after living there 26 years? It doesn't make
24 me feel good, but I have people that help me

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2 organize, fight, and show me that I do have power as
3 a tenant. Thank you.

4 CHAIRPERSON LANCMAN: Please-- thank you
5 very much. Please no clapping or shouting. Make it
6 easier for everybody to get a chance to be heard
7 today. Sir?

8 RANDY DILLARD: I'm Randy Dillard, and
9 I'm a CASA leader, and I'm also with the Right to
10 Counsel, and I'm also on the Steering Committee of
11 the Right to Counsel. And as Mark and Vanessa had
12 stated earlier, this has been long fight, a fight
13 that they said that we couldn't do. I'm a single
14 parent with five kids who went through court for two
15 and a half years, but I was blessed to have a lawyer.
16 I know what effects that it has on my kids. My
17 daughter was an A and B student, and she dropped to a
18 D and F student because she thought that she was
19 going into the shelter. When I went through the
20 court system, it was 90 percent of the landlords had
21 lawyers. Because of our fight with the Right to
22 Counsel, now 84 percent of the tenants have lawyers
23 in Housing Court, and evictions have went down 41
24 percent, and there's not been enough filings for
25 evictions also, and the shelter entries have went

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2 down since we have started this fight for the Right
3 to Counsel. It shows that the Right to Counsel and
4 what we started out in this fight earlier, it shows
5 that it works and it keeps families in their homes.
6 My landlord was a slumlord, and when I go to the
7 restroom, I had to hurry up and do what I had to do
8 because the bathroom over top of me would come down--
9 whatever they did up there would come down upon me.
10 We had to put garbage bags up in our bathroom. Our
11 electric sockets was hanging out and the water could
12 get into the electric sockets and could start a fire.
13 These are the conditions that me and my family lived
14 under, and I wished that we had 1529 to where someone
15 could come in and tell me and my family and the rest
16 of the tenants that we don't have to live like that,
17 and you don't have that. We also found out that 54
18 percent of tenants do not know that they have a right
19 to this counsel, to have lawyers in Housing Court,
20 and they are going into the shelter system. We
21 shouldn't have to allow families to live as I have
22 lived and to live as Kim has lived, and it's a shame
23 that before this panel, that we cannot get this bill
24 passed, because these are people's lives, children
25 that do not have counsel. Can't nobody- didn't

2 nobody come and talk to my kids and tell my kids it's
3 going to be alright. I had to tell them that, and
4 they didn't have no faith in me to tell them it was
5 going to be alright, because every other month I'm in
6 court. So what do you think other families go
7 through? And I don't think that this body should say
8 that it's too much money. What price would you put
9 on your child, your daughter? You have to think
10 about that, and this has always affected people of
11 color in our neighborhoods. They come in. They want
12 to push us out, and they want to bring an income in
13 higher than what we paid. Our income is at least 29
14 to 30,000, and they want to bring an income in from
15 60 to 80 up and push us out, and then we don't have
16 no attorneys to defend us when we go there for what
17 these landlords do to us? No one, no human being
18 should live the way that we live, and with 1104, the
19 income level from 200 to federal poverty level is to
20 400, approximately 56,000 to 71,000 households in
21 this income range sued in Housing Court each year.
22 More than one-third of tenants which between 200
23 percent to 400 percent experience household hardship
24 that indicate that they are a risk of eviction, such
25 as being threatened and evicted and falling behind on

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2 their rent and moving in with other people. Did
3 y'all just hear what I just said? Fifty-six to
4 71,000 people, that don't make sense. Thank you.

5 CHAIRPERSON LANCMAN: Thank you. Sir?

6 LLOYD SMITH: I shall live in the
7 present, past and future. This spirit of old tree
8 [sic] shall live with me. I am Lloyd Smith, and I'm
9 here to testify in favor of passing Intro. 1104 and
10 Intro. 1529 to expand the Right to Counsel Law. I'm
11 a rent-stabilized tenant in the borough of Brooklyn
12 in the village of Flatbush where I have lived for
13 upwards of 50 years. It is important to me to remain
14 in my home, because with gentrification housing is a
15 commodity. Rents are sky high. Schools and subways
16 are crowded. Too much people in too little space.
17 If a tenant like me is facing eviction, having a
18 right to a lawyer is key to being able to stay in my
19 home. Right to Counsel is important to me because my
20 experience with eviction and Housing Court, landlord
21 harassment and needed repairs that we never ever get.
22 I have faced harassment to the hills [sic]. When we
23 put notices of our meetings on the wall, the landlord
24 will take them down and tell us we have unpaid rent.
25 Most times we do not. They'll take us to court and

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2 the landlord would not even come to court. What is
3 that? He needs-- we need money to pay our rent. If
4 we go to court, most people in my building, if they
5 don't work, they don't get a penny. How is that
6 fair. Intro. 1529 will require the City to refund
7 the tenant organization. As a member of FDC it is
8 important to me because our lives and livelihood
9 depend on the Right to Counsel. As a tenant leader I
10 saw many tenants going to court for the first time.
11 They didn't know what a docket number was, far more
12 to find it. Where could we and where should you all
13 help us in this regard? The City can and should do
14 more to stop evictions. As a tenant in New York City
15 I urge my Council to pass the Intro. 1104 and 1529 by
16 June so that the people have the Right to Counsel and
17 use it to defend themselves. I must remind you all
18 that housing is still a human right, and we must
19 fight, fight, fight. We thank you, ladies and
20 Gentlemen.

21 CHAIRPERSON LANCMAN: Thank you all for
22 your testimony. I know that we have some questions
23 from some of the members. Council Member Levine?

24 COUNCIL MEMBER LEVINE: Quickly. We
25 would not have passed Intro 214 last term if it had

1 <INSERT TITLE OF MEETING>

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2 not been for tenant leadership. I'm just in awe of
3 the organizing power of this movement, and your
4 presence here today is meaningful, and hearing from
5 you first I think sets exactly the right tone of the
6 movement. We're here today because we need to expand
7 and strengthen this law. I wonder if any of you can
8 touch on the fact that there are tenants today who
9 are clearly struggling economically, who are just
10 above the income cut-off which has been mentioned for
11 a single adult earning minimum wage-- could be below
12 their annual salary. Can any of you talk about those
13 tenants who are left out? Please?

14 ELIZABETH THOMPSON: Well, working for
15 Health and Hospitals, a lot of us only get paid
16 twice a month, so a lot of us are in that wave length
17 of not having the money on time to pay our rent the
18 first of that particular month. So that's where the
19 landlord started picking at me, because I couldn't pay
20 it the first. I have bills, not only-- not bill that
21 I go out and buy clothes or anything like that. I pay
22 might light and the gas and pointed things we need to
23 survive. I don't have all that-- I don't' have all
24 that SS [sic] money, and the things that-- repairs
25 that I ask for him to do, they will partially do some

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2 of those repairs and don't double-check and make sure
3 it's correct. So a lot of those things we're going
4 back and forth to court. You do what you're supposed
5 to do right, my rent is not paid on exactly that
6 date, but my rent is paid before the end of the
7 month. So, this I call harassment, and the thing is
8 we have a lot of people who have good jobs that can't
9 pay a certain amount of rent in the shelter. My
10 friend, she's a nurse. The judge says that she could
11 go back into the apartment. The landlord told her,
12 "No, I don't care what the judge says, I don't want
13 you in my building." So what is that? He's not
14 going to follow the rules and regulation of what the
15 court says. So, with this bill we have somebody to
16 help us to fight that particular landlord.

17 COUNCIL MEMBER LEVINE: Yes, and I'm
18 going to pass it off to my colleague, Council Member
19 Gibson, but you pointed out examples of working class
20 New Yorkers who thankfully not unemployed, but
21 they're not rich and it's still a struggle to pay the
22 rent, and those are the people we need to reach
23 through Intro. 1104 which would cover people who are
24 just above the current cut-off how need help, and our
25 city has that obligation, and we want to enshrine

1 <INSERT TITLE OF MEETING>

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2 that into law through Intro. 1104. Thank you again
3 to this panel. Thank you, Mr. Chair.

4 CHAIRPERSON LANCMAN: Thank you. Council
5 Member Gibson?

6 COUNCIL MEMBER GIBSON: Just one
7 question. I echo the sentiments of Council Member
8 Levine. If not for your support, we would not be
9 here today. So I thank you for sharing your story,
10 but really about how this affects many of the tenants
11 that we may know and those that we may not know as
12 well. I just had one question to the panel. The bill
13 that we are talking about on today's agenda focuses
14 on the power to organize, right? It's a fundamental,
15 you know, aspect that we believe has been successful.
16 When tenants organize, when you form tenants'
17 association, when you empower tenants with knowledge
18 and education on their rights as a tenant, you can
19 transform their life. And so I believe that this is
20 the right way to go. I just wanted some of your
21 thoughts on what you would like the City Council
22 working with the Administration to do when we talk
23 about the power to organizing. What would you like
24 to see? Randy, I believe it was you that cited a
25 majority of New Yorkers that are eligible for Right

2 to Counsel today are not aware that they're even
3 eligible. So how can we be creative in our approach
4 to really share information to New Yorkers about the
5 Right to Counsel Law?

6 RANDY DILLARD: Tenants are hard. They
7 don't know opening their doors when people come
8 around, but if you have an organizing in your
9 community that they know about like CASA, Flatbush,
10 Coalition, Carter [sic], that they know that's been
11 out there fighting for them. They will open their
12 door for them. and what we would like for them to be
13 able to come out there and reach those tenants in
14 them buildings that they haven't been organizing in
15 to organize in the zip codes to let them know that
16 they have right, not to say to the landlord, "No, I'm
17 going move out," or "I'm going to get the money," but
18 to say to that landlord, "No, take me to court. I got
19 an attorney."

20 CHAIRPERSON LANCMAN: Thank you all very
21 much. We appreciate your testimony. Thank you for
22 kicking off this hearing with perspective of the
23 tenants. Now we're going to call our next panel.
24 The Office of Civil Justice has a few members, a few
25 representatives, but whoever is going to be

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2 testifying please come up to the witness stand: Judge
3 Anthony Cannataro, the Chief Judge of New York City
4 Civil Court, and former Chief Judge of the State of
5 New York, Jonathan Lippman.

6 CHAIRPERSON CORNEGY: And as we assemble,
7 I just want to bring your attention to the presence,
8 we've been joined by Council Member Mathieu Eugene
9 and Council Member Mark Gjonaj, and Council Member
10 Helen Rosenthal.

11 CHAIRPERSON LANCMAN: If we could swear
12 in the panel and get started? Do you swear or affirm
13 the testimony you're about to give is the truth, the
14 whole truth and nothing but the truth?

15 UNIDENTIFIED: Yes.

16 CHAIRPERSON LANCMAN: Thank you very
17 much. Chief Judge, would you lead us off, and I
18 think we have five minutes on the clock.

19 CHIEF JUDGE LIPPMAN: Great. Let me say
20 it's a pleasure to be here. I thank the Chairs--
21 Now? Okay. I thank the--

22 CHAIRPERSON LANCMAN: [interposing] Unlike
23 the Court of Appeals, the red light is good.

24 CHIEF JUDGE LIPPMAN: I know. I'm
25 looking for green, you know. Okay. I want to thank

1 <INSERT TITLE OF MEETING>

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2 the two Chairs, Councilman Cornegy, Councilman
3 Lancman, the two sponsors, Councilman Levine and
4 Councilperson Gibson. And it's a delight to be-- you
5 really just heard from the people who really matter
6 in this issue, but I'm happy to add my voice. I come
7 here to support Intro. 1104 and 1529, which will
8 serve to expand the impact and reach of New York
9 City's groundbreaking Right to Counsel Law. My whole
10 life has been about fairness. That's what I did in
11 40 years in the court system, and I am very proud of
12 what we've done in here in New York in access to
13 justice, what you all have done in New York. You
14 know, I go around the country speaking about this
15 issue, and I'm proud as hell to talk about all of you
16 and your accomplishments in making this city a fair
17 and equitable place. I believe the Right to Counsel
18 bill represents the biggest gain in access to justice
19 in generations in this country, and I mean that
20 literally. I'm proud to have supported the adoption
21 of that law in 2017, and halfway through the phase-
22 in, we're doing quite, quite well. You've heard some
23 of the numbers, 84 percent represented. People who
24 are represented are able to stay in their homes.
25 Evictions are down 80 percent. Housing Court being a

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2 place today where everybody gets their day in court,
3 not just people with resources, and we've reduced the
4 entry into the homeless shelters because of this new
5 law. as the former Chief Judge, as someone who's in
6 the court system again for decades and decades, I
7 understand how this system works and how difficult it
8 is to navigate the system for a layperson, and I am
9 painfully aware of the continued justice gap in this
10 country and in this city too as well as we've done.
11 Do you know more people not only in New York but
12 around the country are turned away from legal
13 services than are able to get them? In this City of
14 New York, in this country, more people are turned
15 away than get legal services for the poor and the
16 disadvantaged. I'm delighted with the money that
17 we've given to this effort, 100 million dollars from
18 the state courts that I'm very, very proud of, all of
19 the money that the City has put into this effort. We
20 do have a momentum. We have changed the landscape on
21 access to justice, and it's gone a long way to show
22 that the scales of Lady Justice have to be and are
23 exquisitely balanced, but funding is not enough.
24 We're talking here about the necessities of life, the
25 basics of life, the roof over someone's head. What

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2 could be more important? The answer is nothing could
3 be more important. We've led the way and now is the
4 time to fill in the gaps. 1104 is so important;
5 extends up to 200 to 400 percent of the poverty
6 level, and that means the average person. You know,
7 people who are too high for legal services, legal
8 aid, and yet, can't afford a private attorney. That
9 has to change, and the functional equivalent of
10 evictions. We have administrative hearings. You
11 have appellate cases, and believe me, I know. I sat
12 in the appellate courts my whole life. You can't
13 leave people and just say, "Oh, you're represented,"
14 and that's it. Well, it doesn't end in Housing
15 Court. And Intro 1529 equally important, supporting
16 community organizations to do outreach and advocacy
17 and make people aware and empowered. It is
18 critically important. We want to reach out. You can
19 avoid half of these cases before they even get to the
20 case. The courts, you can avoid these informal
21 evictions where people don't know what's happening
22 and they're victims before they turn around. Others
23 have followed our lead, and we're proud that San
24 Francisco and Newark and Cleveland and Santa Monica
25 and all the rest. Some of them have even gone

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2 further than we have. Well, we have to continue to
3 lead the way. We have to have New York City be the
4 beacon around the country, the shining light for
5 access to justice. That's what you've all done.
6 That's what we have today. That's what we have to
7 continue to be. We have to be sure that justice is
8 not just about the amount of money in your pocket or
9 the color of your skin. Can't be, justice is
10 something that goes back to biblical times. Justice,
11 Justice shall you pursue. This is what we do each
12 and every day in the City, and I'm so happy we've
13 come this far. We have further to go, and where we
14 need to go is that each and every day in New York
15 City the ideal of equal justice is a reality in our
16 city and our home, and that's why I support Intros
17 1104 and 1529. Thank you.

18 CHAIRPERSON LANCMAN: Thank you, Chief
19 Judge. And I'm sure the Chief Judge is aware, this
20 week portion was Mish Fatim [sp?], so very, very good
21 time. Judge Cannataro?

22 CHIEF JUDGE LIPPMAN: The other Chief
23 Judge.

24 CHAIRPERSON LANCMAN: The other Chief
25 Judge.

2 ADMINISTRATIVE JUDGE CANNATARO:

3 Definitely not the Chief Judge. Good morning. I too
4 would like to thank the Committee on the Justice
5 System and the Committee on Housing and Buildings,
6 Chairs Council Member Lancman and Council Member
7 Cornegy for the opportunity to voice my support for
8 1104 regarding the expansion of Right to Counsel
9 eligibility from 200 percent of the federal poverty
10 level to 400 percent. By way of introduction, my
11 name is Anthony Cannataro. I am the Administrative
12 Judge of the Civil Court of the City of New York. In
13 that capacity I am responsible for the day to day
14 operations of the Civil Court including our Housing
15 parts which are widely referred to as the New York
16 City Housing Court and which are presided over by
17 approximately 50 judges working in seven courthouses
18 around the five boroughs of the City of New York. We
19 hear more than 200,000 housing-related cases in our
20 court each year. The mission of the Civil Court
21 overall is to provide timely and effective justice to
22 everyone who comes before the court regardless of
23 their economic status, background or personal
24 circumstances. These goals are put to a test on a
25 daily basis in the Housing Court where many

2 litigants, usually tenants, tend to be often low-
3 income with limited English language proficiency and
4 in need of competent legal advice and representation.

5 Almost all of our housing parts are notorious for
6 their extremely high case volumes, tight timelines
7 and the challenge inherent in adjudicating cases
8 involving an essential of life, that is safe,

9 affordable housing within the framework of a

10 complicated set of state and local rent regulations.

11 The introduction in 2017 of the Right to Counsel

12 program then known as Universal Access for tenants

13 with incomes below 200 percent of the federal poverty

14 level has had a positive impact with respect to all

15 of those operational challenges that we face. We in

16 the court believe that an expansion of eligibility

17 for those services to 400 percent of the poverty

18 level would produce even more beneficial results.

19 The availability of lawyers for tenants in Housing

20 Court in the housing cases makes it possible for our

21 court to focus on what it does best, resolving

22 substantive legal disputes presented by competent

23 attorneys without the need for judges to take on an

24 advocacy role from the bench in order to reach just

25 outcomes. Since the introduction of the Right to

2 Counsel program in cases involving some of the
3 neediest litigants, both sides of these disputes now
4 have the benefit of competent legal representation
5 and are able to present relevant and meaningful legal
6 arguments to the court. As a result, judges in these
7 cases no longer find themselves explaining court
8 procedures or lecturing on complex legal issues for
9 the benefit of one unrepresented party; thereby,
10 helping judges to maintain the neutrality and
11 fairness that lies at the core of our justice system.
12 Not only does the Right to Counsel free our housing
13 judges to focus on substantive legal merits of their
14 cases, it helps them do so more efficiently. Since
15 the introduction of a Right to Counsel program,
16 default judgements in the Housing Court have dropped
17 from 35,130 in 2016 to 23,146 in 2019, approximately
18 a 35 percent decrease. This in conjunction with the
19 rise in the number of substantive motions, such as
20 motions to dismiss or summary judgement motions,
21 relate that we have a shift in focus from procedural
22 mishaps to substantive legal issues. as a practical
23 matter, the amount of work that our judges are doing
24 hasn't' changed meaningfully, but the types of issue
25 they're called upon to resolve show that we are now

2 dealing with the merits of cases at an earlier point
3 in the process leading to shorter case durations and
4 more effective delivery of justice. Introduction of
5 the Right to Counsel has not been totally without its
6 challenges. The sudden arrival of a new core of
7 attorneys for tenants into the existing culture of
8 our mostly landlord attorney courthouses did lead to
9 some initial problems relating to civility and
10 professionalism. Programs for practitioners were
11 held on these type topics in courthouses, and some of
12 the same dispute resolution techniques that we use to
13 resolve cases were actually applied to disputes
14 between attorneys with surprisingly good outcomes,
15 and these cultural challenges have significantly
16 improved over time. One remaining and persistent
17 challenge is the physical space constraints present
18 in our courthouses. Even before Right to Counsel our
19 city-owned courthouses were overburdened and were not
20 built in a way well-suited to the needs of a high-
21 volume court. Now, with the introduction of new
22 tenants' attorneys who need space to do screening and
23 consultation, that capacity is further strained. We
24 expect that if there is an expansion of the Right to
25 Counsel we will experience even greater strains on

2 our physical space, and we are looking forward to
3 working with the City to increase that capacity.
4 Overall, regardless of the challenges presented, we
5 in the Civil Court are supportive of any plan that
6 increases the availability of counsel to this very
7 embedded group of litigants. Thank you.

8 CHAIRPERSON LANCMAN: Thank you. Mr.
9 Dressler?

10 JORDAN DRESSLER: Thank you, Chair, and
11 good morning to Chairs Lancman and Cornegy and the
12 other members of the Committees on the Justice System
13 and on Housing and Buildings. My name is Jordan
14 Dressler and I am the Civil Justice Coordinator for
15 New York City. In that capacity I'm honored to
16 oversee the City's Office of Civil Justice which is a
17 unit of the New York City Human Resources
18 Administration and Department of Social Services. I
19 am joined today by Erin Drinkwater who is Deputy
20 Commissioner of Intergovernmental and Legislative
21 Affairs for the Department of Social Services. To
22 start, I would like to thank the City Council for its
23 leadership and its partnership in the area of
24 improving access to justice in our city, which is
25 exemplified by the Council's championing of and

2 support for New York City's historic tenant's right
3 to counsel law and for OCJ's implementation of the
4 law through our Universal Access initiative, which is
5 the main focus of my testimony today. This
6 initiative is a key component of our efforts to close
7 the justice gap for New Yorkers facing eviction and
8 housing instability and is the United States' first
9 and largest program to provide legal services to all
10 tenants facing eviction. Providing legal services
11 for New Yorkers in need, in particular legal services
12 for tenants, is a critical part of HRA's efforts to
13 advance our priorities of combatting income
14 inequality and poverty, addressing homelessness and
15 making New York City the fairest city in America.
16 Expanding access to legal services for tenants facing
17 potential eviction is not only a cost-effective and
18 commonsense response to New York City's homelessness
19 challenge, but it promotes a fair and equitable
20 justice system, particularly in the City's Housing
21 Courts where tenants under threat of eviction have
22 long faced an uneven playing field where the vast
23 majority of landlords have been represented by legal
24 counsel, but most tenants have not. Our commitment
25 to access to justice for tenants is reflected in a

2 substantial increase in mayoral funding for these
3 critical services. Mayoral funding for tenant legal
4 services programs including Universal Access is
5 approximately 128 million dollars for Fiscal Year
6 2020. By comparison, mayoral funding was only six
7 million dollars in Fiscal Year 2013. Looking ahead
8 to Fiscal Year 2022, when Universal Access is
9 expected to be fully implemented, a projected 166
10 million dollars in mayoral funding annually is
11 expected to provide free legal services in
12 approximately 125,000 cases per year to 400,000 New
13 Yorkers, with access to free legal services for all
14 tenants in eviction proceedings in Housing Court and
15 in NYCHA termination cases. I want to emphasize the
16 historic and unprecedented nature of New York City's
17 support for tenant legal services. In August of 2017
18 New York City made a commitment to every tenant
19 facing eviction in housing court and public housing
20 administrative proceedings that they would face this
21 potentially life-changing legal challenge with the
22 legal help and guidance they need, and today other
23 cities are following our lead. Council Intro 214-a,
24 now Local Law 136 of 2017, mandates that the City
25 provide access to legal services for every tenant

2 facing eviction in New York City Housing Court and at
3 administrative proceedings at the New York City
4 Housing Authority, with full legal representation
5 available to households at or below 200 percent of
6 Federal Poverty Guidelines which are approximately
7 25,500 dollars annually for a single person and
8 approximately 52,000 dollars for a family of four No
9 more than two years later, the landscape for access
10 to justice for tenants, in New York City and
11 elsewhere, has been transformed, and for the better.
12 Since New York City's enactment of Universal Access,
13 Newark, San Francisco, and most recently
14 Philadelphia, and Cleveland have enacted tenants'
15 right to counsel legislation that resemble New York
16 City's, and other cities including Boston, Los
17 Angeles, and Washington, D.C. are exploring their own
18 tenant legal services initiatives. Here in New York
19 City, we have made substantial progress in bridging
20 the justice gap for tenants facing potential eviction
21 from their homes and neighborhoods, and these
22 efforts, in which OCJ has partnered with over a dozen
23 nonprofit legal services organizations, many of whom
24 have representatives here-- and I'm sure you're going
25 to be hearing from them later. I do want to

2 highlight their assistance with us and their
3 partnership with us-- have already delivered positive
4 and promising results. In Fiscal Year 2019, 26,000
5 households facing eviction in Housing Court and NYCHA
6 proceedings received legal services in their cases;
7 69,000 New York City tenants who were able to face
8 the threat of eviction with the assistance of a legal
9 defender. OCJ-funded legal services organizations
10 provided assistance to over 32,000 households across
11 New York City facing housing challenges, comprising
12 over 105,000 tenants and their household members.
13 This reflected a 24 percent increase in households
14 served compared to the prior year and a 74 percent
15 increase compared to Fiscal Year 17, before the
16 formal launch of Universal Access. Fiscal Year 2019
17 marked a milestone, the first time in which our legal
18 services programs served over 100,000 New Yorkers. I
19 see I'm at time.

20 CHAIRPERSON LANCMAN: If you need more
21 time, it's okay.

22 JORDAN DRESSLER: Thank you. 2019 marked
23 a milestone. It was the first time we served over
24 100,000 New Yorkers in a single year. And in fact,
25 as of June 30th, 2019, over 350,000 New Yorkers had

2 received free legal representation, advice, or
3 assistance since the start of the de Blasio
4 Administration in 2014 through our legal services
5 programs. When lawyers have represented tenants in
6 court, they have been successful in preserving the
7 homes of thousands. In Housing Court eviction cases
8 resolved by OCJ's legal services providers, 84
9 percent of households represented in court by lawyers
10 were able to remain in their homes, not only saving
11 thousands of tenancies, but also promoting the
12 preservation of affordable housing and neighborhood
13 stability. As New York City dramatically increased
14 its investment in legal services for tenants, we have
15 seen a reduction in residential evictions. And today,
16 we announced that residential evictions by marshals
17 declined more than 40 percent since 2013, with
18 approximately 17,000 evictions in 2019 compared to
19 nearly 29,000 evictions in 2013. In 2019 alone,
20 evictions decreased 15 percent, the largest single-
21 year decline since Mayor de Blasio signed the
22 Universal Access program into law. In Housing Court,
23 the uneven and unfair dynamic that left so many
24 tenants unrepresented by counsel is steadily changing
25 through the implementation of Universal Access. In

2 the last quarter of Fiscal Year 2019, 32 percent of
3 tenants, one in three, appearing in Housing Court for
4 eviction cases were represented by attorneys in
5 court. This is a substantial increase from the
6 representation rate for tenants of one percent in
7 2013 as reported by the State Office of Court
8 Administration. And with these encouraging results,
9 we are now looking towards the future as we continue
10 our phased implementation of the tenant's right to
11 counsel law through Universal Access. For Housing
12 Court eviction proceedings, OCJ is establishing
13 Universal Access through implementation by ZIP code,
14 identifying neighborhoods across New York City where
15 eviction and displacement risks and pressures are
16 acute, and focusing first on these communities. The
17 rollout is now underway, and currently, all low-
18 income tenants facing eviction proceedings in Housing
19 Court in twenty-five ZIP codes across the City have
20 access to free full legal representation, accessible
21 in court and in the community. We've seen a
22 substantial impact in the communities in which we
23 have implemented Universal Access, whereas the legal
24 representation rate for tenants appearing in Housing
25 Court to face eviction cases was 32 percent citywide,

2 the rate was 62 percent for tenants in the targeted
3 Universal Access ZIP codes. My written testimony,
4 which has been submitted, also touches on our
5 forward-looking work with NYCHA administrative
6 proceedings. We have instituted on-site legal
7 services access at NYCHA's offices in Brooklyn and
8 Atlantic Avenue focusing first on senior heads of
9 household, and also our work with the court in
10 partnership, and we appreciate that partnership in
11 instituting a plain language notice of petition that
12 includes a legal services hotline that is now
13 available Monday through Friday 9:00 to 5:00 with
14 live call-takers able to provide information and
15 access to legal services. So, with that, I just want
16 to touch on the legislation briefly and contextualize
17 this and say the following: Earlier this year, the
18 State issued its Fiscal Year 21 Executive Budget
19 which included devastating cost shifts to the City
20 and HRA. The City and HRA are currently facing a 1.1
21 billion dollar cost shift for Medicaid as well as an
22 additional five percent cut to TANF and EAF on top of
23 a 10 percent cut last year for TANF, and a 10 percent
24 cut for EAF previously, resulting in a new 68 million
25 dollar annualized cost and about 102 million dollar

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2 impact in Fiscal Year 20 and 21 combined. We
3 appreciate the support of the Council to prevent
4 these cost shifts and cuts from being enacted in the
5 final State budget. We look forward to continuing
6 the conversation concerning these local law proposals
7 once we've worked through these potentially
8 devastating cost shifts and cuts from the state.
9 Thank you again for the opportunity today and thank
10 you again for continuing to work with us in
11 partnership. I look forward to continuing to make
12 New York City a national leader in ensuring access to
13 justice for people in need.

14 CHAIRPERSON LANCMAN: Thank you. You're
15 not testifying, right? Okay. Let me start with a
16 softball of sorts to Judge Cannataro. You know, when
17 this was passed, a lot of people who were in
18 opposition were concerned that having all these
19 lawyers running around would muck up the process,
20 clog up the courts, things would grind to a halt, and
21 if I understand your testimony correctly, you're
22 telling us that it's actually made the administration
23 of Housing Court more efficient and more equitable.
24 Could you just explain that to people who might
25 intuitively think the more lawyers you get involved,

2 the more complicated and the more drawn out and
3 inefficient things are going to be?

4 ADMINISTRATIVE JUDGE CANNATARO: Not
5 really a softball, Mr. Chairman, because it's yes and
6 no. It is, as I said, definitely true that there's a
7 general feeling among our judges that having lawyers
8 on cases frees judges to worry about and to think
9 about the things that are really important in the
10 case. All too often unrepresented litigants just
11 don't know what arguments to make to the court that
12 are legally relevant and meaningful and persuasive.
13 So, in terms of if you're talking about the
14 administration of justice from the bench, how the
15 wheels turn and how quickly they turn, this is a net
16 positive. Lawyers tend to make legal cases go
17 better, common knowledge notwithstanding. It is,
18 however, true as I mentioned towards the end of my
19 remarks that we've added now additional people to our
20 courthouses, and to the extent that you suggested
21 that maybe our hallways are more crowded, our
22 courtrooms have become somewhat more chaotic places,
23 that is also true, and we need to figure out a way to
24 reconfigure our spaces to allow the important work
25 that the attorneys attached to these programs do

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2 while still allowing us to do our core functions as a
3 court, and that has proved to something of a
4 challenge for us.

5 CHAIRPERSON LANCMAN: Let me mention
6 we've been joined by the Majority Leader, Council
7 Member Laurie Cumbo, as well as Council Member Mark
8 Gjonaj from the Bronx. Chief Judge, if you could
9 maybe just briefly tell us where this all fits in,
10 with I know what has been-- you had so many
11 initiatives as Chief Judge, but I'm going to go out
12 on a limb and say your main initiative, which
13 sometimes have been referring to as a civil Gideon,
14 the recognition that certain kinds of cases are so
15 tremendously impactful in people's lives that the
16 government should consider their access to legal
17 services to defend their rights in those cases as
18 being as important as providing indigent criminal
19 defendants the right to counsel.

20 CHIEF JUDGE LIPPMAN: I think it fits in
21 dramatically. I think the point is that the criminal
22 cases, and we all know the seminal case of Gideon
23 versus Wainwright; everyone gets a lawyer. It's not
24 perfect, you know, in its implementation and its
25 funding. It's not perfect, but there's a

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2 constitutional flaw that people get a lawyer if they
3 need it. In civil cases we've never had that. And
4 if you look at the recent cases in the Supreme Court
5 of the United States, it is unlikely that we're going
6 to get that through a decision by the U.S. Supreme
7 Court in the near future. Maybe down the road, yes,
8 not tomorrow. So, how does that happen? It happens
9 in a number of ways: policy, statute, constitution.
10 Constitution, again, Supreme Court not ready to do
11 that, but look what you've done here in New York in
12 terms of policy and statute. Look what happened once
13 this-- this is the first true Right to Counsel bill
14 in the United States of America, the only one, and
15 since that, look what it sparked in places around the
16 country. And we can get to the day when you have a
17 civil Gideon, but it's by step by step. It's by
18 leadership. It's by innovation in different
19 localities. It's a thousand flowers blooming, and
20 they flower brightest here in New York. So I think
21 that what we've done here, what you all have done is
22 lighting a fire. There's a momentum in this country.
23 Talk about all the problems nationally that we all
24 complain about, there's a momentum. Criminal
25 justice, look what you all did with closing Rikers

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2 Island. What a signal for the country, and look what
3 you did by passing the first true civil Right to
4 Counsel bill. So, I think this is a key moment in
5 going towards a civil Gideon, and we're going to
6 build on this, and these two bills just kind of round
7 it out and make sure we are the model that we want to
8 be for everyone else, every other place in this
9 country. So I salute you, but we have more to do
10 together.

11 CHAIRPERSON LANCMAN: Thank you, Judge.

12 So, now, Mr. Dressler, no soft balls for you.

13 CHIEF JUDGE LIPPMAN: Only for the
14 judges.

15 CHAIRPERSON LANCMAN: Only for the
16 judges.

17 CHIEF JUDGE LIPPMAN: Yeah, yeah, thank
18 you.

19 CHAIRPERSON LANCMAN: This gig ends in
20 two years. I might find myself in front of them, or
21 at least one of them. Before we talk about expanding
22 what we've got, can you just tell us are we on track
23 for the full rollout by 2022?

24 JORDAN DRESSLER: WE think so. We think
25 so. As long as providers can continue to work with

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2 us to increase their capacity. We're working very
3 closely in partnership with our providers to ensure
4 they have the funding they need, that they can pull
5 together the staffing that they think is necessary to
6 bring these services to thousands of New Yorkers.
7 The answer is yes.

8 CHAIRPERSON LANCMAN: So, one of the
9 concerns I've heard is that the-- there-- in the
10 effort to roll out Universal Access, and we're going
11 to get more into details on that I'm sure at the
12 budget hearing coming up. But that there might have
13 been as a result a drawing away of the resources that
14 might have otherwise been available in the zip codes
15 that are not-- have not been included in the roll
16 out. So you've got 25 zip codes that are covered
17 now. Have you observed-- and we'll hear from legal
18 services providers and tenants later, but have you
19 observed a decrease in the availability of legal
20 services in the non-25 zip codes?

21 JORDAN DRESSLER: I cannot imagine how
22 that could be so, given that we've moved from a place
23 where six million dollars was available citywide to a
24 20-fold increase where 128 million dollars is
25 available citywide. Universal Access and the zip

2 code-specific implementation is a part of the
3 increase in legal services, but over the years we've
4 increased legal services citywide, and in fact, most
5 recently worked with the legal providers to craft the
6 contracts and craft the program model such that they
7 are more empowered and more equipped to say yes to
8 cases where there might be challenging legal issues
9 or a vulnerable tenant or both where they want to be
10 in a position to provide full legal representation
11 and they're not sort of ham-strung by those
12 contracts, those very specific contract requirements
13 and might need to say no. So I think that put us in a
14 very successful place to allow providers to offer
15 legal services to those in the 25 zip codes. They
16 will have access, even though that side, those zip
17 codes, they may well have access subject to provider
18 capacity.

19 CHAIRPERSON LANCMAN: One of the things
20 that we noticed, I think, in reviewing the first two
21 annual reports is in year one there-- the largest
22 group of-- category of tenants who were helped were
23 those who were below 50 percent of the federal
24 poverty level. But in year two, I think in four out
25 of five boroughs they-- category of tenants that

2 received the most assistance were those earning
3 between 51 percent and 100 percent of the federal
4 poverty level, the upper half of poverty. And not
5 that anyone is less worthy-- we're talking about poor
6 people here, that's why we're supporting this-- but
7 is that the result of any kind of conscious strategy
8 choice that originally the focus was on the poorest
9 of the poor, and now it's changed?

10 JORDAN DRESSLER: No, in fact, we'd have
11 to go back and take a look. We've seen a number of
12 trends year-over-year that we want to keep an eye on.
13 Most are quite positive, but there's certainly
14 descriptive. For example, the single largest group
15 in terms of increases year-over-year from an age
16 perspective was seniors 55 and older facing eviction
17 that the number of seniors served year-over-year
18 increased by, I think, an excess of 60 percent. So,
19 we see a number of trends in the data and we continue
20 to look at everything. There was no specific change
21 at or below the 200 percent level. So, we'll have to
22 take a second look there.

23 CHAIRPERSON LANCMAN: I have one last
24 question for you, and then I do have another serious
25 question for Judge Cannataro. In the first years'

2 report about half the households served that were at
3 or below the 200 percent of the federal poverty level
4 receiving ongoing public assistance at the time they
5 received the legal services. In the second year's
6 report, the percentage of households was 40 percent,
7 and then both the actual number and the percentage of
8 total NYCHA households receiving public assistance
9 benefits during the pendency of their cases also
10 dropped from the first year's report to the second.
11 So, to what extent does the office, does HRA more
12 broadly the city connect people receiving legal
13 services with other benefits they might be available
14 to? Is there any effort to while you have people in
15 that legal proceeding to make sure that they're
16 getting all the benefits that they're entitled to in
17 other areas?

18 JORDAN DRESSLER: There is, whether it's
19 through OCJ staff at the courthouse or RAU, meaning
20 rental assistance unit, part of HRA at the
21 courthouse. Legal services providers themselves are
22 of the making referrals to HRA for connection with
23 benefits, emergency benefits and ongoing benefits.
24 There are those pathways to connecting eligible
25

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2 tenant potential clients with the services-- sorry,
3 the benefits that they're eligible for.

4 CHAIRPERSON LANCMAN: And then Judge
5 Cannataro, we know that Universal Access doesn't
6 provide representation in the HP cases, the regular
7 Housing Court cases. Would it be beneficial to the
8 administration of justice and the court system for us
9 to provide legal representation to those in those
10 cases?

11 ADMINISTRATIVE JUDGE CANNATARO: Short
12 answer, yes. Somewhat longer answer, I think-- you
13 know, there are a lot of areas where this program
14 does not provide counsel, and I think one of the
15 things I heard maybe Mr. Levine say is that there is
16 no continuing representation through the appeals
17 process in these cases, and selfishly as the person
18 who is responsible for the Civil Court, I would like
19 to suggest to you that you expand first into HP
20 before you protect these decisions on appeal. But I
21 think if you were to really consider securing the
22 benefits of this program that you've created, that
23 maybe you would want to go into the appeals area
24 before you branched out into different case areas.
25 So, yes, but maybe down the road.

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2 CHAIRPERSON LANCMAN: That's very
3 helpful, because we might end up having to prioritize
4 and make choices. Council Member Levine, questions?

5 COUNCIL MEMBER LEVINE: Thank you, Mr.
6 Chair. To Judge Lippman, can't overstate what it
7 meant to have you as a moral leader on this issue,
8 well really, for decades, but certainly during this
9 legislative fight last term. It just added so much
10 weight to the argument of what the definition of
11 justice is. So I'm not sure I have a question of
12 you, except I want to acknowledge what you have meant
13 to this movement and what your presence here today
14 means to us. So, thank you.

15 CHIEF JUDGE LIPPMAN: Thank you. I
16 greatly appreciate it. Thank you so much.

17 COUNCIL MEMBER LEVINE: Thank you as well.
18 And Judge Cannataro, I'm not sure we've ever had your
19 presence in one of our hearings before, so it means a
20 great deal to have you here. And you have embraced
21 Right to Counsel with passion from your first day on
22 the job, and it's helped make it a success, and we're
23 very grateful for that as well. You did acknowledge
24 the space crunch in some of the courthouses. I think
25 it's particularly bad in the Bronx, Brooklyn, and

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2 Staten Island, but I would welcome your assessment on
3 that, and you did also touch upon plans to fix that,
4 some of which are going to require new construction
5 which we know takes time, but could you perhaps offer
6 us some additional insight into the timing of
7 expansion and the space you need in these
8 courthouses?

9 ADMINISTRATIVE JUDGE CANNATARO: So,
10 first of all, thank you for your comments about how
11 we've worked with the Right to Counsel program, and I
12 believe you're right, and we'll continue to work as
13 closely with all the providers and OCJ as we can to
14 make this a success. You identified two courthouse--
15 you listed three, but you identified two that I spend
16 a lot of my time worrying about, and that's our
17 Housing Court in Bronx County and our Housing Court
18 in Brooklyn. They are the two busiest and two of the
19 most over-crowded. And in the case of Brooklyn,
20 probably one of the most very difficult to navigate
21 that you could look for anywhere in the country. OCA
22 working with the Department of Citywide
23 Administrative Services did create a plan to move our
24 housing operations to the County Courthouse at 851
25 Grand Concourse in the Bronx, which has more square

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2 footage, but would require some construction.
3 Unfortunately, that plan would originally look to us
4 to maybe a six to ninth-month construction project
5 due to problems beyond really anyone's control. It
6 turned out to be a much more involved construction
7 project, and as a result had to go back to rebidding
8 and re-evaluation, and I'm very sorry to report that
9 the progress on moving housing operations to 851
10 Grand Concourse seems to be stuck in the mud a little
11 bit. We are constantly talking to DCAS about how we
12 can move that forward, and I know Chief
13 Administrative Judge Marx [sic] and I just discussed
14 this about a week ago about, you know, now reaching
15 out to members of the city government to sort of
16 light a fire under that program because it is a
17 desperately needed most. And to be totally frank,
18 moving to 851 Grand Concourse does not solve all of
19 our space problems. It just relieves the problems
20 that we have. Contrast to Brooklyn where we are
21 planning a whole new facility for the entire civil
22 court, both the housing parts and the general civil
23 courts in the Brooklyn Municipal Building. The only
24 thing I have to say about that, I've seen plans. It
25 looks like it's going to be a very beautiful space,

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2 but again it's slow to start and to my knowledge we
3 haven't "broken ground" on that construction yet.
4 When we do, we anticipate it should take somewhere
5 between 24 to 30 months to actually move into the
6 space. So we're hoping that construction starts
7 very, very soon.

8 COUNCIL MEMBER LEVINE: Well, it is
9 extremely frustrating that it's taking so long, and
10 there's a lot at stake. It's the smooth functioning
11 of this program. So, perhaps, Mr. Chair,-- and I
12 don't know if Council Member Cabrera is still here,
13 but we could have a future hearing where DCAS appears
14 so that we can question them directly on the pace of
15 this work which is just-- it's a question of justice
16 ultimately that there be adequate space for private
17 consultation between attorneys and their clients and
18 the general smooth operation of the court system.
19 And just one more question for you, Judge. There's
20 going to be many cases where the tenant doesn't-- is
21 not fluent in English. It's an immigrant city.
22 that's what we would expect. And where the attorney
23 may not speak the language of the tenant they're
24 representing. How does the court system deal with

25

2 that? Do you feel that at this point you have
3 adequate translation services for such cases?

4 ADMINISTRATIVE JUDGE CANNATARO: We have
5 three kinds of language access programs or
6 modalities. We use staff interpreters for some of
7 our more commonly spoken languages in the courts.
8 They are on salary. They are court employees. That
9 works pretty well in counties like New York County or
10 even Bronx County where we only run into maybe three
11 or four commonly spoken non-English languages.
12 Contrast that to Queens where there is just an
13 explosion of different languages to be dealt with it,
14 and for situations like that we also have contracts
15 for contract interpreters to come in and work with
16 us. And we also use something called the language
17 line, which is in all fairness, our last resort, but
18 translation services that are available
19 telephonically. It is a challenge not only getting
20 the funding to hire all the interpreters that we need
21 in our courts which is an internal budgetary issue,
22 but quite frankly holding on to those interpreters.
23 They tend to move on to other things, sometimes even
24 within the court, and once the vacancies are created
25 they do take a while to fill. So language access

2 continues to be a challenge. However, we are working
3 every day to make sure that all the vacancies that we
4 have for staff interpreters and contract interpreters
5 are filled as quickly as they can be.

6 COUNCIL MEMBER LEVINE: I appreciate that,
7 and again, appreciate your dedication to this program
8 and for being here today. To Jordan, to Mr. Dressler
9 and Erin, I do want to acknowledge that we're
10 grateful that the Administration first enacted this
11 legislation to the Mayor and the Administration and
12 we're re really grateful for your role, Jordan, and
13 your team in implementing it. You've won really
14 positive reviews from advocates and providers and we
15 see your office as just being critical to the
16 continued roll out of what we all understand is a
17 massive program that is complicated and that's going
18 to require years of hard work to implement. So,
19 we're thankful for that. This legislation is
20 ultimately a change in the power dynamic in court
21 where for-- really for generations. In most cases
22 only one side had an attorney, and you don't need a
23 law degree to understand what that means for the
24 outcomes. And we've heard from tenants about really
25 powerful individual cases where this has made a

2 different, but I think it's entirely changing the
3 climate in Housing Court and changing the way the
4 court is perceived, including by landlords, who as we
5 understand because they know they're no longer
6 getting a free ride in not facing an attorney on the
7 other side, are actually bringing fewer eviction
8 cases, and I wonder if you have any data on that.
9 Are we seeing that play out?

10 JORDAN DRESSLER: We-- yes, and thank you
11 first of all for the kind words and the
12 acknowledgement of the office, the work of the Office
13 of Civil Justice. The office itself is a creation of
14 the City Council, enacted by the Mayor. I'm very
15 proud to be the first Civil Justice Coordinator, but
16 I'm more proud of the work that we are doing every
17 day with our partners in the court system, with our
18 legal services providers, partners, to do this work.
19 It's been called a game-changer. It really is a
20 history changer, because as you say, things are
21 transformed in Housing Court. From the numbers
22 perspective, we have been seeing a decline in filings
23 of eviction cases. I believe it was a roughly 12
24 percent decrease from 2013 to 2018. 2019 should
25 prove to be a much lower number, which speaks to both

2 the impact of we believe Universal Access as well as
3 the immediate impact of the Housing Stability and
4 Tenant Protection Act, the new rent laws which not
5 only had such a massive impact on the rights of
6 tenants, in particularly rent regulated and
7 stabilized tenants, but also a less-discussed
8 transformative effect on Housing Court process and
9 procedure. It had led to a fairly massive decrease
10 in court filings over the first three months, the
11 summer essentially, after the enactment of the law.
12 We are keeping a close eye on filings. I'm not sure
13 we have seen steady state yet, and so that goes to
14 some of the questions as we move forward about what
15 things ought to look like or can look like. We're
16 doing what we need to do, which is keeping any eye on
17 the numbers, working closely with our partners in the
18 court and the provider community to make sure we can
19 take what's coming.

20 COUNCIL MEMBER LEVINE: I mean, it's
21 incredibly positive news that there are fewer cases
22 being brought by landlords, though looking back, just
23 to think about how many tenants were dragged into
24 court on grounds that landlords knew were so weak
25 that they would not have good prospects if they faced

2 an attorney, and that it's kind of heartbreaking to
3 think back on how many thousands of cases didn't need
4 to land in Housing Court and how many tenants may
5 have just been intimidated out of their apartment or
6 intimidated to taking paltry [sic] buy-outs. This is
7 why we have to the bi-- had to pass the eligibility,
8 and it is gratifying to see those numbers coming
9 down. So in your projections for the out-years, are
10 you assuming or building in any predictions of
11 continued reduction in the number of cases?

12 JORDAN DRESSLER: you know, in thinking
13 through the numbers when we launched Universal
14 Access, enacted Right to Counsel, we had predicted
15 some modest decreases over the years, and I forgot
16 what those numbers are, but we sort of built that in
17 knowing that even the implementation of expansion of
18 legal services prior to 2017 which, you know, had
19 begun with this Administration as far back as 2015
20 where funding had grown from six million to 60
21 million. Now, it's more than doubled that, but we'd
22 already seen decreases in the number of filings which
23 we attributed to the impact of the prevalence of
24 legal services on the ground. What the, sort of,
25 true final number, what it looked like when the music

2 stops is not yet clear again because of the impact of
3 the rent laws is so new, and as far as we can tell
4 that the sort of new-- the new normal is still
5 stabilizing. So we'll be keeping a close eye on that.
6 I do want to point out though that while the number
7 of cases may change, the complexion of those case is-
8 - complexion of those cases is also changing. With
9 new rent laws, and of course, with the development of
10 housing law with so many layers in the field, in the
11 court, fighting those fights. Cases themselves can
12 often become more challenging with more defenses to
13 bring, more arguments to make. So it's not yet
14 clear, sort of, what the impact of all these reforms
15 or all of these developments have been having or
16 going to have on the substance and the quality of the
17 work.

18 COUNCIL MEMBER LEVINE: You cited
19 concerns related to the stated budget underlying your
20 unwillingness at this date to endorse these bills
21 while we appreciate providing more broad support for
22 the intent. I want to address that. I also want to
23 make an important point on the talk about the budget
24 today, and the amount of money that we have,
25 thankfully, been allocating to this program even from

2 before this bill was passed. Allocating more money
3 is critical but it has never been enough. We have
4 needed to pass legislation or enshrine this right in
5 law to send a message about the change in the power
6 dynamic in Housing Court to ensure that tenants
7 understand that something has changed, that they now
8 have a guarantee they didn't use to have. And to
9 ensure that this work can't be easily done by future
10 Administrations. Budgets go up and down in good
11 times and bad. It's much more difficult to change
12 laws. Possible, yes, but more difficult. So, I
13 think it really is important to point out that
14 something-- there was a quantum change in 2017 when
15 this law was enacted, which in addition to fueling
16 further increases in the budget for this program, it
17 did something really big, which as Chief Justice
18 mentioned, has reverberated nationally. I think
19 Council Member Gibson listed eight cities already
20 where this is inspired similar actions. So we're
21 here today to talk about laws again, because it's not
22 enough simply to add more money to the budget. As
23 critical as that is and it's not enough to get
24 supportive words from the Administration, as much as
25 we welcome that, ultimately it is about laws. But

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2 focusing into your point about concern about the
3 budget in Albany, and believe me, we are deeply,
4 deeply upset by the fiscal threat that is currently
5 being aimed at the City on many, many fronts, but
6 that's a fight about the 2021 Fiscal Year budget, and
7 most of what we're talking about legislatively today
8 is a multi-year change in the programming, I think
9 very little of which would actually impact this
10 Fiscal Year. Can you explain how you would assess
11 the impact in the coming Fiscal Year of the changes
12 that we're proposing today?

13 JORDAN DRESSLER: Let me first echo much
14 of what you just said about the quantum change, but
15 also say that following in the quantum change there
16 were any number of smaller quantum changes, and that
17 had to do with the actual implementation of this
18 landmark law. We are very proud to be doing that.
19 We are very happy with the progress we've made. It
20 has come with a tremendous amount of work, tremendous
21 amount of creativity on the part of our partners in
22 the court and our partners in the provider community
23 to really make this happen and institutionalize the
24 implementation of the law so that it is sort of built
25 into the fabric of the court, and that has taken a

2 lot of focus and a lot of really the legal services
3 capacity itself. So that's where our focus is for
4 now, remaining laser focused on the implementation of
5 the law that the Council passed, that the Mayor
6 signed, and ensure that when other cities are looking
7 to us, and they are-- all of the cities that we
8 mentioned, that you have all mentioned,
9 representatives from those cities have reached out to
10 us, and we take that responsibility to get this right
11 and to ensure that when there's a law on the books
12 and money in the budget, that we are doing this in a
13 way that is efficient and effective, and we're
14 thrilled to hear the take by Judge Cannataro that we
15 have not-- this has not caused mass chaos or delays
16 in the court. On the contrary, it's actually as we--
17 we always thought it would, led to more efficiency
18 and let judges be judges and really create a more
19 just court overall. We take that responsibility
20 incredibly seriously, and so that is sort of
21 programmatically where our focus is. With respect to
22 the budget, you know, we have to face the realities
23 of that budget. I'll leave it to my colleague Erin
24 Drinkwater who can speak to more of the details

2 there, but you know, we take the risks and the
3 concerns there very seriously.

4 ERIN DRINKWATER: And I'll just add, in
5 regard to question of sort of what we would be
6 looking at to predict the cost for FY 21. I think
7 last year we faced a pretty significant cut on TANF
8 with the state's Executive Budget that was ultimately
9 enacted. And so right now for us, the primary focus
10 has to be pushing back on this 1.1 billion dollar
11 Medicaid cut as well as the additional TANF and EAF
12 cut that will result in 102 million dollars over FY
13 20 and 21. So I think we have to focus on that first
14 and foremost before considering what an addition to
15 the FY 21 budget would like for this program.

16 COUNCIL MEMBER LEVINE: Yes. I'm going
17 to wrap up, and I thank the Chair for being generous
18 with the time. Ultimately, this program saves money.
19 That needs to be repeated. It costs upwards of
20 50,000 dollars a year for a family to be housed in
21 our homeless shelter system. It is not only more
22 humane but also secondarily more fiscally prudent to
23 simply keep them in their apartment from the
24 beginning, and if you can do that by spending a
25 couple thousand dollars on an attorney, then you are

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2 protecting that family from horrible harm. You're
3 also saving New York City money, and we have already
4 seen a reduction in the number of people who are
5 showing up in our shelters citing evictions. So we
6 know we're saving, and we need to keep that in mind.
7 Ultimately, this is not just morally right. It's not
8 just a question of justice. That would be enough,
9 but it's also fiscally prudent.

10 ERIN DRINKWATER: And I just want to
11 respond to say, you know, we're at the very beginning
12 of the dialogue in respect to the preliminary budget,
13 and I know that this conversation will continue in
14 the next couple of weeks.

15 COUNCIL MEMBER LEVINE: Okay. Thank you
16 to everyone on the panel, and thank you to Mr. Chair.

17 CHAIRPERSON LANCMAN: Council Member
18 Gibson?

19 COUNCIL MEMBER GIBSON: Thank you so much
20 to our Chairs again, and good afternoon. Thank you.
21 I really appreciate your presence and your collective
22 work and I thank you Judge Lippman and Judge
23 Cannataro. I thank you for your testimony and thank
24 you to Mr. Dressler. I just have a few questions,
25 and I certainly echo again everything that Council

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2 Member Levine has said, because this is really about
3 saving money and it's about transformative change in
4 the courts. It's about changing landlord behavior,
5 and we've seen through all of the data that's been
6 collected that Right to Counsel does prevent
7 evictions. And I think when you look at the human
8 cost of evictions, there's no dollar amount that we
9 could ever attach to someone losing their home. The
10 collateral consequences that are associated with
11 that, when people lose their jobs they lose
12 stability. They have to change schools for their
13 children. I mean, it's a loss of a lot of stability
14 that families have enjoyed. And so I think, you
15 know, a lot of times we put dollar figures on many of
16 these things, but the reality is this is saving us
17 money on the front end and not the back end. We're
18 not waiting for tenants to be evicted, but we're
19 doing a lot of work on the front end. And so I
20 certainly understand the Administration's concern as
21 it relates to the state budget and I-- you know, we
22 will work with the Administration as we have on any
23 projected cuts. The budget will be done in just a
24 few weeks, so we will have a better sense over the
25 next few weeks of what the state budget looks like.

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2 So I just have a couple of questions. And Judge, I
3 appreciate you talking about Bronx and Brooklyn. So
4 I represent Bronx County. I actually represent all
5 of the municipal services in the Bronx. All of the
6 courts are in my district. So I see the court every
7 day, and I visited Bronx Housing Court many times
8 since the implementation of Right to Counsel. I
9 visited court rooms. I've heard judges talk about
10 Right to Counsel and ask clients who may be eligible
11 to the side. I've seen language translation. I've
12 seen a lot of different things, but I still see an
13 enormous challenge on courtroom capacity. So I am
14 concerned as you are and this Council is. If there
15 was a delay in the relocation of Bronx Housing Court
16 from the concourse-- to the concourse, we have a
17 problem. We have a real problem with that, because
18 851 Grand Concourse right now has a scaffolding over
19 the entire building. So there is some work that
20 needs to be done on the exterior, and I don't know
21 what the holdup would be. So I would appreciate if
22 we could have an offline conversation about that.
23 But from your perspective overseeing Civil Courts,
24 what has the courts done to increase, as you
25 mentioned, access to language services, but also

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2 signage. We've had a challenge with just signage as
3 you enter the court. Have you been able to address
4 that? And in terms of privacy, confidentiality
5 space, have you seen any improvements in that as
6 well?

7 ADMINISTRATIVE JUDGE CANNATARO: So many-
8 - a lot to unpack there. You are-- just quickly
9 about the space and the swap between 1118 Grand
10 Concourse and 851. There is scaffolding up now in
11 front of 851. I'm told it's a very temporary. I think
12 Con-Ed is doing some kind of work. I'm talking about
13 the Walton Avenue side of it, 51 right now. And that
14 should be very temporary. I don't know what other
15 façade things are happening there, but that should
16 not affect the interior work that we're doing. What
17 the delay is there, to the extent I understand it,
18 has nothing to do with the structural ability of the
19 building, but other, you know, other more detailed
20 problems. And I really feel for purposes of total
21 disclosure, you know, I heard Council Member Levine
22 talk about consultation spaces and all the sorts of
23 things you'd want to see with a really perfectly
24 operating, functioning Right to Counsel program. The
25 plan for 851 Grand Concourse does not include

2 consultation spaces in that courthouse, just like
3 there are currently no consultation spaces really at
4 1118 Grand Concourse. To build in those kinds of
5 facilities we would just need a much larger space in
6 which to do this. If Right to Counsel is here to
7 stay and consultations are happening in the
8 courthouses and screening is happening in the
9 courthouse, and HRA is still going to have its rental
10 assistance unit in the courthouse. In other words,
11 if we're inviting lots of partners to come in and
12 work with us, we're just going to have to have a much
13 more fundamental re-think on the spaces that we're
14 working in, because right now I don't see that we
15 have enough. Regarding language access, we really do
16 feel-- you know, there-- we have days where it seems
17 as if there are five different court rooms that are
18 all looking for the same, I don't know, Mandarin
19 interpreter and it feels like we need to hire more,
20 and then there are other days where those
21 interpreters aren't feeling as utilized as they could
22 be. It's very difficult to strike that balance. I
23 know my supervising judges who are spread out over
24 the counties call regularly and say I need more of
25 this kind of interpreter, I need more of that, and we

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2 do our best to be responsive to those needs, but my
3 belief is that we're sort of keeping up with the
4 demand for language access within the courtrooms.
5 We're not providing interpreters for interactions
6 that take place outside of the courtrooms, and if
7 were to sort of break into that area that would be a
8 much larger budgetary discussion that I would have to
9 have.

10 COUNCIL MEMBER GIBSON: Okay. Have you
11 seen a shift in the behavior even down to-- cause
12 I've seen it with judges, but we've had challenges in
13 the past working with court officials, court
14 officers, those that provide the security as we enter
15 buildings. I mean, there-- has there been a shift in
16 their behavior, and have you seen a change in court
17 personnel as well?

18 ADMINISTRATIVE JUDGE CANNATARO: As it
19 relates to Right to Counsel?

20 COUNCIL MEMBER GIBSON: Yes. Yes.

21 ADMINISTRATIVE JUDGE CANNATARO: I think
22 in the beginning it was strange for the culture that
23 had been, you know, had been doing this for so many
24 years without tenants having appointed counsel. I
25 think a lot of the officers didn't know what to make

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2 of this new group of eager, tend to be young, sort
3 of, passionate attorneys coming in to represent the
4 rights of tenants. And like all, you know, like all
5 change, it required a period of adjustment, and I
6 mentioned in my remarks that there were actually some
7 professionalism and civility problems. Some lawyers
8 were not treating their adversaries on the other side
9 the way we expect people in learned profession like
10 attorneys to treat each other. We seemed to have
11 work through that. Now that we know the Right to
12 Counsel is here to stay, the lawyers are here to
13 stay, I think we've gotten a lot more comfort. I
14 think-- you can contradict me on this if you want,
15 but the judges were happy to see the lawyers show up
16 from day one. We might have had some problems in
17 other areas of the courthouse culture, but I think by
18 far the majority of judges understood that this was
19 an improvement for our system.

20 COUNCIL MEMBER GIBSON: okay. Just a few
21 more questions. Mr. Dressler, I wanted to ask you
22 about Intro 1529 which relates to raising the
23 awareness of Right to Counsel. We've seen a few
24 surveys that over 50 percent of eligible RTC
25 households are not aware that they are eligible. So

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2 do you have or does your team have an outreach
3 strategy as of yet? I envision having a very
4 ambitious PSA campaign just like we're doing with
5 fair fares. We have brochures. We have pamphlets.
6 They're on kiosks, subway ads. I mean, how are you
7 thinking that we can better promote Right to Counsel
8 as well as working with our local CBOs on the ground?

9 JORDAN DRESSLER: Thank you for the
10 question. I think there are sort of a number of
11 channels of awareness building, some of which are in
12 their infancy, some of which are really quite
13 developed. The most recent one, and we think it's
14 going to be extremely effective, is the inclusion of
15 information on the courts' notice of petition. When
16 I say it's the courts, what I mean is it's an
17 official requirement of the court that this document
18 be placed on every eviction lawsuit filed in the City
19 of New York. So you're talking about at this point
20 anywhere between 170,000 to 200,000 suits every year
21 field, and now starting in the end of September of
22 2019, a legal services hotline with a reference to
23 feel legal services are available to New Yorkers if
24 you qualify. Call this number and that's 718-- got
25 to make absolutely sure I get it right on the record.

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2 718-557-1379-- Calling that number will bring you to
3 a live call-taker. We're working with a nonprofit,
4 Housing Court Answers, in partnership with the court.
5 Housing Court Answers is here, and they're housing
6 specialists who are answering those calls and able to
7 navigate. The callers identify emergencies if they
8 exist and direct people to their local nonprofit law
9 offices that we're contracting with hopefully to get
10 in touch with lawyers immediately and even before the
11 first court appearance. So that's one process,
12 probably the most recent process. In terms of a
13 broader awareness campaign, it is something that
14 we're looking at for later this year. Trying to
15 refine messaging and approach, particularly at a time
16 when true Universal Access full implementation.
17 We're on our way, but we're not there yet, and trying
18 to make sure that the message is right and not going
19 to confuse people in terms of what's available and
20 what's not going to confuse people in terms of what's
21 available and what's not. As that process develops,
22 we look forward to remaining in dialogue with the
23 Council and importantly with advocates, many of whom
24 are here as we have created everything from flyers to
25 mailers to palm cards. We have sought the input of

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2 folks in the Right to Counsel Coalition. We've
3 really been happy to get that input. It's really
4 helped us in shaping message, and we look forward to
5 continuing that process as things move on.

6 COUNCIL MEMBER GIBSON: Does the Office
7 of Civil Justice believe in the power to organize?
8 Because many of the tenants that are here will tell
9 you that a lot of their individual cases does not
10 necessarily start out as a harassment case or an
11 eviction case. It may start out as a case of no
12 heat, no hot water, where tenants are all
13 experiencing no heat and hot water and they organize.
14 So I think when you talk about the power to organize
15 it's really about giving tenants the power that they
16 already have that they don't realize that they have.
17 The promotion and the outreach really should be
18 targeted to vulnerable communities where you have
19 high rates of potential displacement, gentrification,
20 rent regulated housing. I think we have to be very
21 creative because landlords are being creative.
22 They're finding ways to circumvent the law and still
23 try to push tenants out any way they can. Immigrant
24 tenants, undocumented tenants, so these all of the
25 families that we know are the hardest to reach. In

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2 order to reach them, we need the community groups on
3 the ground that have the relationships that have that
4 continuity of services and really the rapport has
5 already been established, and so that's the reason
6 why this bill is so important, and so I encourage you
7 and your team to really look at the local CBOs on the
8 ground really that work with families and seniors,
9 the LGBT community because they are already working
10 and now this just furthers their work so that we get
11 the message across. We have to be two steps ahead of
12 the game to make sure that, you know, the landlords
13 understand that we see what they're doing, but now we
14 are advocating and making sure that we take it to the
15 next level.

16 JORDAN DRESSLER: So, you know,
17 obviously-- well, that's obvious. Let me make the
18 point. Legal services, Universal Access, the
19 Tenants' Right to Counsel is a part of a larger
20 agenda, a large initiative by the Administration on
21 behalf of tenants in New York City. it's probably
22 best exemplified by the creation of the Mayor's
23 Office to Protect Tenants, as part of the Mayor's
24 Office to help oversee and coordinate efforts for
25 tenants including messaging efforts out there in the

2 City. There was large-scale advertising campaign
3 around the new rent laws to make sure that folks were
4 aware of their right, Renter's Rights I believe was
5 the hashtag. But in any event, you know, this is a
6 part of that work, part of a larger agenda pro-tenant
7 work.

8 COUNCIL MEMBER GIBSON: Okay. My final
9 question before I turn it back to our Chairs, it's a
10 double one. I like to get as much as I can out. The
11 next phase of the zip code implementation, has the
12 criteria changed for the Administration on how we are
13 expanding, and if so, what are you looking at? And
14 then number two, could you talk to me and talk to us
15 about 804 Atlantic Avenue which currently serves
16 NYCHA seniors 62 and older, head of household
17 administrative cases, how that's working, and how
18 ultimately we see that expanding. Are we going to be
19 in more than one location outside of Brooklyn? How
20 is that working? And I want to make sure that NYCHA
21 residents are always a part of this conversation as
22 well.

23 JORDAN DRESSLER: With respect to further
24 zip code expansion, we have just expanded to the
25 latest set of zip codes in December. So we're still

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2 working with providers in the court to sort of gauge
3 the impact there and a couple of courthouses. That
4 expansion has included an expansion to an additional
5 Universal Access courtroom because part of the reason
6 I believe we've been so successful is working with
7 the court providers to localize the cases that are
8 within the zip codes and be able to provide legal
9 services right there physically proximate to those
10 courtrooms themselves. Additionally zip codes have
11 led to additional courtrooms, so we're still working
12 that out. With respect to NYCHA, we're very happy to
13 have launched on-site legal services for senior heads
14 of household in July. We're monitoring the impact
15 there and seeing how the actually on-site model is
16 going, working closely with provides there, and that
17 work continues. If we see that that's effective,
18 expect that we will sort of expand that. Obviously,
19 that is where folks are going for their first check-
20 in with NYCHA, if they're facing one of those
21 administrative tenancy proceedings, and so that's
22 where we thought services ought to be.

23 COUNCIL MEMBER GIBSON: Okay. Thank you
24 so much. And I'll turn it back over, and I'll just
25 finally say that I'm speaking it into existence that

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2 we're going to pass 1104 and 1529, because I see it
3 as the right thing to do at the right time. We
4 cannot wait. There are too many families that are
5 living in the silos and shadows of darkness that need
6 Right to Counsel. And so I believe in the power to
7 organize, and I know that, you know, collectively
8 working together we've seen the success and how all
9 we have to do is take it to the next level. So, I
10 thank you all. I look forward to working with you and
11 all advocates, and thank you to my Chairs. Thank
12 you.

13 CHAIRPERSON CORNEGY: Thank you, Council
14 Member. We have questions now from some more of the
15 panelists starting with Council Member Mark Gjonaj
16 from the Bronx.

17 COUNCIL MEMBER GJONAJ: Thank you,
18 Chairs. Just for the record, I can't help but share
19 the reversal in roles where judges are answering
20 questions instead of asking questions. with that
21 being said, so much-- we've heard so much this
22 morning, going into the afternoon now on the
23 importance of the Right to Counsel. Fully agree.
24 What we've failed to acknowledge is what happens at
25 the moment they enter or try to enter a courthouse.

2 The long lines outside in the snow, in the rain, in
3 the cold, in the heat, which is a first disservice to
4 New Yorkers as they try to navigate a very
5 complicated Housing Court. Secondly, rather than
6 look to spend more money on building additional
7 Housing Courts, isn't it our best interest to spend
8 tax payer dollars wisely, and that is keeping people
9 in their homes and avoiding them from ever having to
10 go to the court to begin with? They spend a half a
11 day in the courthouse. The stress that's imposed on
12 these families and who's picking up children, and who
13 has to take off from work, which creates a further
14 financial burden on these families to have to go
15 back. The question is of this money, how many
16 lawyers have we hired? How many judges-- how many
17 cases are judges actually hearing? What is the
18 ratio? And when you have lawyers screaming out
19 tenants' names from the third floor to the first
20 floor trying to figure out where they are and vice
21 versa, it's something that you could only imagine you
22 would see on a t.v. screen, that we're subjecting
23 families that are going through some major hardships,
24 facing potential evictions and being forced into the
25 streets, and the maze and the chaos that is followed

2 by an eviction notice could have been avoided. You're
3 all familiar with SCRIE and DRIE, senior citizen rent
4 increase exemption program, disabled rent increase
5 exemption program. If we know most of these cases
6 are about non-payment, well let's come up with a TRIE
7 bill, a tenant rent increase exemption program where
8 households earning under 50,000 dollars a year don't
9 get an increase in lease renewal. That is capped
10 off. Their rent would be consistent. That would be
11 spending tax payer dollars more wisely and securing
12 that they stay in their homes and that they don't
13 have to appear before a Housing Court judge or go
14 through this horrific experience, a nightmare. It's
15 not even an experience. So the question is, of the
16 100 million dollars, how many attorneys are actually
17 providing the Right to Counsel? How is that number
18 broken down, if you even know? We know that a
19 majority of these cases are in the borough of the
20 Bronx, per capital. Can anyone answer these
21 questions? That's a lot to answer.

22 JORDAN DRESSLER: Yeah, well, I can
23 certainly speak to the increase in legal services
24 provider capacity, which is to say staff attorneys
25 and supervising attorneys. You know, it's between

2 500 and 600 attorneys, as of the end of the last
3 year.

4 COUNCIL MEMBER GJONAJ: How many cases is
5 that? We'll just do some quick math, because I--

6 JORDAN DRESSLER: I don't think that's
7 going to be a fruitful exercise because so much of
8 what the attorneys do, at least in the early days, is
9 training, shadowing other attorneys, and I think the
10 providers here can probably speak to that process a
11 little more wisely. What we do know is that it is up
12 substantially from where it was before, and at the
13 same time that we've seen an increase in attorneys
14 and an increase of cases being handled, fortunately
15 we've seen a decrease in the filings coming through
16 Housing Court. As to the more physical conditions of
17 crowds, I'm going to let Judge Cannataro speak to
18 that a little more, but what we do know is that the
19 Housing Courts were not designed with a Right to
20 Counsel in mind. It's simply a reality, and so we
21 don't think that it's viable to say well, let's just
22 simply wait until those courts are structured in just
23 a way that they are perfect for Right to Counsel, and
24 then we'll start. We couldn't wait. We didn't want
25 to wait, and so, you know, I think we all operate

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2 within, you know, somewhat imperfect conditions, and
3 we're grateful for the partnership of providers and
4 the court in working through that, but you know, yes,
5 there's no question there are a lot of lawyers in
6 court and there are a lot of people in court now. I
7 guess judge Cannataro can speak more broadly to that,
8 but all things considered, we're actually quite
9 pleased.

10 ADMINISTRATIVE JUDGE CANNATARO: Before I
11 say anything about crowds, Council Member Gibson
12 asked me about signage in the courtrooms, and I was
13 just waiting for Council Member Rosenthal to come
14 back because she raised this discussion with me once
15 before. We now have-- we are now putting digital
16 signage in all our courthouses, and moreover,
17 internet connected digital signage, the kind of thing
18 that we can edit on the fly on a daily basis, which
19 I'm sad to report they're in neither of our Bronx
20 courthouses yet, but they are in Manhattan. They're
21 in Queens. I think it's going into Brooklyn this
22 week. If you see these signs, they are just a much
23 better tool for finding your way around our
24 courthouses than all the different little pieces of
25 paper and plastic that we had stuck up onto the walls

2 previously. So, as a matter of fact, I'd like to
3 think that with the little-- with a little help from
4 the City Council I was the first person to think of
5 digital signage in the court system. That may not be
6 true, but it's such a wonderful idea that it's now
7 been taken up by our Division of Technology and they
8 are putting digital directories in all the
9 courthouses throughout the City of New York, so
10 that's a great improvement. As far as the crowds go,
11 you know, Council Member Gjonaj, I-- there's a story,
12 I don't know if apocryphal or not, but the Special
13 Commission on the Future of Housing Court, which is a
14 completely separate entity that came around just a
15 little bit before Right to Counsel was inspired by
16 our current Chief Judge DiFiore driving down the
17 Grand Concourse and seeing a line of people standing
18 out in the rain and the snow waiting to get into the
19 Housing Court, and she asked her security person what
20 that place was because she didn't know what it was,
21 and his response was, "Well, Chief Judge, that's your
22 Housing Court." There's no question, as Mr. Dressler
23 said, not only were our courthouses not designed to
24 accommodate a Right to Counsel program, they weren't
25 really designed to accommodate the kinds of numbers

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2 of Housing Court cases that exist, and I would be
3 more than happy to go on record as saying part of my
4 job is to put myself out of business. If we can all
5 figure out a way so that no tenants or landlords
6 feels like they ever have to come to Housing Court to
7 resolve their disputes, I am 110 percent for it.
8 That's not the reality that I'm living right now. We
9 have had a nice reduction in the number of filings,
10 and I hope the trend continues, and I think there's
11 been some speculation that that might have to do with
12 the Housing Stability and Tenant Protection Act. I
13 think that could be right, and maybe it has to do
14 with economic cycles as well. If so, let's hope
15 things keep going in whatever direction it is that
16 reduces the filings, but I don't realistically see a
17 time when our courthouses are going to be empty or
18 even uncrowded. So we have to keep working on
19 measures to make it just a more tolerable environment
20 for the people who come there.

21 COUNCIL MEMBER GJONAJ: Thank you for
22 that explanation, and I guess we're all striving for
23 the same goal. If we know most cases are about
24 failure to pay rent, non-payment cases, and we
25 understand that the most vulnerable are the ones that

2 are suffering and not able to pay their rent, so
3 increasing rent subsidies would be a way to prevent
4 this from occurring. Secondly, a program like the
5 Tenant Rent Increase Exemption Program, could you
6 imagine what that would mean to the people in this
7 audience where they don't ever see an increase again
8 in rent? Just look at them. They could say, "You
9 know what, things are bad right now, but if I
10 continue working, at least I can get ahead of it
11 where my rent is not going to take more of my
12 salary." That's what we're supposed to be striving
13 for. That would mean less cases. That would mean no
14 need for an expansion of a courthouse. That would
15 mean no need for legal Right to Counsel, I fully
16 agree with, but let's start spending our money more
17 wisely. Let's stop having to put New Yorkers through
18 a nightmare that could have been avoided from the
19 very beginning. In most cases, it's about non-
20 payment. There is no benefit to taking someone to
21 court when lawyers are being paid, either for
22 landlord or tenant. If the rent is being paid,
23 there's no need for a court action, aside from
24 repairs and other issues that may come up. We can
25 deal with that. And if you can help shape the future

2 as you look at the City Council and the wealth of
3 experience and knowledge at that table, we can come
4 up with a proactive approach and not a reactive
5 approach to how to get ahead of this. And rent
6 subsidies and capping of rents should be on the
7 table, and wouldn't need to about further adding more
8 money into legal right-- unless I'm off here,
9 gentlemen, tell me, share? Mr. Judge Lippman, I
10 mean, I think the world of you and I know you
11 personally. Unless I'm off on this approach, tell me
12 what I'm missing.

13 CHIEF JUDGE LIPPMAN: I don't think
14 you're missing anything, Councilman. I also think
15 that, you know, this problem is one that we-- the
16 problems that you raised is one that hasn't been
17 solved for years. My predecessor as Chief Judge had
18 the same issues of seeing the lines out in the street
19 in the snow and the cold and all of that. I saw it.
20 My successor sees it. We've got to find-- I think
21 ultimately you're right, keeping more cases out of
22 court is better, but the cases that do come in have
23 to be in places that are all about the law and the
24 majesty of the law and not in these decrepit, falling
25 apart physical facilities. We have put in every year

2 during my tenure and every other Chief Judge a plan
3 to upgrade the facilities and to make them consistent
4 to the traffic in the court. And I think we have to
5 continue to put not just money into counsel and all
6 those things like you say, in some ways, better not
7 to have any cases, but lawyers are so important, but
8 also the physical facility.

9 COUNCIL MEMBER GJONAJ: They're not that
10 important.

11 CHIEF JUDGE LIPPMAN: Well, judges and
12 lawyers are important, but I do think physical
13 facilities are just so important. If you don't-- if
14 you're there in these decrepit places you don't have
15 any respect for the law. On the other hand, if you
16 treat people the way they should, respect and
17 dignity, that's the way they view our legal system.

18 COUNCIL MEMBER GJONAJ: Judge, I will--
19 [applause]

20 COUNCIL MEMBER GJONAJ: Judge, I was
21 there when we had the courthouse in the basement of
22 851 Grand Concourse, and that's when Housing Court
23 was--

24 CHIEF JUDGE LIPPMAN: [interposing] I
25 remember.

2 COUNCIL MEMBER GJONAJ: a nightmare. And
3 when we opened up the new courthouse it was going to
4 be-- you know, we solved our problems.

5 CHIEF JUDGE LIPPMAN: I remember it so
6 well.

7 COUNCIL MEMBER GJONAJ: Okay, and we're
8 still not there, because we still have problems and
9 they're not being adequately--

10 CHIEF JUDGE LIPPMAN: [interposing] And
11 that new beautiful courthouse that we were all so
12 excited about. Now, is the place that we're going to
13 say can't go on in a place like that. Let's go and
14 do 851 and make it better.

15 COUNCIL MEMBER GJONAJ: Back to--

16 CHIEF JUDGE LIPPMAN: [interposing] Back
17 to the future, yeah.

18 COUNCIL MEMBER GJONAJ: Gentlemen, I
19 challenge you with taking on this objective of
20 keeping people out of the courthouse and not helping
21 the experience when they're in there. It's already
22 too late. Let's keep these families at home. Let's
23 keep them at work. Let's make sure they can pick up
24 after their children and attend to their families and
25 not spend a half a day in a courthouse to find that

2 their case has been adjourned and they'll come back
3 two later and relive that nightmare all over again.
4 That's the real challenge.

5 CHIEF JUDGE LIPPMAN: No, but I agree,
6 but you know, legal services that we're talking
7 about, these new lawyers who are in the courtroom,
8 legal service entities that get people before they go
9 to the courtroom so they don't have to go are just as
10 important, and we've got to fund legal services for
11 the poor. It's so essential.

12 COUNCIL MEMBER GJONAJ: I agree, and we
13 need to fund the city programs that subsidize rent
14 and help people catch up on their arrears. With a
15 phone call you can have a lan-- an attorney can speak
16 to the management office or a landlord and explain to
17 them that hey, we realize they're behind. Here's the
18 application. There's no need to go to court, and we
19 can resolve this and save our New Yorkers and our
20 families' times.

21 CHIEF JUDGE LIPPMAN: Rather than be
22 tortured for days and days on end.

23 COUNCIL MEMBER GJONAJ: Weeks and months
24 and years.

2 CHIEF JUDGE LIPPMAN: We all aspire to
3 that.

4 COUNCIL MEMBER GJONAJ: Thank you.

5 CHAIRPERSON LANCMAN: Council Member
6 Rosenthal?

7 COUNCIL MEMBER ROSENTHAL: Thank you.

8 Thank you, Chairs, for holding this hearing.

9 Congratulations to my colleagues Council Member

10 Levine and Gibson for the success of your previous

11 legislation and bringing forward this legislation.

12 I'm proud to be a co-sponsor. Judge Lippman, Judge

13 Cannataro, it's been just an honor working with you.

14 Thank you for all your advocacy, and I'm so impressed

15 by HRA's execution of this legislation. So thank you

16 all for that. I'm wondering-- I'm looking at the

17 numbers and I'm wondering from the largest

18 perspective, how do we stop people from going into

19 our homeless shelters, and wondering about any

20 opportunities that this system, the new Right to

21 Counsel system and hopefully the new, you know,

22 tenant advocacy system that will be set up, how can

23 we use those tools to identify whether or not these

24 cases are ones that would have landed people in

25 homeless shelters, or even with these tools at some

2 point down the road they're still landing in our
3 homeless shelters and what we can do to preempt that
4 from happening, sort of, to Council Member Gjonaj's
5 point. So, two things: One, Judge Cannataro, I'm
6 wondering, can you track the tenants who are coming
7 in and see over time whether or not they're coming
8 back again without the possibility of, you know,
9 setting up some sort of privacy problem?

10 ADMINISTRATIVE JUDGE CANNATARO: Our
11 information system which for the Civil Court
12 including the Housing Court is notoriously
13 problematic, probably could track return visits by
14 litigants on cases.

15 COUNCIL MEMBER ROSENTHAL: Yeah.

16 ADMINISTRATIVE JUDGE CANNATARO: Because
17 we do have the ability to sort case by name and sort
18 case by property location. Whether we have done so
19 for the purposes that you're suggesting, I couldn't
20 speak to that as I speak here, but I'm happy to get
21 that information for you, if we've done such an
22 investigation--

23 COUNCIL MEMBER ROSENTHAL: [interposing]
24 Yeah.

2 ADMINISTRATIVE JUDGE CANNATARO: and get
3 back to you about that.

4 COUNCIL MEMBER ROSENTHAL: I think less
5 me and more HRA. I mean, I would just look at the
6 findings, and of course not by individual. I don't
7 want to, you know-- I'm not interested in
8 individuals. I don't want to raise privacy issues.
9 But that type of analysis I think would be really
10 interesting to the tenant organizers to HRA, I think.
11 And especially over time. And then the second
12 question is-- and I guess Jordan, this is for you and
13 for Erin. Do you have a similarly a sort of
14 technology connection to the Marshall's Office, and
15 I'm wondering do you get alerts when the Marshall's
16 office is notified that they are about to go out for
17 an eviction to put a notice on somebody's door? Do
18 you get notice of this now? And is there any way--
19 and this is perhaps not the right suggestion, but
20 just sort of brainstorming for the tenant advocates
21 in the room who are going to figure this out. But if
22 your office were able to connect that person to a
23 lawyer at that juncture, is that possible, or to
24 attend an organizing group? And then similarly, if
25 you can do that, whether or not similarly you could

2 group that information by building to start to think
3 about organizing a building?

4 JORDAN DRESSLER: I certainly won't say
5 it's impossible, only because we're not doing it
6 currently, but you know, I think we just started
7 thinking about it with the Council Members'
8 suggestions. I think it's worth thinking through
9 from an interagency perspective and from another
10 entity perspective, including folks like providers
11 and advocates, how these things can work together.
12 We do know that there are many cases where the
13 Marshalls are alerted, the warrant is issued and
14 there is legal intervention, and more so every year
15 as Universal Access is implemented more and more and
16 there's just more widely available counsel where a
17 lawyer can step in. So, it's a--

18 COUNCIL MEMBER ROSENTHAL: [interposing]
19 Say the first part of your sentence again. I didn't
20 hear you. You said-- so I'm asking when the Marshall
21 is alerted could a tenant advocate also be alerted, a
22 lawyer?

23 JORDAN DRESSLER: Yeah, no, I understand
24 the question. The short answer is I don't know.

25 COUNCIL MEMBER ROSENTHAL: Okay.

2 JORDAN DRESSLER: But we can look into it,
3 but I did want to--

4 COUNCIL MEMBER ROSENTHAL: [interposing]
5 But one more--

6 JORDAN DRESSLER: [interposing] I did want
7 to point out that there are legal interventions
8 happening today through any number of channels. A
9 referral from the court, an outreach by the tenant
10 through our hotline or coming down to the OCJ office
11 in the courthouse or going directly to the providers,
12 or referral from an advocate or an organizer. This
13 person now needs help. Interactions between the
14 marshals and APS which often happen where a lawyer is
15 brought to bear on the case in between the issuance
16 of the warrant and the execution of the warrant, and
17 that lawyer and the lawyer's work and the arguments
18 they make in restoring the case to the calendar and
19 persuading the judge to take a step back and turn
20 that decision around and remove the warrant, that
21 lawyer's work is the difference between an eviction
22 and not an eviction.

23 COUNCIL MEMBER ROSENTHAL: And so can you
24 track the frequency of that and whether or not

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2 there's a delta where we could increase that in some
3 way?

4 JORDAN DRESSLER: That is a challenging
5 question from a data perspective. I do not want to
6 pile on, but yes, the court's data system is-- has
7 some short-comings. This is one in particular that
8 we have explored and unfortunately there are some
9 short-comings there. We continue to look at the
10 issues and we're happy to partner with the court on
11 what we can do.

12 COUNCIL MEMBER ROSENTHAL: Yeah, I think
13 it would be interesting. We-- and the genesis of the
14 question is people come into our office asking for
15 help a week before they're going to court. So
16 they've already gotten their eviction notice. They're
17 going into court next week and they finally come in
18 to ask for help, and I wonder if there isn't some way
19 we could set up the systems so that that sort of help
20 could already-- could automatically be given. I
21 mean, does it go out with the marshal's notice?
22 Could it go out with the marshal's notice,
23 information about Right to Counsel or things out
24 there?

25

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2 JORDAN DRESSLER: I don't know. That's a
3 question to the marshal and the court.

4 COUNCIL MEMBER ROSENTHAL: If the
5 marshal's--

6 ADMINISTRATIVE JUDGE CANNATARO:
7 [interposing] I don't think Right to Counsel
8 information goes out with the marshal's notice of
9 eviction. As you heard Mr. Dressler say, it's
10 certainly going out now with the notice of petition
11 at the beginning of these cases, but you know, once a
12 judgement of possession has been issued and a notice
13 of eviction is coming your way, from our perspective,
14 you're pretty far not the process at that point and I
15 don't think at the current time the marshals are
16 providing Right to Counsel information with their
17 notices of eviction. And I'm not here-- you know,
18 I'm not here to advocate for any particular
19 legislative policy or enactment, but I do understand
20 that there's an education bill currently pending--

21 COUNCIL MEMBER ROSENTHAL: [interposing]
22 Yes, yes.

23 ADMINISTRATIVE JUDGE CANNATARO: right
24 now, and if people are getting to the point where
25 they're being issued a default notice of eviction, I

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2 think you have to ask yourself whether that was a
3 failure in reaching out to those people at some point
4 sooner in the process.

5 COUNCIL MEMBER ROSENTHAL: And so by the
6 time the marshal is going out with the eviction, are
7 you saying a little bit too late?

8 ADMINISTRATIVE JUDGE CANNATARO: It's
9 never too late to get a lawyer, because things always
10 go better with a lawyer than without a lawyer, but we
11 are--

12 COUNCIL MEMBER ROSENTHAL: [interposing]
13 Right.

14 ADMINISTRATIVE JUDGE CANNATARO: That's
15 pretty far into the process.

16 COUNCIL MEMBER ROSENTHAL: And who is--
17 are the marshals under your jurisdiction or the
18 City's jurisdiction?

19 ADMINISTRATIVE JUDGE CANNATARO: New York
20 City Department of--

21 COUNCIL MEMBER ROSENTHAL: [interposing]
22 Finance, right?

23 JORDAN DRESSLER: The City Department of
24 Investigation.

25 COUNCIL MEMBER ROSENTHAL: Investigation.

2 JORDAN DRESSLER: And in fact, it is the
3 City Department of Investigation that compiles the
4 number of evictions, you know, every year and issues
5 a report. The report is issued to the court, posted
6 on the court's website, and it was just posted last
7 week. And I just want to reiterate what I testified
8 to earlier about the reduction in those evictions.

9 COUNCIL MEMBER ROSENTHAL: Yeah, yeah.

10 JORDAN DRESSLER: it was based on that
11 summary report by DOI. 17,000 in Fiscal Year--
12 sorry, in calendar year 19 as compared to 29,000 in--

13 COUNCIL MEMBER ROSENTHAL: [interposing]
14 No, it's extraordinary, there's no question about
15 that. I'm just noting that homelessness; has gone up
16 by quite a bit over the same time, and seeing if
17 there's any type of correlation and seeing if, you
18 know, what we could do more. I don't know. Fishing,
19 I'm fishing.

20 ERIN DRINKWATER: I just want to state
21 for the record that year over year the census has
22 remained flat. So it's worth noting that.

23 COUNCIL MEMBER ROSENTHAL: From 18 to 19?

24 ERIN DRINKWATER: 17 to 18, 18 to 19.

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2 COUNCIL MEMBER ROSENTHAL: How about six-
3 - when-- okay. Okay, great. Thank you so much for
4 all of your help. We appreciate all the work you're
5 doing, and to the advocates as well. It's really
6 extraordinary. Thank you.

7 CHAIRPERSON LANCMAN: I just have one
8 additional thing for Mr. Dressler. Can you explain
9 for us the difference between the assigned counsel
10 project or its interaction and Universal Access and
11 what the status of the Assigned Counsel Project is?

12 JORDAN DRESSLER: The Assigned Counsel
13 Project was a program established by the Department
14 for the Aging. It was probably about 10 years ago.
15 As one of the city's sort of first forays [sic] into
16 providing legal STANLEY RICHARDS: to tenants facing
17 eviction. The focus for that program has been senior
18 tenants, I believe age 60 and older, presenting in
19 Housing Court with both complex legal issues where a
20 lawyer might be helpful, but also social service's
21 needs, and DIFTA is in fact providing a social worker
22 to work on those cases. At this point, it's-- you
23 know, it's a small but important part of our
24 portfolio. The program came to HRA in Fiscal Year
25 18. We're in our second year of administering the

2 program while DIFTA is providing the social and
3 clinical services for those clients. Provide services
4 for roughly 500 seniors every year, but that is in
5 the context of all of the work happening for seniors
6 with respect to the services that we provide. There
7 were approximately 11,000 senior heads of household
8 55 and older that were assisted through our legal
9 services. That's including the work done by ACP in
10 Fiscal Year 19.

11 CHAIRPERSON LANCMAN: Do you anticipate
12 any kind of reduction in those services, or?

13 JORDAN DRESSLER: You know, we're always
14 looking to see how different some programs fit into a
15 larger initiative to increase access to legal
16 services. You know, we'll be taking a look. We
17 haven't made a decision at this time.

18 CHAIRPERSON LANCMAN: You don't
19 necessarily see it being subsumed into Universal
20 Access.

21 JORDAN DRESSLER: Well, I think the
22 important things to take from ACP or the access to
23 the related social services, and we know that our
24 legal providers, probably going to hear from soon,
25 are or already providing a combination of legal and

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2 social services through their contracts with us often
3 times in a way that makes more sense because
4 protected by attorney/client privilege or it's a more
5 direct relationship between a social worker, a non-
6 lawyer assistant with the lawyer themselves. In terms
7 of the legal services, seniors are eligible for the
8 tenant's Right to Counsel just like every other New
9 Yorker. So, at full implementation that will be the
10 way things go in New York City Housing Court.

11 CHAIRPERSON LANCMAN: I think there might
12 be concern that if that were to happen that seniors
13 would also be limited, you know, by the income
14 eligibility thresholds which I think we would rather
15 not see.

16 JORDAN DRESSLER: That we can understand.
17 The ACP is not strictly speaking a 200 percent
18 program, but it is primarily directed at low-income
19 seniors. Those have been the seniors who've
20 benefitted from the services most, but it's worth
21 thinking about and we'll be taking a look.

22 CHAIRPERSON LANCMAN: Council Member
23 Rosenthal has one very last question.

24 COUNCIL MEMBER ROSENTHAL: I'm so sorry.

25 CHAIRPERSON LANCMAN: Wants to get it.

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2 COUNCIL MEMBER ROSENTHAL: Just sort of
3 dawned on me what you were saying, Erin. So could
4 we almost correlate the opposite that with the Right
5 to Counsel perhaps we're stemming the tide of
6 homeless? It's a-- what is it, not a correlation but
7 a causation. Or not a causation but a correlation.

8 ERIN DRINKWATER: The program certainly
9 plays a role in that, but it's the investment in
10 prevention programs across HRA.

11 COUNCIL MEMBER ROSENTHAL: Do you think I
12 would be possible-- would it be possible, if marshal
13 is given the-- is told to serve an eviction notice,
14 could we interrupt that for two weeks while we get
15 the tenant eligibility, condition, supply, while we
16 get the tenant a lawyer.

17 JORDAN DRESSLER: SO, I think-- I don't
18 know. Am I allowed to punt over to the legal
19 providers in the room who know the law and the real
20 specifics better than we do, particularly under the
21 new rent laws which actually, as I said, not just
22 change the substantive law but change process and
23 procedure?

24 COUNCIL MEMBER ROSENTHAL: Yeah.

25

2 JORDAN DRESSLER: This being one of them
3 and provided for more time in between the issuance of
4 the arrant and the execution of the warrant. I think
5 it's something that is already happening to some
6 extent. We'd have to look to see if there's a
7 meaningful opportunity for expansion.

8 COUNCIL MEMBER ROSENTHAL: Okay.

9 JORDAN DRESSLER: We'll be taking a look.

10 COUNCIL MEMBER ROSENTHAL: Thank you so
11 much. Thank you, Chari.

12 CHAIRPERSON LANCMAN: Thank you all very
13 much. It was a pleasure seeing you. Thank you.
14 Now, we have 72 witnesses who want to come and
15 testify and everybody will be given an opportunity to
16 do so. And Council Member Mark Levine said that he
17 will stay here as long as it takes. And we all love
18 Mark Levine don't we? We do. And Vanessa [sic] as
19 well. So, in consideration of Mark Levine and
20 Vanessa Gibson who are going to be here to the very
21 end? We're going to have to limit the testimony of
22 those 72 people to three minutes each. So if
23 everyone will cooperate, everyone will get an
24 opportunity to speak. Our next panel is Beth Goldman
25 from NYLAG, Ron Rasmussen from Legal Services NYC,

2 Adrian Holder from Legal Aid, Alex Dougherty from
3 Brooklyn Defender Services, Joanna Laine from the
4 Association of Legal Aid Attorneys, and Justin La
5 Mort from Mobilization for Justice. So, if you will
6 come up-- to six. Come up, get sworn in. We'll get
7 cracking. Alright, good afternoon. If you'd raise
8 your right hand, we can get sworn in and get started.
9 Do you swear or affirm the testimony you're about to
10 give is the truth, the whole truth, and nothing but
11 the truth? Terrific. The Sergeant at Arms will put
12 three minutes on the clock and if there's no
13 objection, we'll just maybe start at this end and
14 work our way down. Go.

15 ALEX DOUGHERTY: Okay, good afternoon
16 Council Members. My name is Alex Dougherty and I'm a
17 Senior Staff Attorney at Brooklyn Defender Services
18 in our Civil Justice Practice. I'd like to take this
19 opportunity to speak in support of ongoing and
20 expanding funding of the Right to Counsel for New
21 York City tenants. Our office, Brooklyn Defender
22 Services, provides multi-disciplinary and science-
23 centered criminal, family, and immigration defense as
24 well as civil legal services, social work support and
25 advocacy, and our unit, the Civil Justice Practice,

2 serves our clients with additional civil legal needs.
3 BDS supports Intro numbers 1104 and 1529. We applaud
4 the city for increasing funding and expanding
5 eligibility for Right to Counsel. Our colleagues in
6 the Right to Counsel Coalition have made clear why--
7 or will make clear why this expansion is so critical,
8 and we encourage the Council to continue supporting
9 this important work. As the scope of Right to
10 Counsel is expanded, we'd like to draw the Council's
11 attention to what-- to our specific client base and
12 their needs. BDS is in a unique position of already
13 being assigned counsel in other forums, and many of
14 our clients' civil legal issues are not easily
15 generalized or solved by traditional Housing Court
16 solutions. So I urge the City Council to continue
17 considering specific circumstances of tenants like
18 BDS clients for whom housing instability is part of a
19 broader picture that includes criminal or family
20 court involvement. So, first, I'd like to argue that
21 the City should respect client continuity and client
22 choice. The vast majority of our clients are
23 referred to us by other Brooklyn Defender Services
24 Units and already have a BDS attorney from another
25 forum. Our model allows us to establish connections

2 with clients without first requiring screening or an
3 extensive in-person intake procedure. This saves our
4 clients time and stress. It makes the whole process
5 easier. Working with clients early allows us to
6 anticipate civil legal problems. We're often able to
7 prevent a Housing Court case from happening in the
8 first place by adjusting underlying benefits issues
9 with administrative agencies, settling directly with
10 the landlord out of court or giving clients
11 preventative advice. This spares our clients months
12 of stressful litigation, the threat of imminent
13 eviction and potential placement on the tenant black
14 list. Also, we have a housing specialist who is able
15 to provide critical early guidance by helping our
16 clients secure affordable housing before eviction is
17 even imminent. This continuity in representation
18 creates expertise and efficiency. Our clients are
19 often dealing with multiple complex legal systems and
20 cases. Their civil legal needs are best met by
21 attorneys who have knowledge in and access to these
22 other legal systems. We routinely go to criminal and
23 family courts with our clients and our colleagues,
24 and we directly inform those courts of our clients'
25 civil cases. Housing Court judges and staff are also

2 aware of our expertise and we receive a steady stream
3 of referrals from the court for cases in which the
4 tenant is either incarcerated or facing eviction for
5 an underlying criminal case. Providing tenants with
6 this continuous representation isn't just
7 administratively efficient, it also results in
8 concrete victory for our clients. This is obvious,
9 especially when looking at NYCHA termination cases,
10 because we receive these cases referred directly from
11 our criminal attorneys and we can consult with the
12 criminal attorneys about how the plea will affect our
13 client's NYCHA housing before NYCHA has even started
14 a case and threatened eviction.

15 CHAIRPERSON LANCMAN: Thank you.

16 ALEXANDRA DOUGHERTY: Thank you.

17 JOANNA LAINE: Good afternoon and thank
18 you for your time. My name is Joanna Laine and I'm a
19 Tenant's Rights Attorney in the Brooklyn Neighborhood
20 Office of the Legal Aid Society. I'm also an
21 alternate Civil Vice President of the Association of
22 Legal Aid Attorneys, ALAA for short, which is Local
23 2325 of the United Auto Workers, and I'm a member
24 of the Right to Counsel Working Group within my
25 union. So I speak here today on behalf of ALAA to

2 urge the City Council to pass Intro 1529 and Intro
3 1104, and also to ensure that both programs are
4 adequated [sic]-- are funded adequately to ensure
5 that tenants receive the high-quality services from
6 both lawyers and tenant organizers. As lawyers
7 fighting some of the City's worst landlords, we in
8 ALAA have seen firsthand that legal representation
9 alone is not enough to ensure that tenants remain in
10 safe and habitable housing. So many of the tenants
11 that we serve are living in buildings with widespread
12 problems like tenant harassment, conditions of
13 disrepair, lack of heat, rent overcharge, and without
14 tenant organizers they will not know that their
15 neighbors are dealing with the exact same situations
16 that they are. Without tenant organizers, our
17 clients won't be empowered to come together to fight
18 some of the City's most abusive slumlords. So for
19 that reason, funding for tenant organizers is an
20 essential and irreplaceable part of this fight to
21 keep tenants in safe and habitable homes. We urge
22 the City Council to support Intro. 1529 to fund the
23 vital work of tenant organizers. We also urge the
24 City Council to support Intro. 1104 which will expand
25 Right to Counsel to cover more tenants in more types

2 of cases. First, we support Intro 1104 for its
3 expansion of TRC eligibility to tenants between 200
4 and 400 percent of the federal poverty line. As
5 tenant lawyers we have seen firsthand that the people
6 who work-- who ink [sic] a living between 200 and 400
7 percent of the federal poverty line are no more able
8 to afford private counsel than their lower income
9 neighbors. And we've seen firsthand that they too
10 suffer from tenant harassment and that they too will
11 likely end up in the shelter system if they don't
12 have legal representation. So for that reason it's
13 critical to pass 1104. Likewise, we support Intro
14 1104 for its expansion of RTC to cover tenants facing
15 evidence in NYCHA proceedings and to support funding
16 for appeals to, you know, advance the landmark
17 legislation that will not only help the tenant in the
18 instance case, but also create a precedent that will
19 help generations of tenants to come. Intro 1529 and
20 Intro 1104 are critical expansions of Right to
21 Counsel, but we urge you also to make sure that the
22 entire program is funded adequately. Right now, our
23 staff are under great streams of high caseloads, and
24 we know that the same is true for our tenant
25 organizer colleagues. So, for that reason we just

2 urge you to not only pass these expansions, but also
3 ensure that the entire system is funded to provide
4 the high-quality representation our clients deserve.
5 And thank you again.

6 CHAIRPERSON LANCMAN: Thank you.

7 JUSTIN LA MORT: Good afternoon. My name
8 is Justin La Mort and I'm a supervising attorney at
9 mobilization for justice where we've been serving New
10 Yorkers for over a half-century. Last year alone, we
11 helped 25,000 [sic] of neighbors. We are here in
12 support of the expansion of Right to Counsel for one
13 reason, and that reason is it works. Evictions are
14 down. Court cases are down. When I started doing
15 housing justice work in 2012 at the end of the
16 Bloomberg Administration. There were nearly 218,000
17 court cases and almost 29,000 evictions. I can look
18 around this room now and feel pride that the numbers
19 are much lower now, and that is because of Right to
20 Counsel. More attorneys equals more justice. The
21 reason it worked is that the Right to Counsel is at
22 the intersection of the housing justice movement. On
23 one end it's about making housing more affordable,
24 and you do that with rent subsidies or government
25 benefits. Our organizations help assist those people

2 through that bureaucracy and let people know what
3 they're eligible whether it's FEPS, CityFEPS, SCRIE,
4 DRIE or other programs to make sure that we can
5 prevent that displacement to keep housing affordable
6 and keep communities together. The second part of
7 this is that you can pass all the laws in the world,
8 such as the City Council with the harassment laws, or
9 the HSTA through Albany, but those laws are nothing
10 but paper, unless you have attorneys and tenants who
11 can enforce those laws in a court of law. Now, not
12 only are we getting great decisions in Housing Court,
13 but we're creating new precedent. When you look at
14 my papers you'll see a list of published decisions
15 giving teeth to those new laws, making sure that they
16 are recognized and used in Housing Court, not only
17 preventing the evictions of our clients, but
18 preventing the evictions of future tenants by using
19 that precedent. Why were are into Intro 1104 is that
20 the expansion will create access to justice that
21 currently does not exist. I'm a good attorney. On
22 the private market I get to charge 475 dollars an
23 hour. Someone making minimum wage working fulltime
24 is never going to afford an attorney of my caliber or
25 that of my colleagues. By upping the access,

2 following more of the San Francisco model, there'll
3 be more justice. There'll be more people able to
4 utilize our sources and stop slumlords from trying to
5 evict tenants. And in terms of Intro 1529, it
6 recognizes that knowledge is power. Our colleagues
7 who are community organizers meet tenants to where
8 they are. One in four rent stabilized tenants don't
9 know they're rent stabilized. Over half of tenants
10 who are eligible for Right to Counsel do not know
11 that the program exists. By providing that
12 information, providing that power, they will use that
13 knowledge and stop what's called informal evictions,
14 would still occur where tenants are intimidated and
15 frightened before they ever reach us in Housing
16 Court. So we urge the City Council to continue his
17 leadership and the reason why is that you have been
18 incredible partners to our tenant leaders, but many
19 of you will not be here in a couple years. The Mayor
20 will not be here in a couple years, and the time to
21 act is now. Thank you.

22 CHAIRPERSON LANCMAN: Thank you.

23 JONATHAN FOX: Good afternoon. My name
24 is Jonathan Fox and I am the Director of the Tenants'
25 Rights Unit at the New York Legal Assistance Group,

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2 and I'm joined by my colleague Rojelio Tec who is the
3 coordinating paralegal for community outreach at the
4 New York Legal Assistance Group. NYLAG strongly
5 supports Intro 1104 and Intro 1529. I just want to
6 make a couple quick points that others may have not
7 touched on in the same depth about why the passage of
8 both of these laws are so important. I'm going to
9 cover 1104 and my colleague Rojelio will cover 1529.
10 With respect to the expansion of the income limit
11 from 20 percent, this is so critical because there
12 were so many vulnerable tenants that we see on a
13 regular basis that for one reason or another do not
14 meet the very strict income requirements. There are
15 client who are receiving social security disability
16 income. There are veterans, and there are also
17 people who are earning the minimum wage, because the
18 minimum wage on its own puts you at 250 percent of
19 federal poverty, and as Mr. La Mort just said, we--
20 private attorneys are not cheap and there is a whole
21 group of really, really bad attorneys out there that
22 sometimes represent tenants on the private market
23 make promise the world and deliver disaster. So, the
24 expansion is very important. And then the other big
25 aspect of 1104 that is also critical is the expansion

2 of covered proceedings. As Mr. La Mort said, tons of
3 great decisions, but those decision aren't going to
4 have the staying power unless we can also represent
5 tenants in appeals. Also, termination of Section 8
6 proceedings are tremendous and those would also be
7 covered by the expansion of the law. We have many
8 clients that we have-- we have many clients that we
9 see who have had their section 8 vouchers terminated
10 and they've lost in administrative hearing, and the
11 only way to address that is through an Article 78 and
12 those could be resolved much more efficiently at the
13 administrative level. Now I'll turn over to my
14 colleague Rogelio to talk about 1529.

15 ROGELIO TEC: And as we ask for the
16 expansion of Intro 1104, it even becomes more
17 necessary to ensure that our tenants know their
18 rights, specifically from the form of Intro 1529. In
19 my time as a coordinator and paralegal at NYLAG,
20 which has been two years now, I've seen countless
21 times tenants, New York tenants, been wrongfully
22 brought to court because of tactical errors done by
23 landlords. Most of all, they come to Housing Court
24 without knowing their basic rights as tenants, so
25 ultimately they're being forced to the brink of

2 eviction, and in that brink of eviction they find
3 their own rights. And it's this difficult-- they're
4 placed in this difficult position for them to
5 understand their own rights when they should be
6 getting that information earlier, and that's why we
7 ask for the passage of both Intro. 1104 and 1529.

8 CHAIRPERSON LANCMAN: Thank you. Ms.
9 Holder?

10 ADRIENE HOLDER: Good afternoon. How are
11 you all? I'm suffering from a cold, so I hope that
12 people can hear me. I first and foremost would like
13 to just say let's just take a pause. People who work
14 with me know that often times when we are victorious
15 because a struggle is so real and it's constant, I
16 always like to take a pause and for us to take a deep
17 breath. And I'd like to thank this progressive City
18 Council, Chairs Cornegy and Lancman who have truly
19 been champions. I'd like to thank, of course, our
20 Council Members Gibson and Levine, but I especially
21 like to thank our Right to Counsel Coalition, the
22 advocates, our attorneys, this community of tenants
23 that have gotten together, this is a really exciting
24 time her in New York City. It's exciting because
25 Right to Counsel worse, equal Right to Counsel has

2 been successful in a relatively short period of time
3 that we've been able to come together to make sure
4 that tenants are being seen and heard. We, at the
5 Legal Aid Society stand in full support of Intros.
6 1104 and 1529 because they are essential for all the
7 reasons that you've already heard before, but I want
8 to make sure that we understand what's going on and
9 what we're talking about. It has been well document.
10 That housing insecurity and eviction leads to
11 poverty. This is about racial equity and this is
12 about anti-poverty. This is where we are and it's a
13 movement, and we need to continue with the momentum,
14 the successful momentum that you all have been
15 helping to lead here in New York City that is proving
16 to be a model for other parts of the country. We are
17 excited about the expansion and appeals, the idea
18 that we can stay with a case. It is axial-matic
19 [sic] that landlords will continue a case, and the
20 idea that there is not going to be resources and
21 attorneys that can complete that matter is just
22 unconscionable to us. Of course we know we could do
23 it, but without the resources, how really meaningful
24 is going to be for the providers and for the tenants
25 to get there. Today, the Administration has

2 announced-- the City's Administration-- that
3 evictions by marshals are-- have decline by more than
4 40 percent since 2013 with approximately 17,000
5 evictions in 2019 compared to 29,000 evictions in
6 2013, and in 2019 alone, evictions decreased by 15
7 percent. Things are working, but we cannot be naïve.
8 It is not just the Right to Counsel, it is the idea
9 that together we have stood and we have fought for
10 enhanced rent reform, rent reforms in the manner of
11 the housing stability and Tenant Protection Act, and
12 yes, we are building on that strengthening of the
13 laws, and we want to do more at the city level with
14 these intros. We need to and will do more at the
15 state level with strengthening rent laws, and
16 together, again, with the momentum that we have with
17 the coalitions that we afford, we are going to
18 continue to fight for true racial equity and justice
19 for our client community and for all New Yorkers as
20 we continue to make this city a better place. Thank
21 you.

22 CHAIRPERSON LANCMAN: Thank you.

23 RAUN RASMUSSEN: Thanks, Adriene. My
24 name is Raun Rasmussen. I'm the Executive Director at
25 Legal Services NYC, and I too want to start by

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2 thanking the Council for its leadership and thanking
3 the right-- New York City Coalition, the Right to
4 Counsel New York City Coalition for our partnership
5 in leading this incredible effort. Since 197-- since
6 2017 Legal Services NYC has been proud to partner
7 with the Right to Counsel New York City Coalition in
8 implementing the Right to Counsel throughout the
9 City. Right to Counsel works as you have heard.
10 Eighty-four percent of tenants who get represented by
11 lawyers through the Right to Counsel program win
12 their cases and keep their apartments. In addition,
13 we've been able to strengthen the laws, halt
14 predatory business practices and most importantly,
15 keep tenants in their homes which leads to improved
16 education for families and improved stability of
17 communities. The two intros that are before you
18 today, 1104 and 1529 are incredible improvements to
19 the Right to Counsel Law. It's an obvious
20 improvement to increase the income levels to 400
21 percent of the poverty level when low-wage workers
22 can't possibly afford a lawyer. If they don't get
23 one, they lose their cases and lose their apartments.
24 It's also an obvious improvement to expand the range
25 of cases that can be supported through Right to

2 Counsel to include administrative cases and appeals.

3 If you're not represented in an administrative
4 proceeding by the time you get to Housing Court,

5 you've already lost your case. If you win in Housing

6 Court, but can't get representation in the appeal,

7 then you'll lose your case and the city will have

8 lost a value of its investment in winning in Housing

9 Court. With respect to 1529, there's no question as

10 virtually every one of our panelists have said, that

11 providing more information about legal rights to

12 tenants is a critical thing for New York City, both

13 so that people understand that they will get a right

14 to counsel, and so that they understand that they

15 have other rights that they can enforce themselves to

16 improve their lives and hold their landlords

17 accountable. Fifty percent of tenants in the Bronx,

18 according to a study by the Right to Counsel

19 Coalition had no idea that they were entitled to a

20 lawyer. That makes it much harder for tenants when

21 they get to Housing Court to be able to accept a

22 lawyer. So getting the information out there to them

23 ahead of time is critical. For all of these reasons

24 and all the reasons that you've heard this afternoon,

25 we want to continue to support and thank your efforts

2 to lead this effort to provide Right to Counsel for
3 tenants.

4 CHAIRPERSON LANCMAN: Thank you all very
5 much. You know, one of the unfortunate dynamics at a
6 hearing is one group of folks testify and then they
7 leave, and then another group, and there's not a lot
8 of back and forth. So, I just want to-- RSA is going
9 to testify a little bit later. They raised something
10 about the mechanics of how Right to Counsel is
11 working out and I want to get your feedback and maybe
12 there's some suggestions for some improvements that
13 everybody could be happy with. Their testimony is
14 that nonpayment proceedings which constitute 90
15 percent of Housing Court cases now take at a minimum
16 two to three months longer than was previously the
17 case. And putting aside-- I don't want to get in a
18 debate about that. They attribute that to-- the
19 current system simply takes far too long to determine
20 eligibility and to assign counsel to eligible
21 tenants. OCA and the legal services providers must
22 enable Counsel to be assigned at a much earlier date
23 so that tenants and their attorneys can meet before
24 the first court date instead of after the first court
25 date, which is the current practice. So what has

2 been your experience and how clients are assigned to
3 you and their eligibility determined, and is there
4 anything that we can do, anything that can be done to
5 make that process more efficient for everybody's
6 benefit? Whoever wants to take it is--

7 JONATHAN FOX: Sure. So, the way the
8 program works now is that we only connect with our
9 clients at their first court date. I believe that
10 HRA has made some efforts to inform people of their
11 Right to Counsel at an earlier stage, but the
12 connection with Counsel hasn't really-- that-- it's
13 really a court-based model, and you know, I agree
14 that it would definitely be better for us to be able-
15 - you know, because with all Housing Court cases
16 there is predicate notice that alerts the tenant to
17 the fact that a Housing Court case is coming and nine
18 times-- maybe not nine times, but most of the time
19 when a tenant receives predicate notice, the notice
20 of petition and petition will follow. But, you know,
21 and actually those-- the time period between the
22 service of the predicate notice and the commencement
23 of the action actually expanded with HS DPA, and in
24 some cases actually it's like 90 days if someone's
25 lived in a place for a long time. But, you know, so

2 there are opportunities to make that connection, but
3 it would require a whole rethinking of, you know--
4 there would have to be some sort of assignment
5 process where people would-- you know, because their--
6 - the way HRA schedules intake dates now is sort of
7 proportionally to our contractual obligations to take
8 cases, you know, because we each have different case
9 numbers that we have to take. So there would have to
10 be some system on the back end that would make the
11 assignment, you know, work with those contractual
12 obligations. So, you know, there could be a--
13 there's a lot of ways you could do it, but it would
14 add a layer of complexity.

15 RAUN RASMUSSEN: You know, one of the
16 things that I think we have all been surprised about
17 from the beginning of implementation is that it's
18 been more challenging than we thought it would be to
19 get tenants connected to lawyers. So there have been
20 a lot of efforts to fine-tune that process and
21 getting tenants connected to lawyers earlier in the
22 process is certainly one of the goals. I think we
23 have had a great partnership with both HRA and the
24 courts to try to continue to improve that process,
25 but the combination of the volume of cases, the lack

2 of knowledge that tenants have about their right to a
3 lawyer. Their inadequacy of some of the facilities
4 have all made this issue challenging, but we all-- we
5 all continue to work on it and talk about it with
6 both the court system and HRA on a regular basis.

7 ADRIENE HOLDER: And-- this is Adrienne
8 Holder, just to answer your question what else could
9 you all do, I mean, I think it's wonderful that we
10 have access to some of the city agency feeds that
11 actually can give us some information as to the
12 conditions in the apartments as well as, you know,
13 looking at other agent-- access to other agencies
14 that could help us with the overall understanding of
15 what is going on with a particular building, but in
16 addition to that, it would be great if we could team
17 up to go to the state and make sure that HCR, the
18 Housing Community Renewal Records are available. Part
19 of preservation and part of justice is actually us
20 being able to make sure that not only an apartment is
21 properly registered, but they actually register with
22 a legal rent, and that kind of analysis cannot happen
23 for a while given the fact that there's limited
24 access not only for tenants who are not going to be
25 receiving an attorney because maybe they're over

2 income or they've decided to turn down someone, but
3 also to the advocates. It takes a while, and all
4 those things would help. It's interesting, you know,
5 that you say the cases take longer. You know, I
6 don't really know. The issue around length of time is
7 always an issue that I think about in terms of
8 justice. I think we're getting really great outcomes
9 on cases, and if we get good outcomes on cases, I
10 think that everyone's going to be happy with the
11 process. Joining counsel, joining tenants to counsel
12 I think Intro. 1524 is going to do a great job of
13 making sure that we manage the expectations. I have
14 sat in on intake that my clients-- I mean, my staff
15 run out the parks or the court during our intake
16 shifts, and what you find is that there still are
17 surprisingly a large number of tenants who don't
18 think they have the time to spend with an advocate to
19 really get to know their case, because they haven't
20 been prepped to understand what perhaps they should
21 expect when they come into Housing Court. They
22 haven't been-- they haven't come to understand that
23 there could actually be a positive outcome, and even
24 in those cases-- we don't win all the cases. This is
25 Right to Counsel, but the idea that they could have

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2 someone stand with them and to help them to navigate
3 this confusing byzantine process of Housing Court and
4 its Housing laws is very important. Information,
5 1529 will tackle that, and the idea that we want to
6 have justice is something that we'll continue to
7 grapple with these systems. What a wonderful problem
8 to have, too many advocates in too small of space as
9 filings are going down because of all of this great
10 revolution that we are experiencing through this
11 movement , but we should work on those things, but I
12 do tell you that anecdotally what Judge Schneider has
13 told us is that the implementation thus far has not
14 been as chaotic in terms of the length of time of
15 cases on dockets and the chaos to what has actually
16 been the benefit of people being able to learn about
17 their rights and be navigated. The last thing I'd
18 like to just add since I can and I have the mic
19 right now and no one's taking it away from me, is
20 that , you know, the proceedings to actually bring
21 repairs has doubled in the past year, actual HP
22 proceedings and that's huge, because we all know that
23 housing preservation as well as the preservation of
24 affordability is what is essential, because we
25 cannot-- we want to be able to build and we want to

2 do all of those things, create more subsidies and
3 build our way out of a crisis, but if we do all of
4 those things together and housing preservation is key
5 in all of that, and we're very excited to see that,
6 and that is direct result of the Right to Counsel
7 bill or law.

8 : And lastly, I just want to add that
9 while it's the RSA-- so I don't know the legitimacy
10 of that two to three month's increase, I would state
11 that there takes time for accountability because
12 often their numbers are wrong. When you walk into
13 Housing Court, there should be what's called a zero-
14 balance rent breakdown which essentially states, when
15 was the last time the tenant didn't owe any money,
16 and often, the landlord attorneys do not have that
17 information so that we can check to make sure what
18 they're alleging is true. To go off what some of my
19 colleagues said, the ATR [sic] record [sic] be great,
20 but also SCRIE records from Department of Finance,
21 Section 8 records from JTR, HPD, NYCHA or HUD would
22 be very helpful. We have to subpoena money orders
23 and banks to make sure when there's dispute about
24 when the rent is paid. And then, finally, a lot of
25 this just comes down to us having the time to do it

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2 right, because before, whatever the landlord said was
3 rubber stamped, but now there is a check on that. So
4 while there's a slight delay that delay is due to a
5 greater accuracy, and I don't think that's a
6 detriment. I think that's the intent and purpose.

7 CHAIRPERSON LANCMAN: Thank you. Now,
8 Council Member Gibson who is filling in for Chair
9 Cornegy. Let me just mentioned that we've been
10 joined by Council Member Carlina Rivera from
11 Manhattan.

12 COUNCIL MEMBER GIBSON: Thank you all for
13 being here and thank you for your work every single
14 day. It does not go unnoticed. We appreciate your
15 partnership, and you are on the ground representing
16 your clients, our constituents every day, and we are
17 grateful for that. During the administration panel
18 it was talked about with the judge, the courtroom
19 capacity and meeting with clients in hallways, and
20 privacy space and confidentiality. Are you in those
21 conversations as well with OCJ and OCA as it relates
22 to the relocation of both Brooklyn and the Bronx?
23 Any issues that you confront with your clients as it
24 relates to space in the courts? Are you able to get
25 those cases and issues addressed on the ground? How

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2 does that work? Can you give us an understanding of
3 what it entails, working with your clients, showing
4 up to court with them and representing them with some
5 of the courtroom capacity issues that we're
6 experiencing?

7 JOANNA LAINE: So, I can't speak to the
8 conversations that Legal Aid management might be
9 having with OCJ, but I will just say as a staff
10 attorney. The need for better facilities in Housing
11 Court is so critical. Going to Housing Court, I walk
12 in, and immediately I'm confronted with crowds. It's
13 like you're in Time Square. It's like you want-- you
14 are angry from the moment you walk in the door, and
15 I'm a lawyer, I get paid to be there. I can only
16 imagine what it would be like for a tenant who is
17 facing that same situation. You then enter the
18 courtroom and clients have to sit for hours while
19 their lawyer, you know, if they're lucky enough to
20 have a lawyer, looks for the other side. It's
21 confusing because everybody's handling, you know, 20
22 cases at once, and you know, trying to get everybody
23 out of there by the time that court closes for lunch,
24 you know, at one o'clock, you know, four and half
25 hours after it opens at 9:30. When I try to meet

2 with clients, you know, there are some spaces where I
3 can do that, but that involves a long wait for the
4 elevator to go up a few levels. Most often, I just
5 try to have a side bar in the court hallway, which is
6 obviously problematic because the landlord and their
7 attorney are right around the corner and we're still
8 that crowded space that's like Times Square. So it's
9 an absolute nightmare. It has to be a very high
10 priority for the City.

11 JUSTIN LA MORT: I would just state that I
12 was as a former Chair of the Housing Clerk Committee
13 for the New York City Bar, and I'm on the steering
14 committee of the Brooklyn Tenant Lawyer's Network, so
15 this is an issue that I've worked on. For year and a
16 half I tried to meet with DCAS [sic] to discuss some
17 of these issues. The Brooklyn court is going to move
18 to the municipal building, and that was announced in
19 2013 or 2014. For the last six years we've been in
20 year three of a five-year plan, but we have not moved
21 from year three, and everybody recognizes that
22 problem. When it comes to the Bronx Housing Court,
23 when they were doing the renovation they discovered
24 the asbestos, and since then it has come to a
25 complete halt except for the two trial parts that

2 have moved. So everybody aware of the problem. We
3 did a survey of over 100 practitioners in Housing
4 Court, judges, court attorneys, landlord attorneys,
5 and tenant attorneys were not unified on very much,
6 but they were unified that the facilities were in
7 inadequate. And one of the biggest issues is for
8 organizations like Mobilization for Justice where we
9 don't have an office in the court, where we are
10 meeting with the tenants in the hallways and we are
11 close to violating our ethical obligations of
12 confidentiality because we are in a public space
13 talking about very private matters, and with the
14 expansion, with more people that are going to serve
15 and are glad to serve, this will need to be addressed
16 one way or the other. We understand that
17 infrastructure is hard and people are having
18 conversations, but we're not seeing a lot of action,
19 and I do urge the committee to talk to DCAS to see
20 what's going on.

21 ROGELIO TEC: I'd like to highlight that.
22 As a person that's not an attorney I, I'm the intake-
23 - when I do an intake, I'm the first person they see.
24 I'm being asked to-- for one, provide language
25 services, and also be more like a social worker, and

2 mind you I only graduated college about two years
3 ago, and all these resources are being more or less--
4 I'm supposed to be [inaudible] resources for these
5 people. Manhattan Housing Court, where I
6 specifically worked at, hasn't provided any of those
7 resources at all in the two years that I've been
8 there. For example, because I'm not an attorney I
9 have to wait outside along the lines outside when
10 it's snowing, when it's heat, because I don't have
11 the access to get into the building as fast as
12 everyone else. So that's one perspective. Another
13 perspective is that when we are doing intakes, right?
14 Now, as the amount of people have increased we have
15 to see 15 to 20 people sometimes in one day in a
16 small little room next to three or four different
17 court parts. Mind you, language access in Manhattan
18 Housing Court, which I can specifically speak of, is
19 not as high or as much-- it's not as high as we would
20 like, for example, and I'm thankful I can speak two
21 languages, yet there's other languages that I cannot
22 be able to be asked to provide. So when people come
23 I have to more or less do an intake but also do x, y,
24 and z for our clients. So this is why I think
25 passing-- for one, allowing the tenants to know their

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2 rights beforehand, for them to understand what they
3 need to get themselves into. We can actually
4 mitigate and help them understand that it's a
5 process. We're here for them, not necessarily
6 fighting against them in this sense.

7 COUNCIL MEMBER GIBSON: Thank you.
8 Council Member Levine?

9 COUNCIL MEMBER LEVINE: Okay, thank you.
10 you know, to this panel, I just want to say what a
11 blessing it is that New York City had such an
12 outstanding provider community in place at the launch
13 of this law. It would have been impossible,
14 absolutely impossible without your organizations, and
15 what you've done over the last two plus years, it's
16 been an extraordinary effort. I know it's been a big
17 strain on your organizations, a good problem to have
18 for sure, but I don't underestimate what it has meant
19 for all you to have to triple your staffs and do so
20 much more to meet the need of the tenants that we're
21 serving. I have to imagine that that has created a
22 pipeline challenge in bringing in new, young
23 attorneys to do this important work, and I'm
24 wondering how you're dealing with that. Are you
25 going to law schools to bring young people into this

2 field? Are you engaging in new forms of recruiting?
3 How are we going to make sure that there are enough
4 attorneys to do this important work?

5 RAUN RASMUSSEN: Well, yes, yes, yes.

6 There are strains and challenges, and we're doing our
7 best to address them. with respect to the pipeline
8 issue, Professor Scherea [sp?] from New York Law
9 School is sitting in the front row who is one of the
10 architects of Right to Counsel, as you know, and we
11 have been working with him and with law schools
12 throughout the City and beyond to ensure that there
13 is an increasing pipeline to provide legal--
14 potential housing lawyers for this work, and that has
15 meant that beyond our traditional outreach we had to
16 get more aggressive about nurturing relationships,
17 making sure that people understand the importance of
18 the jobs, the challenge of the jobs. One of the
19 additional challenges in addition to the recruiting
20 has been that because we've been able to-- have had
21 to recruit a large number of people very fast, some
22 of those folks may not have had housing as their
23 highest priority in terms of what they wanted to do
24 with their professional life, and they step into
25 Housing Court and for all the reasons we had

2 described it's an incredibly challenging practice
3 area. And so people, a higher number than before to
4 find out earlier in their professional lives that
5 maybe housing isn't what they want to do, and so they
6 have shifted to another practice area or left legal
7 services practice altogether. So obviously,
8 recruitment, training, supervision, retention are all
9 huge lifts that were all engaged in in various ways.

10 COUNCIL MEMBER LEVINE: I really
11 appreciate that. You are contracted by New York
12 City. We're not paying you a lot considering what it
13 costs to hire an attorney in the entire ecosystem of
14 support around that individual. Are we contracting
15 at the right rates? Are you getting the resources
16 you need to do this work?

17 ADRIENE HOLDER: So, sustainability--
18 yes, sustainability is an issue that we are very
19 concerned about. We are concerned as a provider
20 community that the ability to sustain this expansion
21 in a way that promotes and maintains the quality of
22 representation and support that's needed, that there
23 is a significant gap in that. We are encouraged that
24 we have the support of this progressive body of City
25 Council Members, as well as an Administration that

2 has been willing to address certain issues, whether
3 as last year showed or the last budget cycle showed
4 the city's willingness to deal with par parity
5 issues, where as I did exit interviews I found that a
6 lot of my attorneys were leaving to go work for
7 Corporation Counsel or the New York State Attorney
8 General's Office. We are very encouraged that the
9 City has taken that on. So we began the discussion of
10 phase-in of pay parity for our staff. We are also
11 equally encouraged that the City recognizing their
12 partnership with the provider community is willing to
13 engage in discussions about the funding. It doesn't
14 mean that we always agree, but I have to say, having
15 someone who's made her career in legal services for
16 over 28 years now, this is the first administration
17 and the most progressive City Council that we've had
18 that provides us with the support that has us believe
19 that we can continue to walk into the light of Right
20 to Counsel and what's about housing justice for our
21 clients, and that we'll continue to be heard on how
22 it is that we can refine it as we move forward. So
23 that is a sustainable program that continues to
24 promote quality as el as true housing justice.

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2 COUNCIL MEMBER LEVINE: A technical
3 question, the Community Services Society report which
4 just came out this morning which some of you might
5 not have had a chance to look at yet. It's hot of
6 the presses, but it's really important in showing the
7 impact of the program. There's a serious trend in
8 the data on evictions, which is that every year they
9 peak in January and consistently drop off through the
10 12 months and then peak again in January.
11 Thankfully, we've had a year on year drop, but it's
12 that just landlords being malicious and wanting to
13 evict people in the cold weather, or is there
14 something else happening there? Please.

15 JONATHAN FOX: So, that has to do with
16 the Marshal's moratorium. There is a sort of
17 imposed, sort of-- the Marshals want to go on
18 vacations, too. So there's like a period of time at
19 the end of the year when there's sort of a moratorium
20 on evictions. And so I think that the spike you see
21 in January is likely just a reflection of shifting a
22 good chunk of December that otherwise would have been
23 into the following year. I--

24 COUNCIL MEMBER LEVINE: [interposing] But
25 it does seem to be not just those two months. That

2 would explain an uneven December and January. It
3 really does seem to be a year-long trend. Any other
4 possible explanation? Jordan, you were about-- is
5 that what you were about to say?

6 JUSTIN LA MORT: So, Justin. Yeah, so I
7 responded to Tom on Twitter about that. A large part
8 of it is a moratorium on marshals, but another part
9 of it is often when we're doing stipulations or move-
10 outs, often it'll be timed that way because that's
11 something everybody agrees on. The two easiest ways
12 to stipulate a move-out, which we don't love to do,
13 but sometimes is unavoidable, is either at the end of
14 the year or at the end of the school year, because
15 even landlords have hearts and will often recognize
16 that fact and give that opportunity.

17 COUNCIL MEMBER LEVINE: Some landlords.

18 JUSTIN LA MORT: Fair point.

19 COUNCIL MEMBER LEVINE: Okay, that helps
20 explain that. Thank you very much. And thank you
21 again to this panel and to the providers and to the
22 nonprofits you're leading which have really changed
23 lives in this city and we're grateful for that.
24 Thank you.

2 CHAIRPERSON LANCMAN: Thank you all very
3 much. Our next panel is Manhattan Borough President
4 Gale Brewer.

5 BOROUGH PRESIDENT BREWER: Thank you very
6 much. I am Gale Brewer, Manhattan Borough President.
7 It's very hard to follow that phenomenal panel. I
8 will try. I do want to thank Chair Lancman and
9 previously Chair Cornegy, and I want to speak just
10 like the previous panel in support of Intro. 1104 and
11 1529. I want to echo what the panel stated.

12 Congratulations the City Council for Right to
13 Counsel, Universal Access program. It really is
14 revolutionary, and it certainly is evicting--
15 averting evictions makes a huge difference to
16 individuals and families. We should be very proud of
17 it. I believe that citywide, just one year after
18 implementation evictions are down 16 percent, which
19 is actually a tremendous amount. I just want to give
20 some examples of what we face before Right to
21 Counsel, and obviously playing into this is the good
22 news out of Albany. But in the decade between 2009
23 and 18, the net loss of rent-stabilized apartments in
24 New York 46,332. And in 2018 alone, 52 percent of
25 all rent-stabilized units that were lost were form

2 the borough of Manhattan. It is true that in 17-18,
3 2017-2018, because of 421A and/or J51 [sic], the City
4 gained 4,500 rent stabilized units, but as we all
5 know, most of those-- or we don't know how many
6 because the data is always challenging-- are not
7 permanently stabilized. And I make the point,
8 another reason to have Right to Counsel and to have
9 it depended as the laws, potential laws, will do is
10 because many of these tax abatement programs that
11 went into effect decades ago are going out of
12 stabilization very soon unless we can keep them
13 affordable. So we know 1104 would expand the program
14 by increasing the eligibility ceiling to 400 percent
15 of the federal poverty guideline. That would
16 basically yelp the plight of working people, families
17 who face the loss of their homes, not just through
18 Housing Court actions, but through Supreme Court
19 cases, and we know those proceedings to terminate
20 stabilized subsidies tenancies. I've always
21 supported the tenant advocates who fight for
22 effective legal representation for New Yorkers, all
23 New Yorkers facing eviction, but particularly those
24 that are low income. And I continue to be deeply
25 impressed by those tenants and organizers seeking to

2 make the right to representation more effective. In
3 fact, listening to the conversation earlier, I would
4 say there's a big technology issue, if you talk about
5 lack of data. As you know, the issue over Open Data
6 is something that I care deeply about. Maybe a
7 hearing with the Technology Committee and the Housing
8 Committee to find out whether state or city doesn't
9 have that data easily available. I certainly want to
10 thank Council Members Levine and Gibson, but
11 everyone, for making New York a fairer city with all
12 of these laws, Right to Counsel. There's obviously a
13 need to expand this program eligibility. We know
14 that many cannot afford a private attorney under the
15 current guidelines. If you're a household of two
16 working people each making the minimum wage of 15
17 dollars per hour, you might be found ineligible for
18 assistance due to being over income today. Yet,
19 having legal counsel, we know what it does in terms
20 of saving your home. 1104 is also necessary to meet
21 this critical legal need for a vast number of working
22 individuals. For instance, where the owner has
23 refused to recognize their right to the apartment
24 they call home. Such cases require expert
25 assistance, yet many tenants do not know how to

2 qualify, or that they are qualified. We know that
3 this would be expansion. The bill would also provide
4 coverage in cases where tenancies are terminated not
5 in court, but at administrative proceedings. You
6 can't over-estimate the value of a Section 8 voucher
7 or a NYCHA apartment. You know how important they
8 are. Tenants also need help when appealing an
9 unfavorable decision of when a landlord appeals a
10 lower court. Such appeals are complicated,
11 cumbersome, and they definitely require legal
12 assistance. I support also 1529. You know that it
13 would provide funding for community groups to engage
14 its tenant organizing and education. That's exactly
15 what it calls for, group training and workshops where
16 tenants can learn about their rights, how to exercise
17 those rights and receive ongoing support. Having a
18 strong accessible community organization makes a big
19 difference, and I obviously support funding for this
20 work. Just to give an example, because some people
21 think you have Right to Counsel, you have better
22 tenant laws in Albany, but just today we have a
23 situation where a women succession was not on the
24 table because she had not filed with the person who
25 died on the lease. However, she went to court and

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2 the judge said if you get the one-shot, 17,000
3 dollars, from HRA. Then you'll have a lease. HRA
4 never looked to see what the housing proceedings
5 were. If it wasn't for our office intervening, she
6 probably would be evicted. She's 67. She's very
7 ill, and she would have no place to go. So, there is
8 no example that I can give that you don't already
9 know that is an example of why we need Right to
10 Counsel even with the laws that have changed in
11 Albany. So, these proposals represent necessary
12 changes to a program. We're very proud of the
13 program. We congratulate the City Council, but they
14 need expansion to make our intent to protect the
15 homes of New Yorkers and preserve affordable housing
16 a reality. Thank you very much.

17 CHAIRPERSON LANCMAN: Thank you very
18 much, as always. You're always welcome in this
19 chamber, and Mark Levine is so happy to see you he's
20 going to ask you a question.

21 BOROUGH PRESIDENT BREWER: Thank you very
22 much.

23 COUNCIL MEMBER LEVINE: I am always happy
24 to see Gale Brewer, of course, and I thank you for
25 speaking out on this issue for years, Gale. You

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2 cited a statistic which is pretty alarming. You said
3 46,000 rent stabilized apartments had been lost in
4 New York City over the past decade, and that probably
5 doesn't count loss of things like Mitchell-Lama
6 units. So, but just rent stabilized was 46,000, and
7 that in 2018 more of those units were lost in
8 Manhattan than the other four boroughs combined.

9 BOROUGH PRESIDENT BREWER: Correct.

10 COUNCIL MEMBER LEVINE: Was that a quirk
11 in 2018 or has that been the pattern?

12 BOROUGH PRESIDENT BREWER: Just-- I
13 picked that year, but I'm sure 52 percent or
14 hereabouts. Manhattan's always led in gentrification
15 and challenges.

16 COUNCIL MEMBER LEVINE: And is that
17 because market rents have just spiked here and so
18 there's more incentive for landlords to push people
19 out.

20 BOROUGH PRESIDENT BREWER: And I don't
21 know, but yes, and certainly s you give the example
22 at Mitchell-Lama, unfortunately the rent at Mitchell-
23 Lama was a first to be bought out in Manhattan as an
24 example.

25

2 COUNCIL MEMBER LEVINE: Right. And the
3 new affordability that we're creating as you sight
4 doesn't come anywhere near making up for the units
5 that we've lost?

6 BOROUGH PRESIDENT BREWER: No, not at
7 all, and I obviously-- the units that we lost and the
8 ones that are-- I don't have a breakdown. This is
9 from the rent guidelines board.

10 COUNCIL MEMBER LEVINE: Right.

11 BOROUGH PRESIDENT BREWER: And I don't
12 know if Furman has does anything to determine what is
13 permanent and what is not in terms of the new unit.
14 I know 421A very well. I know J51 extremely well.
15 They both started on the upper west side. They're
16 not permanent.

17 COUNCIL MEMBER LEVINE: Yeah.

18 BOROUGH PRESIDENT BREWER: Most cases.

19 COUNCIL MEMBER LEVINE: Those are-- you
20 cited some pretty depressing statistics, and it, as
21 you said, it's just a reminder of how important it is
22 that we preserve every affordable unit that we still
23 have, that we allow every family who is now housed in
24 an apartment. They can afford to stay there, and not
25 add to the list of homeless families or to the loss

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2 of rent stabilized units. So, thank you for speaking
3 out on this and for bringing those really stark
4 statistics to life.

5 BOROUGH PRESIDENT BREWER: Thank you very
6 much.

7 COUNCIL MEMBER LEVINE: Thank you.

8 BOROUGH PRESIDENT BREWER: Thank you all.

9 CHAIRPERSON LANCMAN: Thank you, and I'll
10 just mention that the Borough President from the
11 Bronx submitted written testimony which will be
12 available in the record. Thank you very much.

13 BOROUGH PRESIDENT BREWER: I just left
14 the Borough President of the Bronx and we did New
15 York One together. I love the Borough President from
16 the Bronx.

17 CHAIRPERSON LANCMAN: So noted. Are the
18 representatives from the Rent Stabilization
19 Association here to testify? No? Okay. Alright,
20 we're going to have a group of senior citizen, senior
21 tenants, representing senior tenants. Bobbie Sackman
22 from the New York State Alliance for Retired
23 Americans, Mary Fox from Housing Conservation
24 Coordinators, and Leo Asor [sp?]--- forgive me if I'm

25

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2 saying that wrong-- from AARP, which I am this year
3 now a member of. Turned 50.

4 UNIDENTIFIED: It's a blessing.

5 CHAIRPERSON LANCMAN: Alright, can you
6 raise your right hand? Do you swear or affirm the
7 testimony you're about to give is the truth, the
8 whole truth, and nothing but the truth?

9 UNIDENTIFIED: I do.

10 UNIDENTIFIED: Yes.

11 CHAIRPERSON LANCMAN: Good. Three
12 minutes on the clock.

13 MARY FOX: Got it. Hello, my name is
14 Mary Fox, and I'm here to testify in favor of passing
15 Intro. 1104 and Intro. 1529 to expand the Right to
16 Counsel. I'm the Associate Director at Housing
17 Conservation Coordinators. I'm here to talk about the
18 expansion of the Right to Counsel and how it will be
19 critical to support the most vulnerable and fast and
20 growing population segment of our population, the
21 older adults. HCC is a 49-year-old community-based
22 organization serving the tenants and to the community
23 of the west side of Manhattan and is anchored in
24 Hell's Kitchen in our storefront office. HCC serves
25 tenants, older adults, the home-bound, renters facing

2 eviction, the undocumented seeking refuge, those
3 seeking building organizing and low income members of
4 our community seeking other legal services. HCC was
5 one of the first organizations pioneering the Right
6 to Counsel in Manhattan's Housing Court. Since the
7 Right to Counsel started, HCC has prevented hundreds
8 of evictions and allowed older adults to age in
9 place. Allowing older adults to age in place and
10 remain in their communities where they receive their
11 medical care, attend places of worship, attend social
12 events, and remain in their communities that they
13 help build is crucial for their physical and mental
14 health. There is a senior boom in New York City and
15 our city is struggling to meet the housing needs of
16 our senior population with 65 percent of single
17 elderly households in rent stabilized units facing
18 severe rent burdens. There are now more people under
19 the age of 65 in our city than there are-- ten and
20 under. [off mic comments] I'll correct that.
21 Studies by leading demographers show that by the year
22 of 2030 our city's over-the-age-of-65 population will
23 be nearly 50 percent of the total New York City
24 population. As you know, Intro. 1104 would increase
25 the Right to Counsel's income eligibility level.

2 This increase and allowing us to serve those above
3 200 percent of the poverty guidelines is crucial
4 because as it stands now, our seniors are barely
5 scraping by on their fixed incomes. Older adults
6 living on a fixed income are pushed above the income
7 limit for Right to Counsel by their social security
8 checks or other benefits. Most of our senior survive
9 on a small pension or some type of fixed income. As
10 seniors live longer, they also face increased strains
11 on their finances as well as their physical and
12 emotional health. Medical bill, social isolation,
13 burying a spouse or a life-long friend, illness or
14 other unforeseen circumstances, older adults live at
15 the intersection of all of these issues. I'm going
16 to ask the Council for one more minute if that's
17 possible? I'm sorry. Okay. It is important the
18 City pass the Right to Counsel Law, but it also must
19 do more to make sure the tenants also know of this
20 right. Intro 1529 is important to HCC, because an
21 advocacy and legal services organization, we know
22 firsthand how important it is that we are able to
23 reach people in need of our services. Working for an
24 organization that provides both organizing services
25 and legal services, I know that organizing is one of

2 the main reasons that senior tenants, and other
3 tenants for that matter, come to know their rights in
4 Housing Court. Although we live in an age of
5 increase technology, many of our seniors still do not
6 use the internet, don't know how to use a smartphone
7 and are fearful of learning. The Pugh Research
8 Center shows that while Americans are embracing
9 mobile technology at a rapid pace, seniors are
10 trailing behind. This is a generation of folks that
11 is used to speaking to each other. They don't all
12 get their news online. These seniors will not know
13 about their right to counsel unless there are
14 organizers knocking on their door. Organizers will
15 get the word out to those elderly shun-in homebound
16 and immigrant seniors about their rights. About 15
17 more seconds, please. From 2010 to 2015 the number
18 of immigrant seniors jumped 21 percent. As a group,
19 immigrant seniors are 1.5 times likely as native-born
20 seniors to be poor and struggle to learn English.
21 Two out of three struggle to learn English. This
22 proposed legislation before you will help reach those
23 struggling seniors who are dealing with-- immigrant
24 seniors who are dealing with social isolation to get
25 a knock on a door from an organizer that may speak

2 Farsi or Mandarin. Immigrant seniors will also be
3 just simply be better served. New York City is home
4 to a blooming aging population and it's crucial that
5 all New York City seniors know about their rights and
6 have access to legal services. The City can and
7 should do more to stop evictions. We ask you and
8 urge you to pass Intros. 1104 and 1529. Thank you,
9 and apologies for going over.

10 CHAIRPERSON LANCMAN: Thank you.

11 BOBBIE SACKMAN: Hi, good afternoon. My
12 name is Bobbie Sackman. I am currently working with
13 the New York City Metropolitan Chapter of the New
14 York State Alliance for Retired Americans, which is
15 an advocacy organization comprised of union retirees
16 and other older adults in the community. And I'm
17 going to not go in order of what I've written here.
18 I'm just going to jump around a little bit. Just so
19 you know, NYSARA has almost a half a million members
20 across this whole state. So it's actually quite a
21 large organization. So there are three legged stool
22 of housing. One is to build housing and develop it
23 and preserve it. One is the SCRIE program, you know,
24 is for older adults that we're familiar with. And
25 the third is absolutely right to counsel. You know,

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2 having all of this in place, the strengthened state
3 laws, of course, this is going an enormous distance
4 to help people over the age of 60, you know, feel
5 like they have somebody on their side. I realized
6 something while I was sitting here is, you know,
7 SCRIE's income level was increased to 50,000 dollars
8 a number of years ago. Well, that's the same as if
9 our go to the 400 percent of poverty for one person
10 and many seniors live alone is literally, what,
11 49,000 something. So, the recognition that SCRIE
12 needed to go to 50,000, and the recognition that it
13 needs to go to 50,000-- I know others live alone who
14 aren't necessarily seniors, but you know, it sort of
15 evens it out in a way. You can see where I'm going
16 with it, and I think it just makes sense. When I-- I
17 was the Director of Public Policy with Live On New
18 York for 28 years, and I was part of the Right to
19 Counsel Coalition when it began. So, the only thing
20 I want to add to all this is, because all the good
21 point shave been made, but you know, this is who's
22 coming to your offices, right? Who comes to the City
23 Council offices on a daily basis? There's a lot of
24 older adults. And what do they come about? Housing
25 I'm sure is almost number one if not. And so the

2 fear, the fear that is in somebody's heart if they're
3 60, 70, or older and they've been living somewhere
4 for so many years, and one of the statistics is that
5 more than 50 percent of households who have used
6 Right to Counsel lived in their homes for more than
7 60 years. Forty percent live in their homes for more
8 than 10 years. Well, guess who that is? That's a
9 lot of older adults who are anchors in their
10 communities, and now they might face, you know,
11 eviction and landlord harassment. We also want to
12 encourage, you know, the most-- Right to Counsel
13 would cost less and more that you can do with NYCHA
14 to stop using Housing Court as a means to collect
15 rent. NYCHA is the largest houser of low income
16 older adults in this city. Anything that's good for
17 low income older adults living in NYCHA, you know, is
18 just good. And oaky, I will quit there. I support
19 both bills. As an advocate you definitely have to
20 fund the advocacy groups, the tenant organizer groups
21 because without information and knowledge of this
22 program, then it just won't be useful to people.
23 Thank you.

24 LEO ASEN: Good afternoon, Chairpersons.
25 My name I Leo Asen, and I am the State President at

2 AARP New York, and I'm a volunteer. On behalf of our
3 nearly three-quarters of a million members age 50 and
4 older in New York City, I want to thank you for the
5 opportunity to testify today. I urge you to pass
6 Intros. 1104 and 1529 to expand the Right to Counsel
7 Law. With an unabated housing crisis, growing income
8 disparities and rapidly gentrifying neighborhoods we
9 simply must give more New Yorkers legal tools and
10 outreach services to fight evictions. According to
11 our latest report, "Disrupting Disparities 2.0
12 Solutions for New Yorkers Age 50 Plus," seniors,
13 particularly black African-American and Hispanic
14 Latino are at risk of gentrification-related
15 displacement because of high-poverty and low
16 homeownership rates. We found that 91 percent of
17 older Hispanic/Latino and 81 percent of older
18 black/African-American residents in gentrifying
19 neighborhoods are renters and many of them are low-
20 income, putting them at particular risk of
21 displacement. For example, Bushwick and Bed-Stuy are
22 home to about 66,000 residents 50+, 30 percent of
23 whom are under the poverty level, putting about
24 20,000 older people at high risk of displacement.
25 Before the RTC law was passed, almost all low-income

2 tenants who faced eviction lost their cases because
3 they had no representation. Last year, evictions
4 declined more than five times faster in RTC zip
5 codes. AARP fought hard alongside elected officials
6 and advocates to get the original RTC bill passed in
7 2017, and I'm here to say that we will do all we can
8 to ensure the needed expansions proposed by Council
9 Members Levine and Gibson and the RTC Coalition also
10 becomes law. We estimate that raising the income
11 threshold for RTC through Intro 1104 could cover an
12 additional 56,000 to 71,000 households, making nearly
13 everyone currently in Housing Court eligible for RTC.
14 The bill would also expand the law to cover more
15 types of evictions cases in higher courts or
16 administrative hearings and appeals. All our
17 neighbors make up the great diversity and vibrancy of
18 our neighborhoods, and in fact, many of our older
19 neighbors are responsible for building up these
20 neighborhoods. We owe it to them to level the
21 playing field in Housing Court and help them to stay
22 in their homes and communities and age in place.
23 That's why I urge you to pass Intros. 1104 and 1529.
24 Thank you.

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2 COUNCIL MEMBER LEVINE: I don't really
3 have a question. I just want to acknowledge that
4 seniors' advocacy organizations, you Bobbie, but also
5 AARP have just been a pillar of this movement, and
6 you helped us focus on the particular vulnerability
7 of older New Yorkers. You saw this as a priority for
8 people who care about our seniors and you were
9 critical to the passage of the first bill. so to
10 have you now on board articulating strong support for
11 this 2.0 package is really meaningful and I thank you
12 for that. Thank you.

13 CHAIRPERSON LANCMAN: Alright, thank you
14 all very much. So, next we'll hear from some Bar
15 Association leaders, Andrew Scherer from the New York
16 City Bar Association and Roger Juan Maldonado, also
17 from the New York City Bar Association, and Alison
18 King from the New York City Bar Association. Good
19 afternoon.

20 ROGER JUAN MALDONADO: Good afternoon.

21 CHAIRPERSON LANCMAN: If you would raise
22 your right hand so we could get you sworn in. Do you
23 swear or affirm the testimony you're about to give is
24 the truth, the whole truth and nothing but the truth?

25 ROGER JUAN MALDONADO: I do.

2 CHAIRPERSON LANCMAN: Terrific. Please
3 proceed.

4 ROGER JUAN MALDONADO: Good afternoon.
5 My name is Roger Juan Maldonado, and I am testifying
6 today in my capacity as president of the New York
7 City Bar Association. I am accompanied by the my
8 colleagues Andrew Scherer and Alison King who are the
9 Co-Chairs of the City Bar Association's taskforce on
10 the Right to Counsel. The taskforce prepared the
11 memorandum in support of Intros. 1104 and 1529 that
12 you have before you and that constitute the official
13 testimony of the City Bar. I do want to focus though
14 in the time that I have on some questions and
15 comments that Council Member Gibson posed to the
16 coordinator, the Civil Justice Coordinator. With
17 respect to working, what can you do going forward
18 were 1529 to be passed to ensure that there's going
19 to be appropriate tenant organization? I started my
20 career as a lawyer at South Brooklyn Legal Services
21 representing tenants in the very Housing Court in
22 Brooklyn that continues to be in horrendous shape.
23 So I'm extremely familiar with how bad it is. what
24 made my life easier as a tenants' attorney was when
25 there was a Tenants Association that I could work

2 with that was working with everyone in the building
3 who required-- who had issues that were not just
4 their own, but they applied to the building in
5 general, and if you have that sort of Tenants
6 Association that is further-- where if the Office of
7 Civil Justice can help develop and maintain those
8 sorts of organizations, you are increasing both the
9 likelihood of information getting to the tenants in
10 the building sooner so that their rights can be
11 protected, but you're also assisting the attorneys
12 representing the tenants in those buildings and
13 actually providing effective legal services. If you
14 have an organizer with whom you can communicate on
15 behalf of everyone we're representing in the
16 building, it makes an enormous difference. Further,
17 the ability to address even before going to court
18 issues that affect several of the tenants in the
19 building when you have an organization that speaks
20 for all of them makes it much easier, either through
21 even the threat of the housing part action or the
22 bringing of a housing part action that avoids the
23 risk of these nonpayment proceedings. So I have to
24 disagree with Judge Cannataro on that one point. You
25 should definitely include as part of 1104 housing

2 part action representation because the combination of
3 what a tenant's attorney can do, someone who's
4 representing everyone in the building, when you have
5 that double leverage is enormous. In the very few
6 seconds I have left, I-- Council Member Lancman, I
7 think I heard you say that the RSA is looking for
8 ways to have the connection between the legal
9 services provider and the tenant to be represented
10 happen earlier. I could not agree more. It is
11 essential, not just that they meet, but that they
12 meet with enough time for the tenant's attorney to
13 help prepare and answer that now reflects that
14 attorney's knowledge and information. I know that's
15 beyond the power of this council, but I think among
16 the things that must happen is the counsel, the
17 Office of Civil Justice and other representatives
18 need to further amend the HSTPA to build into it the
19 time period necessary to allow tenants, just as all
20 other clients with most other attorneys are allowed
21 to do, meet with their attorney in the attorney's
22 office to better prepare their presentation to the
23 court. Thank you.

24 CHAIRPERSON LANCMAN: Thank you. Do
25 either of you have anything to add?

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2 ANDREW SCHERER: No, we're only here to
3 support and answer any questions. You got a lot of
4 tenants waiting to testify, so we're just here in
5 case there are any questions that we can answer.

6 CHAIRPERSON LANCMAN: Thank you very
7 much. Well, we appreciate your patience, appreciate
8 the thoroughness that you have applied to your
9 analysis, and also the benefit of your own experience
10 applied as well. Thank you very, very much.

11 ROGER JUAN MALDONADO: Thank you.

12 ALISON KING: Thank you.

13 CHAIRPERSON LANCMAN: Okay, so now we're
14 going to have a panel of tenants, another panel of
15 tenants: Marlene Jean Noelle [sp?], from the Brooklyn
16 Tenant Coalition, Judith Bernard from Catholic
17 Migration Services, Esteban Giron from the Crown
18 Heights Tenant Union, Patricia Bowles Simmons [sp?]
19 from Goddard Riverside Law Project. Forgive me if I
20 mispronounce anyone's name. Please come up to the
21 table if you are here. Going once, going twice-- oh,
22 I don't see them. Oh, alright. Please, you all can
23 begin.

24 PATRICIA BOWLES SIMMONS: Press the red
25 button? Hi. Hi, good afternoon, panel. My name is

2 Patricia Bowles Simmons. I'm here to testify in
3 favor of the passing of the 1104 Intro. I mean,
4 Intro 1104 and intro 1529 to expand the Right to
5 Counsel Law. I am a rent-stabilized tenant in Harlem
6 in the borough of Manhattan where I live for 14
7 years. I am also a senior that is facing problems in
8 by building. I do receive rent subsidies from Section
9 8, which in these days, it doesn't mean anything.
10 Section 8 has expanded the finances due to certain
11 zip codes. With certain zip codes you are not able
12 to get-- they allow you to get more finances for your
13 rent. However, Intro. 1104 would increase Right to
14 Counsel income level. This is important to me
15 because it will ensure that many community members
16 would be able to stay in their homes and neighborhood
17 without the fear of going broke. Into 1529 will
18 require the city to fund tenants organizing. As a
19 member of Goddard Riverside Law Project Tenant
20 Association, this is important to me because through
21 community-based organizing we as tenants have the
22 space and advice to unite and to commit to one
23 another, develop our voices and minds, and take up
24 responsibilities and leadership to lift up and defend
25 our communities. The city can also-- the city can

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2 and should do more to help stop evictions. As a New
3 York City resident I urge my counsel to pass and fund
4 Intro. 1104 and Intro 1529 by June so that more
5 people have the Right to Counsel and use it to defend
6 their homes. If a tenant like me is facing an
7 eviction, having a right to a lawyer is the key to
8 being able to stay in your home. Right to Counsel is
9 important to me because of my experience with
10 landlord harassment and neglect. My neighbors and I
11 spent over three years without leases, without
12 repairs, and not knowing what would happen to our
13 building when management was being turned over. But
14 we organized ourself [sic] with the help of Goddard
15 Riverside Law Project attorneys and organizer and
16 pushed back. Thank you

17 CHAIRPERSON LANCMAN: Thank you. And I
18 just want to pause it and invite one more person to
19 join the panel who is under a bit of a time
20 constraint, Emily Goldstein from ANHD. And I want to
21 acknowledge that we've been joined by our fellow
22 Council Member Ritchie Torres who has been a sponsor
23 of both of the bills we're hearing today. We're
24 thankful for that. And please, you can proceed, and
25 then we'll go to Emily.

2 JUDITH BERNARD: Good afternoon. My name
3 is Judith Bernard. I volunteer for the Catholic
4 Migration Services. I'm a retired nurse, a senior
5 citizen, and living on a fixed income. It has been a
6 continuation of the landlord every month to send me a
7 paper to go to court. Knowing that I am on Social
8 Security and [inaudible]. I get that once a month
9 which is really fixed, and I cannot pay my rent
10 before I can get my check in place. I have lived in
11 this area and worked there for 39 to 44 years. I've
12 had my children there. I educated them. I made them
13 to become productive citizens of this country. Intro
14 1104 would give me the privilege, the eligibility of
15 remaining in my home by increasing 1104 from 200
16 percent to 400 percent because as it stands at this
17 time, all resident tenants including myself are not
18 eligible for certain [inaudible] privileges that are
19 going along. If 1104 is increased it will give us
20 that opportunity of having a lawyer in our cases from
21 start to finish. As it stands at the present, if
22 you're 30 or 31 percent of tenants including me are
23 considered not eligible. 1104 will increase that,
24 and also there are people that are not aware of 1529,
25 and we ask also for that to be extended. This is why

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2 the need to increase Intro. 1104 is very, very
3 imperative. Thank you.

4 CHAIRPERSON LANCMAN: Thank you very
5 much. Emily, please?

6 EMILY GOLDSTEIN: Thank you so much for
7 the opportunity to testify. My name is Emily
8 Goldstein. I'm the Director of Organizing and
9 Advocacy at ANHD, the Association for Neighborhood
10 and Housing Development. ANHD builds community power
11 to win affordable housing in thriving equitable
12 neighborhoods for all New Yorkers. As a coalition
13 of community groups across New York City, we use
14 research, advocacy, and grassroots organizing to
15 support our members in their work to build equity and
16 justice in their neighborhood as well as throughout
17 the City. I'm testifying in support of both the
18 bills today, both of which would serve in their own
19 ways to expand the reach of the enormously successful
20 Right to Counsel program in New York City. I'll
21 speak first to 1529. As I see it, we have a lot of
22 rights on paper, but it generally always take
23 organizing to make sure that those rights translate
24 into practice. The tenants who are sitting here in
25 this room today are here because of tenant

2 organizing, and with Universal Access and with Right
3 to Counsel, as you already heard from some of the
4 previous panels, the reality is that a lot of
5 tenants, in particularly a lot of tenants who are
6 particularly vulnerable to harassment and eviction,
7 senior citizens, immigrants, folks who do not have
8 English as a first language or who do not understand
9 English at all are the ones who are not going to be
10 aware of their rights and not going to be able to act
11 on their rights without outreach and organizing from
12 local community groups like the ones who are a part
13 of ANHD's membership and the ones who brought people
14 out here today. Organizing is always an under-
15 resourced and underappreciated body of work, and it's
16 incredibly important that this City Council support
17 that behind-the-scenes work that ensures that tenants
18 understand their rights that helps tenants fight back
19 against the fear to report code violations, to
20 organize against problems in their buildings because
21 they know that they don't have to fear facing a
22 retaliatory eviction without support of a lawyer.
23 Briefly, in terms of Intro. 1104, to me this is kind
24 of a no-brainer. At the moment, you know, the
25 existing Right to Counsel Law has been incredibly

2 successful. It's clearly working, and so there's no
3 reason not to extend those protections to an
4 additional population that very clearly needs access
5 to counsel and can't afford it on their own. That
6 includes, you know, both raising the income
7 threshold, but also recognizing that regardless of
8 the venue from a tenant perspective, an eviction is
9 an eviction, and from a public policy perspective, we
10 should treat an eviction as an eviction, right, and
11 ensure that regardless of the venue tenants have
12 access to counsel. Finally, I want to point out-- I
13 know RSA wasn't called up-- was called and wasn't
14 here earlier. But briefly, I'll say that many of ANHD
15 members actually are nonprofit landlords. They
16 develop and own and manage affordable housing, and so
17 they are mission-oriented landlords whose tenants now
18 have access to counsel, and they are glad that that
19 right is in place. They are glad that those tenants
20 have the sort of just-- due justice that they
21 deserve. Our members do everything they can to avoid
22 taking tenants to court, because their goal is to
23 ensure that tenants remain in their homes, but if
24 they do wind up in that situation, they want tenants
25 to be able to be represented and to negotiate to

2 ensure that they have their rights protected and that
3 they ensure the best outcome. Thank you again.

4 COUNCIL MEMBER LEVINE: Thank you very
5 much, Ms. Goldstein, and please? If you can turn on
6 your mic, there's a button at the base.

7 MARLENE JEAN NOELLE: Right here? Oh, hi.
8 My name is Marlene Jean Noelle [sp?], and I'm a
9 tenant leader with Flatbush Tenant Coalition. I'm
10 [inaudible] tenant in the borough of Brooklyn where I
11 live for over 40 years. I'm living in Haitian
12 community. I'm here to testify in favor of expanding
13 the Right to Counsel Law. As a tenant leader
14 organizer [inaudible] and older people in my building
15 it's important to pass Intro 1104 and 1529, because
16 the current law would not qualify for a lawyer if I
17 was facing an eviction. I will not be able to pay
18 for private lawyer due to my income. So it's
19 important to me to stay in my apartment because I
20 cannot afford to pay the higher rent, and especially
21 some people in my community also. And all tenants
22 have rights. They have rights to stay in the home.
23 Therefore I urge the City Council to pass and follow
24 [sic] Intro. 1104 and Intro 1529 by June so
25 established tenants in community organizations can

2 have funding to educate and inform tenants of the
3 rights, and also it can have-- the tenant can have
4 the right to counsel [inaudible] people that cannot
5 afford, you know, like they would be able fund a
6 lawyer so they will stop the eviction. I have a lot
7 of people in my community that have the same problem,
8 you know, they could be all scared of the landlord,
9 and some of them, you know, let alone they don't
10 speak English [inaudible] whatever they want to do
11 with them. So I urge please the City Council to pass
12 the law. Thank you.

13 COUNCIL MEMBER LEVINE: And thank you to
14 this whole panel, and we're going to continue hearing
15 from the voices of tenants. I'd like to call up
16 Lauren Springer from Tenants-- okay. A mix of
17 tenants and tenant advocates. We have Lauren
18 Springer from Catholic Migration Services, Robert
19 Reyes [sic] Villagomez from CASA, Robert Conkling
20 from Goddard Riverside, Amy Collado also from
21 Catholic Migration Services, Julie Colon from
22 Northwest Bronx Community and Clergy Coalition,
23 Xavier Simpson [sp?]- I think I read that correctly-
24 - from Northwest Bronx Community and Clergy
25 Coalition, Sarah Guillet from Flatbush Tenant

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2 Coalition. Okay. You all get extra points for
3 staying. We're already in hour five of this hearing,
4 but it is so important that you're all on the record,
5 and I'm very happy that you're here and excited about
6 this panel. You want to start us off, sir? Would
7 you like us to start on the other end? We can do
8 that too. Okay, we'll give you time to get your
9 thoughts together. Please, ma'am.

10 SARAH GUILLET: Alright, good afternoon
11 everyone. My name is Sarah Guillet and I'm a Housing
12 Rights Organizer with the Flatbush Tenant Coalition,
13 also known as FTC. FTC is led by our extraordinary
14 mostly immigrant working-class black and brown tenant
15 leaders who fight-- who have fought diligently for
16 years to keep their families in safe housing. At FTC
17 we work collectively to develop tenant association
18 and to educate tenants about their rights. Our
19 tenants' Association of one of our buildings, 180
20 East 18th Street is a great example of the important
21 and powerful organizing work that we do. Last year,
22 these tenants experienced a horrible fire that
23 displaced 18 families and left many of the others
24 living in dangerous conditions. Tomorrow will
25 actually be a year since the fire and a year since

2 these families have been out of their homes. These
3 [inaudible] tenants have organized to demand that
4 their landlord, Judah Roosefeld [sp?], from GBM
5 Estates do the necessary repairs for them to repair
6 to their homes safely. They have been organizing
7 actions and they've been holding the landlord
8 accountable through Housing Court. They're also
9 working on other tactics to put pressure on the
10 landlord such as working towards a 7A management
11 program because clearly the landlord is neglecting
12 the building and its tenants, so the tenants should
13 have the right to manage their own building. Because
14 of the Right to Counsel, these tenants have been able
15 to remove their fear of retaliation, and instead
16 focus on building tenant power and build coalitions
17 with other buildings owned by Judah Roosefeld.
18 Tenant organizing groups like ours are able to reach
19 tenants on days, at time, and in spaces that are
20 accessible to them. So, today, although we have a
21 number of powerful tenants present here, there are
22 hundreds more who could not be here on a week day
23 between the hours of nine to five, because they are
24 either at work or they're unable to arrange childcare
25 or other care takers, or they're unable to afford

2 travel or have limited mobility or because of any of
3 the many barriers working class New Yorkers face in
4 this city. Still, tenant organizing groups make sure
5 that tenants are informed and are able to make
6 decisions on policies that affect their livelihoods,
7 right? So, we still have a lot more people to reach,
8 many more people to reach, and this is why passing
9 Intro 1529 is extremely imperative for the work that
10 we do. Thank you.

11 COUNCIL MEMBER LEVINE: Thank you. And
12 those tenants who couldn't be here today are lucky
13 that you are here to speak powerfully on their
14 behalf, and we thank you for that. Please.

15 JULIE COLON: Hi everybody. Sorry. My
16 name is Julie Colon. I'm a tenant organizer from
17 Northwest Bronx Community and Clergy Coalition, and I
18 was going to prepare something, but I figured I'd
19 speak from the heart, because that's where-- what
20 really led me here today. I'm speaking as an
21 organizer, but I'm also speaking as a tenant. I lived
22 in NYCHA my whole entire life, and I've seen my mom
23 go through eviction proceedings. I've seen my friends
24 go through evictions proceedings. I myself as a
25 single mom have had to go through an eviction

2 proceeding before, and I had no idea about community
3 organizing groups until I actually became a community
4 organizer. I went to Stony Brook University and I
5 majored in social welfare, and I thought the only
6 thing I was going to be able to do with that was to
7 go to ACS and take away people kids or just working
8 some boring social work firm or something like that.
9 But then I became introduced to Northwest Bronx
10 Community and Clergy Coalition and they educated me
11 on like the plight of rent-regulated tenants. As a
12 NYCHA tenant, you know, our income is 30 percent-- I
13 mean, our rent is 30 percent of our income. So we
14 don't really have to deal with rent laws or like rent
15 regulation or rent control. And so I really got
16 educated on that, and then I realized how many people
17 of the people that I work with are not educated on
18 that, and they've lived in that system their entire
19 lives. Like, how do you not know that there's a
20 board that controls like what rent increases you get?
21 How do you not know how to go into the court system
22 and handle, you know, Housing Court? How do you not
23 know that you can withhold your rent for repairs if
24 you're not getting repairs? These are things that
25 people don't know. These are rights that people have

2 that they don't know about, and now, they have the
3 right to a lawyer, and they don't even know that they
4 have that. And it's our job to go into the community
5 and educate people on that. We have about five to
6 ten buildings to deal with a month, two hundred and
7 something tenants that we have to try to educate and
8 teach them stuff that we just learned ourselves, and
9 it's really, really hard. So that's why I'm here to
10 testify in support of 1529 because we need help. We
11 need more organizers in the community to be able to
12 do this work. Tenants all over New York City, all
13 over New York State need to know what they're allowed
14 to have, what they're entitled to have when it comes
15 to their homes and what comes to being able to stay
16 and fight to have their-- excuse me-- to keep their
17 homes. So, yeah, thanks.

18 COUNCIL MEMBER LEVINE: Well said. Much
19 better than a prepared statement. Thank you.

20 LAUREN SPRINGER: Okay, well mine is
21 prepared. My name is Lauren Springer. I'm a tenant
22 leader with Catholic Migration Services, a nonprofit
23 legal services provider and community-based
24 organization actively engaged in tenant organizing
25 work, and I'm also a member of the Right to Counsel,

2 New York City Coalition. I'm here today to support--
3 to urge support for and passage of Intro 1529 which
4 would mandate funding CBOs in their RTC outreach
5 effort. Fourteen years ago my rent-regulated
6 building was one of 80 buildings in a portfolio
7 bought by a predatory equity landlord who promised
8 high rates of returns to their investors. Those
9 returns could only be achieved by pushing long-time
10 tenants out of their homes, however. After that
11 purchase, tenants, many of whom were seniors,
12 immigrants, non-English speaking, were targeted for
13 harassment. My neighbors and fellow residents were
14 aggressive harassed by such tactics as frivolous
15 lawsuits, baseless accusations regarding nonpayment
16 in which rent checks were returned for one reason or
17 left uncashed and then tenants taken to court for
18 failure to pay rent, false claims that tenants' homes
19 were not their primary residence and hurdles and
20 other obstacles placed to frustrate their obtaining
21 rent renewal leases as required by the law. The
22 landlord managed to clear out the buildings of many
23 long-time residents. However, the tide began to turn
24 in 2008. At that time, with the help of catholic
25 Migration Services we were able to organize, fight

2 back, and win. Catholic Migration Services helps us
3 form a tenant union across the majority of those 80
4 buildings in the landlords' portfolio and through
5 litigation and organizing efforts which included
6 protests, rallies, meetings with the landlords and
7 elected officials, we got relief and put a stop to
8 those predatory practices. In fact, that landlord
9 ultimately ended up selling that portfolio. Through
10 that experience I've seen firsthand the power of
11 organizing and how effective it can be. For that
12 reason, I support funding CBOs and calling the
13 Council Members and other electeds [sic] to pass this
14 bill. In August 2017, through organizing efforts, we
15 won this groundbreaking right to legal representation
16 and Housing Court eviction proceedings, but now we
17 need to do more. We need to strengthen and expand
18 the Right to Counsel Law to fund community-based
19 organizations and tenant organizers in their outreach
20 efforts. In this way, we can ensure that tenants
21 know their rights so that they can exercise them,
22 build tenant power, and thereby hold landlords
23 accountable. Thank you.

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2 COUNCIL MEMBER LEVINE: Thank you.

3 Luckily you're a good writer, so the prepared
4 statement came out extremely well. Please.

5 AMY COLLADO: Is it on now? Sorry, I'm
6 short. My name is Amy Collado, and I'm here to
7 support Intro 1104 and 1529. I've been an organizer
8 with Catholic Migration Services for the last four
9 years. This profession and lifestyle has had the
10 biggest influence on my life. The work has made me
11 into a better person. It's made me a more powerful
12 and compassionate person. And as an adult who has
13 experienced housing instability almost all my life.
14 It is a privilege to be able to do this work, because
15 I too get to learn my rights and get to work with
16 people just like me for what's right. Intro. 1529 is
17 more than just letting tenants know that this right
18 exists. It becomes an entry-point for life-long
19 learning. Tenants have the opportunity to understand
20 root problems and allows them to see their own power
21 in taking charge of their life so that they can work
22 together alongside their attorney. Yes, there has
23 been a reduction in court filings on evictions, but
24 as mentioned earlier, tenants are still dealing with
25 displacement by being served with letter of

2 termination and leaving by the date stated in those
3 notices without any legal interventions, even having
4 supers tell them that they themselves won't renew
5 their leases. This year, HPD has released, as with
6 every year since 2007, has released a list with over
7 225 buildings now entered into their alternative
8 enforcement program which include buildings in the
9 RTC zip codes. This means there are tenants living
10 in hazardous conditions recognized by the City who
11 more than likely do not know that they have the right
12 to hold their landlord accountable, and in case the
13 landlord retaliates, that they'd have legal
14 representation. We need Intro. 1529 so that we can
15 continue to get to those-- we can get those tenants
16 informed of their housing rights because this goes
17 far beyond just letting our community know.

18 Organizing makes it possible for every day, hard-
19 working, under-recognized, underserved, marginalized,
20 poor, all the romanticized jargon used to describe my
21 people in order to make them into the powerful people
22 that they need to be in order to balance these very
23 visible scales of injustice. Attorneys are very
24 important, but organizing connects the dots to the
25 ongoing systems, systematic issues, that makes it

2 hard for us to live, and as the City continues to
3 fund fresh attorneys, we need that same energy with
4 organizers and with putting that effort into
5 organizing. We need organizers on the ground
6 continue to knock on doors regardless of the climate
7 and how cold or how hot it is to get out the
8 resources needed and to reach as many people possible
9 in all the creative ways that will reach folks.
10 Someone had asked earlier how do Housing Court-- how
11 does Housing Court deal with language justice, and I
12 just want to point out that usually results in
13 organizers, otherwise tenants are left there with no
14 help. We need Intro 1529 and Intro 1104 passed now,
15 because there's still so much work to do. Thank you.

16 COUNCIL MEMBER LEVINE: Thank you, Amy.

17 ROBERT CONKLING: Hello. Thank you for
18 your time and for your work this past year. My name
19 is Robert Conkling and I am privileged to be a tenant
20 leader with Goddard Riverside and recently on the
21 ground with Right to Counsel. And I live at 215 West
22 14th Street in Manhattan, which is at the direct
23 crossroads of Chelsea and Greenwich Village and the
24 meat packing district which you may realize is not a
25 comfy and a healthy place for a vulnerable SRO to be

2 today. I support both intros, but I'm here
3 specifically to support 1529 because as an SRO my
4 fellow tenants and myself have experienced for the
5 last 12 years the benefits of free legal counsel.
6 We've had at least two waves of landlord harassment
7 and abuse and attempts at forced eviction. Beginning
8 in 2008 when Goddard stepped in and told us hey, you
9 are an SRO, which we didn't know, and that you have
10 rights, and then we will join you to help create a
11 tenants association and stand by you all the way.
12 Well, of course, we didn't know really what that
13 meant, but 12 years later I'm here to confirm and
14 affirm that that has been the case. Step by step all
15 along the way we have seen rent suspensions, rent
16 refunds, a new façade, a new roof put into our
17 building, brand new windows, the security-- we have
18 elliptical staircase which has been secured, new
19 floors in our building, and when our high-end [sic]
20 landlord flipped our building to this family landlord
21 it became worse. Goddard stepped back in again to
22 help us. We had 12 cases that we had won in court
23 recently, and our land lady is now actually calling
24 our lawyers for advice. So, the success of the
25 organizers and the attorney's at Goddard is

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2 incomparable, and I want to add that even though the
3 laws are on the books and that the funding is in
4 place and growing-- thank you-- there's still this
5 fear and confusion out there even with younger
6 tenants and tenants from actually all across the
7 world in our building, and they don't know. And to
8 support, enhance and expand the organizing power in
9 New York also affects people like myself and the
10 other tenant leaders here who exponentially reach out
11 to other tenants to help them understand their rights
12 and to prevent not only fear and confusion, but
13 tenant fatigue. With that, I say thank you again,
14 and pass 1529, please.

15 COUNCIL MEMBER LEVINE: Thank you.

16 Excellent. Please?

17 ROBERT VILLAGOMEZ: Hello, hi. My name is
18 Robert Reyes Villagomez and I'm a community organizer
19 with CASA, Community Action for Safe Apartments in
20 the South Bronx. I'm here today speaking on behalf
21 of CASA and we're testifying in full support of
22 Intros 1104 and 1529. My role at CASA is to organize
23 tenant associations and conduct outreach only two
24 buildings in the Right to Counsel zip codes, namely
25 in the 10457. If you look at our catchment area it's

2 a small sliver into it, and in that sliver within the
3 10 months I've worked with CASA leading outreach
4 efforts with a few other colleagues and interns, we--
5 during the period of June 2019 to December we've done
6 outreach to 76 different buildings, reaching over
7 2,300 families in the zip code of 10457. That being
8 said, the vast majority of people I have talked to in
9 the 76 building or attended one of the 32 Know Your
10 Rights workshops that I've organized and led, they
11 simply did not know that they had right to counsel
12 and the people that did know had been targeted by
13 their landlords and had been brought time and time
14 again to Housing Court either for evictions or
15 nonpayments with one tenant telling me that they've
16 been taken court for a nonpayment of 93 dollars,
17 putting her Section 8 at jeopardy. Yeah. And
18 that's-- again, we did a partnering with a Right to
19 Counsel Coalition. Our Housing Court campaign
20 discovered that 52 percent of tenants that did not
21 know about Right to Counsel, they didn't know about
22 it until they showed up at their first court
23 appearance, and we got that information through
24 surveying people at Housing Court. As community
25 organizers we have a deep commitment to the

2 communities we serve, and as a member-led
3 organization, CASA is accountable to our community
4 and our members, and through the six different
5 tenants associations that I've organized, all of them
6 facing harassment through lack of repairs, through
7 taking tenants to court repeatedly, lack of services
8 like heat, hot water, no gas, and you know, yeah, all
9 that. Basically, I've engaged 179 different unique
10 people that stay involved in our tenant associations
11 and have trained 51 different community leaders who,
12 you know, learned what it means to organize
13 themselves that facilitate tenant association
14 meetings that take on their management and management
15 meetings with them and put on press conferences. I'd
16 like to give a shout out to one of my tenant leaders,
17 Lucette [sp?] who's in the top with Elias [sp?], her
18 baby. So, right-- there's no like-- yeah, I mean,
19 she's a new mom and with all that she still found
20 time to come out today. And this is what we need and
21 why 1529 should be passed because it provides not
22 just the services of our organizations, but it also
23 is an investment, or it would be an investment, into
24 real community leaders to create, like, resilient
25 communities against gentrification, but it also sets

2 up the city for future crisis like possibly climate
3 change or things like that. So, thank you.

4 XAVIER SIMPSON: Good afternoon. My name
5 is Xavier Simpson. I'm from 2985, 2987, 2999 Bedford
6 Park, Webster Avenue in the Bronx. I've been at this
7 building next month will be five years, but we have
8 had so much issues with this building that I've bene
9 living with, and just coming from other-- coming from
10 Lebanon and I being a union delegate, I worked in
11 other organizations. I started the Tenant Association
12 here, the Bedford Park Tenant Association. I used to
13 write letters to the Mayor. So, now as me writing
14 letters to the Mayor, I have Governor Cuomo
15 investigating the landlord, and they're investigating
16 my three buildings with the slumness [sic] of what
17 they're doing and 180 buildings that they're
18 investigating just the tactics of harassing tenants
19 and sending them to court, and you find out their
20 books are wrong, and when you go to court the
21 lawyer's saying, "Oh, your rent is paid." So you
22 wait a whole day in the Bronx Court, and it's the
23 worst one of the courts in the Bronx. So, after
24 that, doing the organization I met Leah James [sic]
25 at community board meeting. She's from the North

2 Bronx Clergy. That's where I joined, and they came
3 on board, brought a lawyer on to help with the
4 harassment, sending letters, sending tenants to
5 court. So right now we're having a lot of mold
6 issues in the building. Tenants are coming-- the
7 children are coming down with sickness. You have the
8 mental ill that are running rampant in the
9 neighborhood, harassing people on the street. So
10 you're dealing with a lot of slumlords and you're
11 dealing with their so-called "lawyers" that tenants
12 are scared to go to court because they feel that
13 they're going to be evicted. So my job is I educate
14 my tenants, but you still have those that don't care
15 or they're too scared because of their rent, but I
16 pray that we-- this bill will be passed, 1529,
17 because there's so much organization that need--
18 organizational agencies that help us to be more
19 educated and know your rights, and it's important
20 that people know their rights and stand on the ground
21 and take people to court, take the landlord to court
22 and let them know that I'm staying in my apartment
23 because my rent is paid and you need to fix my issues
24 in my apartment. So, I hope you can-- this bill is
25 passed and so we can go forward. Thank you.

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2 COUNCIL MEMBER LEVINE: Okay. Thank you
3 to this excellent panel. Thank you very much. And
4 we're going to move on to hear from next: Samantha
5 Thompson from Morris Heights, Jenny Laurie from
6 Housing Court Answers, Sophie Collyer, Julie Lake
7 from Bronx Defenders, Austen Refuerzo from
8 Neighborhood Defender Services, Oksana Mironova from
9 Community Service Society, and Richard Brendan [sp?]
10 from the Office of Assembly Member Dick Gottfried.
11 Okay, I'm not sure if Ms. Thompson is able to join
12 us. Yes, okay, I understand you're on a tight
13 schedule. So, if you're ready, we can ask you to go
14 first.

15 SAMANTHIA THOMPSON: My name is Samanthia
16 Thompson, and I'm Executive Chairman of the
17 Morningside Heights Multicultural Tenant
18 Organization, and I'm on the New York State Tenant
19 and Neighbors Director's Board. And I just want to
20 say to all the congress people, thank you. I'm
21 looking right over there. Mark Levine, he's the man.
22 Anytime I call his office for something, we get down
23 [sic]. I tell Mannie [sic]. I'm not telling y'all he
24 give me money donations, because he do. God bless
25 you. and today, I'm just here to speak real quick

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2 because I got to catch my ride. I've been here since
3 9:30. I know that everybody's talking about the
4 seniors and evictions and different things. There's
5 so much, and this 1104 and the 1529, it's something
6 that we need. I wrote something because everybody's
7 in a hurry. We need to help the tenants who are
8 blind. Some of them don't even know what's going on,
9 and it's sad. So I say these two bills are in need,
10 for whatever the housing that we live in now, there's
11 time for somebody to take the lead. Not to be
12 frightened, never that indeed. We can no longer
13 let them win because of their greed. No, we will no
14 longer stand back because now it's time for us to
15 succeed. People, have no fear, the word is yes, so
16 don't you dare. We will not suffer like this. We do
17 not want to bleed [sic]. Yes, indeed, you must help
18 us. Put it to good speed. We need this. We really
19 need. So, I want y'all to say to us: when, why,
20 where, and how. Will it really be done? Because I
21 fight a lot. With Gale Brewer, I go to her office.
22 I take the tenants, give them-- one lady was getting
23 ready to get put out. She came to my house crying.
24 Eighteen thousand, she's a senior citizen. It was
25 big error, too, and they was trying to put her out.

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2 They sent a marshal to lock her door. I called the
3 police and everybody and went up to Gale Brewer. She
4 said take it to HPD. They got her the money in 72
5 hours. She wouldn't let them put her out. It can be
6 done, and like these lawyers, they want to get paid,
7 and I respect that. We all respect that and we want
8 that, too. So, if y'all could help us along it'll
9 work well. This lady right here is powerful, too.
10 She rocks the Bronx. Okay. God bless all of you and
11 thank you very much for my time.

12 COUNCIL MEMBER LEVINE: Thank you Ms.
13 Thompson. I want a copy of that poem.

14 SAMANTHIA THOMPSON: Okay, yes, indeed.

15 COUNCIL MEMBER LEVINE: If I can get it.

16 SAMANTHIA THOMPSON: We won't let them
17 succeed.

18
19 COUNCIL MEMBER LEVINE: Thank you so
20 much.

21 SAMANTHIA THOMPSON: Alrighty. I'll
22 [inaudible].

23

24 COUNCIL MEMBER LEVINE: I'll tell Mannie
25 you said hello.

2 SAMANTHIA THOMPSON: Okay.

3 AUSTEN REFUERZO: Good afternoon. My
4 name is Austen Refuerzo. I'm a supervising attorney
5 with -- in the Civil Defense Practice at the
6 Neighborhood Defender Services of Harlem. Can you
7 hear me okay? NDS is a community-based public
8 defender office that provide holistic cross-practice
9 representation to the residents of Manhattan. As a
10 holistic public defense office, NDS is particularly
11 familiar with the collateral consequences of housing
12 instability and homelessness, including an increased
13 chance of entering the criminal justice system. The
14 Right to Counsel Law currently providing full legal
15 representation for tenants under 200 percent of the
16 poverty line has been an undeniable success. In
17 rapidly gentrifying northern Manhattan which
18 threatens our over-policed NDS client with
19 unaffordable rents, the Right to Counsel has given
20 our clients a valuable tool to fight to stay in their
21 community and in their homes. While the Right to
22 Counsel legislation has helped thousands of tenants
23 save their homes, there are countless more who are
24 unable afford, yet deserve legal representation when
25 faced with the loss of home. A common scenario

2 experienced by our attorneys is an employed adult
3 moving in to help care for a senior or infirmed
4 parent ending up alone in Housing Court, because
5 their combine income and social security is over
6 34,000 dollars, the limit for a family of two. The
7 family so-situated must then choose between paying a
8 lawyer to fight for their home or paying their rent.
9 Due to the current income limit, vulnerable tenants
10 in Housing Court are often presented with the hope
11 that they will be represented by an attorney only to
12 have their hopes dashed moments later when they learn
13 of their ineligibility by virtue of having gainful
14 employment. Having just had the rug pulled out from
15 under them, these tenants are often confused and
16 upset, at which point they are thrown to their
17 landlords attorney without a lifeline. This is how
18 tenants lose their homes. Another vulnerable
19 population that has been grossly underserved are the
20 tenants of NYCHA. The vast majority of NYCHA
21 tenants face termination of their tenancy alone. The
22 Right to Counsel must be expanded to provide full
23 legal representation to NYCHA tenants in
24 administrative hearings. Because NYCHA termination
25 of tenancy hearings occur outside of Housing Court,

2 they've been excluded from the drastic reduction in
3 evictions experienced across the city. NYCHA
4 administrative hearings are governed by obscure rules
5 and opaque processes making the need for an attorney
6 all the more essential. NYCHA tenants deserve
7 attorneys to empower them to fight for their rights
8 and their homes. Without these reforms, the Right to
9 Counsel is a misnomer. The passage of Intro. 1104
10 and 1529 bring this right closer to reality. And I
11 do want to-- as much as my testimony focused on
12 Intro. 1104, I do want to quickly address 1529,
13 because I think that is the answer to the question
14 raised by rent stabilization association earlier. If
15 you want to connect tenants to their attorneys
16 earlier in the process, passing 1529, to have
17 community organizers connect and empower those
18 tenants to find attorneys will address that issue.
19 Thank you.

20 JULIA LAKE: Hello. My name is Julia
21 Lake, and I'm a supervising attorney with the Civil
22 Action Practice at the Bronx Defenders. On behalf of
23 BXD, I wish to thank the Council for the opportunity
24 to testify today in support of Intro. 1529 and 1104,
25 and the expansion of the Right to Counsel in eviction

2 cases. Bronx Defenders is a nonprofit public
3 defender. Our interdisciplinary teams serve more
4 than 20,000 low income individuals in the Bronx every
5 year. We offer testimony from our perspective as one
6 of the legal services providers in Bronx Housing
7 Court as well as a proud member of several coalitions
8 including Right to Counsel NYC, LEAP, and Bronx
9 Solidarity. Support for tenant organizing and
10 community partners through Intro. 1529 would lead to
11 at least three important improvements to the current
12 system. First, more individuals would be connected
13 with information about their tenancy rights sooner.
14 This will empower tenants to fight against
15 harassment, intimidation and other displacement
16 efforts. Second, when landlords do bring tenants to
17 Housing Court, community organizers can help prepare
18 and equip tenants to know their rights, to know what
19 to expect about the Housing Court process, what types
20 of documents to bring, and about the existence of
21 their right to a lawyer to represent them in their
22 eviction case. At the Bronx Defenders February 2020
23 intake shift, nearly 10 percent of the tenants
24 appearing in court that day who are likely eligible
25 for our representation had already entered into a

2 settlement agreement before we were able to locate
3 them to conduct the initial intake. Third and
4 lastly, support for tenants organizing partners will
5 bolster the work that tenants and advocates have been
6 doing for years in order to change some of the more
7 shameful and pernicious practices that have
8 historically been common within the New York City
9 Housing Court system. I'll speak briefly about how
10 this last issue has been playing out in the Bronx.
11 Before the Right to Counsel, most landlords had
12 lawyers and most tenants did not. This dynamic led
13 to certain coercive and aggressive practices becoming
14 the norm. Many prose tenants are steamrolled into
15 signing settlement stipulations, thereby waiving
16 their defense's claims and the right to go to trial.
17 Overlaying this behavior and these power dynamics is
18 the reality that most tenants brought to Bronx
19 Housing Court are people of color and the majority
20 are women. In May 2018 the Bronx Solidarity
21 Coalition collected stories of incivility and bias
22 that tenant advocates reported happening to
23 themselves, their clients and unrepresented tenants
24 in the Housing Court. This letter sent to the court
25 administration included examples of harassment,

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2 disregard for the rules of ethics and professional
3 conduct and overt racism, as well as many examples of
4 retaliation against tenants because they chose to
5 secure counsel to represent them. Other counties
6 have taken similar steps to raise awareness of this
7 problem of incivility in the Housing Courts and there
8 has been progress, which has been catalyzed by the
9 tenant movement and the right to counsel. Passing
10 these two bills to expand and strengthen the Right to
11 Counsel Law will go a long way in continuing to
12 improve access to real meaningful justice in the
13 Housing Courts when New Yorkers are faced with the
14 loss of their home. Thank you again for the
15 opportunity to testify.

16 JENNY LAURIE: Hi. My name is Jenny
17 Laurie. I'm the Executive Director of Housing Court
18 Answers, and I'm obviously testifying in support of
19 the two bills, 1104 and 1529. I first want to start
20 out by thanking the Council for, and the de Blasio
21 Administration as well, for the great combined work
22 on implementing the new Right to Counsel Law, and I
23 would like to focus my testimony on how successful it
24 has been. Housing Court Answers runs information
25 tables in the five county Housing Courts as well as

2 we staff a hotline for tenants facing eviction in
3 Housing Court Currently, the phone number on the
4 petition and notice of petition that goes out to
5 tenants telling them that they're being evicted has--
6 the number goes into our office where we have
7 advocates who answer the phones. Most of the calls
8 that we take, we get about 100 calls a day. About 10
9 to 23 percent of the calls are from tenants who are
10 in the Right to Counsel zip codes now, and it's
11 interesting to us to hear that most of the tenants
12 that we talk to, although certainly not all of them,
13 but most of them are not familiar with how Right to
14 Counsel works. They may have heard of it, but they
15 didn't know they had a right to counsel. So,
16 obviously 1529 would go a long way toward changing
17 that. Obviously, the continued roll-out of Right to
18 Counsel to cover all the zip codes as well as
19 expansion under 1104 would make sure that everyone
20 had the Right to Counsel and knows about it. I want
21 to talk a little bit about the change in Housing
22 Court. Since we've been working in the Housing Court
23 since before the passage of Right to Counsel and
24 since, in the past the Housing Court halls were
25 crowded and noisy-- they still are really. With a

2 lot of tenants and a lot of landlord attorneys,
3 landlord attorneys who were bullying tenants into
4 stipulations, into settlement agreements where they
5 gave up their rights to-- as many people have said
6 today, gave up their right to abatements, gave up
7 their right to repairs, to pay the legal rent, and in
8 many cases to stay in apartments that they had the
9 right to stay in. Now, today, when you go to the
10 Right to Counsel floors in the Housing Courts what
11 you see is basically an ocean of tenant attorneys.
12 There's so many more tenant attorneys and there's
13 such diversity in the halls where there wasn't before
14 that it's really an amazing change for most tenants,
15 and most tenants, even tenants who don't have
16 attorneys, because most tenants still don't have
17 attorneys, I think feel heartened by the fact that
18 there's an attorney there that they can talk to that
19 looks like them, that they can turn around to and
20 talk to and ask for information about what's going
21 on. As I said before, we support the adoption of
22 1104 and 1529 and both those bills would go a long
23 way towards bringing a small measure of justice to
24 Housing Court. Thank you.

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2 COUNCIL MEMBER GIBSON: Is your
3 microphone on?

4 OKSANA MIRONOVA: Is that better?

5 COUNCIL MEMBER GIBSON: Yeah, much better.

6 OKSANA MIRONOVA: Great. Thank you so
7 much for the opportunity to comment on the
8 implementation and expansion of Right to Counsel. My
9 name is Oksana Mironova and I'm a Housing Policy
10 Analyst with the Community Service Society. We're a
11 nonprofit organization that addresses some of the
12 most urgent problems facing low income New Yorkers
13 today, including the effect of the City's housing
14 crisis. New York has always been known as a
15 chronically tight high-cost rental market. In recent
16 decades, truly affordable housing has become more
17 elusive and housing insecurity has become the norm
18 for the vast majority of low income New Yorkers.
19 Since the beginning of its implementation, the Right
20 to Counsel Law has proven to be an effective strategy
21 for reducing the number of evictions. Over the past
22 three years CSS has used eviction data to evaluate
23 the Right to Counsel's roll-out and implementation.
24 Key points from this years' report which I've
25 attached to my written testimony include. Since

2 2017, evictions in RTC zip codes declined by 29
3 percent compared to a 16 percent decline in zip codes
4 with similar eviction poverty and rental rates that
5 do not yet have right to counsel. Longer term trends
6 point to the positive influence of tenant organizing,
7 legal assistance, and tenant protection laws on
8 eviction rates. There's a steady climb in evictions
9 from 2010 to 2013 followed by a sharp reduction in
10 2015 likely due to the start of the RTC organizing
11 campaign and the first infusion of government
12 assistance for legal services in Housing Court A
13 secondary reduction in 2019 is likely a result of the
14 continuing Right to Counsel roll-out and the passage
15 of the Housing Stability and Tenant Protection Act.
16 Right to Counsel and HSTPA are complementary. Right
17 to Counsel is a powerful tool for upholding and
18 interpreting the new rent laws, especially when
19 they're contested in the courts. Still
20 vulnerabilities remain. In 2019, a CSS's on her
21 third survey showed that 30 percent of moderate
22 income New Yorkers have experienced one or more
23 housing hardships, indicating that doubling RTC's
24 qualification threshold to 400 percent of the federal
25 poverty line can have a real impact. In 2019 a

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2 survey of Bronx tenants in RTC-eligible zip codes by
3 CASA in the northwest Bronx Community and Clergy
4 Coalition found that about half of respondents did
5 not know about Right to Counsel until they first
6 arrived at the court, pointing to a knowledge gap
7 requiring action. We urge you to pass Intro. 1529
8 and 1104 to both expand the Right to Counsel in
9 Housing Court to a wider pool of tenants and to
10 ensure that tenants know about this powerful right
11 before they get to court. Thank you again for this
12 opportunity to offer our recommendation.

13 SOPHIE COLLYER: Good afternoon. I'm
14 Sophie Collyer. I'm a Research Director at the
15 Center on Poverty and Social Policy at Columbia. And
16 thank you so much for your time and this opportunity.
17 Today, I'm going to speak about the prevalence and
18 consequences of eviction and other types of forced
19 moves that we have studied in the poverty tracker, a
20 joint project between Robin Hood and Columbia
21 University. AS this testimony will underscore, our
22 work shows that eviction is a serious problem in New
23 York City, as we all know, and that stable housing is
24 vital to any efforts to help New Yorkers escape
25 poverty and hardship. Our research shows that New

2 Yorkers who endure evictions and other types of
3 forced moves are most often those in the most
4 vulnerable economic positions and that forced
5 relocation pushes them away from economic
6 opportunity. I'm here today because the bills
7 discussed are intended to address this problem by
8 expanding access to Right to Counsel and building
9 awareness of tenant needs and rights through Intros
10 1104 and 1529. Since 2012, Robin Hood and Columbia
11 University have conducted a longitudinal,
12 representative survey of 4,000 New Yorkers known as
13 the poverty tracker. We find that more than 100,000
14 New Yorkers are forced out of their homes each year
15 in the years that we've studied. Forced moves
16 include formal evictions, meaning those that appear
17 in Housing Court and show up on administrative
18 records, as well as informal evictions where a
19 landlord just tells a tenant that they have to leave
20 or a tenant moves out of fear of eviction. Other
21 types of forced moves include building foreclosures,
22 condemnations and sales. The poverty tracker finds
23 that more than 56,000 families or 100,000 New Yorkers
24 are forced out of their homes in a year. Forty-six
25 percent of these moves are the result of a formal

2 eviction, highlighting the need for legal services,
3 but the remaining 54 percent are not necessarily
4 litigated in Housing Court, underscoring the
5 importance that tenants be aware of their rights as
6 outlined in Intro. 1529. We also find that one in
7 seven of those who are forced out of their homes are
8 children under the age of 13, and other studies find
9 that housing and neighborhood changes had the biggest
10 long-term impacts on trajectories of children under
11 age 13. New Yorkers who are forced to move already
12 experience high rates of disadvantage and hardship.
13 Prior to moving 53 percent of forced movers report
14 being rent-burdened, spending more than 30 percent of
15 their household income on rent, and more than half
16 experienced material hardship, such as running out of
17 food or having their utilities cut off. In addition,
18 22 percent struggled with mental distress. Thus,
19 forced moves that are not prevented are borne by the
20 most economically vulnerable New Yorkers. And
21 lastly, New Yorkers who are forced to move end up in
22 neighborhoods with less economic opportunity and
23 higher rates of poverty than those that they lived in
24 prior. Twenty-six percent of families who are
25 evicted relocate to high poverty neighborhoods where

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2 the poverty rate is above 30 percent, but before
3 moving, about 20 percent-- I mean, excuse me, 10
4 percent lived in high poverty neighborhoods. This
5 suggests that evictions also play a role in
6 concentrating poverty in New York City. to sum up,
7 the poverty tracker provides convincing evidence that
8 evictions are a serious problem in the city, that
9 they disproportionately impact disadvantaged
10 families, and that they drive families away from
11 opportunity and deeper into poverty. Thank you again
12 for your time.

13 RICHARD BRENDER: Everybody, thank you
14 Committee Chairs and Council Members, supporters and
15 sponsors of the bills and everyone else from the
16 housing justice community who showed up today. My
17 name's Richard Brender, and I'm a Policy Associate
18 for Assembly Member Richard Gottfried, and we
19 represent the 75th Assembly District in Manhattan
20 which includes the neighborhoods of Chelsea, Hell's
21 Kitchen, Clinton, the Flat Iron district, and parts
22 of Midtown, the Upper West Side, and Kipps Bay. And
23 the-- as you heard just now, you've heard all
24 afternoon and morning the Right to Counsel Law, RTC,
25 has gone a long way in evening the fight in Housing

2 Court, but many tenants remain unprotected and
3 vulnerable. The new proposals, the two new bills
4 seek to right some of the remaining imbalances. Let
5 me tell you about our district, the 75th District.
6 The 75th has the fifth highest median rent in the
7 City. It's 2,150 dollars a month, but it also has a
8 high degree of income inequality. As a result, 21
9 percent of all tenants are paying over half of their
10 income on rents, and the percentage more than doubles
11 to 46 percent among low-income households. Every
12 month, these tenants must stretch the rest of their
13 income to cover food, clothing, out-of-pocket health
14 costs, and other expenses. Paying lawyer's fees on
15 top of this can be the-- the straw that breaks the
16 camel's back on a lot of these families' budgets.
17 Intro 1104, the Right to Counsel 2.0, will lift the
18 income threshold for getting free legal aid to deal
19 with evictions from 200 percent to 400 percent of the
20 poverty line. In Hell's Kitchen in Chelsea, raising
21 the income cap would extend the Right to Counsel to
22 17,067 more tenants. This means that under the new
23 legislation, one out of three households, 35.7
24 percent, will be able to be represented by a lawyer
25 if they threaten with eviction. Under the status

2 quo, only one out of-- only two out-- only one out of
3 five or 22 percent would be so protected. Our
4 district is also home to NYCHA's Elliot, Chelsea, and
5 Fulton Houses, which together house about 3,464
6 residents. Intro 1104 will extend the Right to
7 Counsel to those tenants living in buildings operated
8 by NYCHA, and other agencies who face administrative
9 proceedings that can end up terminating their
10 tenancy. These tenants deserve to have a lawyer on
11 their side. Finally, right now, many tenants who
12 face housing challenges rely on community-based
13 organizations and legal representation. Last year,
14 one of these Hell's Kitchen-based housing-- housing
15 conservation coordinators we already heard from
16 represented 480 tenants in court and provided another
17 896 clients with legal advice. It also offered 1,160
18 clients housing-related workshops and trainings.
19 Intro 1529 would augment support for community
20 organizations like HCC to get word out to the Right
21 to Counsel and would enable their legal service
22 providers to take on more eviction cases. So, to
23 wrap up, the Right to Counsel Law has exceeded
24 dramatically in strengthening those tenants with the
25 greatest needs in neighborhoods with the fewest

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2 resources. Right to Counsel 2.0 promises to build on
3 this success.

4 COUNCIL MEMBER GIBSON: Thank you so much
5 to each and every one of you, for your work, for your
6 partnership, your commitment. We look forward to
7 working with you. Thank you so much for joining us
8 today. Our next panel we will call up are members of
9 our friends in labor. Our first panelist will be
10 Sonja Shield from the Legal Services Staff
11 Association UAW 2320, Lillie Carino Higgins of 1199
12 SEIU, Xiomara Loarte from NYC CLC, Central Labor
13 Council AFLCIO, Bill Whalen on behalf of DC 37
14 Municipal Employees Legal Services, and Jared
15 Trujillo from the Association of Legal Aid Attorneys,
16 UAW 2320. If you're still here, please come forward.

17 SONJA SHIELD: Good afternoon.

18 COUNCIL MEMBER GIBSON: Thank you.

19 Welcome.

20 SONJA SHIELD: My name is Sonja Shield.
21 I'm the President of the Legal Services Staff
22 Association UAW 2320. I represent the 550 union
23 members at Legal Services NYC and Mobilization for
24 Justice. So, my members are the providers who are
25 in Housing Court every day from the attorneys, to the

2 paralegals, the social workers, the process servers,
3 and everyone else whose work is important to helping
4 making sure that tenants have an excellent job done
5 for them and as many tenants as possible remain in
6 their homes. We've been very grateful to be able to
7 be a part of Right to Counsel from its inception, and
8 we're here today to testify in support of Intros 1529
9 and 1104. The funding of organizers is profoundly
10 important as organizers can help educate tenants
11 about their rights and act as a bulwark against
12 illegal evictions and other types of inappropriate
13 landlord coercion. It's not enough to have a right
14 to a lawyer if you don't know about it or don't feel
15 empowered to access that right. Organizers can help
16 bridge that gap and we therefore urge the passage of
17 Intro. 1529. Similarly, it's crucial that we expand
18 access to counsel to those currently making above the
19 income threshold. As a number of people have
20 testified earlier today, roughly one-third of tenants
21 in Housing Court have income above the cap for
22 eligibility. Many of those tenants make nowhere near
23 enough to pay for a private attorney. Even someone
24 working fulltime and earning a 15-dollar minimum wage
25 makes too much to currently qualify for Right to

2 Counsel. We have to ensure that working class New
3 Yorkers are not left out in the cold and are brought
4 into this important program to help them stay in
5 their homes. We therefore urge the passage of Intro.
6 1104 to double the income eligibility threshold from
7 200 to 400 percent and expand the law to cover all
8 eviction cases. We also ask that as Right to Counsel
9 expands, we ask that the City Council continue to
10 look for ways to fully fund those services. Right to
11 Counsel, although it provides an unprecedented level
12 of funding, still does not fully fund the work that's
13 being required of providers, instead providing
14 roughly 50 percent of the funding that's actually
15 needed. Underfunding of the actual cost of the work
16 forces us to cut corners by spending less time on
17 each case that our clients, the tenants deserve. This
18 may mean that we don't have the time to dive deep
19 enough to discover a less-obvious defense against the
20 eviction or that we don't have time to help the
21 tenant obtain a rent grant or access other collateral
22 services. We do not want to become factories turning
23 out pro forma stipulations of settlement. We all
24 went into these jobs where we were making far under
25 what, in particular, the lawyers would make in

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2 private practice, because we are mission-driven. We
3 care about tenants. We want to help preserve
4 people's tenancies and affordable housing. Our
5 tenants deserve more than pro forma stipulations, and
6 so we ask that you help us by fully funding what it
7 actually takes to provide quality representation.
8 That lack-- I guess I'll stop there.

9 COUNCIL MEMBER LEVINE: If you want to
10 finish up with an additional thought?

11 SONJA SHIELD: Sure.

12 COUNCIL MEMBER LEVINE: Okay, please.

13 SONJA SHIELD: I'll be quick. The lack of
14 complete funding also forces providers to cut
15 corners. For example, making tough decisions to not
16 hire a social worker who could connect clients to
17 needed services or talk to a tenant in a mental
18 health crisis or hiring fewer process servers or
19 secretaries or paralegals than we really need. This
20 means that our existing support staff are
21 overburdened and attorneys have to take on the
22 peripheral administrative work instead of being able
23 to keep their focus on what their client, the tenant,
24 really needs, which is making life difficult for
25 everybody and means that tenants are not getting the

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2 best services possible, which is what we want to do.

3 Thank you.

4 COUNCIL MEMBER LEVINE: It is a really
5 important point. It's got to be a whole team around
6 the attorney, among other things, to connect people
7 to benefits they might not know they qualify for.
8 That alone could solve the entire problem. We thank
9 you and your members for being so integral to the
10 success of this, and we're very worried about the
11 funding shortfall that you have described, and it's
12 something we want to focus on as we continue to
13 expand this program, which I know you support.

14 SONJA SHIELD: Thank you.

15 COUNCIL MEMBER LEVINE: And thank you.
16 Please.

17 JARED TRUJILLO: So, I'll be brief since
18 y'all are on hour five of hearing this. My name is
19 Jared Trujillo. I'm the President of the Association
20 of Legal Aid Attorneys. I represent about 1,570
21 members that are lawyers, paralegals, case handlers,
22 social workers, and just a lot of other folks that do
23 the work to really uplift low-income New Yorkers.
24 First off, I also do just want to thank all the
25 advocates for everything that they've already said

2 today, and for the tenants that have not only
3 uplifted and elevated their communities, but really
4 put the emotional labor into really talking about
5 such an important issue as these bills are to pass.
6 So, my members really represent people on the worst
7 days of their lives. They talk to people when
8 they're at risk of being bullied by landlords. They
9 talk to people when they're worried that their
10 families won't have a place to sleep. They talk to
11 parents who can't look at their children and say that
12 they will definitely have a place to sleep at next
13 night. However, my members are incredibly upset that
14 they can look at someone who makes 24,981 dollars,
15 and that person, they cannot say that they can
16 represent that person, because that person is over
17 income. That person who is, you know, a doctor's
18 bill away from being homeless over income. 1104 and
19 1529 are just incredibly important to really
20 recognize the humanity of all New Yorkers. Housing
21 is a human right. Housing implicates more than just
22 where someone sleeps, but it represents an LGBTQ
23 person not being in the shelter system. It
24 represents a survivor of the foster care system,
25 being able to actually-- being able to actually have

2 somewhere stable. It represent immigrants who have
3 so many barriers to actually being able to survive in
4 the city, actually being able to be somewhere stable.
5 In addition to 1104 and the funding for attorneys,
6 1529 is incredibly important to actually make sure
7 that people have access sand knowledge of their
8 rights in housing. Together, again, these bills
9 really represent two incredibly important measures
10 that the City Council really needs to take an order
11 to really recognize the humanity of all New Yorkers,
12 particularly the most marginalized folks. Thank you.

13 COUNCIL MEMBER LEVINE: Thank you very
14 much, and thank you for your members and what you're
15 doing for low income tenants and this entire
16 movement. Thank you. Please, DC37.

17 BILL WHALEN: Hell, I'm Bill Whalen. I'm
18 from District Council 37. I'm the Director of the
19 Municipal Employees Legal Services. DC37 represents
20 the largest municipal labor union, 125,000 city
21 workers who work in hospitals, but we're not doctors,
22 we're not nurses. We work in schools; we're not
23 teachers. We work in the Police Department; we're
24 not cops. We work in the Fire Department; we're not
25 firemen. We work in the subway system; we're not

2 driving trains or buses. We're cleaning up crap,
3 serving meals, crossing kids to school, working in
4 offices. the city-- all the city agencies, in
5 libraries, museums, Bronx Zoo, aquarium, all over the
6 city just doing the regular day-to-day work that
7 makes the whole city run that nobody really sees or
8 talks about. We've been providing legal services to
9 our members for 43 years. We probably see the first
10 Right to Counsel organizations in New York City. If
11 you were a DC37 member and you're facing eviction,
12 you had a right to an attorney from the union. So we
13 know the value of having an attorney with a working
14 person in the City. Many of our members are-- they
15 had single-parent households. I don't know if people
16 understand what it's like when a good week is having
17 20 dollars left over before your next paycheck.
18 People who live on the edge, our members and the
19 danger of falling off the edge of America. They
20 live. They bought into the dream. They go to work
21 day after day, week after week, month after month,
22 and they have nothing to show for it. Their families
23 riddled sometimes with addiction. So all the sudden
24 they're taking care of children that aren't theirs.
25 Their children struggling to go to school, burdened

2 down with debt. Health issues, which leave them
3 completely destitute. These are the things that
4 expansion of Right to Counsel that would step up and
5 would be saying to this group of workers, poor
6 working New Yorkers, that we got your back, that
7 we're with you. Working families, poor working
8 families have nobody. They have nobody and they need
9 the City Council and this Administration to have
10 their back to protect them from eviction. Not only
11 are they in danger of falling off because of
12 circumstances beyond their control in their lives and
13 their families, but they're being pushed off the edge
14 of America. The neighborhoods where working families
15 live in New York City have been targeted by
16 speculators and profiteers through gentrification and
17 they've been just harassed out of their communities.
18 There's no place left for working families to live in
19 New York anymore. It's essential that our
20 communities get protected and that the workers who
21 make this whole city function, the sales clerks, the
22 guy selling hot dogs, the Uber driver, the taxi
23 driver, that they have representation when they're
24 facing eviction. So we support, even though our
25 members won't benefit from this because they have

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2 Right to Counsel, we support it because these other
3 workers are our families. They're our friends.
4 They're our neighbors. Thank you.

5 COUNCIL MEMBER LEVINE: Thank you, Bill.

6 XIOMARA LOARTE: Okay. Hi, good
7 afternoon. My name is Xiomara Loarte. I am the
8 Community Outreach Coordinator at the New York City
9 Central Labor Council, AFLCIO, comprised of roughly
10 1.3 million members across 300 affiliated unions,
11 practically in every industry here in the five
12 boroughs. In relation to this hearing, we're here on
13 behalf of the legal service provider workers, and
14 workers that fall between 200 percent and 400 percent
15 of the federal poverty line. The CLC has been
16 engaged in the Right to Counsel Coalition working
17 with our community partners, our housing advocates,
18 He Who Are With Us, and in support of Intro. 1104 and
19 15029. Whenever we discuss Universal Access to
20 Counsel it's imperative to highlight the workforce of
21 legal service providers to ensure that this crucial
22 step forward for tenants does not impede on worker
23 protections and the quality of services for tenants.
24 Currently, someone could work-- and I have to say
25 this again. I know it's been said numerous times,

2 but someone could work fulltime at minimum wage and
3 not be eligible for universal care. Someone could
4 work fulltime and not be able to provide a housing
5 attorney in Housing Court. Both of these statements
6 are true in highlighting major shortfall of Right to
7 Counsel as it is now and we have the power to change
8 that today. The New York City Central Labor Council,
9 representing and advocating for all workers,
10 unionized or not, calls for the Universal Access to
11 Council expanded and strengthened by increasing the
12 income eligibility to 400 percent of the FPL as
13 proposed in Intro. 1104. The majority of tenants with
14 incomes within that range work in healthcare,
15 education, social services, retail, hospitality and
16 food service. There are roughly 71,000 households in
17 this income range that are being sued in Housing
18 Court each year, and 61 percent of them don't have
19 any additional housing assistance, right? Unforeseen
20 circumstances can cause significant and unexpected
21 setbacks on tenants and if a tenant finds themselves
22 with a situation on their lap and they're evicted,
23 they could easily end up in a homeless shelter and
24 will require public assistance that the city would
25 have to take on regardless. Right to Counsel has

2 demonstrated great success in decreasing evidence
3 rates, and I'd like to point out that legal service
4 providers that are e today who have talked about the
5 importance of expanding and strengthening it. Those
6 are a whole team of workers, including but not
7 limited to lawyers, process servers, case managers,
8 social workers just to name a few. So we're here
9 today to ensure that it's not just about expanding
10 and strengthening it by increasing the income
11 eligibility, but also allowing tenants to be educated
12 and empowered as the labor movement has been in its
13 history. Thank you.

14 COUNCIL MEMBER LEVINE: Thank you,
15 Xiomara. CLC was just-- that's just bee huge
16 throughout this whole process as an umbrella for
17 labor in New York City, and DC37 if you haven't read
18 Executive Director Henry Gardidos [sp?] editorial
19 today in AM New York, please do. It is outstanding.
20 Building on you experience for 43 years, but thinking
21 broadly about the good of the city. We really
22 appreciate it. And what can we say about UAW? You
23 all are on the front lines doing this work. You have
24 been active in the fight for Right to Counsel 1.0 and
25 now to have you here again 2.0. As the people who

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2 know this better than anybody is incredibly
3 meaningful. Thank you to all of you.

4 UNIDENTIFIED: Thank you.

5 COUNCIL MEMBER LEVINE: We're going to--
6 Okay, we have a panel of national leaders including:
7 Kadeem Morris from Community Legal Services of
8 Philadelphia, my goodness. Noelle Sanders from
9 Summerville, Massachusetts. Daniel Joseph Wiley from
10 the Iron-bound district in Newark. And Lawrence JED
11 Carl [sp?]- sorry if I'm mispronouncing the last
12 name.

13 UNIDENTIFIED: [off mic]

14 COUNCIL MEMBER LEVINE: Okay. Alright.
15 Joining us from Boston. Well, this is quite something
16 special to have friends from across the-- from
17 Boston, from Philly, from the Iron-bound [sic]
18 District, and from outside of Boston. So, thank you.
19 Would you like to start us off?

20 KADEEM MORRIS: Sure. Good afternoon. My
21 name is Kadeem Morris. I'm a Staff Attorney with
22 Community Legal Services of Philadelphia, and I'm
23 here to speak on Philadelphia's experience with the
24 implantation of Right to Counsel. Firstly, I'd like
25 to thank New York for actually leading the way,

2 because we've made significant strides since you guys
3 first implemented the bill. In 2017, Philadelphia
4 City Council, the Mayor, and legal services advocates
5 formed what was called The Philadelphia Eviction
6 Prevention Project. Through that project the legal
7 services was provided in court rooms across
8 Philadelphia to tenants who were facing eviction.
9 Within the first year of that project we served 3,400
10 tenants with full legal representation in municipal
11 court and were able to significantly change the
12 outcomes that they would otherwise have. I know that
13 number is small comparative to New York, but it was
14 still significant for Philadelphia. Preliminary
15 findings suggest that tenants who are represented
16 through our eviction defense program were more likely
17 to show up to court when their case is and enter into
18 agreements that gave them more money and more time to
19 move out in the case that they actually had to move
20 out. We partnered with advocates and organizers from
21 New York in developing our eviction defense program.
22 The success of our program is largely based on the
23 lessons that we were able to learn from New York's
24 leaders on the front lines of the fight against
25 systematic consequences of evictions. These lessons

2 from New York allowed us to develop a successful
3 project that achieves better outcomes for tenants and
4 motivated the passage of a tenant's Right to Counsel
5 in Philadelphia. On November 14th, 2019 Philadelphia
6 City Council unanimously voted to pass a renter's
7 right to counsel guaranteeing all low income renters
8 access to an attorney to fight their eviction. We are
9 now in the implementation stages as Right to Counsel
10 gets phased in over the next few years. In cities
11 like Philadelphia and New York where robust eviction
12 prevention efforts or Right to Counsel has been
13 implemented, lawyers help maintain housing stability
14 by keeping renters in their homes. Tenants are able
15 to enter reasonable payment arrangements, negotiate
16 repairs with landlords so that tenants don't have to
17 withhold rent. Children and other vulnerable
18 individuals don't have to live in unsafe conditions.
19 Right to Counsel helps to level the playing fields
20 and to prevent what studies have termed "disruptive
21 displacement." Philadelphia was lucky to have New
22 York as an example of the benefits of Right to
23 Counsel. Because of your successes we were able to
24 significantly expand access to legal representation
25 for vulnerable low income tenants who otherwise would

2 not have access to legal representation.

3 Philadelphia and many other cities continue to look
4 to New York to find inspiration for our own programs,
5 and expansion of your Right to Counsel legislation
6 would not only help a significant number of New
7 Yorkers facing evictions, but would also help low
8 income individuals across the country as cities
9 strive to emulate your success. One lesson that we
10 have learned from the success of our eviction defense
11 program is the critical importance of community
12 education and outreach. The City of Philadelphia has
13 invested in awareness campaign, funding of our
14 Phillytenant.org website as well as the creation of
15 Know Your Rights videos, materials and tenants
16 resource guides for individuals facing evictions
17 along with a live hotline. Working with community
18 organizations, we have been able to provide tenants
19 with access to education and representation both at
20 court through the use of courtroom navigators and
21 off-site through regular community-based trainings.
22 Your Intro. 1529 which would help tenants understand
23 their legal rights through awareness campaigns is
24 based on the same principle, that a more educated
25 tenant population is a more empowered tenant

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2 population, which is that people must know their
3 rights to assert their rights. Given the stark
4 differences and outcomes for represented versus
5 unrepresented tenants, it is vital that tenants are
6 aware that they can access legal information and
7 representation so that all qualified individuals have
8 a fair chance in court. New Yorkers deserve justice,
9 and the lack of legal representation or a lack of
10 legal knowledge on available resources makes justice
11 impossible. When tenants can have access to a lawyer
12 they're much more likely to avoid evictions,
13 displacement and homelessness. They are also more
14 likely to improve the housing conditions so that they
15 don't have to live with lead paint, mold, and pest
16 infestations to name a few. Evictions and its
17 collateral consequences are a major crisis and Right
18 to Counsel has proven to be a simple, yet effective,
19 solution to that crisis. On behalf of Community
20 Legal Services of Philadelphia and advocates from all
21 across the country that have benefited from your
22 leadership, I urge you to pass Intro. 1529 and Intro.
23 1104. Thank you.

24 COUNCIL MEMBER GIBSON: Thank you.

25 That's exactly what we intend to do. Thank you.

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2 DANIEL JOSEPH WILEY: Good afternoon. My
3 name is Daniel Joseph Wiley. I'm a community
4 organizer. I'm also the Policy and Programmer Manager
5 of Housing Justice at Ironbound Community Corporation
6 in the city of Newark, New Jersey. First of all, I
7 want to apologize to the tenants that are still
8 waiting to see today. I'm sorry we cut before you.
9 Of course, you should have had access before us.
10 Also, I just want to thank, you know, Council Members
11 that champion such a great policy that was put in
12 place in New York City. Also I want to thank, you
13 know, Suzanne [sic], CASA, everybody else, all the
14 tenant organizers that actually, you know, came
15 across the river to help us out numerous times along
16 the way. The expansion and strengthening of Right to
17 Counsel in the City of New York means expansion and
18 strengthening of Right to Counsel in Newark and
19 other cities across the United States. With rents
20 rising on the national level, Right to Counsel and
21 similar policy across the country helps in stopping
22 the unjust evictions of poor and mostly tenants of
23 color by landlords. Expansion of RTC can lead to the
24 equity and peace of mind everyone deserves while
25 renting. As an advocate for tenant rights and strong

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2 policy for all I agree that the expansion of Right to
3 Counsel is access to justice, but is also access to
4 confidence for the most vulnerable in today's housing
5 market, and although we do not have a true Right to
6 Counsel like NYC, Newark's adoption of a similar
7 ordinance provides access to legal representation for
8 our most vulnerable residents such as undocumented
9 tenants, seniors, single parent households, public
10 housing tenants, and many more. Our ordinance has
11 also exposed other unlawful landlord practices like
12 intentional neglect of units and properties,
13 manipulation and the intimidation of tenants who did
14 not know their rights. This is a direct result of
15 your amazing law, and we thank you for influencing
16 our fight to strengthen housing justice in New
17 Jersey. With New York leading the way and the City
18 of Newark following your lead, tenants in New
19 Jersey's largest city now have another tool to keep
20 our communities diverse, affordable and free of unjust
21 evictions and displacement caused by rising rents and
22 luxury development. Thank you again. Thank you to
23 the numerous members of the Right to Counsel
24 Coalition in New York City who have fought for this
25 right, and we ask that the City of New York expand

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2 and strengthen the Right to Counsel, because
3 essentially what this is doing is strengthening
4 public right-- public housing-- I mean, housing
5 tenants across the nation. Thank you so much.

6 COUNCIL MEMBER GIBSON: Thank you.

7 NOEL SANDERS: Hi, my name is Noel
8 Sanders. I'm an organizer at City Life Vida Urbana
9 with the Boston Community Health Initiative. I'm
10 here with a group of people. Thank you, Brent [sic],
11 Right to Counsel, for inviting us. I work with our
12 medical cases and it's just going kind of along with
13 what you said and what the panels before said. We
14 see that so many housing issues cause health problems
15 and people are afraid to speak up, go to their
16 landlords, ask for repairs because they're literally
17 afraid of being evicted. They're afraid of
18 retaliation, people literally go into critical
19 condition not wanting to report mold, asbestos,
20 illnesses related to it. So, 1529 would literally
21 save lives, and that's why I'm here supporting it.
22 It gives people the tools to fight, gives them the
23 knowledge of knowing that an eviction isn't a death
24 sentence, and protects our community's most
25 vulnerable people which are, as people have already

2 said, people of color, women, children, immigrants.
3 1529-- I said 1521 before, sorry. 1529 is being
4 adopted, similar measures, in my city of Boston, as
5 well as other cities mentioned. Newark is one of
6 them, Cleveland, and it's so critical because it
7 underscores that housing is a human right, which is
8 something that isn't recognized when you have a for-
9 profit industry which prices so many people out of
10 their homes. We know that the fear of displacement
11 affects people just as much as being displaced
12 itself, and we see in high-risk communities high
13 blood pressure, heart disease, mental illness all
14 coming from the process of displacement and eviction,
15 which affects, as we've already talked about, most
16 New Yorkers who are working fulltime making 15
17 dollars an hour. So, this legislation, especially
18 1104, will really help most people gain affordability
19 and safety in their lives, and it blocks the cycle of
20 the generational trauma to communities that
21 displacement causes. It blew my mind just to know
22 that 54 percent of people in Bronx Housing Court had
23 no idea that this legislation even existed, and even
24 more people over-qualified for the federal poverty
25 limit income eligibility requirement, and I think

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2 that just underscores that we fought back-- well, you
3 all fought back. You won this legislation, but it's
4 time to keep fighting and equip people to fight with
5 it, more people, and to utilize what they already
6 have, the tools that people already worked so hard in
7 here to fight for and gain. Thank you.

8 LAWRENCE CARTY: Hello, my name Lawrence
9 Carty. I'm from Boston, also. I serve on the boards
10 of City Life Vida Urbana and the Boston Neighborhood
11 Community Land Trust. I'm also a founding member of
12 Housing Equals Health. This was personal for me even
13 though I don't live in New York. My sister lived in
14 New York. She fought gentrification/eviction for
15 years and cancer at the same time. After successfully
16 fighting for years, she went to the wrong court room
17 and she was evicted. Months later, she was dead.
18 The health impact hits the entire community as people
19 just said, but it's not just the dollars, it's the
20 lives. City Life has expanded our organizing. We do
21 tenant organizing and we do it in conjunction with
22 legal services. Noel, though, is helping us address
23 the intersection of housing insecurity and basically-
24 - housing insecurity and health. This is widely
25 recognized in the medical community. Housing Equals

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2 Health is submitting a resolution to the
3 Massachusetts Medical Society, basically the AMA for
4 Massachusetts, and it's a resolution in terms of
5 housing insecurity as a public health policy issue,
6 and the resolution is for the Medical Society of
7 Massachusetts to support rent control, but also it
8 would apply the support for Right to Counsel. We
9 don't have it in Boston, but we do hope that we can
10 follow your example. There are too many people that
11 will be swayed by fiscal impact and not by the human
12 cost. Fortunately, you have a City Council that sees
13 things differently. But for those other people, the
14 health impacts-- the devastation of the families that
15 are evicted is very expensive, but those health
16 impacts travel throughout the entire breath of the
17 community. All of the ties in the community that
18 make us a community, that's us caring about each
19 other, are essentially vectors for the stress which
20 causes negative health outcomes. This is not just
21 the-- the scope is much larger than is commonly
22 discussed, and it is the entire breadth of the
23 community, and it's also transgenerational. Our
24 research survey shows that in utero, babies are
25 affected by the stress of a mother facing housing

2 insecurity, but also via epigenetics, not just to the
3 next generation, but the following generation is
4 impacted in terms of health outcomes. So, if you
5 look at the cost of healthcare and you look at the
6 scope, the true scope of what this does to our
7 communities-- some of the questions earlier about
8 cost, well, it's a very good fiscal policy. I'll
9 just end on one little anecdote. A hospital in
10 Chicago implemented providing free housing for
11 indigent patients, and basically the financial people
12 said, okay, we've been doing this for a couple of
13 years, we're going to see how much it costs us.
14 Their-- they found that their fiscal bottom line was
15 in fact impacted; however, they found that instead
16 of-- that even if they were to pay four season rates,
17 like 675 dollars a night for each homeless patient,
18 it would still leave them in the black, and that's
19 just part of the cost savings. Thank you very much,
20 and we hope to follow your example.

21 COUNCIL MEMBER GIBSON: Thank you so very
22 much. First and foremost, thank you for coming to
23 New York City, coming here to the City Council and
24 really offering testimony on behalf of your cities of
25 Boston, of Philly and Newark. We are grateful, and I

2 am so proud that, you know, if New York City could
3 take a lead in something good, it could be something
4 as transformational as Right to Counsel. And the
5 fact that it has had such an impact across the
6 country, there are national conversations happening
7 around Universal Access, but I appreciate what you're
8 saying because there are a lot of collateral
9 consequences that happen as a result of an eviction,
10 and eviction is traumatizing. It not only affects
11 you, but it affects your entire family. So, I
12 forget, one of you talked about it, but it's wrap-
13 around holistic services as well. We can do
14 everything possible to protect that family and keep a
15 roof over their head, but we also have to look at a
16 number of other services as well. And so I like the
17 idea of what you guys did in Philly with courtroom
18 navigators. I like that word, a navigator, because a
19 lot of times our clients need the ability to navigate
20 throughout court, and that's a good thing. It wasn't
21 easy, and what-- you know, certainly, to Boston, what
22 I will suggest as you continue to talk to, you know,
23 colleagues particularly in the City Council, this has
24 to be a mindset change. You have to fundamentally
25 believe that it's the right thing to do, right? You

2 don't have to be a tenant, but you can be sympathetic
3 to what a tenant goes through, and as elected
4 officials, as civil legal service providers, we have
5 to be sympathetic to the needs of tenants every day,
6 and understand that there's always been an imbalance.
7 There's always been inequity in Housing Courts across
8 the country. Tenants have never had this type of
9 power before, and now that we are tipping that scale
10 of justice and we're giving tenants what they already
11 have needed, now you're seeing the landscape change.
12 So, I often say, yes, it's a fundamental behavioral
13 change from the courts, from the judges, to the
14 courtroom staff, to everyone, but it's also a mindset
15 change. You have to believe that this is the right
16 thing to do. you have to fundamentally believe that
17 tenants who are facing eviction deserve stable
18 housing, deserve quality housing, affordable housing,
19 but they deserve access to legal representation. So
20 we're proud of what year City has done and our
21 efforts to try to take this to the next level is
22 because we know there are thousands of people that
23 still languish in our city that don't have this
24 access, that rightfully so. They may make a little
25 bit more money above the federal poverty level, but

2 they're still in need. And so what we're trying to
3 say is that this is the same mindset. It's the same
4 vision. It's just expanded so that we can cover more
5 people. And so I applaud all of you, and you know,
6 your colleagues, because I definitely think that, you
7 know, a lot of the local municipalities that we work
8 with-- both Mark and I were in Cleveland a year and a
9 half ago, and you know, many governments don't have
10 the ability to provide all of this funding through
11 government, and so a lot of it is from the private
12 sector. It's a lot of the philanthropic work, and
13 that, you know, I understand. That makes sense. But
14 it's about making sure that people believe in the
15 idea and the concept that this is the right thing to
16 do. So, I applaud you for being here, and hopefully
17 you can come back when we have the bill signing. I'm
18 calling it into existence, but that would be really
19 good if we could continue to work together, because I
20 think we share the same goals, and how we get there
21 may be a different road, but at the end of the day
22 it's all about protecting our residents and their
23 families. So, I thank you for being here. We look
24 forward to working with you, and I'll turn it over to
25 my colleague.

2 COUNCIL MEMBER LEVINE: And I can second
3 that by saying maybe we can be invited to the bill
4 signings in your city when they happen. For me, it's
5 so meaningful to have a national coalition. These
6 are very difficult times for anyone who cares about
7 social justice in this country with a committed
8 opponent to this cause leading our national
9 government. And I think the lesson of this is that we
10 can still use the tools at our disposal in local
11 government to score wins for the people who need
12 help, even during this very difficult era. And it's
13 much easier to do that when we partner across cities
14 to learn from each other, and you've given us
15 tremendous moral support and we want to do the same
16 for you. Thank you for making your voices heard
17 today and for fighting for this cause in your cities.
18 It means a lot. Thank you. Okay. Another tough
19 panel to top, but I am sure the next group is up for
20 it. We have Flandasia Jones [sp?] from the New York
21 State Nurses Association, Fitzroy Christian
22 representing himself and CASA. We have Chaplain
23 Sandra Mitchell from the Northwest Bronx Clergy
24 Coalition and CASA. We have Helena Rodriguez from
25 Housing Works. Some of them may have left. I

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2 realize the hour is late, but Fitz is-- Fitz, since
3 you were first to the table, do you want to lead us
4 off? And if you can turn your mic on, Fitz.

5 FITZROY CHRISTIAN: Is this better? Okay.
6 Thank you for having us here today. As you know,
7 Mark, and also Council Member Gibson, I have many
8 hats. Some of the things I'm going to say today may
9 be disturbing to some of the organizations I'm with.
10 So I'm going to be me only today, none of my hats
11 apply to anything I'm going to be saying. I am here
12 in support of Intro. 1104 and Intro 1529, because I
13 think without this New York City within another 20-25
14 years is going to be a totally white city. There's
15 not going to be any room for people of color, and we
16 got to stop that, and I think we here in New York
17 City has a moral obligation to continue to lead the
18 way in providing legal representation for indigent
19 tenants who are facing the threat of eviction in and
20 out of the City's Housing Courts. I know I only have
21 three minutes, so I'm not going to read everything
22 I've written. You have the copy there. But I'm
23 going to run through just some areas that I would
24 like you to look at. In the 1920s the city's gentry
25 which included the Rockefellers, the Roosevelts, the

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2 Morgans, the Pratts, and various other wealthy
3 banking financial and [inaudible], some of the
4 poorest people live in conveniently located slums on
5 high priced land. Such a situation outrages one's
6 sense of order. Everything seems misplaced. One
7 yearns to rearrange the hodge-podge and put things
8 where they belong. That was because there were too
9 many people of color, too many blacks from the south,
10 too many Puerto Ricans who were living on Patricia
11 and Fifth Avenue. They were depressing the value of
12 their land, and they did not want that. A few years
13 later, Roger Starr [sp?] who was the Chief of what
14 was then called the Housing and Development
15 Administration-- I think that today is HPD. He said,
16 "We should not encourage people to stay where their
17 job possibilities are daily becoming more remote. We
18 got to stop the Puerto Ricans and the rural blacks
19 from living in the City. We must reverse the role of
20 the City. It can no longer be a place of
21 opportunity. Our urban system is based on the theory
22 of taking the peasant and turning him into an
23 industrial worker. Now there are no more industrial
24 jobs. That's because they have de-industrialized New
25 York City. So why don't they just-- why don't we

2 just keep them as peasants. This is why we so badly
3 need 1104 and 1529, because we have to bring more
4 people [inaudible] of the Right to Counsel so that we
5 can protect more people in this fight to save their
6 homes and their communities and in the city that we
7 have called home for so long. We need to fight
8 against the relentless [inaudible] of the developers,
9 the real estate interest, and their financial
10 backers. We got to bring the plans of the 1920's to
11 a full-stop, because what this is really about is
12 ethnic cleansing, and that was clearly announced by
13 those people in the 20's, and we cannot allow that to
14 happen. If you could give me 30 seconds while I skip
15 through, I appreciate that. The Right to Counsel in
16 New York City and City [inaudible] City Life Vida who
17 were just here. I found that evictions were a major
18 contributor to the instability of neighborhoods of
19 color, and that they found that more than 89 percent
20 of black and brown people make-- no, sorry. Eighty-
21 nine percent of shared [sic] residents made up of
22 black and brown people here in New York City. That
23 is the first step to homelessness. The first step
24 towards them leaving New York City, and we have to
25 stop that. The process that are being used is

2 zonings and re-zonings which lead to gentrification,
3 which will lead to massive displacement and as Garvin
4 Miller [sp?] said in this article, liberation and
5 gentrification. Gentrification is no cultural
6 phenomenon. It is a class offensive by powerful
7 capitalist, and we all know that powerful capitalists
8 have deep pockets. But he went on to say that he has
9 always been a top-down affair. It's not a
10 spontaneous hipster influx. This is orchestrated by
11 the real estate developers and investors who pulls
12 the string of city policy. After the 1917's
13 financial crisis in New York City, there was a new
14 line that begun to emerge. New York has been de-
15 industrialized. There are no longer any working
16 class jobs here. Why wouldn't these people wise up,
17 recognize that there was no room for them here, and
18 just leave. I'm not ready to leave. There are
19 millions of New Yorkers who are not ready to leave,
20 but we cannot stay here if we do not get assistance
21 from the City Council. We need your financing for
22 the community groups, the tenant organizers, the
23 community organizers to get the word out that there
24 is a way for them to get protected. There is a way
25 for them to stay in their homes and communities, and

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2 we need it to be expanded so that those people who
3 barely miss it do not get-- do not become victim of
4 all these [inaudible] that are intended to push them
5 out. I will end with this. I have friends who have
6 degrees and who have very good jobs in New York City.
7 Three of them sleep in their vehicles at night. In
8 the mornings-- sorry-- they go to a friend's place to
9 shower before they go to work. They're making
10 \$49,000 as an individual. They do not qualify and
11 they're homeless. It's not permissible. It's not
12 something that we should happen in New York City.
13 You got a moral obligation to stop it, and that's why
14 I'm here to testify in support of 1104 and 1529.
15 That is our job. We cannot neglect it. Thank you.

16 FLANDACIA JONES: Good afternoon. Thank
17 you for having me. My name is Flandacia [sp?] Jones.
18 I'm a registered nurse for over 35 years, a member of
19 the New York State Nurses Association, and a member
20 of the Political Action Committee. New York State
21 Nurses Association represents over 43,000 nurses
22 working in both private and public hospitals in the
23 City. I am here to testify in favor of passing Intro.
24 1104 and Intro. 1529 to expand the Right to Counsel
25 Law. As a nurse, I know firsthand that housing is a

2 determinant of health. Without proper housing it
3 affect health-- without proper housing it affect
4 health negatively. The lack of stable housing can
5 also decrease the effectiveness of healthcare by
6 making proper storage of medications difficult and
7 possible, which makes this population enter the
8 hospital in a crisis situation. In summary,
9 substandard housing affects multiple dimensions of
10 health. There's evidence that it contributes to
11 increasing exposure to biological hazards such as
12 allergens, chemical, lead, and physical which is
13 [inaudible] stress, which directly affect
14 physiological and biochemical processes. As a union,
15 we are asking the City to increase the Right to
16 Counsel income eligibility level, as many of us
17 working class are just making ends meet from paycheck
18 to paycheck. As a New York City resident and a nurse
19 I urge my City Council to pass and fund Intro. 1104
20 and Intro. 1529 by June so that many people have the
21 right to counsel and use it to defend their homes and
22 decrease homelessness in the City. Thank you.

23 NORMAN ARCHER: Thank you for this
24 opportunity to testify. My name is Norman Archer,
25 and I'm a Research and Policy Associate at Housing

2 Works, and I'm reading this on behalf of my
3 colleague, Elena Rodriguez who is a staff attorney
4 who had to leave to attend to a client this
5 afternoon. "Housing Works is-- was founded in 1990
6 and is one of the largest community-based HIV
7 services organizations in the United States. We
8 provide a range of integrated services to low income
9 New Yorkers living with HIV/AIDS from housing to
10 medical and behavioral care to legal services and job
11 training. Our Legal Department offers clients advice
12 and representation on matters involving housing,
13 public benefit, family law, wills, and other issues.
14 And as an organization committed to serving people at
15 or below the poverty line who are homeless or at risk
16 of homelessness and living with HIV or vulnerable to
17 HIV, we strongly support the passage of Intro. 1104
18 and 1529, and to continue implementation and
19 expansion of the Right to Counsel in Housing Court.
20 Evictions are cruel, violent, inhumane and unjust.
21 Evictions are used to displace the most vulnerable
22 community members in our cities such as low-income
23 tenants, people of color, women, single mothers, and
24 immigrants. Evictions ravage individuals and
25 communities with health issues, job loss, education

2 loss, and eviction pushes already vulnerable
3 individuals further into poverty. Additionally,
4 evictions increase emergency room use and raise the
5 risk of mental health hospitalizations. We know that
6 there's a crisis of homelessness in this city, and
7 while safety net measures like a right to shelter are
8 important, the best way to manage this crisis is to
9 keep tenants, especially the most vulnerable New
10 Yorker residents in their current stable housing.
11 Our attorneys at Housing Works have seen how
12 difficult it is for our clients to get rehoused once
13 they become homeless. We're proud that this city and
14 now state have protections against source of income
15 discrimination, but we know that it's still too
16 common for landlords to summarily reject otherwise
17 eligible applicants simply because they're applying
18 with a government source of income. We have clients
19 who come in with notebooks documenting over 300 cases
20 of denials. We have clients which is a mother of four
21 who struggle for years to find a landlord that will
22 accept vouchers and in the meantime, their lack of
23 stable housing causes them to uproot their families,
24 lose their jobs, and suffer incredible emotional
25 damage. Our housing attorneys know that these

2 situations can be prevented if clients have the
3 assistance of a counsel. Therefore, the Right to
4 Counsel has already proven to slow the scourge of
5 evictions in the City by guaranteeing low income
6 tenants have a right to a lawyer when facing eviction
7 in Housing Court. We're really grateful to the Mayor
8 and to the City Council for adopting their right to
9 legislation in 2017, which has proven to be a
10 powerful tool. To further this progress, we call
11 upon the City Council to strengthen the law by
12 increasing the income eligibility level, expanding
13 the coverage for different types of eviction cases,
14 and requiring the City to work with trusted tenant
15 organizing groups to engage and educate tenants about
16 their rights. We're deeply committed to New York
17 State's plan to end the HIV epidemic which includes
18 recommendations to meet the non-medical needs to
19 assure effective HIV care including access to
20 adequate, stable housing. Ample evidence has
21 suggested-- has established that safe, stable housing
22 is essential to support effective anti-retroviral
23 treatment that sustains optimal health for people
24 living with HIV. Indeed, from New Yorkers living with
25 HIV, unstable housing is the single strongest

2 predictor of poor outcomes and health disparities.

3 That being said, I strongly support the Right to

4 Counsel La and believe it will have a positive effect

5 on the wellbeing of New Yorkers. Thank you."

6 COUNCIL MEMBER LEVINE: Thank you.

7 UNIDENTIFIED: Yeah, I'm sitting on

8 behalf of Sandra Mitchell. She's not here. She had

9 to leave. And I want to thank Vanessa Gibson and

10 Mark Levine, they have did a lot of work in our

11 communities. I go way back in the NACP when they

12 used to also come. There's some problems that she

13 wanted y'all to know, and that was regarding that it

14 is most pertinent that they pass 15-- 1104 and 1529.

15 It is very important because they're going through

16 situations right now up in the Bronx where there's a

17 pest [sic]. There's a lot of things that's going on

18 where people are breathing this smoke and certain

19 things that's in the hallways and affecting kids and

20 everybody. So she wanted me to let y'all know

21 basically that in passing this intro would help a lot

22 of tenants to get to where they don't know their

23 rights. Not only they don't know their rights, but

24 they don't know how to navigate in going to court.

25 So this is very important for this law to be passed.

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2 And in the words of Doctor King, I wanted to say that
3 he would always say that you have to bring the
4 invisible to the visible, which would mean is that
5 the people who don't know and is not getting help,
6 this law would help. So thank you.

7 COUNCIL MEMBER LEVINE: Thank you to this
8 excellent panel. Next up we have Pastor Tabatha
9 Holley, Jose Miranda from Catholic Migration
10 Services, Jacquelyn Simone from Coalition for the
11 Homeless, and I believe it's Daniel Puck or Buck
12 [sp?]. Pastor, would you like to start us off?

13 PASTOR TABATHA HOLLEY: Sure.

14 COUNCIL MEMBER LEVINE: Thank you.

15 PASTOR TABATHA HOLLEY: Thank you. Good
16 afternoon. My name is Pastor Tabatha Holley. I am
17 the newly appointed pastor of New Day Church in the
18 Northwest Bronx. I am here because evictions are
19 immoral. I am here to advocate for the expansion of
20 the Right to Counsel. I am here because I am young.
21 I'm a member of clergy. I am black. I am queer, and
22 I have been evicted. And I come here especially
23 bearing the burdens of a working-class congregation,
24 one that has no other choice, but to be present in
25 some way or another to fight for what is right, for

2 them and their families and their children and their
3 community. I come bearing witness to the fate of
4 members who have stared in the face of merciless
5 landlords. If you are not aware, Ash Wednesday is
6 coming. It is my faith that is shaped in a testimony
7 that has me in this place on this day two days before
8 Ash Wednesday. If you have not been moved by the
9 testimony of the people who have shown up in this
10 place, then I pray that you are moved by sacred text,
11 sacred text that is in fact Lenten text. A verse in
12 the 58th chapter of Isaiah reads, "Is not this the
13 fast to lose the bonds of injustice to undo the
14 thongs of the yoke to let the oppressed go free and
15 to break every yoke? Is it not to share your bread
16 with the hungry and bring the homeless poor into your
17 house?" Later in the text the sacred ensure the
18 people of a thing, "If you satisfy the needs of the
19 afflicted, then your light shall rise in the darkness
20 and your gloom shall be like the noon [sic] day.
21 The Lord will satisfy you continuously and satisfy
22 your needs in parched places." I've been wrestling
23 with this text for two weeks, and I'll tell you what
24 the Spirit began to say to me: A threat to justice
25 anywhere is a threat to justice everywhere. I'm not

2 a fire and brimstone-type pastor, but you have to
3 know that if you do not do what is right today, if
4 you do not act according to your moral conscience,
5 there are consequences. There are consequences for
6 you. There are consequences for me. There are
7 consequences for this nation. There are consequences
8 for this world. But for New York City to add
9 powerfully in this moment is to show the world what
10 it means to be a city that cares about the sanctity
11 of the streets that we walk. It is to care about the
12 sanctity of the individuals who walk them. You have
13 a moral responsibility to honor the sanctity of all
14 New Yorkers, to see the light that is within them and
15 honor that light to honor the sacred place that is
16 within each of us. When we express the desire at the
17 end of the day to go home, if you do what is right on
18 this day, then we all get to experience the power and
19 the abundance of the sacred, and we shall be called
20 the restorers of streets to live in. I invite you to
21 enter the season of Lent, 40 days of reflection with
22 the sacred in the wilderness doing what is right by
23 your fellow human, what is right in the eyes of God,
24 and you shall be called the repairers of the breach,
25 the restorers of the streets to live in. Thank you.

2 COUNCIL MEMBER LEVINE: Goodness. Thank
3 you. Very powerful.

4 JOSE MIRANDA: Good afternoon, everyone.
5 My name is Jose Miranda, and I am an Immigration
6 Attorney at Catholic Migration Services. I'm here to
7 talk to you today about why these bills are important
8 to immigrant communities. On February 10th of this
9 year, the New York City Council's Committee on
10 Immigration held a rally and hearing to demonstrate
11 solidarity with immigrant women, children, LGBTQ
12 people, and others who seek refuge in our country
13 after having survived domestic and gang-based
14 violence in their home countries. The Committee
15 specifically called for the reversal of a court
16 decision by former Attorney General Jeff Sessions
17 which virtually decimated asylum protections for
18 survivors of domestic and gang-based violence. This
19 is the same Jeff Sessions who in April 2017 in a
20 speech to Border Patrol at our southern border called
21 immigrants "filth." At the hearing, the committee
22 posed the question which I think is highly relevant
23 today at this hearing. The question was-- and this
24 is not an exact quote, but it was something to the
25 effect of-- what more can the City of New York do to

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2 protect and stand in solidarity with immigrants? To
3 me, this question is central to the struggle for
4 immigrant justice and housing justice alike. Indeed,
5 this is a key question for the struggle for economic
6 justice, racial justice, gender justice-- the list
7 goes on. Because, of course, people simply do not
8 fit neatly into isolated systems of oppression. The
9 clients I represent seeking asylum, permanent
10 residency, work authorization, and citizenship are
11 people, our people. they are poor people, working-
12 class people, tenants, people of color, senior
13 citizens, families, and yes, immigrants, and on more
14 occasions than I'd like to admit, the people I
15 represent have had to deal with not only a
16 fundamentally white supremacist Executive Branch
17 fervently attempting to dehumanize, incarcerate, and
18 deport them as much as and as soon as possible, but
19 also abusive landlords driven by greed and profit,
20 evictions, indecent and hazardous living conditions,
21 outrageous rent rates, and yet, another overly
22 complex court system where they've had to fight often
23 on their own for their dignity and basic human
24 rights. So, what more can the City of New York do to
25 protect and stand in solidarity with immigrants? The

2 question in a way is as simple and powerful as its
3 answer. Stand up and confront the people in power
4 who abuse their power. Strengthen and enforce what
5 we should all consider basic human rights, the right
6 to housing, the right to organize, the right to
7 counsel. With generous funding for immigrants, for
8 tenants, for our people, pass Intro. 1104 and Intro
9 1529. Thank you.

10 COUNCIL MEMBER LEVINE: Thank you.

11 JACQUELYN SIMONE: These are very tough
12 acts to follow.

13 COUNCIL MEMBER LEVINE: Indeed.

14 JACQUELYN SIMONE: My name is Jacquelyn
15 Simone. I'm a Policy Analyst at Coalition for the
16 Homeless. Thank you to the Council for this
17 opportunity to testify, and thank you to the tenants
18 and other advocates for your stamina in hour almost
19 seven of this hearing, I believe. So, New York City
20 remains in the midst of the worst homelessness crisis
21 since the Great Depression with nearly 63,000 adults
22 and children sleeping in shelters each night.
23 However, although record homelessness persists, the
24 crisis would likely be far worse if the City had not
25 taken proactive steps to stem the tide of residential

2 evictions through enacting the Right to Counsel and
3 issuing rent arrears grants. One of the most striking
4 developments in recent years has been the notable
5 decline in the number of people enter shelters
6 following an eviction. According to the most recent
7 data from the Department of Homeless Services, the
8 number of household citing eviction as their primary
9 reason for entering shelters dropped between Fiscal
10 Year 2015 and Fiscal Year 2017, even as the number of
11 households entering shelters rose. The drop in
12 evictions is a primary reason for entering shelters
13 corresponds with the City's increasing provision of
14 anti-eviction legal services and rent arrears grants.
15 Eviction prevention is smart policy from a moral and
16 fiscal standpoint. Right to Counsel can help
17 preserve the City's precious affordable housing stock
18 by keeping long-term tenants in their homes.
19 Preventing homelessness also saves the estimated
20 71,000 dollars it costs to have a family stay in a
21 shelter for a year, while most importantly, saving
22 the household from the myriad and lasting harmful
23 consequences that arise when families are displaced
24 due to eviction. While the Right to Counsel has
25 helped many New Yorkers stay in their homes, others

2 are unaware that they could benefit from this
3 historic right. Tenants who do not know they have a
4 Right to Counsel may be less willing to ask their
5 landlords for repairs and instead vacate an apartment
6 in poor condition. Tenants who have received court
7 papers may decide not to appear in court, decline
8 representation or sign unfavorable agreements unless
9 they understand the right to be represented by a
10 lawyer. Intro. 1529 would require the City to
11 support organizers who would ensure that tenants know
12 about their Right to Counsel and are empowered to
13 exercise that right. For these reasons, Coalition
14 for the Homeless encourages the Council to pass
15 Intro. 1529. Intro. 1104 would double the Right to
16 Counsel program income eligibility and expand the law
17 to cover all eviction cases. As many of my
18 colleagues have said throughout the day, currently a
19 single New Yorker who works fulltime and makes the 15
20 dollar minimum wage would not qualify for the Right
21 to Counsel, but would likely struggle to afford a
22 lawyer on their own. Many more New Yorkers facing
23 eviction would benefit from Right to Counsel were the
24 income eligibility cap to be lifted. By both
25 expanding the types of cases covered and the number

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2 of tenants covered, Intro. 1104 is a powerful way to
3 build upon the initial success of the Right to
4 Counsel. We thank the Council for the opportunity to
5 testify, and we look forward to further opportunities
6 for advocacy to continue supporting New Yorkers
7 facing eviction and homelessness. Thank you.

8 DANIEL BUCK: Hi my name is Daniel Buck
9 [sp?]. I'm testifying today on behalf of CIDNY,
10 Center for Independence of the Disabled based in New
11 York. I would like to thank the New York City
12 Council for holding this hearing. Thank you to the
13 Chairs of the Committee and to City Council Members
14 Mark Levine and Vanessa Gibson and others who
15 sponsored Intros 1529 and 1104. CIDNYs goal is to
16 ensure full integration independence and equally
17 opportunity for all people with disabilities by
18 removing barriers to their social, economic,
19 cultural, and [inaudible] life of the community. The
20 overwhelming majority of people with disabilities
21 living in New York City are living in poverty and are
22 rent burdened or severely rent burdened. So, they
23 either have to pay at least 30 percent or at least 50
24 percent of their income to-- on rent. In 2019 CIDNY
25 served over 57,338 individuals, 24,000 of those with

2 housing matters. Every month we have Housing
3 Workshops at each of our locations. Even while we
4 have seen exceptional success across all the zip code
5 covered by Right to Counsel, we still have too many
6 residents with disabilities not currently covered.
7 The following percentages are residents with
8 disabilities who fall between 200 and 400 percent
9 appeal [sic], a gap not currently covered by Right to
10 Counsel and thus would be helped by the passage of
11 Intro. 1104: 37 percent in the Bronx, 32 percent in
12 Brooklyn, 38 in Queens, another 38 in Staten Island,
13 and 31 percent in Manhattan. Intro. 1529 is equally
14 crucial. People with disabilities who come to CIDNY
15 for help don't always know their rights as people
16 with disabilities. It is very important for
17 organizations like ours to have resources to help
18 people understand their rights and get advocacy and
19 legal help they need. Thank you for listening. We
20 appreciate your leadership on these important
21 initiatives.

22 COUNCIL MEMBER LEVINE: That was an
23 outstanding panel. Each one was a hard act to
24 follow. I pity the next panel, but I'm sure they'll
25 be great. Thank you all very, very much. Next up we

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2 have Stephanie Stork [sp?] from Take Root Justice,
3 Signa Fontaine [sp?] from Make the Road New York. We
4 have Ignacio Jaureguilorda from the Center for Court
5 Innovation, Claunick Duronville from CAMBA Legal
6 Services, Dennis Donnoly from Communities Resist.
7 Okay, please, you want to start us off?

8 IGNACIO JAUREGUILORDA: Sure, thank you.
9 Good afternoon. My name is Ignacio Jaureguilorda. I
10 oversee legal hand for the project administered to
11 New York City by the Center for Court Innovation. We
12 thank you for the opportunity to provide testimony
13 regarding the New York City Office of Civil Justice's
14 programs to provide Universal Access to legal
15 services for tenants facing eviction. The Center for
16 Court Innovation works to create a more effective and
17 humane justice system by launching operating programs
18 to test new ideas and solve problems, performing
19 original research and providing expert assistance to
20 justice reformers around the world. We operate
21 program sin all five boroughs. Three of these
22 programs in particular, the Red Hook Community
23 Justice Center, The Harlem Community Justice Center,
24 and Legal Hand, work directly with New York City
25 residents who are facing housing instability weather

2 through the threat of eviction, the need for
3 permanent housing, or living conditions that pose
4 risks to their safety and wellbeing. Both Red Hook
5 and Harlem operate neighborhood-based Housing Courts
6 in partnership with the New York State Unified Court
7 System with Harlem handling both public and private
8 housing cases that arise within two local zip codes,
9 and Red Hook handling exclusively public housing
10 cases from the Red Hook Houses. Finally, our Access
11 to Justice civil programs provide assistance to
12 thousands of New Yorkers with housing issues through
13 Legal Hand and the Jonathan Lippman Access to Justice
14 Fellowship Program. Taken together from our work
15 serving tenants in both court and in community
16 settings and training new housing attorneys, we have
17 learned a great deal about preventing evictions,
18 addressing human needs of litigants, increasing
19 access to justice, advancing fairness, and reaching
20 vulnerable populations including returning citizens.
21 While the Center for Court Innovation is not an
22 advocacy organization, it does not support or oppose
23 specific legislation, our work to promote access to
24 justice in low income and vulnerable communities
25 throughout New York City in both the court and

2 neighborhood setting has given us a unique
3 perspective on universal access and the Right to
4 Counsel and housing matters. The promise of Universal
5 Access is incredible. As a former legal services
6 attorney specializing in Housing Court, I
7 consistently observe better outcomes when tenants
8 have legal counsel, even in cases when the tenant
9 does not retain their apartment. Unfortunately,
10 Universal Access is not at this point universal and
11 is not the only necessary service. We strongly
12 support the inclusion of all public housing residents
13 within UA regardless of zip code and at NYCHA's
14 administrative termination of tenancy hearings.
15 Furthermore, when attempting to make legal service
16 referrals for tenants facing evictions, staff at the
17 Justice Center's Housing Resource Center are
18 regularly told providers must prioritize cases in
19 covered zip codes, and often have a policy of not
20 considering cases of tenants from uncovered zip
21 codes. For example, tenants and litigants from
22 uncovered zip codes such as 11231 in the Red Hook
23 Community Justice Center's jurisdictions have found
24 it significantly harder to obtain legal
25 representation. WE encourage an allocation of

2 resources for legal service providers to support
3 legal representation for the most vulnerable
4 residents facing eviction. Finally, we strongly
5 encourage the City to consider ancillary services,
6 including pre-court information that could prevent
7 the need for Housing Court litigation and clinical
8 services that could ensure that clients are served in
9 a holistic manner. I thank you so much for allowing
10 us to testify today.

11 COUNCIL MEMBER LEVINE: Thank you,
12 Ignacio, thank you.

13 CLAUNICK DURONVILLE: Thank you so much
14 for the opportunity to testify today. My name is
15 Claunick Duronville. I am a former Jonathan Lippman
16 Access to Justice Fellow for 2019. I'm the founding
17 Chapter Chair of the CAMBA Legal Services Workers
18 Union, and I am not a supervising attorney at CAMBA
19 legal services. Since starting as a law graduate in
20 2015 this has been my first job and I have seen
21 Housing Court before the implementation of the first
22 Right to Counsel Bill and the legislation's effect on
23 the lives of thousands of tenants afterwards. In
24 sort, it has been a life-changing force of justice,
25 but only for some. The expansions contained in

2 Intro. 1529 and Intro. 1104 are urgently needed if we
3 and this legislative body truly aim to make this city
4 a city that protects all of its people. We are at an
5 incredibly special moment in the history of this city
6 for housing rights and tenant protections. The
7 Country is watching as the legislation being
8 tirelessly advocated for by the members of the Right
9 to Counsel New York City Coalition is debated on with
10 the hope that the City will be a model for a more
11 equitable society. As an attorney on the front line
12 with these tenants, advocates, and community
13 organizations, it is clear that without
14 implementation of Intro. 1529 and Intro. 1104, this
15 city will be doing a huge disservice to struggling
16 tenants and will relegate thousands each year to
17 battle the violent trauma of evictions on their own.
18 Right now is our moment to empower these tenants with
19 the protections these expansions entail. The Right
20 to Counsel New York City Coalition urges the City
21 Council and the Mayor to pass Intro. 1529 and Intro.
22 1104 to expand the Right to Counsel Law to ensure
23 more tenants know and use their rights. These
24 measures would greatly further the City's goal of
25 decreasing evictions as well as the Coalition's

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2 ultimate goal of ending evictions in New York City.

3 And we can do this and we can make this goal a

4 reality sooner than we realize, but it starts here.

5 Right to Counsel has proven to be an immensely

6 effective tool to stopping evictions, and now is the

7 time to expand the law by passing Intro. 1529 and

8 Intro. 1104. We must commit to making New York City

9 an equitable, diverse, and just city, and this is how

10 we make it happen. The tenants of the city cannot

11 afford to wait. Thank you so much, Council Member

12 Levine and Council Member Gibson. Thank you so much.

13 COUNCIL MEMBER LEVINE: Thank you.

14 Congrats on that union, by the way.

15 CLAUNICK DURONVILLE: Thank you.

16 COUNCIL MEMBER LEVINE: We supported you

17 in that effort.

18 CLAUNICK DURONVILLE: Yes, you did. Thank

19 you so much Councilman.

20 COUNCIL MEMBER LEVINE: Please.

21 DENNIS DONNELLY: Thank you, Members

22 Levine and Gibson. Thank you to the City Council,

23 and thanks to all of our wonderful speakers who have

24 been so patient all day. My name is Dennis Donnelly.

25 I'm a staff attorney at Communities Resist, a

2 recently formed legal services organizations focused
3 in north Brooklyn with decades of experience
4 representing tenants in some of the most gentrified
5 neighborhood in New York City. We're here in
6 solidarity with the Right to Counsel Coalition in
7 enthusiastic support of both Intro. 1104 and 1529.
8 My comments are going to be focused on 1529 in
9 particular, because our office believes that
10 throughout New York City the fight for fair and safe
11 housing, the fight against tenant harassment is a
12 structural fight against gentrification, against
13 displacement, and against specific landlords who are
14 bad actors. Lawyering is only part of this fight,
15 and with the present state of Housing Court, which is
16 in dire need of reform as many speakers have
17 testified to better than I can. It's not the most
18 effective tool for every tenant in every situation.
19 Our neighborhood's best shot at preventing further
20 displacement and gentrification is a proactive
21 approach that requires organizing, taking the fight
22 to bad actor landlords by bringing tenants in a
23 building together to affirmatively fight together for
24 their rights instead of only reacting to evictions.
25 The model of work that my office does and that many

2 other legal services providers do is impossible
3 without the community-based organizations that we
4 partner with and the organizers that they field who
5 do work long before I ever get involved with a case
6 and stick with tenants long after I'm done with their
7 case. Without organizers we simply could not conduct
8 any of the legal representation that we provide in
9 doing a variety of different cases. Practically
10 speaking, organizing also opens up a diversity of
11 legal tactics for legal services organizations to
12 bring. An organized tenants association allows our
13 attorneys to join eviction cases from the same
14 building, the same landlord together to help
15 highlight for judges that this is a pattern and
16 practice and really the landlord's business model,
17 and also to provide efficiencies in the court system
18 which can hear all those cases together. An
19 organized tenants association lets us bring
20 affirmative cases for repairs to stop harassment, to
21 stop tenant buy-outs, to give tenants increased
22 bargaining power through-- rent strikes through
23 outside of the courtroom. Most importantly, organized
24 tenant associations stick around long before and long
25 after an individual court case or an individual legal

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2 services representation for those tenants. Organized
3 tenants who know their rights are going to fight for
4 repairs in the future. They're going to prevent the
5 need for some litigation in the future because
6 they'll have seen how those techniques work so well
7 when they first got together, formed a tenant
8 association, and fought in their neighborhoods.
9 Thank you so much to everyone.

10 COUNCIL MEMBER LEVINE: Thank you.
11 Extremely well-articulated case for 1529. Glad it's
12 on the record. Thank you go this panel. While we're
13 gathering the next group of names, I'll tell you some
14 late breaking news. While we know that the Rent
15 Stabilization Association or RSA is an association of
16 landlords that is opposed to these bills and came to
17 testify against them. We just learned the surprising
18 and welcome news that the Real Estate Board of New
19 York or REBNY has come out in favor of these bills.
20 So, that's a reflection of your success organizing,
21 when even REBNY supports this, you know we are
22 winning the argument. Congratulations activist. More
23 to come. You got that Council Member Perkins. Next
24 up we have Jesus Girros [sp?], also from Catholic
25 Migration Services, Sandra Hidalgo [sp?], Ernestina

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2 Biafania [sp?], Lorena Santana [sp?], Evette Salmon
3 [sp?], Juanita Lucero [sp?] all from Catholic
4 Migration services, and then we have from Goddard
5 Riverside, Tyrone Anthony-- and I'm sorry, I'm having
6 a hard time reading the last name-- Presidore [sp?]-
7 couldn't read the handwriting there, sorry. Tyrone
8 Anthony from Goddard Riverside. Look-- that's fine.
9 Yeah, yeah. [speaking Spanish] Thank you, Council
10 Member. I was just explaining that this is going to
11 be a bilingual panel, and that I've offered for our
12 witnesses to speak in the language that they're most
13 comfortable, and we have translation available. So,
14 who would like to start? [speaking Spanish]

15 UNIDENTIFIED: [off mic]

16 COUNCIL MEMBER LEVINE: [speaking
17 Spanish]

18 ERNESTINA BIAFANIA: [speaking Spanish]

19 TRANSLATOR: Okay, good afternoon,
20 everyone. My name is Ernestina Biafania [sp?]. I'm
21 here with Catholic Migration Services, and I've bene
22 living in Jackson Heights for 46 years. [speaking
23 Spanish]

24 ERNESTINA BIAFANIA: Forty-four.

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2 TRANSLATOR: Forty-four years. I'm a
3 rent stabilized tenant.

4 ERNESTINA BIAFANIA: [speaking Spanish]

5 TRANSLATOR: I want to stay in my home
6 because this is what I've lived for a long time.
7 This is where I had my family. This is a space that
8 I know, my community. I can go and walk around and I
9 feel safe.

10 ERNESTINA BIAFANIA: [speaking Spanish]

11 TRANSLATOR: If a tenant like me was to
12 go to court or to be sent to court, it would be very
13 important for me and for many tenants to have the
14 right to an attorney.

15 ERNESTINA BIAFANIA: [speaking Spanish]

16 TRANSLATOR: And having an attorney is
17 key for me to be able to stay in my home.

18 ERNESTINA BIAFANIA: [speaking Spanish]

19 TRANSLATOR: So, having the right to an
20 attorney is very important for me, for my family and
21 for all New Yorkers, and dealing with things like
22 lack of repairs, going to court, or having an
23 eviction notice, it's like having an attorney is key
24 for us to face all those things.

25 ERNESTINA BIAFANIA: [speaking Spanish]

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2 TRANSLATOR: We have experienced
3 harassment from the landlord, from the super and
4 other agents, and this is just not me. This is other
5 people, and so knowing that we can get access to an
6 attorney is helpful to us.

7 ERNESTINA BIAFANIA: [speaking Spanish]

8 TRANSLATOR: As it has been said before,
9 the City has done a great job in passing Right to
10 Counsel, but it needs to do more, and that's why
11 passing 1104 will be really helpful and instrumental
12 for all tenants like myself.

13 ERNESTINA BIAFANIA: [speaking Spanish]

14 TRANSLATOR: Intro. 1529 will make sure
15 that we have funds to have organizers on the ground
16 and that will help communities feel more secure and
17 safe.

18 ERNESTINA BIAFANIA: [speaking Spanish]

19 TRANSLATOR: The city can and should do
20 more to stop evictions. As a New York City resident,
21 I urge my City Council to pass and fund Intro. 1104
22 and Intro. 1529 by June so that more people have the
23 Right to Counsel and use it to defend their homes.
24 Thank you.

25 ERNESTINA BIAFANIA: Gracias.

2 TYRONE ANTHONY: I'm back again. My name
3 is Tyrone Anthony, and I'm the President of 300 West
4 46th Street. I've been living there since 1983,
5 since Egypt time, but 35 years at least. So,
6 basically, in our building we have our landlord in
7 Chelsea area, which is an SRO. The SRO means single
8 home occupancy, of course, but we have senior
9 disabled tenants who are there who can't make it
10 here. So I come and I represent them. And the
11 problem-- the issues is is that sometimes a landlord
12 can do more different tactics, harassment,
13 renovation, he can use different tactics to harass
14 tenants or to get tenants out the building. I have
15 great experience in understanding some of those
16 tactics. I've been at DHCR, which is Division of
17 Housing Community Renewal [sic]. There was many
18 things that I was able to get in the building for
19 seniors and tenants, and that was, you know, washing
20 machines, disabled door. We filed on many building-
21 wise and things of that nature. However, he wants to
22 move into renovation, and moving into renovation, you
23 know, there's a couple of things that's needed.
24 There's where you might going to have to need a
25 lawyer for the tenants because in this case is that

2 renovations, you have to have a relocation agreement
3 sometimes, too. And there's-- to navigate through
4 those types of litigations you might need an
5 attorney. So, 1104 and 1529 it's crucial. It's
6 crucial so that tenants will be able to get an
7 attorney, and they expand the zip codes within that
8 area, because the zip codes, if they're not expanding
9 it's a little problem there, too. So, it's important
10 to expand the zip codes. So, in the interim of
11 learning how to deal with landlord and tenant, you
12 have to be very experienced, and it's not to be anti-
13 landlord, but it's to be impartial fair on both part,
14 tenant and landlord, and that's what I tell my
15 tenants. So, recently I took my-- some of my tenants
16 to the Community Board Four, and we addressed some of
17 the renovation issues that we didn't really want the
18 renovation area-- we didn't want the renovation, but
19 the landlord didn't want to meet with us, but because
20 we went to the Community Board Four he had to meet
21 with us, and he came to meet with us. So, I want to
22 say, I want to thank the Council again for this
23 Intro. and this 1104 and 1529. Again, it's very
24 crucial that we move into the next phase to get
25 definitely rights for all tenants, and basically so

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2 they can know their rights. So, I appreciate the
3 Council and I thank you again for testimony. Thank
4 you.

5 COUNCIL MEMBER LEVINE: Excellent. Thank
6 you. Please.

7 YVETTE SALMON: Hi good afternoon. My
8 name [off mic]. Hello, good afternoon. My name is
9 Yvette Salmon. I come from Puerto Rico. So, I been
10 in my apartment for the last 32 years, and since I
11 was able to work as a pharmacy technician at Memorial
12 Sloan Kettering Cancer Center I was supposed [sic] to
13 be able to take care of my problems in my apartment
14 and not be bothering the-- my super-- whatever. And
15 then a few years ago I lost like everything, like my
16 job because I became sick with Lupus, you know,
17 [inaudible] which eventually in and out, in and out.
18 I had to leave my job, be on disability. Then I got
19 cancer, so I've been sick through all last 10 years,
20 and then my apartment start to deteriorate. Things
21 change, and I can't do anything. Became a lot
22 expensive [sic] with chemo, radiation, some infusions
23 that I had to take every six months, and it's a lot
24 of money that I had to take out with deductibles,
25 medications. They are not covered by my plan.

2 Eventually, since I met the Catholic group, they help
3 me. They give me some orientation, and I've been
4 stand up [sic]-- things that I didn't know years
5 ago. They've been helping me, and finally, I get to
6 start repairs. I repair my kitchen and my bathroom,
7 fine, okay. So, I went through that. So, I support
8 this law in case that I have to go directly to court.
9 I have some help because really with all my expenses
10 I can't afford a lawyer if I have to go fight with
11 them in court. Thank God I solved all my problems
12 due to the orientation and support outside of court.
13 So, that's why I support this expansion with 1104 and
14 1529, and thank God I've been able to deal with it
15 and get out of it. So, we need that. We need help.

16 COUNCIL MEMBER LEVINE: Well, it took a
17 lot of courage for you to speak out and share your
18 story today, and I'm really grateful that you did.
19 People need to understand that the stakes here are
20 real, that there are lives on the line. This is not
21 just about numbers. It's about families and people
22 in the City who are suffering when they lose their
23 home. So, thank you for speaking out. Please.

24 LORENA SANTANA: [speaking Spanish]

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2 TRANSLATOR: Good afternoon. My name is
3 Lorena Santana and my testimony today will focus on
4 my mother's experiences.

5 LORENA SANTANA: [speaking Spanish]

6 TRANSLATOR: So, I've been in this
7 country for five years now. It's been a blessing to
8 come back and see my mother, reunite with my mother
9 again, but from far, and since I'm here now I've been
10 able to be a witness to the suffering and the
11 nightmare that it's been to be a tenant that lives
12 with dignity.

13 LORENA SANTANA: [speaking Spanish]

14 TRANSLATOR: So, everything started since
15 the owner of the place died, and even before that
16 there were really unjust renting raises, but as a
17 hard worker my mother dealt with them and accepted
18 them, but even after he died, his daughter continued
19 with the same patterns.

20 LORENA SANTANA: [speaking Spanish]

21 TRANSLATOR: So, as I said before, the
22 daughter continued with the same patterns and there
23 has actually been a long situation going on in court,
24 and even though-- and actually because landlords have
25 more power and money they have been able to do-- use

2 strategies to do better, because I forgot to mention,
3 the owner sold the building to a corporation, so now
4 they have more power. So, then we were able to get
5 assistance from Catholic Migration Services;
6 otherwise, my mother would have gotten evicted, but
7 we still live in horrible conditions. There is
8 actually one of our bedrooms that rains, but it's not
9 rain water.

10 LORENA SANTANA: [speaking Spanish]

11 TRANSLATOR: So, if I continue, we will
12 stay here the whole afternoon and evening and night,
13 but now we have another situation, right? Since I
14 got here. I've been working. I've been doing
15 everything that my mother taught me as a hard worker,
16 but the thing is even though now I'm working-- and I
17 actually had to get two jobs because it's not enough--
18 - if I was to live with her, then she wouldn't
19 qualify either for an attorney or for other benefits.
20 So I'm doing this to help her, but I can't, right?
21 And then if I try to get an apartment for myself--
22 like, if I work and then live with my mother, I'm too
23 rich, but if I look for an apartment for myself, I'm
24 too poor.

25 LORENA SANTANA: [speaking Spanish]

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2 TRANSLATOR: So, for me, it's rewarding,
3 and I'm really happy to have met Catholic Migration
4 Services because now I know and I understand that you
5 have to stand up and fight. Fight if you want to
6 assert your rights, if you want to make sure that
7 you're not just-- what's the word? Landlords don't
8 take advantage of you. So, that's another thing, my
9 mother actually got blinded and she can no longer
10 walk, and so I started representing her in these
11 meetings and being active. Thank God, because she's
12 a woman of faith, you know, she's been recovering,
13 but she needs to adjust to living this way, and so
14 I'm here like representing here and supporting her.

15 LORENA SANTANA: [speaking Spanish]

16 TRANSLATOR: So, I'm here as everybody
17 else in support of 1529 and 1104 because that will
18 help us a lot. So, thank you very much.

19 COUNCIL MEMBER LEVINE: Thank you. My
20 goodness. Powerful stories and brave people telling
21 them. [speaking Spanish] Just saying that she used
22 the word nightmare, and we understand that that's
23 what her family is living through and we're here to
24 help her, her mother, and all of you in the struggle
25 for justice in Housing Court. Thank you. Oh, boy.

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2 Okay, next up we have-- I guess it would be Ramon
3 Catala [sp?] from CASA, Joselyn Gomez from CASA,
4 Jessica Penkoff, from Volunteers Legal Service,
5 Lesvia Mendez from Catholic Migration Services, Diva
6 Lemma [sp?] from Catholic Migration Services, Lucette
7 Claremont [sp?] from CASA, and Marta Puentez [sp?]
8 from Catholic Migration Services. Okay, who would
9 like to start us off?

10 JESSICA PENKOFF: Hi, I'll start. Hi, my
11 name is Jess Penkoff. I'm a staff attorney with the
12 Elderly Project and the Veterans Initiative at
13 Volunteers of Legal Service, also known as VOLS.
14 VOLS was established in 1984 to help leverage private
15 attorneys to fill the justice gap to provide free
16 legal aid, and we've been in existence for 35 years.
17 We run six projects including the Elderly Project
18 through which we recently launched our veterans'
19 initiative. Through the veterans initiative we help
20 low income senior veterans attain critical life
21 planning documents like wills, powers of attorney,
22 and healthcare proxies. We also assist senior
23 veterans facing landlord/tenant issues and we conduct
24 a weekly legal clinic at the 23rd Street VA hospital
25 in Manhattan where we assist senior veterans with a

2 range of legal issues. VOLS also actively
3 participates in the Right to Counsel Coalition, and I
4 came to VOLS after having practice eviction defense
5 in King's County Housing Court, both before and after
6 the passage of the Right to Counsel Law. My
7 experience in Brooklyn parallels most of the foils
8 that you've heard here today, most of the advocates.
9 There's an observable difference in Housing Court in
10 the way that represented tenants are treated versus
11 the way that unrepresented tenants are treated, and
12 that's true for landlords, landlords' attorneys, and
13 unfortunately also judges and court staff. So, as
14 Right to Counsel expands we must address the areas of
15 the program that are right for improvement, and our
16 continued effort to improve outcomes for tenants.
17 So, our concern with the Right to Counsel program
18 related to 1104. We support increasing the income
19 eligibility limits of 400 percent, and much of this
20 had to do with the way that will affect veterans. So
21 specifically many of New York City's veterans who
22 sacrifice the most in service to our nation are left
23 to stand on their own when facing eviction because
24 the disability benefits they receive put them about
25 200 percent. Service connected disability benefits

2 are awarded to veterans based on the severity on
3 their injury or illness incurred as a result of their
4 service. Veterans who are so disabled that they can
5 no longer work are considered 100 percent service-
6 connected. This includes veterans with limb
7 paralysis, Parkinson's, cancer, diabetes, heart
8 disease, other conditions related to Agent Orange
9 exposure, brain injuries, PTSD, Lou Gehrig's
10 Disease-- the list goes on and on and on. If you are
11 a veteran who is 100 percent service-connected
12 disabled, you are receiving benefits from the VA to
13 the tune of around 3,000 a month. This just qualifies
14 you for Right to Counsel. If we expand to 400
15 percent, we'll be able to protect the veterans that
16 have sacrificed the most in the course of their
17 service to this country. As attorneys serving low
18 income senior veterans every day, we see the legal
19 issues that they face including and especially those
20 involved in housing and eviction. And the city and
21 the state have done a lot to try to end homelessness,
22 but we need to do more to address the way that our
23 systems currently do and do not service our veterans
24 well. So, we support Intro. 1104 2018 and encourage
25 the City to pass it in a way that takes into account

2 the strain on resources that we've heard a lot of
3 advocates and court officials talk about today. So
4 thanks for giving us the opportunity to testify.

5 COUNCIL MEMBER LEVINE: Thank you. Thank
6 you for bringing the perspective of veterans,
7 extremely important. Thank you.

8 LESVIA MENDEZ: Okay, hello. Yes, my
9 name is Lesvia Mendez. I live in Elmhurst Greens
10 [sic]. I'm also a member of Catholic Migration
11 Services. I have lived in my apartment for over 30
12 years and I thought I may stay there until I die.
13 I'm 83 years old. I'm sorry, but I cannot see well.
14 I'm sorry. I thought I would stay there until I die,
15 but I see the possibility with this new two laws in
16 which may protect me if they be able to help me pay
17 my rent. My income is above the threshold, but they
18 tell me that if I stay I could be considered-- it's
19 not much, but it's above what the law requires. It
20 will help find more active in 1529, the law 1529 if
21 introduced the City would be able to help more
22 tenants. They really need that house. They are
23 desperate. I also hope that Introduction 1529 and
24 1104 is passed. I'm here to request the passing of

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2 two extraordinary pieces of legislation, Introduction
3 1529 and 1104. Thank you.

4 COUNCIL MEMBER LEVINE: Thank you very
5 much. And now for our youngest witness.

6 LUCETTE CLAREMONT: Hi, good afternoon.
7 My name is Lucette Claremont, and this Elias
8 Claremont, a newest member to CASA in the Bronx. So,
9 I'm here today in favor of passing Intro. 1104 and
10 Intro. 1529 to expand the Right to Counsel Law. I'm
11 a rent stabilized tenant in the borough of the Bronx
12 where I have lived for most of my life, let's just
13 say that. I'm at the age where I don't like to say
14 my age anymore. Okay, so you know, my-- I'm not
15 really the best at public speaking, but I will say my
16 personal experience with being a member of Right to
17 Counsel as well as tenant leader in my building, I
18 was not really educated on a lot of the rights that
19 now I know that I have. You know, I come from a
20 family where mostly my mom, she-- although she is a
21 strong woman, she's never really had desire to really
22 fight for our tenants' rights, because she, you know,
23 always had fear and because she wasn't educated on
24 rights, she always felt like we would lose our
25 apartment if she fought for our rights, basically.

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2 So, you know, I want to instill the value within my
3 son that it's very important for you to not only
4 fight for your rights, but to speak up for yourself,
5 especially for tenants who pay rent on time or you
6 know, they simply-- they're not educated or they're
7 being intimidated because of that reason I'm in favor
8 of those laws being passed. Also, I would love to
9 stay in my home because this is the area where I grew
10 up, and I would want my personal right when I felt
11 like I was ready to leave my apartment, but that is
12 one I would leave not because I was being
13 intimidated. As a result of me being a member of
14 CASA, the organization that I work with, not only
15 were repairs made in my building, but I was able to
16 increase the amount of tenants in my building that
17 came together to organize. When I was pregnant with
18 my son my apartment was in like terrible conditions
19 in terms of like mold, and I just didn't think that I
20 could do anything about it. I thought I would just
21 have to wait for them to make repairs. So, not only
22 did they make tremendous repairs in my apartment due
23 to me fighting and organizing in my building, but we
24 were able to get new appliances and also new repairs
25 in the building altogether. So, this is, you know, a

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2 few of the reasons why I feel like you guys should
3 pass Intro. 1104 and 1529. And thank you for
4 allowing us to share our testimonies today. And
5 Elias, thank you for letting him be here as well.

6 COUNCIL MEMBER LEVINE: That was
7 wonderful, and Elias is better behaved than some
8 members of the New York City Council. We won't name
9 names, but we're honored to have both of you here.
10 Thank you.

11 LUCETTE CLAREMONT: Thank you.

12 COUNCIL MEMBER LEVINE: Please.

13 JOSELYN GOMEZ: [speaking Spanish]

14 TRANSLATOR: Hi, everyone. My name is
15 Joselyn Gomez. I'm a CASA leader. I'm also a
16 Tenants' Association member in my building at 1750
17 Grand Concourse at which I live in a building owned
18 by one of the worst evictors name Vette Parkash
19 [sp?].

20 JOSELYN GOMEZ: [speaking Spanish]

21 TRANSLATOR: I'm here today because as
22 you all might have heard, one of my neighbors and
23 tenants in the building died because of a rat bite,
24 and we've also experienced not having gas for many
25 months.

2 JOSELYN GOMEZ: [speaking Spanish]

3 TRANSLATOR: If at that time we wouldn't
4 have had legal representation to address the issues,
5 it's very possible that today the City would have
6 closed down the building, and I would no longer call
7 the building my home.

8 JOSELYN GOMEZ: [speaking Spanish]

9 TRANSLATOR: And we're here today in
10 support of Intros 1104 and 1529, because we're here
11 from the Bronx where the majority of people are
12 evicted more so than any other boroughs.

13 JOSELYN GOMEZ: [speaking Spanish]

14 TRANSLATOR: And I'm here today to say
15 I'm very proud to be able to speak Spanish, because
16 y'all might know, 53 percent of residents in the
17 Bronx are Latinos, and you all may not be able to
18 understand me, but that's the kind of experience we
19 have when we go to Housing Court where the judges
20 aren't able to hear us and have our voices heard.

21 JOSELYN GOMEZ: [speaking Spanish]

22 TRANSLATOR: This is-- going to do my
23 best interpretation. This is why we're here today
24 asking that you all support the legislations. If the
25 City has the money and subsidies to pay for 3,000-

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2 4,000 a month for shelter sites, then we know that
3 the City also has money to make it so that tenants in
4 the Bronx and across the City have the right to legal
5 representation. And also mention we are organized
6 and we're going to do whatever it takes to make sure
7 that come June all the City Council make this happen.

8 JOSELYN GOMEZ: [speaking Spanish]

9 TRANSLATOR: Thank you.

10 COUNCIL MEMBER LEVINE: [interposing]
11 [speaking Spanish]

12 TRANSLATOR: I just want to be clear that
13 we'll be in the streets for as long as this happens.

14 COUNCIL MEMBER LEVINE: [interposing]
15 [speaking Spanish] Thank you for standing up for, for
16 speaking out, for testifying today, and most of all,
17 for fighting with us for these important rights.
18 Thank you and thank you to the whole panel.

19 UNIDENTIFIED: Council Member, I think we
20 had one more person that was going to be on the
21 panel.

22 COUNCIL MEMBER LEVINE: Please come on up.

23 INEZ DIVA: [speaking Spanish]

24 COUNCIL MEMBER LEVINE: [speaking
25 Spanish]

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2 TRANSLATOR: Good afternoon, everyone.

3 My name is Inez Diva [sp?]. I live in a building in
4 Queens. The problem that I'm here for today is
5 particularly my landlord. It's a corporation. Which
6 one is it again? It's Zara Tenant Realty Coalition,
7 and I'm here because my family for over four-- I've
8 lived in the building for over 40 years and we've
9 been struggling. My sister, she's 78 years old, and
10 they wanted to take us-- they wanted to take away
11 4,000 dollars from us for having two dogs which we've
12 had in our apartment for eight years. The super
13 showed up one day to my apartment. They door
14 knocked. I had stand in front of the door to prevent
15 them from entering, and I said, "You can't enter
16 here. You don't have a notice from the marshal or
17 the police and so you're not allowed to be in here."
18 And they've also hit us with 300 dollars in late
19 fees, and that's after we paid rent, after we get
20 them from Social Security on the third of the month.

21 INEZ DIVA: [speaking Spanish]

22 TRANSLATOR: Other issues we've also
23 faced are a lack of hot water and heat, and every
24 night at 10 o'clock we can feel that the heat is
25 being turned off in the building. And my sister,

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2 she's so sick, she has lung pneumonia, and I'm trying
3 to do my best to fill in and take care of her as a
4 nurse, and we just have so many issues going on in
5 the building.

6 INEZ DIVA: [speaking Spanish]

7 TRANSLATOR: So we've had so many issues
8 living there. Now,-- I can't even read my own
9 writing, sorry. I've had a hard time getting help
10 and support-- no, actually, she said that she's also
11 gotten support and collaboration from Immigration
12 attorney, not just for her but for her sister, and
13 they've also had an issue around the screen in
14 balcony that the super one day came and take it away,
15 and it was hard for her to stand up and defend her
16 rights without knowing them.

17 INEZ DIVA: [speaking Spanish]

18 TRANSLATOR: And so I'm here today as a
19 tenant leader of my building. We're here asking for
20 support for people, for my neighbors in the building.
21 The landlord wants to displace us. It doesn't matter
22 if we're old or young or whatever, and that's why I'm
23 here today to ask for the passage of Intro 1104.

24 INEZ DIVA: Thank you.

25 TRANSLATOR: Gracias.

2 COUNCIL MEMBER LEVINE: Thank you.

3 Muchas gracias.

4 MARTA PUENTEZ: [speaking Spanish]

5 TRANSLATOR: Good evening, everyone. My
6 name is Marta Puentez, and I'm here, and thank you to
7 all the representatives that are here today. I'm
8 coming here from Queens where I've lived here for 12
9 years. And for me it's really important to stay in
10 my home because I consider it a right, and it's
11 security for my family.

12 MARTA PUENTEZ: [speaking Spanish]

13 TRANSLATOR: And just yesterday we
14 received this notice, an MCI notice, from the
15 Division of Community [sic] Renewal, and it says that
16 Zara invested four million, 4.8 million dollars into
17 our building, and it was actually the old landlord
18 that was there before that did the remodels.

19 MARTA PUENTEZ: [speaking Spanish]

20 TRANSLATOR: So, in these notices for the
21 renovations done by the old landlord, they're
22 spreading the cost across the 189 families that live
23 in the building, and a percentage is being charged to
24 the number-- by the number of rooms in the building.

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2 So, although I have only-- my bedroom is one bedroom.
3 They're charging us for four rooms.

4 MARTA PUENTEZ: [speaking Spanish]

5 TRANSLATOR: Also, there is many outdoor
6 repairs to the building that the landlord is making
7 such as changing the air conditionings, but overall,
8 I have to say the repairs have been bad. And other--
9 and even when you call them to make a repair, it
10 might take them up to a month to respond.

11 MARTA PUENTEZ: [speaking Spanish]

12 TRANSLATOR: And I this moment, all the
13 tenants and all the 189 apartments are working
14 together with Catholic Migration Services. They've
15 been tremendous and gave us an orientation of who to
16 talk to, what to do, who to send the response to--

17 MARTA PUENTEZ: [speaking Spanish]

18 COUNCIL MEMBER LEVINE: [speaking
19 Spanish] Thank you for your presence, for testifying,
20 and for fighting on behalf of these bills.

21 MARTA PUENTEZ: Thank you.

22 TRANSLATOR: And just to wrap up the last
23 part of her testimony. For this reason I think it's
24 been-- I'm here today, and I think it's very, very
25 important that you all pass 1104 and 1529 so all

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2 tenants across the city have support by an attorney
3 and 100 percent of them are helped. I thank you all
4 for listening-- thank you both for listening to us
5 today.

6 COUNCIL MEMBER LEVINE: Alright. Next up
7 we have Vivian Sonnenfeld from the MET Council on
8 Housing, George Sotiroff from CASA, Marino Delone
9 [sp?] from CASA, the Reverend Doctor Michael Stray
10 [sp?], Iniqua Lewis [sp?] from Tenants and Neighbors,
11 and I'm not sure if I called George Sutteroff [sp?]
12 from CASA. Okay. Alright, would you like to start
13 us off?

14 VIVIAN SONNENFELD: Yes. Hello, I'm
15 Vivian Sonnenfeld [sp?] Tenant Advocate and
16 Paralegal, and I volunteer at the Metropolitan
17 Council on Housing Clinic. The Right to Counsel has
18 helped many low income tenants to avoid eviction and
19 remain in their apartments. It is very important
20 first step in leveling the playing field between
21 landlords and tenants. Landlords are most often
22 represented by Council while tenants most often do
23 not have the same financial resources. In the course
24 of the work I have done, both as a tenant advocate in
25 Housing Court and as a paralegal for a private law

2 firm, I have seen all too often how easy it is for a
3 tenant to fall between the cracks. Too many tenants
4 who may be struggling to keep their apartment
5 nevertheless do not fall within the currently
6 eligible income bracket. A person working fulltime
7 and earning the minimum wage is currently over the
8 limit of income eligibility for Right to Counsel
9 representation. At the other end of the where
10 excellent private representation may be available for
11 those who can afford it, the price can be prohibitive
12 for many others. While paying the ongoing rent, a
13 tenant may be facing loss of income for the days
14 taken off for court appearances. Many tenants have
15 expressed concerns about the security of their
16 employment due to repeated absences from work for
17 court appearances. Landlords and their attorneys
18 know this, and thus, are at a big advantage over a
19 tenant who may be vulnerable to an unfavorable
20 settlement. Many tenants have entered into
21 settlements with which they did not actually agree
22 just to avoid having to go back to court yet again,
23 but ironically, by entering into an agreement on
24 which they may eventually default, tenants can then
25 be at risk of eviction once again. Landlords and

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2 their attorneys have other advantages as well. If
3 the tenant should prevail, the landlord may appeal,
4 and the case would then go to the Supreme Court with
5 one exception, which is NYCHA administrative
6 hearings, an exception that applies only in the case
7 of seniors, the Right to Counsel otherwise does not
8 currently apply to cases that are heard outside of
9 Housing Court. Some landlords have even bypassed
10 Housing Court altogether and commenced their actions
11 in Supreme Court. It is important for all tenants to
12 be protected from losing their apartment
13 unnecessarily. Just the knowledge that a tenant is
14 represented will usually be cause for the landlord or
15 the landlord's attorney to behave in a less
16 exploitative manner. Intro. 1104 which would double
17 the income. It's an important next step towards
18 covering those earning somewhat more but still not
19 enough to afford private representation. Intro. 1104
20 would also expand upon the types of cases to be
21 covered by the Right to Counsel and would include
22 cases that in Supreme Court.

23 COUNCIL MEMBER LEVINE: Thank you.

24 GEORGE SOTIROFF: Good afternoon. My
25 name is George Sotiroff. I live at 901 Walton

2 Avenue, Apartment 6G in the Bronx. I've been in that
3 apartment since 1981. Okay. Now I lost my-- I'm a
4 dinosaur when it comes to this. I've got it. I've
5 got it. Most of what I'm going to say to you, you've
6 already heard today. Nevertheless, it bears
7 repeating. Safe, affordable housing is not a
8 commodity, no matter how much the real estate
9 industry wishes it were so. Safe, affordable housing
10 is a human right. Almost 60 percent of Americans
11 earn less than 40,000 dollars per year. Who can live
12 on that in New York City today? Yet, a New Yorker
13 earning the minimum wage of 15 dollars per hour is
14 disqualified from receiving free counsel under
15 current legislation. He or she is over the threshold
16 for representation. What this means is that far too
17 many citizens are at a severe disadvantage in Housing
18 Court. Many capricious evictions are thwarted by
19 proper court representation. Tenants without
20 representation run the risk, the great risk of
21 eviction. Denying representation in court is denying
22 a voice in our democracy. This is simply un-
23 American. New York City landlords, both big and
24 small, realize a 40 percent return on their real
25 estate investments. The City and state both

2 subsidize developers to build for the rich. This
3 leads to displacement of lower income residents which
4 in turn leads to greater poverty. The city then
5 spends exorbitant sums to shelter tenants whose
6 residences could have been saved by proper and far
7 less costly legal representation. Funding and
8 expanding Right to Counsel are not only morally right
9 decisions, but are wise choices because there are--
10 these are investments in our residence, and they help
11 to strengthen the fabric of our society. Can you
12 agree how necessary it is to expand the Right to
13 Counsel? We need a paradigm shift in our thinking.
14 Let me assure you, the ripple effect in the rest of
15 the country of expanding Right to Counsel will go a
16 long way to keep deserving Americans from losing
17 homes and thus preserving our communities. Please
18 expand the Right to Counsel. Thank you.

19 COUNCIL MEMBER LEVINE: Thank you.

20 MARINO DELONE: [speaking Spanish]

21 TRANSLATOR: My name is Marino Delone,
22 and I am here to testify in favor of passing Intro.
23 1104 and Intro. 1529 to expand the Right to Counsel
24 Law. I'm a rent stabilized tenant in the borough of
25

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2 the Bronx. I live at 1665 Monroe Avenue in Apartment
3 2H, and I've been living there for 30 years.

4 MARINO DELONE: [speaking Spanish]

5 TRANSLATOR: It is important to me to
6 remain in my home because I have-- it is important to
7 me to remain in my home because I have lived there
8 for many years and I have raised my family and I
9 would not like to be displaced in the future.

10 MARINO DELONE: [speaking Spanish]

11 TRANSLATOR: If a tenant like me is
12 facing an eviction, having a right to a lawyer is key
13 to being able to stay in my home. Right to Counsel
14 is important to me because of my experience with
15 evictions Housing Court, landlord harassment, and
16 needed repairs. I have faced many problems in my
17 apartment, including having lots of rats, roaches,
18 and bed bugs. I have called 311 many times.
19 Expectors [sic] have come.

20 MARINO DELONE: [speaking Spanish]

21 TRANSLATOR: Okay. After the inspector
22 comes from HPD, but the landlord doesn't come to do
23 any repairs.

24 MARINO DELONE: [speaking Spanish]

25

2 TRANSLATOR: Thank you very much for
3 hearing my voice today.

4 COUNCIL MEMBER LEVINE: [speaking
5 Spanish] Alright. Thank you so much to this panel.
6 And we have come to our final-- be a spectacular
7 panel, consisting of Gordon Lee from Brooklyn County--
8 - from the County of Brooklyn-- Dion Hawkins [sp?],
9 Mamadu Sela [sp?], Claire Shapira [sp?], Irvin Bennet
10 [sp?], Demal Bates [sp?]. Okay. Would you like to
11 start us off?

12 DION HAWKINS: Yes. Yes, please. Good
13 evening, everyone, and thank you for this opportunity
14 for allowing us to testify. Okay, my name is Dion
15 Hawkins and I am here to testify in favor of passing
16 Intro. 1104 and Intro. 1529 to expand the Right to
17 Counsel Law. I am rent-stabilized tenant in the
18 borough of the Bronx where I lived for over 35 years.
19 It is important to me to remain in my home because at
20 this time it is what I call home. With many health
21 challenges, I don't want to deal with the fuss and
22 stress to relocate. It is cherished memories-- it's
23 where cherished memories were created, and have
24 invested too much in my home and overcome too many
25 challenges. If a tenant like me is facing an

2 eviction, having the right to a lawyer is key to
3 being-- the light is dim, I'm sorry. Having the
4 right to a lawyer is key to being able to stay in my
5 home. Right to Counsel is important to me because it
6 is my experience with eviction Housing Court,
7 landlord harassment, the needed repairs I have faced.
8 On dates requested for repairs, no follow-up by
9 management to make sure the job is done, and it's
10 minimized condition. This longstanding lot of
11 repairs, incomplete repairs, are requested by Section
12 8 and HPD. Recently, I have received a package from
13 subsidized housing to seek housing elsewhere because
14 the landlord fails numerous times to complete repairs
15 adequately and in time. I know this is intentional
16 because this is-- this would profit them a great
17 deal. I am in no way ready to leave my home of so
18 many years, and of course, I will be needing Right to
19 Counsel representation really soon. It is important
20 the City passed the Right to Counsel Law, but I must--
21 - it must do more to make sure all tenants have and
22 use its right, I mean all tenants. Intro. 1104 would
23 increase Right to Counsel income eligibility level.
24 This is important to me because every year, rent and
25 cost of living increased. MCIs is an added burden to

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2 yearly increase to tenants. Evictions leads to
3 mental health, homelessness, malnutrition and
4 disruption in families including behavioral issues in
5 children. Increasing income eligibility would
6 prevent these problems. Intro. 1529 would require
7 the City to fund tenant organizing. As a member of
8 CASA this is important to me because I see too many
9 people that is still vulnerable to call 311 or HPD or
10 to request repair. Passing Intro. 1529 would give
11 tenants outlets to learn and know their rights to
12 demand justice to stay in their homes, as housing is
13 a human right. The city can and should do more to
14 stop eviction. As a New York City resident, I urge
15 the City Council to pass and fund Intro. 1104 and
16 Intro. 1529 by June so that more people have the
17 Right to Counsel and see it to defend their homes.
18 Thank you very much.

19 COUNCIL MEMBER LEVINE: Okay, please.

20 CLAIRE SCHAPIRA: Before I begin I just
21 want to note that it's unfortunate that so few of the
22 Council Members can be here today because tenants and
23 constituents and organizers like myself have been
24 here since 9:00 a.m. to make sure our voices are here
25 by our representatives. I hope that the other

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2 Council Members who are not present here today at
3 least take the time to read every written testimony
4 that is submitted on our behalf as we all deserve to
5 be heard by all of the Council Members. Hello, my
6 name is Claire Schapira [sp?], and I'm testifying in
7 support of the latest Right to Counsel legislation.
8 I'm here speaking on behalf of Brooklyn Law School's
9 NLG Chapter as an intern at Mobilization for Justice
10 and on behalf of myself as a tenant. Let me be
11 clear, the easiest way to support people in this city
12 across all fronts is to guarantee that they have
13 safe, affordable housing, and Right to Counsel power
14 to organize directly supports the tenants of New York
15 City and protects those who are most vulnerable. The
16 initial push of Right to Counsel was a monumental
17 step towards a fully housed New York City. However,
18 it still leaves behind many New Yorkers. As we have
19 heard many times today under the current legislation,
20 a person working fulltime making 15 dollars an hour
21 does not qualify for Right to Counsel. This is in
22 two-- excuse me. In two sectors alone, the food
23 service and drinking place workers, as well as social
24 assistance work, this equals to up to about half a
25 million New Yorkers who can be denied housing justice

2 due to financial barriers, as those two sectors alone
3 don't make enough to qualify for Right to Counsel
4 attorneys. Moreover, even if tenants have access to
5 legal help, there's still a threshold issue. They
6 need to know their rights. This is the importance of
7 organizers in a critical part of the Right to Counsel
8 Framework. It is paramount to educate people about
9 their rights and organizers are the most qualified
10 people to do that. Speaking from personal
11 experience, when I signed my current lease, the
12 landlord actively lied to my face and told me that I
13 was not in a rent-stabilized apartment, and
14 explicitly asked me to sign away my right to
15 extermination in cases of pests and bed bugs. It was
16 only because of my involvement in the housing justice
17 world and work at a housing rights organizations, I
18 had any idea his statements were not true. In that
19 same day I was talking to a woman in the lobby of the
20 landlord's office and she described to me something
21 that sounded wrong. When I relayed her story to my
22 supervisor, he described it to me as "classic Section
23 8 discrimination." She did not know what was going
24 on, and at the time I was unable to help her. I am
25 lucky to have an education in housing law, but the

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2 majority of New Yorkers do not. Without knowledge of
3 their rights, they are without remedy to
4 discrimination and harassment that they face, but you
5 have the chance to change this by supporting the
6 funding for tenants organizers. Thank you for your
7 time today. I'm submitting written testimony which
8 includes sources I've referenced and written material
9 specifically on the necessity of housing and relation
10 to health issues. I hope you guys choose to do the
11 right thing and expand the protections for all New
12 Yorkers. Thank you.

13 COUNCIL MEMBER LEVINE: Thank you, and I
14 want to point out that all of today's testimony is
15 transcribed, and also these proceedings are being
16 recorded on video. They're being live streamed now.
17 They'll be played on NYC television later and
18 available also for streaming, so--

19 CLAIRE SCHAPIRA: I hope you guarantee
20 that they actually read all the testimony, then.

21 COUNCIL MEMBER LEVINE: Well, I can't
22 guarantee that but I know your testimony and that of
23 everyone here has a huge impact. This has been an
24 incredibly important day, and we do have one more
25 witness to testify, so please.

2 GORDON LEE: Goodnight, ladies and
3 gentleman. I'm Gordon Lee. You can also call me
4 Lindsey Greg [sp?]. I am one of the supporters of
5 Right to Counsel. I was born in Florida, Fort
6 Lauderdale City, Florida, Broward County, Florida in
7 73. I was one of the people born under the Nixon
8 presidency. Also the year before Nixon was
9 impeached, and he upset the country by cheating at
10 his income taxes and run the Vietnam War. I came to
11 New York City in 77, you know, to Kings County, also
12 known as Brooklyn County, also known as Kings
13 Borough, and I was there since. I'm a member of a
14 series of coalitions, you know, Right to Counsel, Met
15 Council, the Flatbush Tenant Coalition, also New York
16 Communities for Change, and you can see I'm also a
17 member of Neighbors Together and a number of others.
18 I am also here to tell you that I also urge you to
19 expand Right to Counsel and support 1104 and 1529,
20 and I also urge you to support tenants organizing to
21 inform people on whether or not they have Right to
22 Counsel and how to use it. Now, expand Right to
23 Counsel not only to other zip codes in which it has
24 not reached, but also expand Right to Counsel to
25 other cities, other states, every zip code, local

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2 government, state across the country. And it's even
3 expand Right to Counsel all the way up to the state
4 and federal level, because everyone needs Right to
5 Counsel on housing, because everyone needs a home,
6 because you know why everyone needs a home. So, I
7 want to thank you for being here. I want to thank
8 you for my choice-- I mean, I want to thank you for
9 my chance to make this testimony. Thank you.
10 Goodnight.

11 COUNCIL MEMBER LEVINE: Thank you, Mr.
12 Lee, and by our count we have had approximately 80
13 people testify, and the tally is approximately 80 in
14 favor of the legislation, and let me check my notes
15 and do the math here. That would be zero against. I
16 like that. I like our odds, and I want to thank
17 everyone who made this an absolutely successful
18 hearing with voices of tenants, of activist, of
19 lawyers, of judges, of elected officials, advocates
20 for seniors and veterans and the homeless. What a
21 wonderfully diverse collection of witnesses. Thank
22 you. This has had a huge impact. We are going to
23 pass this legislation.

24 [cheering]

25

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2 COUNCIL MEMBER GIBSON: Thank you
3 everyone for coming. Thank you for staying with us
4 since nine o'clock this morning. Thank you. We're
5 going to get this done. We appreciate all of the
6 work you're doing every day in our communities, and
7 let's continue to represent all of our tenants and
8 make sure that we pass both bills. Thank you
9 everyone, and thank you to the Sergeant at Arms for
10 helping us today. We thank you so much and to all of
11 our staff, thank you everyone. This hearing is
12 adjourned.

13 [gavel]

14 [cheering]

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date April 29, 2020