



Legislation Text

File #: Res 0345-2022, **Version:** A

Proposed Res. No. 345-A

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, A.1493/S.2721, in relation to establishing a New York state office of civil representation to provide access to legal services in eviction proceedings.

By Council Members Sanchez, Stevens, Restler, Joseph, Williams, Abreu, Barron, Hudson, Nurse, Brewer, Riley, Cabán, Avilés, Powers, Won, Gutiérrez, Farías, Ossé, Hanif, De La Rosa, Krishnan, Schulman, Bottcher, Richardson Jordan, Rivera, Narcisse, Marte and Louis

Whereas, The New York City Right to Counsel law was passed by the City Council and went into effect in 2017 and it has been effective in keeping tenants in their homes; and

Whereas, The Community Service Society, a charitable organization, stated that only 1 percent of tenants were previously represented with an attorney in housing court but when the law was implemented 74 percent of the tenants facing eviction had an attorney; and

Whereas, In New York City, the Right to Counsel (RTC) law does not cover everyone, excluding, for example, households who are above the 200 percent of the federal poverty line and public housing residents; and

Whereas, Tenants throughout the rest of the state do not have a right to counsel; and

Whereas, Research from the Right to Counsel NYC Coalition, a tenant advocacy group, documented that there were 142,806 eviction cases pending in New York State on March 15, 2020, at the start of the COVID-19 pandemic, and as of February 26, 2023 there were over 276,668 active eviction cases; and

Whereas, Providing legal assistance to households who are at risk of housing instability not only adds a layer of protection but it saves public funds that could otherwise be spent on shelters or services for people who are experiencing homelessness; and

Whereas, According to the Right to Counsel NYC Coalition, courts are moving eviction cases at a pace that results in thousands of New York City tenants who are otherwise eligible for the RTC program being denied; and

Whereas, A.1493, introduced by Assembly Member Joyner and pending in the New York State Assembly, and companion bill S.2721, introduced by State Senator May and pending in the New York State Senate would create a New York State office of civil representation that would provide the right to free and full representation to all New Yorkers in all cases that might result in their displacement; and

Whereas, A.1493/S.2721 would also be a solution to the local court crisis since it would require the court system to mandate adjournments until a tenant has been able to secure an attorney and it could help pace cases to attorney capacity; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, A.1493/S.2721, in relation to establishing a New York state office of civil representation to provide access to legal services in eviction proceedings.

JLC
LS 9373
3/21/2023