

NEW YORK CITY - HUMAN RESOURCES ADMINISTRATION - OFFICE OF
CIVIL JUSTICE

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DATE: February 24, 2023

HELD AT: VIRTUAL ZOOM HEARING

APPEARANCES: RANIECE MEDLEY, OCJ
GALE A. BREWER, Council Member
JENNY LAURIE, Housing Court Answers
MARK LEVINE, Borough President
LINCOLN RESTLER, Council Member
BRAD HOYLMAN-SIGAL, State Senator
SHAUN ABREU, Council Member
ROSALIND BLACK, Legal Services
MUNONYEDI CLIFFORD, Legal Aid Society
DONALD RODRIGUEZ, Attorney LSA
LAUREN GRADY, Tenant
REISY VELOZ, Mobilization for Justice
MILTON JONES, Tenant
JONATHAN FOX, NY Legal Assistance Group
CONOR BEDNARSKI, CAMBA Legal Services
JEROME CARLOS FRIERSON, Bronx Defenders
LUCY BLOCK, Association for
Neighborhood & Housing Development
KRISTIE ORTIZ-LAM, BK Legal Services
SARAH LAZUR, Tenant
BEVERLY RIVERS, Tenant
VANESSA GIBSON, Borough President
PILAR DEJESUS, Take Root Justice
ALEX JACOBS, Housing Attorney
MILES DIXON-DARLING, Association of
Legal Aid Attorneys
EMILY PONDER WILLIAMS, NDS of Harlem
CARMEN BELLUCCI, Tenant
KATHLEEN OLDS, Tenant
YARROW REAGAN, Tenant
RUTH RIDDICK, Tenant,
KIM KAISER, Tenant
BEBE, Landlord
SUSANNA BLANKLEY, RTC Coalition
ALTHEA MATHEWS, Tenant
FIDEL ALBER, Tenant
CHAPLAIN SANDRA MITCHELL, Tenant
GORDON LEE, Tenant
BRYAN FOTINO, Catholic Migration
Services

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ALDI PALACIO,
Landlord
MILTON JONES, Tenant
WHITNEY HU, Churches United for Fair
Housing
TERENTIA CAROLL, Tenant
BEVERLY NEWSOME, Tenant
ADDRANA MONTGOMERY, Take Root Justice
PAULETTE JAMES, Tenant
LAURA, Tenant
BRENDA, Tenant

1 MS. RANIECE MEDLEY: Hello.

2 MR. MARK LEVINE: Hello.

3 MS. MEDLEY: Hello. Good evening, everyone.
4 We're just giving folks a few minutes to join and we'll
5 get started.

6 FEMALE VOICE 1: Good evening. I just want to
7 introduce myself. I'm one of the sign language
8 interpreters. Good evening.

9 MS. MEDLEY: All right, folks. Welcome to the
10 city of New York's fifth annual public hearing on the
11 implementation of the City's Universal Access to Counsel,
12 Right to Counsel Law. My name is Raniece Medley and I'm
13 the Civil Justice Coordinator for New York City's Office
14 of Civil Justice at the Department of Social Services,
15 ESS. We'll begin in a few minutes. We're going to just
16 give everyone a little more chance to join. Everyone
17 should be muted at this point. Also want to let folks
18 know that this hearing is being recorded. Thank you. All
19 right. Good evening again, everyone. We have a few
20 housekeeping matters as we get started. I want to let
21 everyone know that we have Spanish language interpretation
22 services tonight. If you would like interpretation
23 services, please listen. I'm going to ask our language
24 interpreter to introduce themselves and give instructions
25 on how to access language interpretation. Will a Spanish

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1 interpreter please introduce themselves?

2 FEMALE VOICE 2: Thank you so much. [Foreign
3 audio 0:03:12.4 - 0:03:34.1]. Thank you.

4 MS. MEDLEY: Thank you. I'm going to allow a
5 moment for folks to go into the Zoom room for
6 Interpretation Services if they'd like, and then we'll
7 continue. If you'd like to continue to listen to this
8 proceeding in English, please select English for the best
9 experience. If you're using Zoom on a computer, you can
10 do this by clicking on the globe icon on the bottom of
11 your screen. If you're using a mobile device, you can
12 click on the three dots on the bottom of your phone
13 screen, and if you've dialed in by phone, you'll still be
14 able to hear all the proceedings. This hearing is public,
15 and again, this hearing is being recorded. We invite
16 anyone who wishes to be heard on tonight's topics of
17 Universal access to counsel and tenant legal services to
18 speak. I'll just say a few words as we have many speakers
19 who have already signed up. If you wish to speak this
20 evening and you're not yet on the speaker's list, please
21 let us know in the Zoom chat box, and we will try to get
22 to you by the close of the hearing at 9 p.m. If you join
23 this hearing by calling in by phone, you can raise your
24 hand by pressing *9, and we will add you to the speaker's
25 list. A bit on the run of show, I want to remind everyone

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1 that this is a public hearing for all. We will not be
2 answering questions or asking questions of any speaker.
3 This is an opportunity for the public to be heard. So
4 once again, welcome to the fifth annual Public Hearing on
5 the city's Universal Access to Counsel, Right to Counsel
6 Law. My name is Raniece Medley. I'm the Civil Justice
7 Coordinator with the Office of Civil Justice, known as OCJ
8 at the New York City Department of Social Services. I
9 want to take a moment to acknowledge and thank the team at
10 OCJ from contract management to procurement, to data to
11 the halls of housing Court. The team shows up for this
12 critical work supporting tenants and our provider partners
13 every day. This could not happen without you all. You
14 are appreciated. I'm also glad to be joined tonight by
15 two members of my team, executive Agency Council, Kevin
16 Farley, an assistant coordinator Annabel De Castro. I
17 also want to acknowledge Cheryl Wertz and Carolyn Robledo
18 of DSS' Office of Refugee and Immigrant Affairs. As you
19 may know, OCJ is a unit within DSS, the largest local
20 social services agency in the country. DSS assists more
21 than 3 million New Yorkers annually through the
22 administration of a range of public assistance programs,
23 including cash assistance, employment services, the
24 supplemental nutritional assistance program, rental
25 assistance, and eviction prevention. Since OCJ was

1 established as the HRA in 2015, the office has launched
2 and operated a range of civil legal services programs for
3 New York City residents in need. The centerpiece of our
4 work and the reason we're all here tonight, the
5 implementation of New York City's groundbreaking universal
6 access Right to Counsel Law. More than five years ago,
7 the City of New York made history becoming the first city
8 in the country to pass a law ensuring that all tenants
9 facing eviction in housing Courts or an administrative
10 termination of tenancy proceedings in public housing have
11 access to free legal services. I want to acknowledge the
12 main sponsors of the bill before City Council and now
13 Borough President, Bronx Borough President Vanessa Gibson
14 and Manhattan Borough President Mark Levine. I want to
15 thank them both for their tremendous work and support of
16 this law. Since 2017 when the Universal Access Law was
17 enacted, access to justice for tenants was forever changed
18 in New York City and beyond. As cities and states
19 nationwide pursue Right to Counsel Initiatives. In New
20 York City, I'm proud to report that for the more than five
21 years since enactment, we have made real and significant
22 progress in enhancing access to justice and increasing
23 fair and just outcomes for tenants. Today in the wake of
24 the pandemic phase of COVID-19 and the Eviction
25 moratorium, a universal access right to counsel and right

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1 to counsel Law in New York City is implemented citywide
2 with all tenants in eviction proceedings and New York City
3 Housing Court and NYCHA, termination of tenancy
4 proceedings, having access to free legal advice or
5 representation provided by a network of OCJ contracted
6 legal services provider partners. As proud as we are of
7 reaching this milestone ahead of schedule, no less, we all
8 know what it took to get here, and we are excited and
9 committed to build on the successes and press this work
10 still further. Again, thank you all for joining tonight's
11 hearing, to amplify your experiences with Universal Access
12 right to counsel and to share your thoughts and ideas on
13 the path forward. So I want to remind everyone of a few
14 points. This is a public hearing. We invite anyone who
15 wished to be heard on the topic of Right to Counsel and
16 Housing Legal Services to speak. Again, we won't answer
17 questions, nor will we ask questions of any speaker
18 because this is a public hearing. We invite anyone who
19 wishes to speak but is not yet on the speaker's list to
20 get on the list. If you would prefer not to speak in
21 public and would rather submit a statement in writing, OCJ
22 is collecting all written statements and will make them
23 part of the record of this hearing, which we will make
24 available to the public on our website at
25 www.nyc.gov/civiljustice in the future. And written

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1 statements can be submitted to OCJ online at our e-mail
2 address, civiljustice@hra.nyc.gov. You may also use that
3 e-mail address, which we're also sharing in the chat box
4 to contact OCJ generally. I remind everyone again that
5 tonight's hearing is being recorded. It's also being
6 transcribed and we'll make that transcription available on
7 the website as well. In order to ensure everyone who
8 wants to will have an ample opportunity to speak, we must
9 limit speakers to three minutes each. I'll alert you when
10 you have your—when your three minutes have ended. I'm
11 going to call speakers one by one. When you hear your
12 name or your phone number, you'll need to unmute yourself
13 and turn on your microphone so that we can hear you. And
14 again, I'd appreciate that everyone stays muted until
15 you're called to speak. Okay, let us all begin. Queue up
16 the first speaker. First speaker tonight, Manhattan
17 Borough President, Mark Levine.

18 MR. LEVINE: Thank you so much, Director Medley.
19 Thank you for that introduction and, and your kind words,
20 grateful for your leadership of the Office and for the OCJ
21 team for doing this tonight. Great to see you. A number
22 of my friends and colleagues from the city council here as
23 well. I am incredibly proud of New York City for leading
24 the way on Right to Counsel. I'm also dismayed at the
25 challenges we're facing now in implementing this law in

1 housing (inaudible). I want to talk about both of those
2 points. First, it is incredible to see the movements that
3 started in New York City now going national. 15
4 jurisdictions, at least around the country, have followed
5 our lead. And here in New York, incredible impact.
6 Before the pandemic, we saw that 84% of tenants who had
7 representation through this program were remaining in
8 their apartments. That is life-changing for those
9 families and for this city. But we have a real challenge
10 now coming out of this pandemic in the year since the
11 moratorium was lifted, as the number of eviction cases
12 have steadily increased, it has overwhelmed the capacity
13 of legal service providers. There have been thousands of
14 tenants who have gone through housing Court facing
15 eviction in recent months who have not had their right to
16 an attorney fulfilled because of this terrible crisis. We
17 need to attack this on many fronts, but there is no doubt
18 that in the short term, the only immediate viable solution
19 is we need the calendaring of cases slowed in New York
20 City housing Courts. We need the Office of Court
21 Administration, OCA to implement this policy change. In
22 short, we want no eviction case moving forward in New York
23 City housing Courts if the tenant is not represented.
24 This, this is the only way we can achieve the promises of
25 this law in this difficult period and achieve balance in

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1 housing Court, fairness in housing Court in these life-
2 changing proceedings. Very, very quickly, I know my time
3 is short. I-there are also fights we have to push that,
4 that, while not immediate solutions are critical for the
5 long-term success of the law, first we're going to need
6 more budget allocation for this program. There's just no
7 avoiding the fact that we need more money for providers or
8 attorneys to lessen caseload to do this right. That's
9 ultimately a budget fight. It won't get us out of the
10 current crisis, but, but, but we've got to push for this
11 as a long-term solution. Finally, we passed the law also
12 about three or four years ago now it's known as local Law
13 53, which requires the city to fund nonprofits to do
14 outreach and organizing around this law. So critical that
15 tenants know before their (inaudible) eviction-phase of
16 eviction that they have this protection. So they stand
17 and fight if their landlord starts to (inaudible). But
18 very, very quick, I just want to make the point that that
19 law, local law 53, has not been funded and implemented.
20 And it's critical that that happened so that tenants know
21 they have this right, we need nonprofits funded for that
22 work. So I think I'm over time, thank you for allowing me
23 to speak. Thank you to everyone who's fought for this law
24 and working to make it work for our city and our tenants.
25 Thanks so much. Back to you, Dr. Medley.

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1 MS. MEDLEY: Thank you, Borough President
2 Levine. Our next speaker is Borough President Vanessa
3 Gibson, Bronx Borough President Vanessa Gibson.

4 MR. LEVINE: I didn't know Vanessa was on. Huge
5 shout out to you. Sorry for breaking the protocol.
6 You're amazing Borough President Gibson, thank you for
7 everything you've done for this law.

8 MS. MEDLEY: I've just been notified you, you're
9 not off Borough President Levine. She's not yet --

10 MR. LEVINE: -- Okay.

11 MS. MEDLEY: She's not yet joined us, so --

12 MR. LEVINE: -- (Inaudible) tell her I said nice
13 things about her, okay? Thank you.

14 MS. MEDLEY: Will do. Thank you. Let me just
15 take this moment to remind folks that Spanish
16 Interpretation services are available. So please go ahead
17 and if you would like to avail yourself of those services
18 I will go ahead and just pause so that the interpreter can
19 give that message and introduce themselves.

20 FEMALE VOICE 2: Thank you.

21 MS. MEDLEY: Thank you. Council Member Brewer.

22 MS. A. BREWER: Thank you very much. I want to
23 thank you for holding this hearing. I know it's on a
24 Friday night. I know a lot of parents are away with kids
25 'cause it's the holiday, but we're all here. And it's a,

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1 a really, really important topic. So I am concerned about
2 compliance (inaudible) President about the Right to
3 Counsel, also known as Universal Access to Legal Services,
4 which passed in 2017. And as you know, guarantees the
5 housing attorney to all low-income New Yorkers who need
6 one, particularly regarding housing. So, but the
7 challenge, no support-no surprise to everyone is the lack
8 of adequate funding for this program and the need to
9 continue parity for legal services providers with the
10 offices of the district attorney. And I want to remind
11 people what you already know, September, 2020, the housing
12 committee of the council when it was talking about this
13 topic, held a joint oversight hearing into eviction crisis
14 during COVID and what was found, a hundred thousand
15 evictions were filed across the five boroughs in 2022 and
16 there are more now. 17,000 tenants facing eviction
17 without representation despite the right to counsel law.
18 And I totally agree with the Borough president of
19 Manhattan, stating nothing should happen in the Court
20 unless they have an attorney. Rent, debt and risk of
21 eviction impact New Yorkers of color at dramatically
22 higher rates. During the pandemic, the rate of eviction
23 filing in majority people of color zip codes across New
24 York State was over twice as high as the majority white
25 zip codes, no surprise to anyone on this call and nicer

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1 folks who have fallen behind on rent were not eligible for
2 the State's Emergency Rental Assistance Program, and now
3 owe nearly half a billion dollars in rental arrears. And
4 I would suggest in that particular case, I think on the
5 (inaudible) level, we need 369 million dollars...

6 MS. MEDLEY: Council member, you've muted
7 yourself.

8 MS. JENNY LAURIE: No, she didn't. My
9 apologies. I accidentally muted her. Sorry --

10 MS. MEDLEY: Thank you (inaudible).

11 MS. LAURIE: (Inaudible) my apologies.

12 MS. BREWER: No problem. So I think you heard
13 about nicer residents, they need money, no question about
14 that. And legal services don't have enough staff to keep
15 up with the new cases or they continue to juggle older
16 ones. I can tell you as somebody who has a housing clinic
17 with legal services once a month, last month we had 45
18 because usually we have about a hundred people on—who need
19 attorneys and 45 people did not have an attorney because
20 they are so backed up and they were promised one in order
21 to go to housing Court. So housing attorneys working for
22 our city's legal services providers are overworked and
23 underpaid and hundreds more are needed. And we know what
24 (inaudible) did this week just to put—make their point.
25 So there are too many cases regarding evictions, too few

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1 attorneys, and we saw great early gains with the
2 implementation of right to counsel and they'll be erased
3 unless we have the funding. So I want to say that as
4 somebody who's in the council working on the budget from
5 many different levels, I will strongly support funding for
6 this program. Thank you very much for having the hearing
7 and I guess we're all sick to be here on a Friday night.
8 Well, we're here. Thank you very much.

9 MS. MEDLEY: Thank you Council Member Brewer.
10 Has State Senator Brad Hoylman-Sigal joined us yet? I
11 know I saw a Council Member Lincoln Restler.

12 MR. LINCOLN RESTLER: Thank you so much Raniece.
13 And it's good to be with so many amazing legal services
14 providers. I can't-well, I could probably think of a
15 couple more fun ways to spend a Friday night, but this is
16 up there. So and thank you to Raniece and, and OCJ and
17 everyone at HRA for their hard work on this program.
18 Access to counsel or right to council as it really should
19 be, is absolutely essential to keeping tenants in their
20 homes as councilman-as Borough President Levine noted.
21 And really, I just have the utmost gratitude to him and
22 Borough President Gibson for their tremendous leadership
23 on this. You know, this is one of the most important
24 pieces of legislation to come out of the city council in
25 many years. And as a result of this bill, when tenants

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1 have attorneys, when tenants benefit from access to
2 counsel, 84% of them stay in their homes. You know, they
3 win those cases. We avoid evictions. The pandemic
4 horrible as it has been, provided an incredible experiment
5 for us to see what happens when an eviction moratorium is
6 in place. We saw the number of homeless families in New
7 York City declined by almost half. From well over 13,000
8 homeless families to just about 8,000 homeless families
9 when the eviction moratorium was lifted. But now, year
10 plus later, that the number of homeless families is back
11 up exactly to where it was, 13,400 as of today distinct
12 families sleeping in shelter in New York City. It's
13 egregious. It's—and the worst part is it's avoidable. We
14 all know that the number one cause for entry into our
15 shelter system are evictions and we can prevent those
16 evictions if we just fund the right to counsel programs.
17 The—but the program is far too narrow. You know, current
18 estimates are that only 10% of tenants are getting
19 assigned a lawyer that is wrong. We should insist that
20 OCA not allow cases to move forward where tenants were
21 eligible for right to counsel are not act—are not—are with
22 without an attorney. But we need to go so much further
23 because right now, if the two minimum wage earners in a
24 household, you don't even technically qualify for an
25 attorney as a part of this program that is wrong. We

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1 deserve a universal right to counsel for every single
2 tenant in New York City Housing Court, and that's what we
3 need to fight for in this budget and to push ahead to
4 demand that—and ensure that every tenant is properly
5 represented. But it's important to recognize that HRA and
6 OCJ and Ms. Mayor are failing our communities due to the
7 mayor's commitment to fiscal austerity. The HRA headcount
8 has went from almost 15,000 just five years ago to 10,000
9 today. And if you look at the unit of appropriation that
10 includes OCJ, we have a 50% vacancy rate. There's just no
11 way that the good people at HRA can do the work that is
12 necessary if they don't have the staff. HRA is a very
13 capable agency. I have an enormous amount of respect for
14 the people who work there, but there aren't enough of
15 them. And this is not by accident. The mayor has looked
16 to save money at every turn by cutting and cutting and
17 cutting the headcount. And to do it at our anti-poverty
18 agency, to do it at HRA is a disservice to the working
19 people of New York City. And it contributes to why we
20 have so few attorneys representing us in housing Court,
21 but we also need to lift the wages of our legal service
22 providers. We will improve retention; we will improve
23 recruitment if we compensate the workers at our legal
24 services organization justly. And that has to be a major
25 priority in this budget. So yes, I recognize that we need

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1 more from OCA but this admin needs to take the lead in
2 funding HRA and in funding the legal services
3 organizations so that we can actually guarantee a real
4 right to counsel for all New Yorkers. Thank you very
5 much.

6 MS. MEDLEY: Thank you. One moment.

7 MR. RESTLER: (Inaudible)

8 MS. MEDLEY: Thank you. I understand State
9 Senator Brad Hoylman-Sigal has joined us now.

10 MR. BRAD HOYLMAN-SIGAL: Thank you. Good
11 evening. I'm State Senator Brad Hoylman-Sigal. I'm chair
12 of the Senate Judiciary Committee in, in Albany. And I
13 really want to thank you for the opportunity to provide
14 testimony on this incredibly important issue. I represent
15 the 47 Senate District, which includes the Upper West Side
16 Health Kitchen Chelsea in part of Greenwich Village. It's
17 been a longtime supporter of the city's right to counsel
18 law and in the years since it's passed, we've known that
19 there has been an enormous success for those who've been
20 able to obtain counsel through the program. In 2021, the
21 Office of Civil Justice found that 84% of households
22 represented by lawyers in Court were able to remain in
23 their homes and communities. Because of the success of
24 the right to counsel here in New York City, we have pushed
25 in Albany to expand representation for tenants statewide.

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1 But despite the successes of those with an attorney, I'm
2 concerned about the number of tenants who are not
3 receiving representation. Since the expiration of the
4 eviction moratorium in January of 2022, over 17,000
5 tenants have faced eviction in Court alone without
6 representation and thousands of tenants have been evicted.
7 I frequently hear from my constituents who are being sued
8 by their landlords in Court and are struggling to find a
9 legal organization that can take their case. Our legal
10 service providers work diligently to represent as many
11 tenants as they can, but they are simply unable to
12 represent all of those cases coming through housing Court.
13 And the crisis is getting worse with the percentage of
14 tenants represented dramatically falling. In September,
15 2022, according to analysis from the Right to Counsel
16 Coalition, less than 10% of new cases were assigned a
17 lawyer and that's in a municipality with rights to
18 counsel. What does right to counsel mean, if only 10% of
19 new cases get a lawyer? Not much I would argue. As a
20 result, thousands of tenants are being denied their right
21 to a lawyer and being evicted. These effects are not felt
22 evenly and communities of color are disproportionately
23 impacted. Since the start of COVID, eviction rates were
24 twice as high in neighborhoods whose residents were
25 majority people of color and evictions don't only impact

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1 people's living situations, but also their health,
2 education, employment, relationships and more. I ask the
3 Office of Civil Justice to help stem this tide and ensure
4 that tenants are not denied their legal right to
5 representation. The Office of Civil Justice must do more
6 to fulfill its mandate to uphold right to counsel. I ask
7 that the Office of Civil Justice to increase funding for
8 the right to counsel program and fully funded something
9 I'm also working to do at the state level. This also
10 includes fully funding and implementing local law 53,
11 which supports tenant organizing. Too often tenants are
12 left in the dark about the right to an attorney or scared
13 or intimidated in exercising this right. Tenant
14 organizing empowers tenants and ensures that they know
15 their rights and can fight their cases and it's essential
16 to the successful implementation of this program.
17 Finally, I ask the Office of Civil Justice to work with
18 the housing Court to adjust the calendaring process so
19 cases aren't moving ahead with eligible tenants
20 unrepresented. I also want to take this moment to thank
21 the fantastic legal services providers who defend and
22 advise tenants in my district and all across the boroughs.
23 Further, I want to acknowledge the right to counsel
24 Coalition for all of their efforts to fight for the law
25 and ensure that it's upheld. Thank you again for the

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1 opportunity to testify. I'm sorry that it's on a Friday
2 evening. Nevertheless, I look forward to our continued
3 work together to ensure that no New York tenant is ever
4 unfairly evicted from their home. Thank you so much.

5 MS. MEDLEY: Thank you. We have Council
6 MemberShaun Abreu.

7 MR. SHAUNA ABREU: Good evening and thank you to
8 the Office of Civil, Civil Justice for including me today.
9 I would also like to thank the right to Council Coalition
10 that is present in very large numbers tonight. In 2017,
11 New York City became the first city in the nation to
12 codify right to council, officially dubbed universal
13 access to legal services and to law. And the results over
14 the last five years speak for themselves. When vulnerable
15 low-income tenants facing eviction have access to legal
16 representation and do not have the deck stacked completely
17 against them, they win in the Court of law. This
18 statistic has been thrown around today, but it bears
19 repeat. 84% of tenants who exercise their right to
20 counsel representation won their case and stay in their
21 home. That is a remarkable impact. That is equal justice
22 under the law. That is something worth fighting for. But
23 today, over 13,000 cases are moving forward in housing
24 Court with tenants unrepresented in cases, 13,000. What
25 good is a law that is ignored and disregarded? What good

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1 is universal access to the legal services, if it is by no
2 means (inaudible)? We are facing an unprecedented housing
3 eviction crisis in the city. By subverting the right to
4 counsel, we are inflaming this crisis. I have fought
5 tooth and nail to protect tenants from evictions because
6 for me this issue was personal. My family was evicted
7 when I was a child from my home. It's why I have
8 committed my life to protecting tenants, to keeping New
9 Yorkers safely in their homes, to ensuring that no one has
10 to go through the trauma of getting thrown to the streets,
11 unsure of where to turn next. If my family had proper
12 legal assistance when I was a kid in Washington Heights,
13 we would've stayed in our home. We must not only address
14 the immense caseload before the housing Court, but also
15 the quality of representation. I am proud to sponsor
16 direct forceful legislative actions to ameliorate this
17 crisis. Introduction 921 would require the coordinator of
18 OCJ to prepare an annual estimate of funding necessary to
19 implement right to counsel law with the assumption that
20 attorneys providing legal services are paid at parity with
21 attorneys working for the city law department. These
22 housing attorneys are walking out due to low pay,
23 lackluster raises and impossible caseloads. For right to
24 counsel to work, we must invest in them and retain the
25 best talent in the public sector. Resolution 499 is the

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1 second component to this holistic approach. It calls the
2 New York State legislature and governor to limit the
3 number of housing cases on the Court's calendar per month.
4 Let's create a system where right to counsel is allowed to
5 actually work. I'm proud that the right to do—right to
6 Counsel Coalition got me and Diana, Deputy Speaker Diana
7 Ayala to write a letter to the mayor calling on him to
8 really call on the governor as well for the cases to be
9 slowed. Housing rights are human rights. If just one
10 more person gets to stay in their home, that is a
11 remarkable impact, that is equal justice under the law and
12 that is something worth fighting for. I am serious about
13 this issue and hope to see movement on this in the near
14 future. Thank you so much. (Inaudible)

15 MS. MEDLEY: Thank you. Our next speaker is
16 Jenny Laurie from Housing Court Answers.

17 MS. LAURIE: Thank you. Good evening, everyone
18 and thanks for the opportunity to testify. My name is
19 Jenny Laurie. I am the Executive Director of Housing
20 Court Answers, a nonprofit which helps tenants avoid
21 eviction. We do our work through (inaudible) in the New
22 York City housing Courts and via hotline. I haven't been
23 heckled in a long time. Let's see if I still have the
24 skills. We—one of our tasks is to refer tenants to legal
25 service providers. Our phone number is on the forms used

1 by landlords in the eviction process. The form says
2 please contact your attorney immediately for more
3 information. If you don't have an attorney, you call
4 (718) 557-1379. And that number goes into our hotline,
5 which is currently getting over five-300 calls a day from
6 tenants (inaudible) of the-of a Court proceeding. In the
7 first half of this fiscal year, we took over 20,000 calls
8 on our hotline. I lay out these numbers only to highlight
9 that huge numbers of people are desperate for help. We
10 know the number of tenants with potential need is even
11 greater. Landlords filed over 110,000 eviction cases
12 since the end of the moratorium in January of 2022
13 according to numbers from AMHD. Prior to the lifting of
14 eviction protections, we were able to refer tenants
15 directly to legal service providers. We were able to
16 refer vulnerable tenants to the Office of Civil Justice
17 for direct assignment. Legal service providers were able
18 to take all the cases that were referred to them. Since
19 the ending of the moratorium, the Courts and the providers
20 have been overwhelmed. There is no longer a sense of
21 shared responsibility to preserve community. According to
22 the Right to Counsel Coalition, over 14,000 tenants were
23 denied their right to counsel in 2022. Judging from the
24 hotline calls that we're getting this year, 2023 is headed
25 to even higher numbers. In any given number about half of

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1 the tenants sued for non-payment of rent don't respond to
2 their cases and (inaudible) according to our report by the
3 (inaudible) center. These defaults result in judgements
4 and evictions. 40% of warrants issued statewide came from
5 default judgments according to the authors. (Inaudible)
6 pandemic and default decrease when folks know they have a
7 right to counsel, even though they have to show up in
8 Court to get their right to counsel. More than any other
9 factor, the speed of calendaring cases in the housing
10 Courts is making a right to counsel impossible. We
11 support the push by the right to Counsel Coalition calling
12 on the city to push back against the, the Office of Court
13 Administration's rapid calendaring of cases. We support
14 the call to push for calendaring of new eviction cases
15 only after all the backlog of tenants with pending cases
16 have been matched to attorneys, and to reduce the number
17 of cases on any given calendar so that lawyers have the
18 time and the space to do full representation, do high
19 quality representation for tenants. We also support the
20 call to fully fund local Law 53 and the Right to Counsel
21 program to provide for robust legal representation and
22 tenant organizing. Thank you very much.

23 MS. MEDLEY: Thank you. Rosalind Black.

24 MS. ROSALIND BLACK: (Inaudible) it's a
25 technical delay. Good evening. I'm Rosalind Black, the

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1 Citywide Director of Housing at Legal Services, NYC. LS
2 NYC fights property and seeks racial, social and economic
3 justice for low-income New Yorkers. Our housing practice
4 is at the forefront of the fight to prevent evictions,
5 preserve affordable housing and uphold tenant-uphold
6 tenants' rights. Tenant R and her children lived in
7 deplorable housing conditions in East New York when her
8 landlord tried to evict them (inaudible) unregulated
9 housing in a no grounds holdover because she had
10 complained to the city about the conditions, LS NYC was
11 able to have her case dismissed. As we proved the
12 eviction was in retaliation for the complaint that was
13 made. We then connected her to pro bono counsel to file
14 an HB case to get repairs. So this family is no longer in
15 fear of losing their home while they exercise their
16 tenancy rights. This is a defense that the tenants are
17 highly unlikely to be able to raise or win on their own
18 without a lawyer. It's critical that low-income people
19 have legal representation in housing proceedings. The
20 harms of eviction are well documented. They worsen
21 financial difficulties, contribute to poor health and lead
22 to homelessness. Tenants who have an attorney are almost
23 guaranteed to remain housed. We recognize and commend
24 Raniece Medley and her colleagues at the Office of Civil
25 Justice for their continued work in collaboration with

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1 stakeholders to ensure the best possible, continued,
2 continued implementation of this groundbreaking
3 initiative. While right to counsel face the significant
4 challenges that leave large percentages of tenants across
5 the city without Counsel, Brooklyn (inaudible) Legal Aid
6 Society and LS NYC are jointly testifying about
7 recommendations to ensure that right to counsel realizes
8 its full potential for preventing displacement of low-
9 income New Yorkers, building tenant power and balancing
10 the scales of justice. I'll talk about some funding
11 issues now and my colleagues are going to address other
12 areas when they testify later tonight. The Office of
13 Civil Justice should ensure that funding reflects the
14 funding levels reflect the true cost of providing high
15 quality holistic legal services. This is especially true
16 as we're anticipating the release of a request for
17 proposal right shortly that will provide funding for the
18 next three years. Current funding is substantially and
19 harmful (inaudible) to the cost of administering the
20 program, and this is only growing as we grapple with rent
21 increases and salary increases and increased healthcare
22 and pension costs. The funding also has to allow us as
23 providers to hire and retain enough attorneys so that the
24 case we have caseloads could be maintained at a level
25 where attorneys aren't overburdened and where tenants can

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1 receive the best possible representation. The funding
2 also needs to allow us to hire enough attorneys to address
3 the challenges from the unprecedented level of attrition
4 and leave that we're experiencing. When staff take leaves
5 for parental, medical or other reasons, those are
6 routinely six months or more, their caseloads have to be
7 absorbed by existing staff who are already at capacity.
8 The same is true when staff leave the organization. The
9 funding needs to grow to allow us as providers to hire
10 additional staff to absorb these cases. Finally, OCJ must
11 (inaudible) not only that there's enough funding to
12 provide representation tenants with new cases who
13 (inaudible) being filed, but also that there's sufficient
14 funding to cover those pending cases for those tenants
15 whose cases have been proceeding without attorneys. Thank
16 you for allowing to speak tonight.

17 MS. MEDLEY: Munonyedi Clifford.

18 MS. MUNONYEDI CLIFFORD: Good evening, everyone.
19 My name is Munonyedi Clifford and I am the attorney in
20 charge of the Legal Aid Society Citywide Housing Practice.
21 The Legal Aid Society has been representing low-income New
22 Yorkers in eviction proceedings across all five boroughs
23 for more than 40 years. We have been on the front lines
24 of the expansion of the current-of the expense of the
25 right to counsel and the current implementation of the

1 right to counsel. There's no question that defending the
2 fundamental right to housing for our client communities
3 has helped stem aside of gentrification, protecting New
4 Yorkers' health and safety during the Global Pandemic and
5 realize substantial cost savings in city spending on
6 shelter costs and homelessness services. The success of
7 the right to counsel is necessary to sustain and build on
8 these gains. Yet we are at, at a principal moment. The
9 right to counsel program faces significant challenges,
10 including inadequate funding and high rates of attrition
11 at both legal services providers, related government
12 agencies, and community-based organizations. Our staff
13 are overwhelmed with high case points while the Courts
14 refused to slow down the calendaring cases, forcing
15 providers to shut down intake in order to meet our
16 professional and ethical responsibilities to our clients.
17 The Legal Aid Society's long history of doing this work
18 has taught us that the most effective way to prevent
19 eviction is to not only make sure that our client's rights
20 are vigorously defended in Court but also to ensure that
21 they're maximizing their public benefits and assisting
22 them to obtain rent arrears in future rent subsidies. The
23 current funding structure for our contract only covers a
24 fraction of the cost of administering the litigation arm
25 over our current eviction work. The funding provided was

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1 considered not just the Court of the cost of attorneys,
2 but also the necessary staffing to provide holistic and
3 high-quality services such as paralegals and social
4 workers. Paralegals are crucial to engaging in public
5 benefits advocacy for our clients, and the need is growing
6 as providers experience enormous hurdles and delays in
7 trying to obtain (inaudible) or other HRA benefits for our
8 clients. Before the right to counsel, we were able to
9 manage this gap in funding with private sources and
10 funding from other needs. But as our numbers of cases has
11 grown, so too has this gap and it is no longer
12 sustainable. Because our clients come to us in crisis and
13 they have underlying mental health, social economic
14 challenges or other issues, having social workers on staff
15 is crucial to adequately serve our clients and support our
16 attorneys in handling the enormous stress of our clients
17 facing evictions and other challenges. In the absence of
18 paralegal, attorneys who are already overburdened are
19 tasked with assisting clients in need with their public
20 benefits advocacy, and in the absence of licensed social
21 workers, the same attorneys are also tasked with managing
22 clients in crisis without the necessary support or
23 training in crisis management. Social workers can help
24 connect our clients to the resources that not only
25 preserve their housing, but also mitigate the harms that

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1 could be caused by any eviction. The sustainable Right to
2 Counsel Program requires fully funding our organizations
3 for all aspects of the work we do, to provide
4 comprehensive, high quality, legal and social services.
5 All eyes are on New York City as the first jurisdiction to
6 pass this landmark legislation. Our successes and
7 challenges will serve as a roadmap for other jurisdictions
8 seeking to implement the right to counsel in eviction
9 proceedings. Thank you for giving us this opportunity to
10 testify today, and we look forward to continuing to
11 partner with OCJ and the various stakeholders to fully
12 realize the promise of this historic legislation. The
13 legislation intend-intended to build tenant power, to
14 protect affordable housing and provide tenants of this
15 great city with the fundamental right to (inaudible) and
16 state's affordable housing. Thank you.

17 MS. MEDLEY: Reisy Veloz.

18 MS. REISY VELOZ: Hi, good evening. My name is
19 Reisy Veloz and I am a senior paralegal at Mobilization
20 for justice. Mobilization for justice envisions a society
21 in which there is equal justice for all. With that in
22 mind, we believe that a holistic approach is necessary to
23 disrupt systemic injustices that exacerbate the problems
24 created by poverty. We are grateful to partner with the
25 Office of Civil Justice to promote this essential rights

1 housing, but given that a large percentage of our
2 residents are renters currently 68%, it's imperative that
3 we protect this right. In housing Court (inaudible)
4 represents—representative (inaudible) tenant with warmth,
5 understanding that our potential clients are encountering
6 a very stressful time in their lives. During a recent
7 iteration of this instinct process, we met with one local
8 hero a New York City teacher. We introduced ourselves
9 explaining that we planned on asking them questions about
10 who they are and what brings them to seek assistance.
11 Upon hearing the question, the teacher broke down. They
12 were terrified and explained that their worst nightmare is
13 being homeless. Another tenant explained that at the very
14 first encounter, the landlord (inaudible) did not bother
15 to address him. Told him that he was an attorney
16 instructed him to sign here and told them to stop wasting
17 his time. Then now his attorney then manufactures a
18 scenario presenting himself as the good cop, cutting him
19 (inaudible) and the judge as a bad cop waiting to evict
20 him. Right to counsel works because it protects tenants
21 whose only crime is being poor and unable to afford an
22 attorney from correct—incorrect rent charges, from
23 improper non-rent related (inaudible) in a Court system
24 too overburden to catch these errors. In keeping with the
25 intention of right to counsel, we believe it is our duty

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1 to provide insight into what has worked and what and some
2 things that we believe could make us the gold standard for
3 a city eradicating homelessness. In our experience,
4 working with tenants facing evictions, tenants that have
5 the benefit of a fully staffed office create better
6 outcomes. During the initial phase of the program, we
7 service 25 zip codes. However, before the program could
8 be fully rolled out, the zip code catchment area increased
9 drastically to an additional 155 zip codes. This meant
10 that the number of New York City tenants we were trying to
11 represent was increased by 520%, while our staff size
12 increased by 83%, six times under what the tenants were
13 used to and deserve. Our clients are in incredibly
14 resilient and we are fortunate to work with them. In
15 turn, our attorneys, legal advocates and essential staff
16 will not compromise on delivering the highest quality of
17 services. Yet a combination of the (inaudible) I'm sorry.
18 Oh, okay. Yet a combination of the pace at which the
19 cases are moving in housing Court and routinely explaining
20 to tenants that we can't take their case to the capacity
21 constraints can make our colleagues feel decedent. This
22 burnout is a trend we can observe across legal services
23 and to address it, we need to create better support
24 systems for attorneys handling housing Court cases. This
25 may—this can be done by limiting the caseloads of

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1 attorneys so that they may continue to meet their
2 professional and ethical obligations. The creation of the
3 OCA case standard committee is indicative that we all
4 agree that a healthy caseload is essential, essential to
5 effectively challenging evictions. Another unfortunate
6 trend that has been high—has been high attrition among our
7 staff. This can interrupt the volume of cases that we
8 handle, given that instead of having (inaudible) on new
9 cases, we must reassign cases to colleagues and spend our
10 already limited resources on recruiting and training new
11 advocates. Replacing employees is costly --

12 MS. MEDLEY: -- I just want to give you a notice
13 that you'd hit your three minutes. I just want you to go
14 ahead and --

15 MS. VELOZ: -- Okay. I'll wrap it up then.

16 MS. MEDLEY: -- statement, thank you.

17 MS. VELOZ: So, to conclude, I just want to say
18 the (inaudible) was founded as the model for, for, for,
19 you know, fighting poverty in the early sixties. And we
20 want to continue with this tradition by allocating
21 adequate community resources, providing proper staffing
22 ratios, and investing in our communities, we can address
23 the present disparities. But to do so, we need our par
24 partners more than ever to recognize the housing crisis
25 that affects the land—landscape in New York City. Thank

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1 you.

2 MS. MEDLEY: Thank you. Jonathan Fox.

3 MR. JONATHAN FOX: Good evening, everyone. My
4 name is Jonathan Fox and I'm the director of the Tenant's
5 Rights Unit at the New York Legal Assistance Group, which
6 is called NYLAG. NYLAG uses the power of the law to help
7 New Yorkers experiencing poverty or in crisis, combat
8 economic, racial and social injustice. The Tenant's
9 Rights Unit fights for housing justice, fair, safe, and
10 affordable housing for adults and families so they can
11 stay in their communities and thrive. We join all of the
12 others that have spoken out tonight to, to haul on the
13 Office of Civil Justice, to partner with other legal
14 services providers to ask the office of Court
15 administration to slow down calendaring cases, to match
16 providers capacity and to adjourn cases to allow tenants
17 to connect with counsel. Without these adjournments, we
18 can't make the motions that we need to make that that,
19 that protect our clients' rights. We also hope that the
20 Office of Civil Justice convene stakeholders regularly to
21 discuss emerging issues and develop and implement
22 responses that align with community needs and, and
23 provider capacity. OCJ, agencies, Courts, and providers
24 all must work together to ensure the success of, of, of
25 right to counsel. Working together will lead to better

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1 outcomes for our communities and for the long-term success
2 of the Right to counsel program. There are two other
3 points I want to talk about that the Office of Civil
4 Justice should, should commit resources to. One is to
5 creating a systematic pipeline to recruit new advocates,
6 to become right to counsel practitioners. For example,
7 multi-provider panels could present to, to law students
8 nationally and, and locally on what it's like to be a
9 right to counsel attorney. There could be presentations
10 to law school, public interest groups, COE program-
11 programming and job fairs. A strong focus on law school
12 pipeline efforts now would mean that whenever there was a
13 vacancy at a right to counsel provider, there would be a
14 solid number of law graduates or soon to graduate three Ls
15 who were already primed to apply and ready to commit
16 themselves to the important work of, of right to counsel.
17 Another important avenue that the Office of Civil Justice
18 should commit resources to is, is to providing right to
19 counsel advocates with a tr-with a comprehensive training
20 institute, leveraging the knowledge and expertise of the
21 legal services provider community. The Housing Justice
22 Leadership Institute served as a very effective model in
23 in, in how to train right to counsel supervisors to become
24 effective supervising attorneys. And the same can be done
25 with-for, for staff attorneys. Currently legal services

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1 providers commit a substantial amount of time and effort
2 creating their own training programs which, which, which
3 consumes tremendous resources. The long-term impact is
4 failing to adjust caseload and intake expectations for
5 newer staff means that it takes even longer to equip staff
6 with the tools necessary to take on complex matters and it
7 is a contributing factor to ongoing attrition.

8 Prioritizing training will lead down to the benefit of
9 all. Legal services providers would be able to handle
10 more cases more efficiently. Clients would be better
11 served in obtaining better outcomes in their cases, new
12 attorneys would feel more confident, effective, and
13 fulfilled in their work, fostering improved retention.
14 The experts in each domain of housing wellness provider
15 community would be able to share their expertise broadly
16 and prepare new attorneys for the complex and novel issues
17 that will arise in their cases.

18 MS. MEDLEY: Jonathan --

19 MR. FOX: -- New attorneys would then --

20 MS. MEDLEY: -- (inaudible) time, sorry. Sorry.

21 Kristie Ortiz-Lam, apologies, I missed my screen.

22 MS. KRISTIE ORTIZ: Hi, my name is Kristie
23 Ortiz-Lam and I'm the director of the Preserving
24 Affordable Housing Program at BK, Brooklyn Legal Services
25 Corporation (inaudible). For tonight's hearing on the

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1 city right to counsel program, I'm going to focus on the
2 attrition rate of the last fiscal year amongst the legal
3 services providers handling the bulk of the right to
4 counsel cases, but first Brooklyn A advances social and
5 economic justice community empowerment through innovative,
6 collaborative, neighborhood based legal representation and
7 advocacy. Our primary client base is families,
8 individuals, nonprofits, community-based organizations,
9 community development corporations, coalitions, small
10 business owners interested in developing and sustaining
11 vibrant healthy communities. So the average annual
12 attrition rate for fiscal year 2022 was 37% for all the
13 participating legal services providers in the right to
14 counsel program. This is an attrition rate, which is much
15 higher than the historic trend and has been exasperating-
16 an exasperating factor to a program that is already
17 strained. The rapid expansion right to counsel's coverage
18 seemingly overnight, the demand for housing attorney would
19 quickly outpace the legal services provider's ability to
20 provide legal representation to all the tenants in need,
21 resulting in the termination of the city's initial zip
22 code approach. The listing of the eviction moratorium
23 caused cases to become active again and many landlords
24 (inaudible) instituting an aggressive torrent of new
25 cases. Many providers were faced with handling an

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1 increased amount of cases with the same number of staff.
2 So data gathered from 14 of the major right to counsel
3 legal services providers showed that there is currently
4 only 489 housing attorneys across providers available to
5 represent tenants. The data also shows that there are
6 currently 65 vacancies across providers with the number of
7 vacancies increasing every day. The average attrition
8 rate across providers is about 37%, and then legal service
9 providers are currently scrambling, of course to fill
10 these vacancies and to attract dedicated and qualified
11 attorneys to the practice. Attracting qualified
12 candidates require a housing practice that pays a living
13 wage, provides training, mentorship, and support for staff
14 (inaudible) avoid burn burnout, and allows for a
15 meaningful work-life balance for practitioners. The mass
16 exodus of public defenders due to low pay and burnout over
17 the last year was chronicled by the New York Times in an
18 article published in June of 2022. According to the
19 article, public defenders, including housing attorneys,
20 are often overworked and undercompensated with their
21 salaries well below the salaries of city lawyers and
22 prosecutors for at least \$10,000. So, acknowledging and
23 responding to the unprecedented, unprecedented attrition
24 that all right to counsel providers have experience is
25 necessary to ensure the sustainability and success of this

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1 program. Providers are experiencing inordinately high
2 attrition rates and are competing against one another to
3 hire very, a very small pool of applicants. We currently
4 had 22 staff attorneys and four attorney supervisors,
5 2022. 2022 alone, we personally lost about 10 staff
6 attorneys. We thankfully were able to fill nearly all of
7 the positions, but of course it took months and we had to
8 transfer all of that, all of those caseloads to the
9 existing staff attorneys that we had. This increased
10 (inaudible) in line with the felt—with what is felt across
11 the legal services field throughout this pandemic time,
12 but is further exasperated by the lack of funding and
13 structural support afforded to advocates tasked with
14 implementing this new and groundbreaking program.
15 Staffing Structures for the Right to Counsel program must
16 enable providers to hire additional staff, the—beyond what
17 is initially conceived, to provide adequate time for
18 training, supervision, client engagement outside of the
19 Court so that the staff can join (inaudible) are able to
20 sustain this practice. So high attrition rates impact
21 remaining staff sustainability as well. When a staff
22 attorney with an active full caseload resigns, the
23 capacity of the remaining staff shrinks because the
24 departing attorney has a full caseload of ongoing and
25 active cases, which must of course be redistributed among

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1 the staff that is already at or near capacity. So
2 remaining staff are then forced to familiarize their
3 themselves with a factual background and procedural
4 history of their reassigned cases, leaching time and
5 capacity to take on new clients, and causing additional
6 strain for staff that has contributed to further
7 attrition. So the most direct way to correct the
8 compounding effect of attrition is to fund the right to
9 counsel program sufficiently to enable providers to hire
10 more staff attorneys than was initially considered.
11 Infrastructure the program in a manner that ensures
12 manageable caseloads for attorneys with varying levels of
13 housing experience. We are doing our best to handle the
14 current caseload and incoming intakes, all while
15 supervising and training new attorneys who often have zero
16 to two years of experience. Brooklyn A and our peer
17 organizations are deeply committed to the success of Right
18 to Counsel. So together with the Courts in the city of
19 New York, we have served thousands of tenants and help
20 them preserve their housing and exercise their rights.
21 The program is at a critical juncture and must continue to
22 evolve and grow to meet its full potential and promise.
23 And when I—as a way to end, I'm going to provide a success
24 story. I --

25 MS. MEDLEY: -- I'm sorry, you're, you're past

1 time.

2 MS. ORTIZ: Oh, sorry.

3 MS. MEDLEY: Thanks. Sorry.

4 MS. ORTIZ: Thank you.

5 MS. MEDLEY: I understand that Bronx Borough
6 President Vanessa Gibson has joined us. Thank you.

7 MS. VENESSA L. GIBSON: Yes, good evening. I
8 hope everyone can hear me. Thank you so much for the
9 opportunity to speak before all of you. I am Bronx
10 Borough President Vanessa L. Gibson, and I want to thank
11 you for the opportunity to speak this evening on the
12 importance of strengthening our city's right to counsel
13 program and unfortunately, the many challenges that the
14 program is currently experiencing. All of, you know, in
15 2017, I was proud to partner as a council member with
16 then, council member Mark Levine surpassed the right to
17 council legislation back in the city council, and we
18 passed this bill to fight the eviction crisis that we saw
19 in our city, and certainly in my borough of the Bronx, to
20 ensure that New Yorkers would not lose their homes without
21 the benefits of legal representation. While the plan was
22 to have the program rollout over the several years
23 following the COVID-19 pandemic significantly altered
24 this, we understand that. With the evictions and the
25 moratorium that lasted between the spring of 2020 and

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1 spring of 2022, many New Yorkers and many of our families
2 were able to avoid eviction and stay in their home. But
3 since the end of the moratorium in 2022, thousands of New
4 Yorkers, many of my residents in the Bronx have faced the
5 renewed threat of eviction and have had to fight to stay
6 in their homes in housing Courts. Unfortunately, many of
7 them have had to do so without a lawyer, despite the right
8 to counsel law. This is unacceptable and it's a painful
9 reality for far too many families in our city. And we
10 must do more to ensure that this does not continue. We
11 know the significant harms, the collateral consequences
12 that evictions inflict on many families, our children, our
13 elders, homelessness, health issues, social
14 disconnections, loss of job, and loss of learning. These
15 harms must be mitigated and fortunately, guess what
16 everyone, we have the solution, right to counsel works.
17 We have seen that it works in New York City. Since this
18 program has rolled out, 84% of tenants with counsel have
19 won their cases successfully and been able to stay in
20 their homes. Fewer eviction cases are being filed and
21 communities are getting organized. We need to keep this
22 program intact as we move forward. The right to counsel
23 mandate deserves full funding in the next city's budget
24 for FY 24. And I pledge to work with my city council
25 partners, certainly the Bronx Delegation, Manhattan

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1 Borough President Mark Levine, many of my advocates
2 (inaudible) Bronx, Scott at Riverside, Housing Works, and
3 so many organizations that have been on the ground from
4 day one. We must make sure that the budget adopted is
5 fully reflective of the importance of right to counsel.
6 There are simply too many tenants facing eviction and not
7 enough lawyers. And you've heard many testify about lack
8 of supervisors and attorneys. And yes, we need to do
9 recruitment, but guess what? We also need to pay our
10 lawyers what they deserve. We cannot pay them poverty
11 wages and expect them to do this work. The right to
12 counsel mandate deserves full funding in the next budget
13 and alongside Borough President Mark Levine, I've called
14 on the Office of Court Administration to slow down the
15 calendaring of many eviction cases until every eligible
16 tenant has access to a lawyer. The Court should not be
17 violating our resident's rights. And unfortunately, we
18 have not had a positive response from OCA on this front.
19 So we now must turn to ensuring that our tenants will be
20 able to have access to the counsel that they are entitled
21 to. My final remarks, the failure to ensure that every
22 eligible tenant in housing Court has a lawyer by their
23 side, is an unacceptable failure that has resulted in
24 displacement and homelessness in our city. The city must
25 act now to prevent even more tenants from being denied

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1 their rights by fully funding right to counsel and all
2 related programs, including tenants, community organizing
3 through local law 53. I thank you for your efforts for
4 all of the incredible advocates and tenants that are
5 telling their stories. This is a successful program that
6 we want to see continue, and I urge you to continue to
7 address this crisis that we have in our city with the
8 seriousness, the priority, and the urgency that it
9 rightfully deserves. Thank you so much for your time,
10 everyone.

11 MS. MEDLEY: Thank you Borough President. I
12 want to remind everyone that Spanish Interpretation
13 services are available and I'll give the interpreter an
14 opportunity to introduce herself and to give that
15 direction. (Inaudible)

16 FEMALE VOICE 2: [Foreign audio 1:02:50.4-
17 1:03:06.4] Thank you.

18 MS. MEDLEY: Thank you. Our next speaker, Conor
19 Bednarski.

20 MR. CONOR BEDNARSKI: Hello and thank you for
21 this opportunity. (Inaudible)

22 MS. MEDLEY: I'm sorry, Conor, could you hold
23 one moment please?

24 MR. BEDNARSKI: No problem.

25 FEMALE VOICE 1: Okay. I think we got it.

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1 Sorry. The Spanish interpreters ended up out of the room,
2 but I think we're back. Sorry.

3 MS. MEDLEY: Thank you.

4 MR. BEDNARSKI: Hello, everyone. Thank you for
5 this opportunity to testify. My name's Conor Bednarski.
6 I'm an attorney at CAMBA Legal Services. We provide legal
7 services to the Universal Access Program to clients in
8 Brooklyn and Staten Island. Thank you to the city council
9 for continuing the Universal Access Program and municipal
10 budgets across the world and country has been forced to do
11 more with less and the mayor's administration for carry on
12 this program and to many others, such as the Rights to
13 Counsel Coalition, community-based organizations, tenants,
14 tenant organizers across the city. Last but not least,
15 thanks to the Office of Civil Justice for continuing this
16 work to ensure the tenants obtain legal help to keep their
17 home. Previously in other hearings we've talking about
18 the financial savings that this program provides to the
19 city budget by limiting homelessness as well as
20 unquantifiable human health that this program provides
21 (inaudible) continue to be true. However, today we want
22 to highlight some new challenges. In the past year, we
23 faced an intense challenge of adapting to a world that is
24 (inaudible) and move past the pandemic while leaving some
25 of our most vulnerable New Yorkers behind. The reality is

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1 that the strain of increased cases has diminished some of
2 the gains previously experienced by universal access.
3 Between 2021 and today, we went from taking on almost
4 every eligible case to being forced to turn income
5 eligible people away. While we'd like to represent
6 everyone, providers must maintain a vigorous standard of
7 quality representation so that this program can provide
8 meaningful access to justice to those who we represent.
9 In New York City, over 16,000 tenants are unrepresented in
10 Court, and 4,200 tenants have been evicted since the
11 expiration of the COVID-19 hardship declarations in
12 January 15th, 2022. Many of these tenants were income
13 eligible, but they could not get a lawyer due to capacity
14 issue. In the face of higher filings, the Courts have
15 sped up proceedings rather than slowed them down. We
16 applauded the forthcoming Justice Public Court that
17 reflect these challenges, but we must do more to stand
18 access to justice after watching a retreat over the past
19 year. Our recommendation (inaudible) includes the
20 following, reducing the volume eviction cases on Court
21 calendar so that the number of new cases each day matches
22 the capacity that legal providers can provide so that all
23 eligible tenants can receive representation. Providing—
24 Number two, providing sufficient time between Courts dates
25 for lawyers to complete essential work, keeping in mind

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1 current staffing shortages and workloads. Calendaring
2 case-of new eviction cases only after all eligible tenants
3 of pending cases have retained counsel. Increasing the
4 funding for the program by at least 70 million to fully
5 fund local law 136. Based on staff retention rates, the
6 consensus within the legal services provider community is
7 that the program is currently funded about 70% of current
8 (inaudible). Expand access to include DHCR complaints.
9 Speed up the turnaround time for decisions on DHCR
10 complaints and educate tenants about rent stabilization
11 DHCR action. Many tenants lack the knowledge and ability
12 to effectively challenge illegal rent increases in
13 fraudulent IAI's and NCI's. We also need to expand access
14 to include HB cases so we can protect against (inaudible)
15 landlords and harassment of tenants. We want to close by
16 sharing a case where a tenant of ours had been entered,
17 forced to enter into a free pandemic stipulation where she
18 gave up her succession rights. We were able to get that
19 stipulation undone and able to ensure that this tenant
20 could stay in their home of over 10 years with her young
21 daughter. This is one of the success stories that comes
22 from right to counsel, and we need to ensure that all
23 tenants who are eligible in the city of New York can
24 receive their rights. Thank you.

25 MS. MEDLEY: Thank you. Pilar DeJesus.

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1 MS. PILAR DEJESUS: Hi, good evening. My name
2 is Pilar DeJesus and I've come from Take Root Justice.
3 I'm a senior advocacy coordinator at Take Root Justice a
4 legal service provider and-or we work with policy and
5 research in partnership with community-based organizations
6 in the city cause we, we believe in the power of
7 organizing. But I'm also a Latina, born and raised in
8 (inaudible). And I also have unfortunately experienced,
9 you know, what it's like to go through the process. I
10 speak of not only as an advocate for, for many of the
11 tenants that come, come through either our hotline or
12 through the right to counsel. It's a really serious, in
13 my opinion, a really serious post-pandemic happening in
14 our city. And a health and a mental health (inaudible)
15 pandemic and housing being the root of that instability
16 that we're currently experiencing. It's not only with the
17 tenants, you know, with the, the violence harm, the, the
18 ways that they're being targeted by many landlords in this
19 city. And then on top of having to go through the Court
20 process and then, you know, have-or, or without an
21 attorney. You know, it, it, it's really become extreme
22 burnout for me and really puts me in a, a really hard
23 place many times when I have to tell tenants that, you
24 know, we cannot provide representation because there's
25 just not a capacity to, and I do my best to provide them,

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1 you know, with their rights. But the reality is, you
2 know, the Court, the city, the state really needs to
3 really hear our pleas not only as advocates, legal service
4 providers, but as the humans of this state that are—we're
5 all experiencing a, a lot and we're still recovering from
6 a lot of the, you know, the harms and the, the exhaustion
7 that came during the pandemic, the COVID pandemic. And I
8 think it's going to be really important, especially for,
9 you know, the city, the legislators, the Courts. If, if
10 you care about the mental health of this city that you,
11 you hear this and really stop, slow down the, the Courts.
12 We need more funding for legal service providers because
13 like as I mentioned, there's a lack of (inaudible) and I
14 will—I know my time is ending, but I just again, want to
15 highly encourage and really want leaders here to really
16 understand that we have a serious, really serious health
17 pandemic crisis and it is being tied to housing. And if
18 we don't do something about it, we already have many, many
19 1000 homeless people, many including children. I, I, I—
20 I'm concerned what's that, what's that going to mean for
21 the future? And then what the RGB season coming up, if
22 there are rent increases and more evictions and no tenants
23 having lawyers or representation, I'm concerned of the
24 state of the city.

25 MS. MEDLEY: Thank you, Jerome Frierson.

1 MR. JEROME FRIERSON: Hi, everyone. The Bronx
2 Defender thanks Raniece Medley and her colleagues at the
3 Office of Civil Justice for holding this critical hearing.
4 My name is Jerome Frierson and I'm the housing director
5 with the Civil Act Action Practice at the Bronx Defenders.
6 Our right to counsel housing practice provides robust
7 holistic representation to Bronx tenants facing the threat
8 of eviction and displacement from their homes. As our
9 housing practice has expanded in size and expertise over
10 the past five years, joined by dozens of other
11 interdisciplinary advocates who offer specialized
12 expertise and advocacy supporting the infrastructure of
13 our work. We've already submitted written comments to
14 OCJ, but I'd just like to highlight three main points in
15 my oral testimony tonight. First, we believe that full,
16 adequate civil representation requires the recognition and
17 support of services that are not solely legal in nature.
18 Our housing litigations team structure, which includes
19 housing policy council, social workers, benefit
20 specialists, staff attorneys, paralegals, a supervising
21 attorney, a training director, has proven to be
22 instrumental in delivering the highest quality of services
23 to our clients in Bronx. In one example our social work
24 team collaborated with one of the housing attorneys to
25 provide housing placement services for a client with

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1 serious mental health issues. The, the team was able to
2 work with a supportive housing provider as well as APS to
3 eventually obtain an approval for City (inaudible). In
4 this instance, our social work team was directly
5 responsible for, for preventing the homelessness and
6 directly connecting our client to the resources that she
7 needed. So as this case exam-example demonstrates it
8 takes more than just lawyers to provide holistic
9 representation of tenant and address causes and long-term
10 consequences of housing Court involvement. Second, as all
11 legal services agencies are experiencing, our office
12 continues to experience high attrition and turnover. This
13 is in large part due to inadequate pay, ever shifting goal
14 post of the Universal Access Program, high volume of
15 calendars and case assignments, and the lack of case
16 standards. To address this increasing challenge and
17 impact on vastly black and brown tenants facing eviction
18 in New York City, our recommendation to OCJ is for our
19 right of counsel contracts to be structured to create a
20 sustainable program that compensates the training and
21 retention of talented and dedicated, dedicated staff and
22 supervisors to defend the rights of low-income tenants in
23 the Bronx and throughout New York City. OCA should also
24 structure our work in a, in a volume, allowing our staff
25 to maintain reasonable caseloads. And finally, the rights

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1 to counsel law for it to be robustly implemented, OCJ
2 should demonstrate an investment in staffing the city's
3 social service agencies, particularly DSS whose staffing
4 operations were cut by 20% in addition to supporting the
5 work of various community-based organizations, which legal
6 services providers and our clients at, at risk of, of
7 eviction continues to heavily rely on. Thank you again
8 for allowing the Bronx defenders to have this opportunity
9 to testify tonight, and we invite you to read our written
10 comments that further elaborate on these points. Thanks
11 again.

12 MS. MEDLEY: Thank you. Emily Ponder.

13 MS. EMILY PONDER: Hi, good evening. Thank you
14 so much for the opportunity to speak today. My name is
15 Emily Ponder Williams. I'm the managing attorney of the
16 Civil Defense Practice at Neighborhood Defender Service of
17 Harlem. We are holistic public defense office and provide
18 services to low-income tenants under the right to counsel.
19 I want to echo and support everything that many of my
20 colleagues have said here today. And widely acknowledged
21 fact that the right to counsel program is a pioneering
22 movement and we should—something that we should be proud
23 of. It's led to fewer eviction filings, the development
24 of tenant friendly case law, re stabilization of the
25 illegal deregulated department, increased tenant power and

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1 increased community stability. The very presence of a
2 dedicated and robust group of tenant attorneys of housing
3 Court has helped eliminate many of the abhorrent
4 historical practices and norms in that space. For
5 example, in the midst of the pandemic (inaudible) retained
6 through the right to counsel, programmed by a young woman
7 trying to escape foster care, becoming—and trying to
8 become a remaining family member in her recently deceased
9 mother's NYCHA apartment. NYCHA cruelly took the position
10 that the child—that when a child is removed by the state
11 for safety reasons, they seized to be a member of the
12 household. A decision was finally rendered after years of
13 litigation in both housing Court and the office of
14 impartial hearings that a client should be recognized as a
15 remaining family member and allowed to return to her home.
16 The right to counsel made it possible for this woman to
17 obtain stability for the first time in her life and to
18 avoid certain homelessness. In short, the right to
19 counsel works when it works. But unfortunately, as we
20 know over the last year as the city exited the worst of
21 the pandemics, over 14,000 tenants have been denied their
22 rights to an attorney as they face eviction. This is the
23 direct result of the Court system overtaxing the limited
24 number of right to counsel attorneys funded by this
25 program. And unfortunately, this crisis does not appear

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1 to have an end in sight. For instance, next month
2 (inaudible) staff four right to counsel intake shift where
3 our office can expect to see anywhere between 50 and a
4 hundred tenants seeking representation. If an average of
5 just 50 tenants from each shift for eligible for
6 representation that would mean that each attorney on the
7 NDS team would be assigned roughly 30 new clients in one
8 month added to caseloads that are already at maximum
9 capacity. And our attorneys are operating at maximum
10 capacity. Adding 25 cases to each attorney's caseload
11 would only ensure that we are unable to provide even a
12 bare minimum representation to each client, much less a
13 meaningful right to counsel. (Inaudible) to be sure the
14 right to counsel requires much more than merely appearing
15 in Court and filing proforma legal papers. It involves
16 handling complex motions, engaging in discovery, handling
17 hearings and trials, and in many cases working with
18 various city and state agencies to obtain rental
19 assistance and subsidies, resolve public benefits issues,
20 and connect clients with vital social services. Often it
21 is this non-core advocacy that is the key factor in
22 deciding whether a tenant stays in their home. But under
23 the current circumstances, providers cannot type-provide
24 this type of right to counsel the kind that preserves
25 homes and communities. In fact, providers cannot provide

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1 any type of right to counsel to even the majority of
2 eligible tenants without additional support. While
3 (inaudible) appreciates OCJ's efforts to engage with
4 providers and the Courts to acknowledge and address this
5 crisis, more significant steps must be taken. In
6 particular, the program must be funded in a way that
7 acknowledges the current hiring and retention challenges
8 faced by all providers across the city. Adequate funding
9 will allow for robust staff to support all aspects of the
10 right to counsel work, attract high quality candidates,
11 and reduce burnout, all of which contribute to the
12 vacancies and limited capacity for providers. In order to
13 provide a meaningful right to counsel to every tenant who
14 qualifies, the city must recognize the needs and fund the
15 program accordingly, and work with legal services
16 providers to navigate the current staffing and caseload
17 crisis. The shortcomings of a right to counsel we believe
18 are the results of the same racist, carceral and
19 discriminatory budget priorities that have plagued the
20 city for decades. Budgets reflect values, and New York
21 City must shift its priorities from incarcerating its
22 citizens to preserving their communities. Thank you,
23 MS. MEDLEY: Alex Jacobs.
24 MR. ALEX JACOBS: Hi, how are you doing? My
25 name is Alex. I am, for better or for worse, a housing

1 advocate, a housing lawyer. And I've been doing this for
2 about six and a half years, which probably isn't a long
3 time in any other job, but feels like a lifetime in
4 housing. And I think a lot of people have talked about
5 the successes of ROTC, but something that wasn't addressed
6 is I think some of the more hidden successes. And I want
7 to talk about that first. What ROTC does, right, is it
8 funds housing attorneys (inaudible) poverty Court. And
9 it's really, really important that we understand what
10 housing Court is. It is poverty Court. Hell yeah, let's
11 go buddy. You can let it all out. Because when I was in
12 law school, right, all the Courts I went to were the
13 Courts that you see on TV where you get like big
14 (inaudible) vaulted (inaudible) and people are quiet and
15 wearing suits and everybody's really well behaved. And
16 then you walk into house in Court and the first thing that
17 hits you is just the noise, this cacophony of sound. And
18 then after a few months you get used to it, right? But
19 what used to happen was you would have landlords go up to
20 tenants in the hallways and say, we can go inside and talk
21 to the judge and you can tell the judge what's going on
22 inside your home. Or we can make a deal here today, right
23 now and if you do that thing where you talk to the judge,
24 the judge isn't going to like you and they're not going to
25 be happy with you. So you should agree right now to move

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1 out in 30 days. And that's what happened every g—d damn
2 day in housing Court until about 2017, 2018. I'm not
3 saying it doesn't happen now, but it is a little bit
4 better and a little bit better is a lot better for the
5 people who are being evicted. The other thing that I just
6 realized as I'm saying this is up until about COVID, I
7 don't think I had a single white client, which is also
8 really, really wild if you want to think about what
9 poverty Court really is and who's actually getting evicted
10 in this fine city of ours. But the other thing I wanted
11 to touch on is this idea that there is a "right to
12 counsel," and I forget who mentioned this, this came up
13 towards the beginning of the meeting. I'm not sure that
14 anybody has a right to anything when a right is subject to
15 appropriation, because right now you have plenty of
16 tenants that are coming in where the best that I or
17 anybody else can do is explain to them what the process is
18 like and then send them off on their own to go and deal
19 with the landlord who just three or four years ago will be
20 telling them, if you try to exercise your rights, the
21 judge is going to be mad at you and they're going to make
22 you homeless quicker. Even worse is that right now I hear
23 that there are private attorneys that are getting funding
24 from the city to do the work that I should be doing, that
25 I should be getting the money for when these are the

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1 attorneys that want to make them homeless. I'm not sure
2 what kind of system that is that says with one side of
3 their mouth, we want to help you be safe and with the
4 other side gives a lot of money to the people that wants
5 to hurt them. And the last thing I want to add is for all
6 of this, all the talk about the "small landlords" that you
7 can see in the chat, I think this is a massive head take.
8 They're not concerned about justice; they're not concerned
9 about process or right or wrong --

10 MS. MEDLEY: -- 30 seconds.

11 MR. JACOBS: -- what they say in the chat--sorry,
12 is that up, my, my, my three minutes?

13 MS. MEDLEY: 30 seconds.

14 MR. JACOBS: Cool. You can see what they say in
15 the chat. They say they don't think that lawyers do
16 anything. All they want to do is they want to throw
17 people out of their homes yesterday. I got one question
18 for everybody who's so concerned about these little small
19 landlords, what do they say to people who own restaurants,
20 to people who own other businesses? Do they want to give
21 them a buyout? I'm sorry that you took a risk and that
22 your business is over leveraged, but you don't get to make
23 a living on making somebody homeless. So because of all
24 of that, I think this program needs to be funded
25 significantly more to keep the over 70% of New Yorkers

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1 that rent safe and to make sure that we don't have people
2 dying in the g-d damn streets. Thank you.

3 MS. MEDLEY: Thank you. Lisa R. Miles Dixon
4 Darling.

5 MR. MILES DIXON-DARLING: Good evening,
6 everyone. My name is Miles Dixon-Darling and I'm a law
7 graduate Lieutenant Defense in the Brooklyn Neighborhood
8 Office of the Legal Aid Society. I am testifying on
9 behalf of my Labor Union, the Association of Legal Aid
10 Attorneys local 2325 of United Auto Workers, also
11 otherwise known as ALAA. ALAA comprises a diverse group
12 of attorneys, paralegals, investigators, social workers,
13 and others at the Legal Aid Society, Campbell Legal
14 Services, New York Legal Assistance Group, neighborhood
15 Defenders Services of Harlem, Catholic Migration Services,
16 the Bronx Defenders and other legal service organizations
17 who are dedicated to safeguarding the right of tenants. I
18 thank the Office of Civil Justice for allowing ALAA to
19 testify about our experiences on the front lines of
20 implementing the right to counsel program. Since right to
21 counsel passed, evictions have plummeted, landlords have
22 sued tenants less often and almost 85% of tenants who had
23 rights to stayed in their homes. Unfortunately, however,
24 this is a time of crisis for the rights to counsel in
25 housing Court. Let me be blunt when I say that OCJ and

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1 the Courts are well on their way to destroying right to
2 counsel by underfunding legal service organizations,
3 pushing unmanageable caseloads loads (inaudible) on tenant
4 attorneys and allowing cases to be calendared at rates
5 faster than our attorneys can take them. As a result,
6 staff attorneys at ALAA organizations are leaving at
7 unprecedented rates and those who stay are often forced to
8 take mental health leaves of absence due to the grueling
9 and unhealthy demands of their work. Without sufficient
10 funding, legal service organizations have been unable to
11 fully staff our offices. And 14,000 tenants in counseling
12 have been denied their right to counsel. OCJ as the
13 agency in charge of upholding the right to counsel must
14 stand up for tenants by ensuring that legal service
15 organizations are funded at the actual cost of
16 implementing RTC, which includes fair wages for attorneys,
17 paralegals, social workers, investigators, organizers, and
18 the entire team of workers who come together to uphold a
19 tenant's right to counsel. OCJ must also join ALAA, the
20 right to counsel New York City Coalition, Coalition and
21 members of the City Council and others in calling on the
22 Courts to reduce the volume of eviction cases on the
23 calendars each day, administratively state cases until
24 eligible tenants obtain their RTC attorney and provide
25 sufficient time between Court dates to allow lawyers to

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1 fully investigate and litigate each case fairly.

2 MS. MEDLEY: 30 seconds.

3 MR. DIXON-DARLING: Finally, we asked the OCJ
4 seek input directly from unionized legal service workers,
5 the (inaudible) attorneys doing RTC work while making
6 decisions about the future implementation of the right to
7 counsel. Time and time and again, OCJ has spoken to our
8 bosses but has refused to meet with us, the workers. On
9 January 19th (inaudible) along for Legal Services staff
10 association and the National Organization of Legal
11 Services workers, sent a letter to OCJ and OCA to, to
12 request a meeting. And OCJ has not responded to our
13 letter, nor the request for a meeting. That is a shame
14 because we are the ones on the ground who understand all
15 of the complexities to go into RTC work. Thank you for
16 the time and considering and considering ALAA's testimony.

17 MS. MEDLEY: Thank you. Joseph Carrasco
18 [phonetic]. Wayne Nesmith [phonetic]. Carmen Bellucci.
19 Gregory Christopher Baggett.

20 (Inaudible)

21 MS. MEDLEY: (Inaudible). Thank you. Okay, we
22 can't hear at, at this time. We can't hear just yet, just
23 so you're aware.

24 MS. CARMEN BELLUCCI: Hello, my name is Carmen
25 Bellucci (inaudible) letter and basically the landlord

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1 took me to Court as a (inaudible) I believe September
2 (inaudible) September 31st, 2021. Meanwhile, my roommate,
3 they assaulted me because they demand increase, but we can
4 have (inaudible) about a year. So they want to be
5 technically (inaudible) apartment rent is 1800, I was
6 paying 1100 and my roommate (inaudible) I believe two
7 girls with their boyfriend, so they should get the share
8 700 during the month. So because they assaulted me in the
9 apartment, the neighbor downstairs called the police and
10 they end up—I end up with protection order (inaudible)
11 basically told to move out by criminal Court, more or
12 less. Starting with that point, it became (inaudible)
13 landlord (inaudible) building program (inaudible) told me
14 that actually the rent was 2,400 from 1,800 as it was
15 before but (inaudible) this apartment, they have two
16 bedrooms, technically three rooms that we all shared.
17 (Inaudible) employed very violent techniques to get me out
18 of the apartment, such as having the NYPD come
19 consistently. For example, July 2nd, 2021, they kept on
20 (inaudible) several police officer came, one of them. I,
21 I don't know her name because I wanted to share with you
22 the fact that I was almost legally blind, so I wasn't able
23 to catch her name. One of the officers all I can say, she
24 was dark small. She told me she's the law enforcement
25 worker (inaudible) I had to get out of the apartment

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1 (inaudible) rent. And that--when I already (inaudible) in
2 apartment at that point, had been paying rent for you
3 know, about a year. And they told me, you know, the
4 landlord doesn't want me. The previous, the previous
5 roommate who actually no longer were living there either -
6 -

7 MS. MEDLEY: -- 30 seconds.

8 MS. BELLUCCI: Okay. So that's what I'm trying
9 to say, that the landlord with the NYPD, consistently has
10 called NYPD and tried to drive out. In fact, I was
11 arrested last December 2022 for basically the same reason.
12 (Inaudible) the landlord is the one who harassed me. He
13 said that I am the one that (inaudible) him and I'm a
14 disabled person. I just had a stroke. I had a stroke and
15 I wasn't able to be in Court. And in January 23rd,
16 however, the--I didn't have a right to counsel attorney
17 because she just didn't want to represent me. I guess she
18 must have been one of those attorneys who was not
19 interested in defending me as a tenant --

20 MS. MEDLEY: -- Time.

21 MS. BELLUCCI: So all I--all I wanted to say is
22 that on Monday I have Court and the judge is probably
23 going to put me outside in the streets because I didn't
24 show up last time when I was in emergency room having a
25 stroke. They lifted the (inaudible) I am supposed to have

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1 (inaudible) appeal protection, that they should
2 (inaudible) however, the judge decided (inaudible) to list
3 the (inaudible) saying that I'm ineligible even though
4 (inaudible) says that I'm still in (inaudible) I have not
5 finalized the determination and that I should still have
6 the victim protection (inaudible) given the fact that I
7 have (inaudible) a compensation, disabled and (inaudible)
8 illnesses related to the COVID (inaudible) in the lungs --

9 MS. MEDLEY: -- Thank you. Thank you, time.
10 Sorry. Bryan Fotino[phonetic]. Denise 'Mistah' Coles
11 [phonetic]. Kathleen Olds [phonetic].

12 MS. KATHLEEN OLDS: Hi, I'm Kathleen Olds. I've
13 been a tenant my whole life, tenant organizer (inaudible)
14 New York City, and I just started as a, as a housing
15 attorney two weeks ago. I'll be quick. I just want to
16 echo a lot of what everyone has said from (inaudible) with
17 tenants to housing Court, it's a terrifying process. The
18 landlords are running around, their attorneys are running
19 around trying to intimidate them, trying to tell them, as
20 someone was saying earlier, staff to sign the simulation,
21 not with one of the judge, not to enforce my right. I've
22 seen firsthand again and again with probably dozens of
23 (inaudible) how important it's to have an attorney. I
24 just want to urge OCJ to pause all eviction (inaudible).

25 MS. MEDLEY: Daniel Kassell [phonetic]. Gregory

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1 Christopher Baggett. Yarrow Regan [phonetic].

2 (Inaudible)

3 MS. Yarrow Regan: Hi, my name is Yero Reagan
4 and I'm here to ask that the Office of Civil Justice
5 publicly say that they will defend the right to counsel.
6 Office of City Council must demand that the Courts
7 (inaudible) all cases for RTC eligible tenant until they
8 get an attorney. When I was coming out to the, to the
9 meeting today, I got this Marshall's notice on my door,
10 even though I have a stipulation saying that I agreed to
11 move out on March 31st after I entered into that
12 agreement. I also live in Sunnyside, Queens. I also was
13 assaulted by the person that I rented the premises from.
14 I didn't know that I had to stay (inaudible). The
15 landlord doesn't want to accept (inaudible) money because
16 why? They're not paying taxes on the apartment. They're
17 not paying taxes to the Internal Revenue Service, the
18 state of New York or the City of New York. They don't,
19 they're using someone as a fiscal conduit to hide this
20 income. And they're, they're getting the, the tax breaks
21 from the city because of that. (Inaudible) on the taxes,
22 the STAR program and that other program. So they're
23 basically fraudulently renting out this apartment. And I
24 noticed the guy who says he's a landlord listening very
25 intently to what I'm saying because I've been reading what

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1 he's writing in there, which is a lot of booeey. Okay. So
2 (inaudible) in housing for as a white service for over 25
3 years, 30 years, taken all the time by landlords. The
4 most corrupt county is Queens County and they're in the
5 pockets of the landlord. And I've gone to different
6 organizations, of course they can never, ever, ever help
7 me. So the only person that can help me is myself and
8 people like those in this room here. It's very upsetting
9 and very scary. The judge doesn't want to recognize the
10 (inaudible). Also on March 7th, I'm having brain surgery.
11 It'll be my fifth brain surgery. I will be able to walk
12 for a week afterwards. And I also have an HP action on
13 this landlord because of severe mice infestation among
14 other things, the mice have been eating out the wires so
15 that the outlets aren't working. And I'm concerned that
16 there's going to be a fire. I've killed about 45 mice in
17 the apartment myself. I mean, that must be worth
18 something. And I (inaudible) --

19 MS. MEDLEY: -- 30 seconds.

20 MS. Regan: (Inaudible) that's like, that's a, a
21 definitely an unsanitary condition. And this interfering
22 with my peaceable enjoyment of the premises. But I'm here
23 to say that the Office of Civil Justice must fund this
24 right to counsel because as it stands, it's just a share.
25 It's just a show and it's a dog and pony (inaudible).

1 It's a (inaudible) again, just allow (inaudible) fake
2 stuff. But (inaudible).

3 MS. MEDLEY: Thank you. Lucy Block.

4 (Inaudible)

5 MS. MEDLEY: Nicholas Vargas. Ruth Riddick
6 [phonetic].

7 MS. RUTH RIDDICK: (Inaudible) right to an
8 attorney. Higher (inaudible) cost prohibited and giving
9 low-income tenants access to council is vital. When the
10 law was first passed it worked. Tenants were represented
11 in housing Court without having to well, because they
12 don't have the finances to afford an attorney. However,
13 today judge (inaudible) not mandating the Court to slow
14 down the cases. Many tenants are (inaudible) passing
15 through housing Court without representation and only
16 being heard for seven minutes. This is not (inaudible).
17 Many tenants are already intimidated just being in Court,
18 and they often do not know their legal rights. This is
19 why attorneys are important, the right to counsel
20 attorneys are vital. (Inaudible) I'm being ruled on
21 without representation, representation leading to an
22 increase in the amount of evictions. These cases are
23 being passed through Court without real consideration to
24 tenant circumstances ranging from serious repairs,
25 violations, and eviction proceedings. There is a clear

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1 advantage to landlords that they are taking in these
2 cases. And about 25 years ago, I was behind in rent as a
3 single mother and had to frequently go to housing Court.
4 The last time I was there, I spoke to a lawyer that was
5 making specific demands on me. It was a very nerve-
6 wracking experience because I did not want to be homeless
7 with my two children. As it turned out, this landlord was
8 not giving me accurate information. And when I reflect
9 back on this experience, he was a, a landlord attorney and
10 had me signing a stipulation to almost find my life away.
11 The result of that is why I have strong—a such strong
12 support for rights to Counsel.

13 MS. MEDLEY: 30 Seconds

14 MS. RIDDICK: Organizing, I have learned that
15 the acting chief judge has the power to slow down cases,
16 but just refuses to do so. The excuse we are given about
17 why rights of counsel is not functioning properly is the
18 amount of attorneys available. However, they have the
19 power to slow down the cases. It is not possible to have
20 a fair hearing in only seven minutes and this leads to a
21 tremendous amount of eviction at the Office of Civil
22 Justice, must demand that the Court slow down the cases.
23 It is inhumane to have families and seniors evicted at
24 this rate, especially in the winter. The Court must honor
25 right to counsel?

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1 MS. MEDLEY: The time, thank you. Fidel Albert
2 [phonetic]? Gordon Lee [phonetic]? Portia, Portia
3 Ndubueze [phonetic]? Microphone (inaudible) speak loud.
4 Go ahead here.

5 MR. GORDON LEE: All right. The (inaudible).

6 MS. MEDLEY: Thanks.

7 MR. LEE: Hi, Mr. Gordon Lee. I'm, I'm with all
8 groups and regional and just call me Greg (inaudible) too
9 hard. I'm from King County—Kings Brooklyn County, New
10 York. I was on (inaudible) children was born when the
11 country protesting president (inaudible) June, 1973.
12 Also, around the town, the time when Johnson died and
13 before (inaudible) Court was elected. Now I am here
14 'cause I also a strong support right of counsel. I also
15 feel the same way that these people do here and be warned,
16 I'm also now in an outrage protestor and I'm—and if any
17 landlord or housing court justice is on that chat, I am
18 warning them. I am also demanding we defend right to
19 counsel. I am from outrage that—what I just heard, one
20 tenant (inaudible) has signed her life away (inaudible)
21 take eviction and I don't think I'll ever forget that.
22 And I also am demanding—I've also outraged it only tenant,
23 I or required to represent themselves because they want to
24 speed of eviction cases. Now, first of all, if tenants
25 are, are required to do, represent themselves, the

Ubiquis

1 landlords should also be required to represent themselves.
2 They said landlords, they're in charge, but landlords are
3 not cheating, they're not above the law. They shouldn't
4 be now (inaudible), you know, like how that through power
5 and (inaudible) yeah. I have so much rage and I don't
6 really know what to do with it. I have a written
7 testimony here, right to conviction should mean having
8 rights with free lawyer (inaudible) from getting evicted
9 and protect your home. Our tenants are not receiving us
10 form (inaudible) because how the Court not eviction
11 proceed. That the tenant in (inaudible) do not have right
12 to counsel and this is a (inaudible) it is worry some
13 because --

14 MS. MEDLEY: -- 30 seconds.

15 MR. LEE: -- majority tenants--okay. I see that
16 I have 30 seconds so I'm just going to make one last
17 statement. Now, I demand the restoration state right to
18 counsel. I demand the state pass state right to counsel
19 not what me to tell the whole public that I said I
20 demanded that we reach out to the White House and to pass
21 and some federal rights to counsel. Everyone in the
22 French have access to a free lawyer to defend their home
23 and with federal rights to counsel, we're sure to get
24 state rights to counsel in every state. So my last time -
25 -

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1 MS. MEDLEY: -- It's time, thank you.

2 MR. LEE: -- the same right to counsel
3 (inaudible) either (inaudible).

4 MS. MEDLEY: Thank you. Bryan Fotino [phonetic]
5 or Fontina? We can't—we can't hear you?

6 MR. BRYAN FOTINO: Hello, my name is Bryan
7 Fotino, thank you so much for inviting me to speak with
8 you today. I'm Lieutenant Organizer at Catholic Migration
9 Services. I have the right to counsel coalition. I stand
10 here supporting and on behalf of over 40 tenants that have
11 signed on to our written testimony, testimony over four
12 tenant associations and over two tenant coalitions who
13 have come together tonight to say that we must defend RTC
14 and OCJ must take a stand in defending RTC. Here behind
15 me I'm joined by the right to counsel coalition of which
16 (inaudible) is a proud member. And we are here to today
17 that we are watching you OCJ, our tenant movement created
18 your organization and we are here tonight to hold you
19 accountable to us and to the tenant movement is --

20 FEMALE VOICE 1: -- (Inaudible).

21 MR. FOTINO: -- also is powerful. We fought for
22 years to win it eviction plummeted, landlord sued tenants
23 30% less, but today, over 17,000 tenants are being denied
24 their right to counsel. Is this, okay?

25 FEMALE VOICE 1: No.

1 MALE VOICE 1: No (inaudible).

2 MR. FOTINO: I said, is this okay?

3 FEMALE VOICE 2: No.

4 MR. FOTINO: So we are calling on you tonight to
5 publicly say you will defend right to counsel. You must--
6 you must demand that courts pause all cases to right to
7 counsel eligible tenants until they get an attorney. You
8 must manage the wait list of tenants to ensure all tenants
9 in this denies the right to counsel, get their right to
10 counsel because it is the right thing to do. OCJ must
11 fund local law 53 immediately and publicly announce when
12 you'll release the RCC for 3.6 million and the city must
13 increase funding for RCC. I have been in Queens's housing
14 court every two weeks seeing tenants in Queens being
15 denied the right to council. This is not okay.

16 (Inaudible) Court case there's no way, they would let you
17 stand in front of the Judge without legal representation.
18 But right now, because attorneys are at capacity and Court
19 don't want to slow down, there are tenants who are being
20 evicted, who ending up in shelters on the streets without
21 ever having legal representation and we are here to say
22 that is not okay and move to say --

23 MS. MEDLEY: -- Proceed.

24 MR. FOTINO: -- must take a stand.

25 MS. MEDLEY: Yeah, thank you.

1 MR. FOTINO: (Inaudible) be guided (inaudible).

2 MS. MEDLEY: Thank you. N'jelle Murphy
3 [phonetic]? N'jelle Murphy? Paulette James?

4 MS. PAULETTE JAMES: (Inaudible).

5 MS. MEDLEY: (Inaudible).

6 MS. JAMES: (Inaudible) good evening. The
7 testimony for all OCJs hearing, October 2016/2017 read,
8 Today is fight for housing justice continues more than two
9 years after it first proposed in 2014. The city council
10 held its first hearing on a bill that would require the
11 city to provide lawyers for more than 80% of people taking
12 eviction in housing. That was because 90% of the landlord
13 were represented by counsel, but more than 90% of tenants
14 were not. Since then, that been—gain law and was supposed
15 to give a voice for or for 1000 of New York's facing
16 eviction because of lack access for counsels. Press
17 people are fighting for this law. This was prior to set
18 more than 2000 people outside (inaudible) laws. By the
19 probably (inaudible) will see today and then they'll
20 became law. Then today, tenants are without lawyers.
21 Tenants who don't know legal terminology don't speak
22 English or are scared of being evicted, are—is strong
23 disadvantage in most reports. In the impact—the impact
24 this has on tenants is harassment for men and living
25 conditions are (inaudible). Family have right—the right

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1 to come to lawyer, has to (inaudible) here (inaudible) and
2 I'm speaking to (inaudible) of all the tricks that
3 landlords play on tenants. It takes a community who is
4 being (inaudible). We are demanding a lawyer to represent
5 us --

6 MS. MEDLEY: -- 30 seconds.

7 MS. JAMES: -- who (inaudible) to do so
8 properly. The Court can do this by (inaudible) cases if
9 lawyer is not (inaudible). You the Court OCJ must be
10 (inaudible) that Court for all cases if a lawyer—if a
11 lawyer is not available, the (inaudible) that ongoing.
12 Think about tenants who sometimes can't need the
13 (inaudible) if all things happen no matter how wealthy
14 they are. Counsel Law provide this only to help tenants
15 if the net worth (inaudible) with the law of helping their
16 (inaudible) with (inaudible) --

17 MS. MEDLEY: -- It's time.

18 MS. JAMES: -- tenants. The more we come
19 together, meet often, identify our problem, organize for
20 better solutions and speak, this will (inaudible) be
21 (inaudible) on the one who will (inaudible) see this for
22 (inaudible) and let us remember we stood on the line
23 (inaudible) and some to get them data.

24 MS. MEDLEY: Ma'am --

25 MS. JAMES: -- It is the (inaudible) --

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1 MS. MEDLEY: -- the time?

2 MS. JAMES: -- allowed to carry on. So and then
3 (inaudible).

4 MS. MEDLEY: Lynda Williams [phonetic]? Dianna
5 Campbell [phonetic]? Addrana Montgomery [phonetic]?

6 MS. ADDRANA MONTGOMERY: Good evening. I'm
7 privileged to be here today in my capacity as a Tenants
8 Justice Legal Practitioner with Take Root Justice
9 [phonetic] with a background in human rights and over
10 1000, excuse me, with, with over 10 years of experience
11 working with and representing Tenant Associations
12 throughout New York City. But I am also here in my
13 capacity as a Brooklyn native raised by a single mother of
14 three girls. I have lived in both public and rent
15 stabilized housing throughout my life. I could frankly
16 remember in the 1980s and my early teens accompanying my
17 mother to housing Court when she had fallen behind our
18 rent from an unexpected medical or school expense for the
19 demands of another emergency that her salary as a
20 secretary could weather. That fear and anxiety she
21 experienced of having to take a day off from work was then
22 magnified sitting in Brooklyn Housing Court timidly
23 waiting for her case to be heard alongside other 100s of
24 mostly black tenants, swarming the hallways even in
25 courtrooms. Since we never had a lawyer of our own, we

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1 mistook the landlord's Attorney of, excuse me, we mistook
2 the landlord's Attorney's approach to, to us in the
3 hallway as one of a Court official. We were coed into
4 settlements that were always an unreasonable payment plan
5 based on my mom's salary. I distinctly remember the look
6 on my mother's face, knowing good and well that she—that
7 as an average African American family that had migrated
8 from the south in the 1960s, we had no access to
9 generational wealth. And didn't have family and friends
10 from which we could borrow a few \$100 or even a couple of
11 100 at the drop of their hat. At the mercy of the
12 landlord, I watch how these Court appearances shut the
13 dignity out of my mother while the landlord Attorney would
14 walk away with the satisfaction that they got another
15 index number to settle. My tenacious teenage self—refused
16 to accept a system could be so unfair to black people who
17 are trying to live their lives and do their best. I vowed
18 to one day return to Brooklyn to, to re—address these
19 wrongs. That's why decades later I was exhilarated to
20 participate in the tenant's movement fight to pass the New
21 York City right to counsel law. In 2017, the landlord
22 Kenneth Power dynamics began to shift palpably. In Court,
23 I began to see more legal service attorneys accompanying
24 tenants and awareness about tenants' rights spread. Data
25 began to show that evictions rates (inaudible) they

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1 (inaudible) as my own docket began to fill with eviction
2 cases during the COVID-19 pandemic. I've shared with my
3 mother who's now out retired outside of the city --

4 MS. MEDLEY: -- (Inaudible).

5 MS. MONTGOMERY: -- that the syndrome has
6 finally swung. Today tenant when are threatened with
7 evictions and not have to stand alone as we did in the
8 80s, now they have lawyers to represent and just have
9 their rights. It's a-it is with a probably sense of
10 despair and anger. However, that I'm here now to report
11 to you that the right to counsel is in a deep crisis since
12 the COVID eviction moratorium ended in January 2020-2022.
13 Take Root Justice alongside rights to counsel, New York
14 City Coalition has been calling on the Court to slow down
15 the calendaring of new eviction cases and to allow legal
16 services provided time to provide meaningful
17 representation, but the Courts have, have not listened.

18 MS. MEDLEY: Is that time.

19 MS. MONTGOMERY: I, I just need three more
20 seconds, please. But the Courts have not listened,
21 instead they rushed to clear inventory. Even judges know
22 this rush relies on the assumption that most tenants will
23 default or quickly settle without raising defenses or
24 seeing a Judge indeed, okay. Right now, as the housing
25 courts have not obliged my colleagues and I have, have

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1 seen a runaway speed up in our eviction defense caseload
2 on taker with most recent intake data over 100 new count
3 cases of calendar for all—for our eight-attorney office to
4 assess. As we set on benches on the hallways, talking to
5 desperate tenants we were basically told that (inaudible)
6 along eight minutes is too much time to spend with them.
7 Right now, the quality of representation that each and
8 every one of my clients deserve is not compatible with the
9 Court's demand for speed. I struggle with anger and
10 depression from the workload and pressure while I continue
11 to slug it out. I am often thinking about my mother's
12 experiences at housing court decades ago imagining our
13 families will leave --

14 MS. MEDLEY: -- The time?

15 MS. MONTGOMERY: -- if we had been eligible for
16 a free lawyer than the nightmare finding that we were one
17 of that lawyer's dozens of cases. Nevertheless, housing
18 Courts continued to deny tenants meaningful
19 representation. There's no reason to return to the
20 pandemic rates, norms of countering more case than the
21 Court can actually hear. Prioritized in speed over
22 justice is to anticipate of the (inaudible) counsel law.
23 Right now, in, in Queens during our housing (inaudible) --

24 MS. MEDLEY: -- I'm sorry—I'm sorry, we're,
25 we're, we're well past time, I'm sorry, thank you.

1 MS. MONTGOMERY: Mm-hm.

2 MS. MEDLEY: Beverly Newsome [phonetic]?

3 MS. BEVERLY NEWSOME: Good job-good job
4 representing. Good job-good job.

5 MS. MEDLEY: Terentia Caroll [phonetic]?
6 Terentia Caroll?

7 MS. TERENCE CAROLL: Yes, I am here. Good
8 evening. Four years ago, New York City made history when
9 it passed the law that is supposed to ensure that all
10 tenants facing eviction have access to free legal
11 services. Yet we are faced with eviction and no lawyer is
12 inside to assist. No one in the Courtroom explains that
13 we have a right to free legal services not direct us where
14 we can get those services. If anyone approaches us, the
15 approach comes like we're being granted a favor. An
16 assessment is done hurriedly, then we are sent to an
17 Attorney who gives us a few pointers, suggestions about
18 our case, then sends us on our way to face the Judge
19 alone. In the Courtroom we are shuffled into a mediation
20 room alone. A mediator prepares his paperwork, the place
21 is little importance to our story, yet the landlord's
22 lawyer is able to rattle all that we owe while he refuses
23 to agree to an abatement. Process is intimidating, we're
24 alone, no lawyer, no assistance and the discussion in the
25 mediator's room generally favors the landlord. After all,

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1 he has an Attorney. March 3rd is my trial date and I'm
2 still wondering how did I get to a trial date with no
3 attempt to settle this case before trial, no lawyer to
4 tell me what documents I need, what questions to ask. How
5 do I prove to the Court that I in fact should get an
6 abatement, a reduction in the rent that is owed? No one
7 to help convince the Court that the landlord must take
8 some responsibility for not holding up to his end of the
9 bargain because it is not—it is his not honoring his
10 responsibility that has me in evict—in evict proceedings.
11 You see, I refuse to pay for his breach of my right to
12 quiet enjoyment, but without a lawyer, I cannot convince
13 the Court of that fact. With a landlord's lawyer will
14 appear, say what he wants in the way only a lawyer can,
15 convince the Court that I am wrong and New York City will
16 have yet another law-abiding citizen evicted unfairly
17 without the promised representation. I believe the people
18 of the city deserve better; I deserve better. We are
19 hardworking taxpayers. We are law abiding people who need
20 proper housing free from the abuses of landlords who know
21 that they have lawyers to fight their cases.

22 MS. MEDLEY: 30 seconds.

23 MS. CAROLL: We too need lawyers to fight our
24 cases not the superficial half-hearted representation that
25 merely gives us suggestions, but Attorneys who can truly

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1 represent us in the Courtrooms. Yes, we had the law
2 passed four years ago, and I—but I employ you OCJ to
3 investigates its application and understand that as
4 currently obtains, it is wholly inadequate, ineffective,
5 and contributes to evictions, rather than curtailing the
6 number of unfair evictions. We need the assistance; we
7 need increased funding for the right to counsel
8 initiative. We look to you to assist us all the way in
9 getting the law to do what it was intended to do, to
10 provide counsels to all tenants facing eviction and thank
11 you.

12 MS. MEDLEY: Thank you. Catherine Keys
13 [phonetic]? Laura Govan [phonetic] or Govan? Whitney Hu
14 [phonetic]?

15 MS. WHITNEY HU: (Inaudible). Hi, everybody. My
16 name is Whitney Hu. I'm the Director of Civic Engagement
17 for—to provide affordable Housing. We provide affordable
18 housing services at locations in Brooklyn and Queens
19 within churches. The majority of our constituents are
20 black, brown, immigrant, working class New Yorkers who
21 come from across the city to our service sites. I'm not
22 being dramatic when I say the majority of them are either
23 currently in eviction proceedings and in housing Court or
24 they're very much at risk of being evicted. Since
25 (inaudible) and the moratorium expired, the most effective

1 way to keep our community and their homes has been right
2 to counsel. We do not provide legal services. We're very
3 reliant on being able to make referrals to many of the
4 organizations we've heard from tonight. Yes, sitting her
5 today, am from Sunset Park celebrated a big win in Court.
6 She came to (inaudible) when she was being harassed by her
7 landlord for late payments, even though (inaudible)
8 payment to her landlord on her behalf. He took her to
9 Court, but when we were able to refer her to legal aid and
10 she refused a lawyer to represent her, not only did she
11 win the right to remain in her home, she was also able to
12 win some much needed repairs for her home too. So that
13 one is really bittersweet because many of our members are
14 forced to go to Court right now without proper
15 representation. And why local Law 53 is also so important
16 because so many New Yorkers still don't know about their
17 right to a lawyer. And every time our organizers walk
18 into Court to support someone, they often walk out with
19 even more people in need. It's also why I just want to
20 really uplift the pain that I heard in Polaris from
21 Ticker's testimony because I feel that for my own
22 community in Sunset Park. And why I firmly believe our
23 demands to slow down to Court, to see OCJ join us in being
24 more vocal in the fight to defend RTC isn't a huge ask for
25 our city or shouldn't be one. RTC simply levels the

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1 playing field in Court between landlords who are often
2 represented with tenants who are often not. As such as
3 our administration wants to talk about the housing crisis
4 through building, supply, developer tax breaks, we could
5 really use OCJ in the mantle of this administration to
6 also elevate. So one of the best ways we can begin to
7 address this housing crisis is to also ensure that New
8 Yorkers are able to remain in the homes that they
9 currently have. I won't say before it's too late. It's
10 already too late, but we need to draw that line now
11 because every delay means another eviction. Thank you so
12 much.

13 MS. MEDLEY: Thank you. Randall Michael
14 [phonetic]? Javiel Sepulveda [phonetic]? Ahzad Ali
15 [phonetic]? Sonia Clark [phonetic]? Andrew Lin
16 [phonetic]? Sabrina Chen [phonetic]? Aldi Palacio
17 [phonetic]?

18 MR. ALDI PALACIO: (Inaudible).

19 MS. MEDLEY: Barely, your, your, volume is low.

20 MR. PALACIO: I want to raise the volume. You
21 hear me better?

22 MS. MEDLEY: Oh, it's scratchy. It's a-it's
23 hard to hear.

24 MR. PALACIO: Let me-let me-can you hear me?

25 MS. MEDLEY: Barely, go ahead. It's, it's low,

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1 but go ahead and, and maybe make sure you don't move too
2 much, but go ahead.

3 MR. PALACIO: Okay. I'm going to tell loud,
4 okay. I'm here to represent many of small landlords. As
5 you can see, I'm very active on the chat. I'm not against
6 tenants and used to be a tenant. I will say that all
7 these laws are wrong because they put on the same basket.
8 Corporate landlords and big landlords right now are
9 getting—I'm losing my house. I have some tenants that
10 personally, they've been trashing my house, they've been
11 doing a lot of bad things. No, all tenants are bad. What
12 I'm saying is that this approach for this problem is
13 wrong. They pushing all these lawyers and lawyers and the
14 legal help me got (inaudible), but they don't give this
15 money to that people. What they don't teach them how to
16 buy the house, but they don't teach them how to get an FHA
17 loan the way I did when I was here an immigrant working
18 hard. What they don't teach them how to fish, know how to
19 get this free help. This is no helping. This all—all
20 these politicians all day one is bought, right. What they
21 don't help. The real health is not going and just give
22 them free stop. If they have their own house, they're
23 going to take care of. Right now, I'm losing my house and
24 with an Asian group of people that—we are many and small
25 landlords, we are losing our house. I have a three-year-

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1 old daughter. My tenant, they bought luxury, luxury,
2 luxury cars, they all working. Now, I—the mistake that I
3 made try to help somebody, she—this lady came, she told me
4 she has four children on, on her country, I was trying to
5 help her. I rent her a room. Four year later, she has
6 four lawyers. I have no lawyer because the small
7 landlords, not all landlords are rich. We all not Rich.
8 I'm losing my house, and behind my mortgage payment, a
9 house that I worked for years. I worked seven years day
10 and night to buy my house. Why should I lose it? Because
11 you've given legal representation to all, all these
12 people. I'm not against—I'm not against landlords. I
13 don't know what they pushing so much about legal services.
14 A lawyer—I took my, my tenant to, to Court, it took me two
15 years I couldn't even evict him. How much money this
16 lawyer is making, it's making over \$200,000.

17 MS. MEDLEY: (Inaudible).

18 MR. PALACIO: So he's making over \$200,000. How
19 many landlords, how many tenants they can help? How many
20 tenants can buy houses with that money? But they don't
21 use that money just to help them to buy houses, but they
22 have to destroy. Now I'm going to be on the street and
23 these tenants are going to be on the street. Do you think
24 that is the solution? Late—sooner or later we need—I
25 wouldn't rent again in my life to nobody because I'm

1 traumatized even if they want to give me 50,000. So many
2 of the other small landlords, they thinking just like me,
3 this is a temporal fee, yes, they going to be in our house
4 for a while, but we going to find a way to evict them. Do
5 you think—now they going to be on the street and not going
6 to be on the street? Now, we going to have more people on
7 the street who's going to be affecting me because I'm
8 going to be forced to sell my house to the big
9 corporation. So I don't think this is the right solution.
10 I don't think --

11 MS. MEDLEY: -- 30 seconds.

12 MR. PALACIO: -- this is the right approach.
13 Okay. So this is all I want to say. Then, you know, say
14 hello to my other landlords and I think this is not the
15 right approach. I think they should just help them to, to
16 buy their own houses not to have simple solutions, you
17 know? New York is becoming like a communist country,
18 they forcing me to have—it's like going to the restaurant
19 no paying, sit down right there for your food. And on top
20 of that, asking for money because my tenants they're
21 asking me for money, for ridiculous amount or money.
22 They're asking me for \$20–40,000. You know, when I just
23 been renting them rooms; now, they, they need to be --

24 MS. MEDLEY: -- Time?

25 MR. PALACIO: -- thank you so much.

1 MS. MEDLEY: Thank you. DANNELLY Rodriguez
2 [phonetic]?

3 MALE VOICE: I see evict free (inaudible) evict
4 free—eviction free—eviction free.

5 MR. DANNELLY RODRIGUEZ: Yes, sir. You
6 (inaudible). My name is DANNELLY Rodriguez, I'm here on
7 behalf of the Legal Services Staff Association. I am an
8 attorney here in the mission, and I'm day in and day out
9 in Queen's housing court suing landlords and defendant
10 tenant every single day. So I really want to ground this
11 on what's going on in, in for other people's lives. Me,
12 myself --

13 MS. MEDLEY: -- Come on now.

14 MR. RODRIGUEZ: -- while I was studying for the
15 bar, I was issued a holdover proceeding. I was standing
16 in solidarity with New City tenants who were unable to pay
17 no rent. And I couldn't afford either.

18 MS. MEDLEY: Well.

19 MR. RODRIGUEZ: I'm the first of my family to
20 become an attorney.

21 MS. MEDLEY: Well.

22 MR. RODRIGUEZ: First generation and I come from
23 a story of Queens. Probably the most justified
24 neighborhood is (inaudible) city. There was war going on
25 in our city and called gentrification, right?

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1 MS. MEDLEY: Okay.

2 MR. RODRIGUEZ: And while I tried to get the
3 right to counsel, I was unable to. The, the law student,
4 the law graduate, the individual who passed the New York
5 State Bar, I knew my rights and I couldn't get right to
6 counsel. What's that mean for immigrants who can't speak
7 English?

8 MALE VOICE 2: Amen.

9 MR. RODRIGUEZ: What's that means for poor
10 people? What's that mean for black people (inaudible)
11 people (inaudible) to the (inaudible) access, right? And
12 now I'm inside the Court, I'm on the other side and I
13 can't help but notice every single time I'm in Court, that
14 every single person with very few exceptions looks like
15 me.

16 MS. MEDLEY: Go ahead.

17 MR. RODRIGUEZ: Every single time I'm in Court,
18 I just take a second and I look at that because it's
19 grounds. What is RTC? RTC means black lives Matter,
20 obviously means that the poor people matter.

21 MS. MEDLEY: (Inaudible).

22 MR. RODRIGUEZ: It means immigrants matter,
23 obviously it still means people matter. So we the
24 (inaudible) the judges need to stop blaming the Defendants
25 'cause the Defendants are the ones who are keeping people

1 in their home (inaudible). The, the, the cases through on
2 the behalf of the landlord throughout in this city, which
3 the Democrat and the Republicans (inaudible), so we need a
4 price (inaudible). So right to counsel is not a
5 privilege. It's a right now we should start acting like
6 this.

7 MS. MEDLEY: 30 seconds.

8 MR. RODRIGUEZ: That's the bottom line because
9 the people said so, let's go all power to the tenants and
10 make sure that we fund RTC. And then once we fund it, we
11 need to deify housing, abolish landlords, and guarantee
12 housing for every single (inaudible).

13 MS. MEDLEY: Thank you. Lauren Grady? Lauren
14 Grady?

15 FEMALE VOICE: Yes, just to move (inaudible).
16 Coming out a marriage separation, becoming a single parent
17 I've been a (inaudible) a parent and a hospital worker
18 during a pandemic. I was fortunate to found a home on
19 Columbus Avenue December of 2020.

20 FEMALE VOICE: Okay.

21 MS. LAUREN GRADY: My daughter said, I spent our
22 first time on an air mattress and checked the fact that we
23 were stable. We eventually acquired our first belongings
24 out stores and made it a home, right. Our first year, I
25 was made aware through a letter from the Office of

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1 Administration that my property was rent stabilized. The
2 current rent I was paying at 2150 was deflated from \$717.
3 I made my landlord company aware they (inaudible) to pay
4 what was legally required when it came to church my
5 intentions with renewing my lease. I was given an option
6 of 4,200 (inaudible). I had to become more my own
7 advocate. See what they didn't know or realize is that
8 I'm actually a counselor in the field of behavior help,
9 almost 18 years.

10 FEMALE VOICE: Yeah.

11 MS. GRADY: So I felt disrespected, disregarded,
12 and angry. I did the best way to utilize my emotions was
13 to reach out and I contacted a guy at Riverside for
14 assistance. As of today, I have overpaid \$30,000 and
15 received letter from the law office running an eviction
16 last month.

17 FEMALE VOICE: What?

18 MS. GRADY: And at the time of this meeting, I
19 received a call from the new management company asking me
20 to leave a payment plan for a monthly of \$3,500. So
21 during this housing experience, I was not aware of the
22 rights to counsel because it's not advertised. Yeah, I
23 was blessed to speak with representatives with the
24 (inaudible) Counsel Rick Goddard, who intend to guide me
25 through my journey. So moratorium on evictions would be

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1 the epitome of fear or just for tenant in order for them
2 to have an advocate. The fear of eviction and having to
3 go to Court without representation is an anxiety provoking
4 thought for anyone. We have individuals, community groups
5 and organizations willing to help carry the burden, but
6 are underfunded. They cannot operate from the empty well.
7 They're within our community. So (inaudible) cheerleader
8 for communication, reciprocity where ideas are shared,
9 people are heard that we work towards a resolution. So
10 keyword in the Office of Civil Justice, Justice
11 (inaudible) state (inaudible) evictions are entitled to
12 this. We're entitled to this in order to meet our daily
13 need thriving rather than existing in fear. Thank you.

14 MS. MEDLEY: Thank you. Milton Jones
15 [phonetic], I just saw it pop up in the chat I was just
16 about to call your name. I don't know if you logged out
17 yet.

18 MR. MILTON JAMES: Okay then. Hi. Thank you,
19 Raniece, and thank you, all. I've enjoyed this quite a
20 bit. Some very riveting stories, Pilar, Alex and others
21 who brought it to home. I'm a former school
22 administrator. And I did work at the District Attorney's
23 Office for a while and I'm now a, a tenant in need at the
24 Goddard Centered. I would say that just from what I've
25 heard a lot speaks to criminal behavior with landlords and

1 supporting staff, superintendents of buildings and as well
2 as management. And so you're, you're dividing yourself
3 between people interested in dealing in housing Court and
4 then also having to deal with criminal activity at the
5 same time. They cannot navigate it by themselves. You,
6 you need to fund the RTC program, it needs—you just cannot
7 survive through Court by themselves. Many of the stories
8 have been riveting, I mean this, this as to what's
9 happening here. But I would say as a suggestion, as an
10 educator, I think it would be a great idea to partner in
11 some way, someone with the (inaudible) system. There's a
12 powerful, powerful powerhouse of young adults there, ready
13 to go, as Pilar said earlier, into the legal profession as
14 paralegals, as secretaries, as lawyers. And if you can
15 begin that process through funding, then you can really
16 begin to get a powerful group of Attorneys and staff
17 members ready to take on this. Those that are there now,
18 doing the work to supervise them to the end because
19 they're experienced it's needed. That's just from my
20 background as the school administrator, as, as working at
21 the District Attorney's Office, though I had the pleasure
22 of working with Elizabeth Holtzman. And she was very
23 wonderful to work with and very bright herself. And it
24 just speaks to the fact that many of the Attorneys for the
25 landlords and some landlords, not all as the young man

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1 spoke about earlier, earlier, but some of them
2 particularly those with lots of money, have no qualms
3 about going into criminal aspects to get tenants out and
4 that needs to be addressed more often. It's not housing
5 Court you're talking about it's a-it's a-those are
6 criminal activities. So thank you all for, for this
7 wonderful, wonderful chance to talk and I hope that
8 discontinued funding. Thank you.

9 MS. MEDLEY: Thank you. MJ Fontaine [phonetic]?
10 Fabian Bravo [phonetic]? Kim Kaiser [phonetic].

11 MS. KIM KAISER: Hi. I'm Kim Kaiser. I'm a
12 tenant in Brooklyn and I guess like a tenant organizer for
13 the last year or so. It's, it's plain to see that without
14 counsel, tenants are having extreme disadvantage in
15 extreme, like, complete risk of being in house. I, I
16 don't want to live in a city where people are just grown
17 out of their homes like a dozen. Also, I'm, I'm from
18 Brooklyn I've lived here-I've lived in for like 10 years
19 and I've lived as a tenant of my in-laws for a lot of that
20 time. But I'm from Brooklyn originally and I've finally
21 moved out of that home and I'm now living-paying rent to a
22 landlord that I don't know personally. So my housing is
23 on the line now and I'm glad to be in solidarity with my
24 fellow tenants here in Brooklyn (inaudible). Housing, is
25 it human, right? Yes, (inaudible). And we collectively

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1 worked to bring right the coalition to bring (inaudible).
2 It has to be defended. It—you don't have to even be a
3 tenant to know that when you're in a Court proceeding,
4 your right to counsel is everything.

5 FEMALE VOICE 2: That's right.

6 MS. KAISER: Right. So we, we need to pause all
7 cases for eligible tenants who don't have counsel until
8 there is lawyer capacity. We need to manage the wait list
9 of tenants to make sure that all tenants who are denied
10 right to counsel get a lawyer. We need to meet regularly
11 with tenants and organizers to develop solutions. If
12 there are landlords like helping in the chat who don't
13 think this is the way, then, then actually show up and
14 fight for your fellow people in this city that you live in
15 with them.

16 FEMALE VOICE: Yes.

17 MS. KAISER: It's really not that complicated.
18 We find the one option that tenants have a day in their
19 home or we admit that we don't care. It's, it's simple.
20 For now, publicly, when will you release the request for
21 proposal for fiscal year 2024 and the 3.5 million you are
22 allocating? This is law it has to be respected.

23 MS. MEDLEY: Thank you. Kecia McFadden
24 [phonetic]? Bebe [phonetic]?

25 MS. BEBE: Hi?

1 MS. MEDLEY: Go ahead.

2 MS. BEBE: Hi. I am a small landlord. I hope
3 I'm in the right room, but I would like to speak about my
4 experiences. Being a small landlord has many challenges,
5 and going to—going to landlord tenant court and having a
6 free Attorney provided for the tenant creates many of
7 times creates a lot of obstacles for the landlord. It
8 deteriorates the, the relationship between the tenant and
9 the landlord. There is too many postponements, which
10 creates a delay and lots of times that create financial
11 hardship. And at the end of it, the, the landlord and the
12 tenant relationship cannot be repaired. It makes the
13 relationship so deteriorated that the fact that it
14 stretches out so many delays in the Court system and it
15 creates a serious problems for the landlord. The Court
16 itself is a watchdog for the landlord. The judges and the
17 Court's attorney provides all that the law allows them to
18 protect the landlords. The Court itself is at --

19 MS. MEDLEY: 30 seconds

20 MS. BEBE: -- I'm sorry to protect the tenant.
21 The Court itself is a watchdog on that process. The DHCR
22 also is another protection for the tenants. The HPD and
23 the DHCR is also a protector of the tenant. So it's not
24 like the tenants are not being represented and to stretch
25 the Court—the Court calendar for a longer time with all

1 these delays make it so hard for the landlords with this
2 financial hardship. I also heard another landlord testify
3 he doesn't want to rent. This is why so many units are
4 being withheld from rental. I, I would suggest, you know,
5 paying the landlord, having a good relationship with the
6 landlord is the way to go. And I have been a landlord for
7 39 years and the backup that is caused by Legal aid,
8 Queen's legal, and all these others are really creating a
9 hardship for both sides. The tenant --

10 MS. MEDLEY: -- 30 second.

11 MS. BEBE: -- as well as the landlord. And I
12 also think the right to counsel and the funding for that
13 should be given for the tenants to pay their rent instead
14 of having this charade of postponement in the Court,
15 backing up the Court calendars that cannot move it's
16 creating a very big hardship. And tenants should pay
17 their rent in order to keep their apartment and not become
18 homeless and work out.

19 MS. MEDLEY: Time is up. Fine. Thank you.
20 Jerry Rivers [phonetic]? Tiffany Goodson [phonetic]?
21 Rhonda Pitts [phonetic]? Sean Abbott [phonetic]? Jordan
22 Cooper [phonetic]? Susanna, Susanna Blankley [phonetic]?

23 FEMALE VOICE 1: (Inaudible).

24 MS. MEDLEY: For those who may not have picked
25 up one of the speakers with the right to counsel coalition

1 has asked that their time be used for, for—there you are.
2 Now we can have, have, have—we have some sound, but that's
3 why we will pause, all right. Thank you. Thank you all.
4 Susanna, did you want to speak now? Susanna Blankley?

5 MS. SUSANNA BLANKLEY: I'm going to have Brenda
6 speak in my spot.

7 MS. MEDLEY: Okay.

8 MS. BRENDA: Listen, I'm going to be real. In
9 the landlord, landlord (inaudible) something that was a
10 (inaudible) black woman who had a relationship with my
11 landlord who has lost my job (inaudible) the divorce.
12 (Inaudible) when (inaudible) okay. When you don't want
13 (inaudible) that's about eviction. I was (inaudible) for
14 eight years for (inaudible) like you guys with the big old
15 house in little island (inaudible) people's money, you
16 know, and that (inaudible), you know, how it (inaudible).
17 (Inaudible) that we worked hard to (inaudible) you all
18 (inaudible) and stop making (inaudible) anymore.
19 (Inaudible) no (inaudible) we worked as (inaudible)
20 whatever somewhere (inaudible). (Inaudible) so get off,
21 we don't look like we knew (inaudible), okay (inaudible)
22 get off.

23 MS. MEDLEY: 30 seconds.

24 MS. BRENDA: (Inaudible).

25 MS. MEDLEY: Debra Leggett [phonetic]?

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1 MS. BRENDA: (Inaudible).

2 MS. MEDLEY: I can't I can't hear you all.
3 Debra Leggett? I have phone number (347) 907-0606?
4 Althea Matthews [phonetic]?

5 MS. BRENDA: (Inaudible).

6 MS. MEDLEY: We can't—we can't hear you well, if
7 you're speaking into the mic.

8 MS. ALTHEA MATTHEWS: (Inaudible) sign that bill
9 is 2017. And it's a shame that right now that this law is
10 not being for (inaudible) and it should funding—and should
11 funded 'cause this is the right to see people in their
12 home. I was in the shelter for three years. I just got
13 out a month ago right, in my (inaudible). I'm (Inaudible)
14 like too many people in the shelter and we don't get this
15 right? This is on—this City is going to be (inaudible),
16 that's right. This, this is for some reason it seems like
17 there's a conspiracy. Black and brown people with the
18 (inaudible). I have worked with every (inaudible).

19 MALE VOICE 1: (Inaudible).

20 FEMALE VOICE 1: There is conspiracy.

21 MS. MATTHEWS: (Inaudible) in the shelter for
22 years (inaudible) day, day and out and then the OJC is
23 doing this to the people (inaudible). There's a
24 conspiracy. This is just not happening (inaudible), there
25 is a conspiracy there. Money housing shelter is a

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1 business and they want more people (inaudible) stabilized
2 vacant apartment. They don't want to house nobody; they
3 want to continue (inaudible) industry for eight to counsel
4 (inaudible). What is this local law to keep (inaudible)
5 in home so they can do job effectively. Their
6 (inaudible). (Inaudible) and didn't make to be
7 (inaudible). We need a (inaudible) at (inaudible)
8 advocating to the right of counsel. Thank you.

9 MS. MEDLEY: Thank you. Fidel Albert
10 [phonetic]? We, we can't hear you.

11 MS. FIDEL ALBERT: Pardon me?

12 MS. MEDLEY: It's hard, hard to hear you.

13 MS. ALBERT: Inaudible) Fidel Albert
14 (inaudible), but you can see some of my buttons thank you.
15 The purpose of right to come, the purpose of right to—the
16 purpose of right to counsel is that no tenant --

17 MALE VOICE 1: -- (Inaudible).

18 MS. ALBERT: -- that no tenants have to go to
19 Court without an attorney. The Court (inaudible) people
20 (inaudible) for presentation. The Court looks (inaudible)
21 all eviction cases. So I have known (inaudible), yes, all
22 eviction cases, right? All eviction cases, know
23 (inaudible) go to court without legal representation
24 permitted. (Inaudible) and we know lawyers to take on
25 these cases for tenants if the Court do not (inaudible).

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1 The Judge are often working in favor of the landlord,
2 because, you know, why they offer the money (inaudible)
3 the Court (inaudible) to get their favor, yes, put in
4 their favor, okay? Many times—many times I tricked in the
5 signing documents, right? Are, are tricked in signing
6 documents by the landlord attorney that they do not
7 understand because of terminology, that one is true. I
8 can to that. This leads to consequences for (inaudible),
9 right? This leads to consequences of tenants still be
10 evicted (inaudible), right? I went through, excuse
11 (inaudible). I went through harassment or (inaudible) of
12 the (inaudible), same thing—like same thing (inaudible) of
13 harassment from a pathological liar (inaudible) to fight a
14 lawyer, organization and (inaudible) the National Domestic
15 Private Alliance. (Inaudible) in all that I have been
16 left without representation. (Inaudible) if I had
17 representation (inaudible), I would've been evicted.
18 That's why the right to counsel is so important and I
19 support them 100 percent. We have state right to counsel,
20 that was (inaudible) demand that both CJ guarantees more
21 lawyers for tenant and to address all cases for tenant
22 that do not have a right to counsel until they do to --
23 MS. MEDLEY: -- It's time.
24 MS. ALBERT: -- how do we get (inaudible) if it
25 helps (inaudible). To get a lawyer to defend and helps

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1 them (inaudible) from getting evict in their home and to
2 stop harassment form these strong landlords. Free means,
3 eviction free New York (inaudible). That's the same
4 (inaudible), right? The right to counsel to defend the
5 right to counsel. Thank you.

6 MS. MEDLEY: Thank you. Lawson Govin
7 [phonetic]?

8 (INAUDIBLE CONVERSATION)

9 MS. MEDLEY: I'm just going to call again phone
10 number with the hand raised (347) 907-0606. What do you
11 say? And one last time, Lara-Laura, excuse me, Govan or
12 Govan. Thank you.

13 MS. LAURA GOVAN: Thank you, (inaudible).

14 MS. MEDLEY: Thank you.

15 MS. GOVAN: Thank you. (Inaudible).

16 [INAUDIBLE CONVERSATION]

17 MS. MEDLEY: I refer to you, go ahead.

18 MS. GOVAN: right to counsel was not in effect
19 when I was unlawfully evicted from my home. I was forced
20 and I, I still ongoing, continuing to fight the issue
21 involving the unlawful illegal eviction that took place.
22 And I was then-I was not able to obtain legal counseling
23 at that time which despite the fact coming to Court. When
24 I first appeared in thereafter, that they didn't have
25 authority to respond because I was a served properly, the

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1 matter continued over several years. I was (inaudible)
2 they were—I was—I was appointed—I was appointed a, what do
3 you call (inaudible) to aid—to prevent me from being
4 evicted with less than being evicted after the, the
5 illegal things took place in the—in the in the proceeding.
6 I strongly feel I'm going to minimize respect. It's
7 necessary for tenants or people to have legal
8 representation and it's necessary to have organizations
9 like RTC and (inaudible) and all to assist because they're
10 not privy to the, you know, the language and the
11 proceedings and so forth. And so if you're in there
12 representing yourself without that, you know, you are at
13 a, you know, you're limited, you understand? And it
14 should be limited where you would have to do that because
15 the landlord had (inaudible) professional people or you
16 know, people with, you know, what you call educated
17 processes to move you forward. And it's unfair for those
18 who have not afforded that to have to navigate through
19 this type of system, you know? And it's necessary to have
20 these things (inaudible). You know, this, we have a law
21 that's in place that's not being enforced.

22 MS. MEDLEY: 30 second.

23 MS. GOVAN: I'm not emphasizing that they
24 enforce the right to the counsel and, and it should be
25 voiced loudly amongst all of us, understand? Because it's

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1 not just the black grounds and immigrants, its people who
2 be entitled to have, you know, a group of human rights to,
3 to living a home, you understand? And these things are
4 being denied, you understand. And (inaudible), I say I
5 can greatly say that because it's me against the Court of
6 administration. If you're looking at a person who filed a
7 lawsuit, that's why I constantly tell them who can file a
8 lawsuit. And they're saying that, you know, it's
9 dismissed because, you know, I have to go back to who was
10 authority in the lower Court for the issue that I brought
11 to their attention --

12 MS. MEDLEY: -- Time.

13 MS. GOVAN: -- (inaudible), you understand? And
14 this is what I believe that was probably have to come
15 about as far as in for-involving the rights to counsel
16 time.

17 MS. MEDLEY: Time.

18 MS. GOVAN: And (inaudible).

19 MS. MEDLEY: Thank you. Chaplain Sandra
20 Mitchell?

21 MS. CHAPLAIN SANDRA MITCHEL: Ms. Raniece, thank
22 you for allowing me to speak. Good evening, evening,
23 everyone. Blessings to everyone. My name is Chaplain.
24 Sandra Mitchell and I am a member of the Northwest Bronx
25 Community Coalition, but started as CASA, Community Action

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1 for Safe Apartments. I was going through a housing
2 eviction process when I joined CASA and there was no right
3 to counsel. I had to—I had to represent myself. I became
4 physically ill and I didn't know what to do. My landlord
5 had, had falsified documents and brought this big
6 spreadsheet for four years of just lies. And the thing is
7 that I had all my leases—signed leases, I had all of my
8 counsel sheets with this, he didn't think that I would
9 have that information. So he just—he just said, oh, You
10 Honor, I, I have so many tenants, you know, I got things
11 mixed up. So he was a lie slap a lie in Court while I
12 have to stand there, you know praying, praying that God
13 would help me not to fall out. And eventually I fought
14 for as long as I could, but then I lost the case. And
15 because I didn't have right to counsel, because right to
16 counsel did not exist. So I had to go to the shelter
17 where I had a stroke and now, I'm—I have my apartment
18 again. And these pretty landlords, I mean, they would
19 take you, drag you to Court, they would bully you, they
20 will come to your house and they'll bully you. They will
21 make you feel like you have no choice. They will raise
22 your rent even for rent stabilized tenants and if you
23 don't know your rights, you are at their mercy. And so
24 I'm—or I'm asking the OJC to enforce the law, this is a
25 law. Right to counsel needs to be not just citywide,

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1 needs to be federal across the country. It needs be
2 statewide, state to state, all the 50 states because this
3 is all-out attack on tenants. And even people who own
4 their own homes are suffering. And I'm saying I know that
5 there's a G-d that sits up high and looks down low and he
6 works to people also. He's not some abstract whatever.
7 And G-d is going to hold each and every one of us
8 accountable for what we did not do to do the right thing.
9 I'm telling you; no one needs to go through this. We
10 didn't ask for COVID. This is not our fault. We were not
11 lazy or shirking our responsibility. I prayed to G-d.
12 Seriously, I don't want anyone to be harmed, I don't want
13 anybody to have to go to the shelter, I don't want anyone
14 to be getting even more-sick costing the city a lot of
15 money. It's \$3,000 per head in a shelter. They put you
16 all in one room, six women into one room. It's a horrible
17 place. It's a horrible place to be in.

18 MS. MEDLEY: 30 seconds.

19 MS. PAULETTE JAMES: And I'm just saying, we
20 need the right to counsel. We need a fair shake. And we
21 need to stop this-it's inhumane. And we are going to-G-d
22 is going to come and he's going to squat his wrath upon on
23 each and every one of us if we don't do our right thing.
24 Thank you.

25 MS. MEDLEY: Our final two speakers, Lucy Block

1 and Sarah Lazur. Lucy Block.

2 MS. LUCY BLOCK: Thank you for the opportunity
3 to testify. My name is Lucy Block. I'm a Senior Research
4 and Data Associate at ANHD. And testifying on behalf of
5 (inaudible). We've been working with the Right to Counsel
6 Coalition for over four years to obtain, publish and
7 analyze housing court data from the Office of Court
8 Administration, which has otherwise not been available for
9 public analysis. And that data allows us to quantify the
10 state of evictions in New York City and New York State.
11 So with that data, we've been able to track trends and
12 eviction filing throughout COVID as well as the expiration
13 of legal protections. So despite many people calling it
14 eviction (inaudible) during the pandemic, 82,000
15 residential evictions were filed in New York City,
16 (inaudible) and January 15th, 2022. Over 110,000 evictions
17 have been filed since then. (Inaudible) legal service
18 providers warn that the uplifting of eviction protections
19 would flood and overwhelm the Courts because there was not
20 adequate infrastructure to handle all the eviction cases
21 in the pipeline. Despite that, the Court decide to revert
22 to the pre-pandemic status quo with severe consequences,
23 which we are seeing now. Since early last year, providers
24 have not been able to take on all tenant states eviction
25 were eligible for RTC. Tenant attorneys do their work

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1 because they care deeply about tenant's right to housing
2 and they're overworked and exhausted. Over and over,
3 they're facing the impossible choice of either turning
4 tenants away, meaning that tenant may unnecessarily lose
5 their home. By taking on so much work that they simply
6 cannot do it all with integrity, and as a result, they're
7 experiencing intense burnout, meaning that they're leaving
8 their organizations in droves, which is only exacerbating
9 the problem. With OCJ data we've been able to calculate a
10 rate of representation for eviction cases filed since
11 January 15th of last year, and we found that only 47% of
12 tenants who appear in court at least twice have received
13 representation in their case, whether through rights
14 counsel or not. That means that that figure includes
15 tenants who have retained private counsel and the actual
16 rate of Right to Counsel representation is lower than 47%.
17 It's been estimated that 82% of tenants are eligible for
18 its counsel. As of this week, over 17,000 tenants have
19 faced eviction in court alone since January 15th of last
20 year. We know that this denial of legal representation
21 harmed tenants of color the most. My organization has
22 found that evictions are filed more than twice as often in
23 majority people of color as opposed compared to majority
24 white opposed. The victims destabilized households in
25 communities they feel displacement. New York has the

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1 power to change this, and is the Office of Civil Justice's
2 responsibility to make sure that we do. OCJ was created
3 to implement Rights to Counsel and is responsible for
4 upholding it. OCJ --

5 MS. MEDLEY: -- 30 seconds.

6 MS. BLOCK: -- fulfilling that responsibility.

7 And by remaining silent, office is allowing legal services
8 providers to take the blame are a problem that only can be
9 solve by the Court. We call on OCJ to publicly state that
10 you'll defend RTC, we call on you to demand the Court
11 (inaudible) all the cases where a tenant is eligible for
12 RTC until the tenant is able to retain (inaudible).
13 (Inaudible) until all pending cases have retained RTC
14 attorneys to reduce the volume of cases to keep cases
15 available, provider capacity, welcome so that lawyers have
16 time to do their work properly. You're calling me to
17 manage the wait list of tenants to ensure that all tenants
18 who have denied RTC get a lawyer and to increase the
19 budget for RTC by at least 70 million and ensure that that
20 future funding matches the needs.

21 MS. MEDLEY: Time.

22 MS. BLOCK: (Inaudible) release the fiscal year
23 (inaudible) request for proposals for 3.57 million to
24 implement local law 53. And we request that like you did
25 previously, that you meet regularly with tenants or

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1 organizers to develop true solutions.

2 MS. MEDLEY: Thank you. And Sarah.

3 MS. SARAH LAZUR: Hi. Thank you. My name's
4 Sarah Lazur and I am a member of the Crown Heights Tenant
5 Union and the Right to Counsel Coalition. And yeah, that
6 was a broad picture from (inaudible) I guess I want to go
7 more local. The Crown Heights is the neighborhood that
8 has been under siege for rapid gentrification which is
9 what led the founding of our tenant union 10 years ago.
10 And it's a constant cycle of displacement and overcharge,
11 refused repairs and constant harassment fueled by
12 speculative development because we're targeted for
13 rezoning's, et cetera. And we're an all-volunteer tenant
14 led union of long-term residents and new arrivals, and
15 we're strong and we see that we are all being ground up by
16 this same cycle of displacement and overcharge. They're
17 strong, but between 2022 and 2020, Crown Heights lost
18 19,000 Black people in Crown Heights North alone and
19 that's more than any neighborhood in the city. Since the
20 moratorium, Crown Heights North has had more evictions
21 than any other neighborhood in the city that we
22 consistently rank in the top five for the most code
23 violations of any neighborhood in the city. So this is a
24 neighborhood under siege, right, when a Crown Heights
25 Tenant is brought into housing court, our cases are

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1 complex and they always involve counter claims as serious
2 repairs issues, denial of services, overcharge and/or
3 illegal deregulation. Also in our neighborhood, thousands
4 of stabilized units suddenly went missing after the 2019
5 grid laws. And also, we've noticed that many tenants
6 their landlords have been weaponizing the police with
7 false claims and false charges against them. So all of
8 this together, all of these counter claims are so far
9 beyond what the average tenant can be reasonably expected
10 to argue or to prove on their own. That's why we need
11 representations to adequately seek justice. But the
12 complex situations that we're dealing with that are
13 leading to our eviction. When you let these cases move
14 forward without representation, you're condoning the
15 status quo. And that leads to the disintegration of a
16 neighborhood. And that's not something you can never get
17 back. Once you lose your home, you can never get it back.
18 Once you lose your neighborhood, you can never get it
19 back. So please be courageous and defend right to
20 counsel. Make sure that all cases are adjourned until
21 they can get representation. Thank you.

22 MS. MEDLEY: Thank you. So as we mentioned,
23 those were our final speakers. I want to thank you all
24 for your time, for your attention, for amplifying your
25 voices here this evening. You have been heard. I want to

1 take the opportunity as well to thank --

2 MS. BLOCK: -- There's someone named Beverly who
3 was on the list who was never called.

4 MS. MEDLEY: This will be our last speaker just
5 so we're clear and then, and then we'll wrap up. Thank
6 you.

7 MS. BEVERLY RIVERS: Hello. My name is Beverly
8 Rivers and I'm a proud tenant leader of Flatbush Tent
9 Coalition. For all tenants who have access to legal
10 representation and inform them about their rights when
11 they held in court, tenants are not actually receiving
12 this right. But with the past three years, more than
13 60,000 tenants were denied Right to Counsel due to the
14 Court over scheduling cases and moving them through
15 faster. (Inaudible) that housing courts are more
16 concerned about the landlord and the right of the tenant.
17 The impact of this is that tenants' rights are not
18 acknowledged, and the issues are not being resolved in the
19 Court. This is leading to high eviction because tenants
20 are not being heard or given a fair trial. OCJ needs to
21 ensure tenants have access and better understanding of
22 their rights. It is the OCJ's responsibility to hold
23 eviction proceeding until all tenants have representation.
24 (Inaudible).

25 MS. MEDLEY: Thank you. On that note, again, I

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1 want to thank you all for joining us this evening. I want
2 to acknowledge our ASL interpreters, Sister Pamela O.
3 Mitchell and Genevieve [phonetic], thank you so much. I
4 want to also thank our in Spanish language interpreters in
5 the interpretation room, Levine and Juan Carlos
6 [phonetic], thank you. Thank you very much for your work
7 this evening. And again, thank you all for your
8 commitment here and for being with us in this space.
9 Thank the providers for what you do every day and for
10 sharing today with us this evening with us. I also,
11 again, want to shout out my team. Thanks some of the
12 members, Marissa who stayed here with us on site, Jaclyn
13 who left us online. And if I'm missing anybody from my
14 team, sorry about that. But again, thank you all so much
15 more to come. You all have a good evening. Thank you.
16 Goodbye.

17 (Proceeding Concluded.)

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C E R T I F I C A T E

I, Edwin Ademba, certify that the foregoing transcript of proceedings in the New York City - Human Resources Administration - Office of Civil Justice, Public Hearing on OCJ's Universal Access to Legal Counsel Program, was prepared using the required transcription equipment and is a true and accurate record of the proceedings.



03/01/2023

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