

Universal Access to Legal Services

A Report on Year Two of Implementation
in New York City

Prepared by the
Office of Civil Justice
New York City Human Resources Administration
Fall 2019

Introduction

On August 11, 2017, Mayor Bill de Blasio signed into law City Council Intro 214-b. This legislation made the City of New York the first city in the United States to commit to make legal services available to all tenants facing eviction proceedings in housing court and public housing authority termination of tenancy proceedings. This historic legislation - Local Law 136 of 2017,¹ also known as the Universal Access law - tasks the Office of Civil Justice (OCJ) of the New York City Human Resources Administration (HRA) with implementation that would achieve this historic milestone by 2022.

As part of the implementation of Universal Access, OCJ issues annual progress reports² on the development, deployment and impact of our legal services for tenants facing eviction. In this second progress report, we are proud to detail the substantial progress made over the last fiscal year in bridging the “justice gap” for tenants facing potential eviction in court and displacement from their homes and neighborhoods. These efforts – in which OCJ has partnered with over a dozen nonprofit legal services organizations to make these critical services available – have delivered a range of positive and promising results, as detailed in this report.

New York City’s commitment to access to justice for tenants in need is reflected in a substantial increase in mayoral funding for these critical services over the last several years. In City Fiscal Year 2013, mayoral funding for tenant legal services programs was approximately \$6 million. In City Fiscal Year 2019,³ HRA’s baseline budget included \$105 million in funding for tenant legal services programs. FY2019 marked the second phase of implementation of Universal Access, and this phase included substantial growth in the reach of legal services provided to New York City tenants as well as targeted expansion of programming to provide access to legal assistance to tenants in additional neighborhoods in need. As of FY2020, tenant legal services programs are funded by the Administration at over \$128 million. Universal Access is expected to be fully implemented in 2022, at which point all tenants in eviction proceedings in New York City Housing Court and at NYCHA will have access to free legal services. At full implementation, Universal Access will be supported by a projected \$166 million in mayoral funding annually and is expected to provide free legal services in approximately 125,000 cases per year to 400,000 New Yorkers.

¹ New York City Administrative Code Title 26, Chapter 13: Provision of Legal Services in Eviction Proceedings.

² The information presented in this report reflects OCJ’s analysis of data available as of this report’s publication date, including data as reported by the New York State Office of Court Administration (OCA) and the New York City Department of Investigations (DOI), and the New York City Housing Authority (NYCHA). OCJ’s reports may be found at www.nyc.gov/civiljustice.

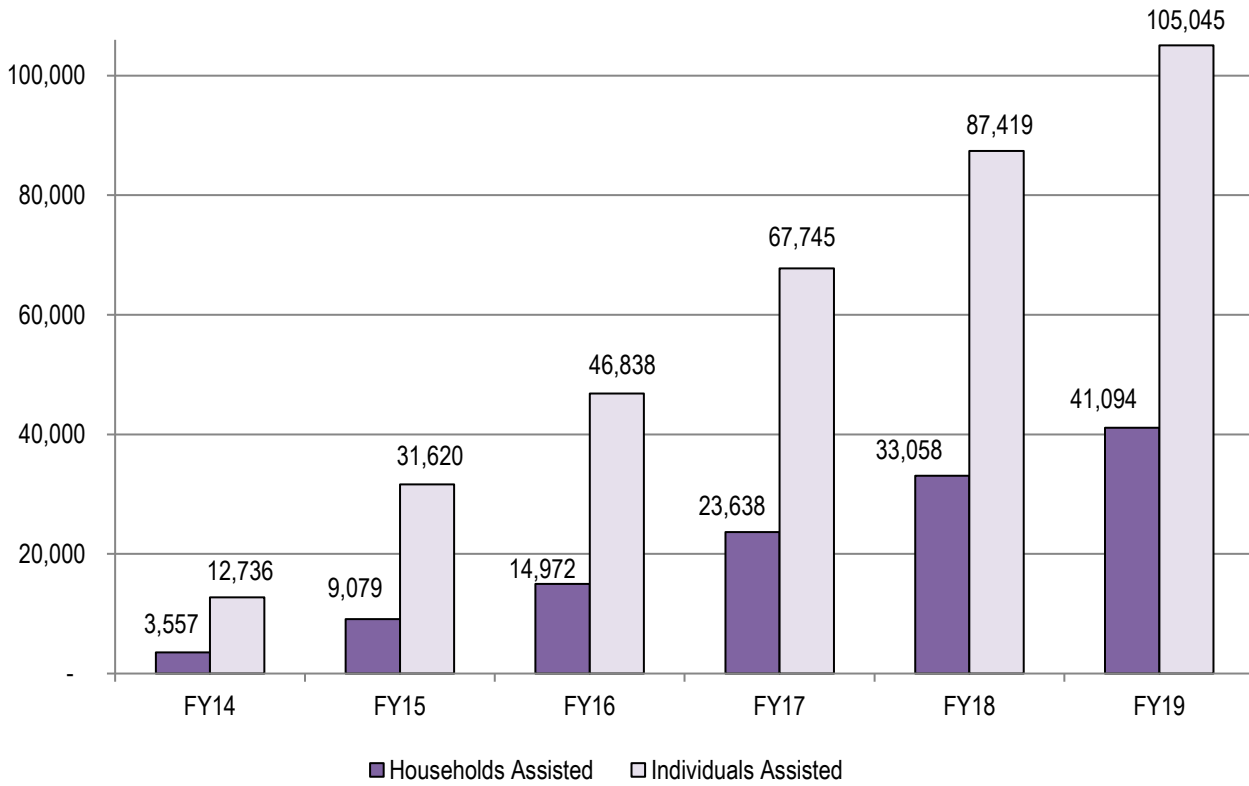
³ July 1, 2018 through June 30, 2019.

Through OCJ's legal services programs, access to justice for tenants facing eviction and other housing challenges is at an all-time high.

In FY2019, the second full year of Universal Access:

- OCJ-funded legal organizations provided legal assistance to approximately 105,000 New Yorkers in approximately 41,000 households across New York City facing housing challenges including eviction, disrepair, landlord harassment and other threats to their tenancies. This reflects a 24% increase in households served compared to the prior year and a 74% increase compared to FY2017, before the formal launch of Universal Access.
- For the first time, OCJ's tenant legal services programs provided assistance to over 100,000 New Yorkers in a single fiscal year.
- As of June 30, 2019, more than 350,000 New Yorkers had received free legal representation, advice, or assistance in eviction and other housing-related matters since the start of the de Blasio Administration in 2014 through tenant legal services programs administered by the Human Resources Administration.

New York City Households and Individuals Receiving Administration-Funded Housing Legal Assistance
January 1, 2014 – June 30, 2019



Source: OCJ Administrative Data.

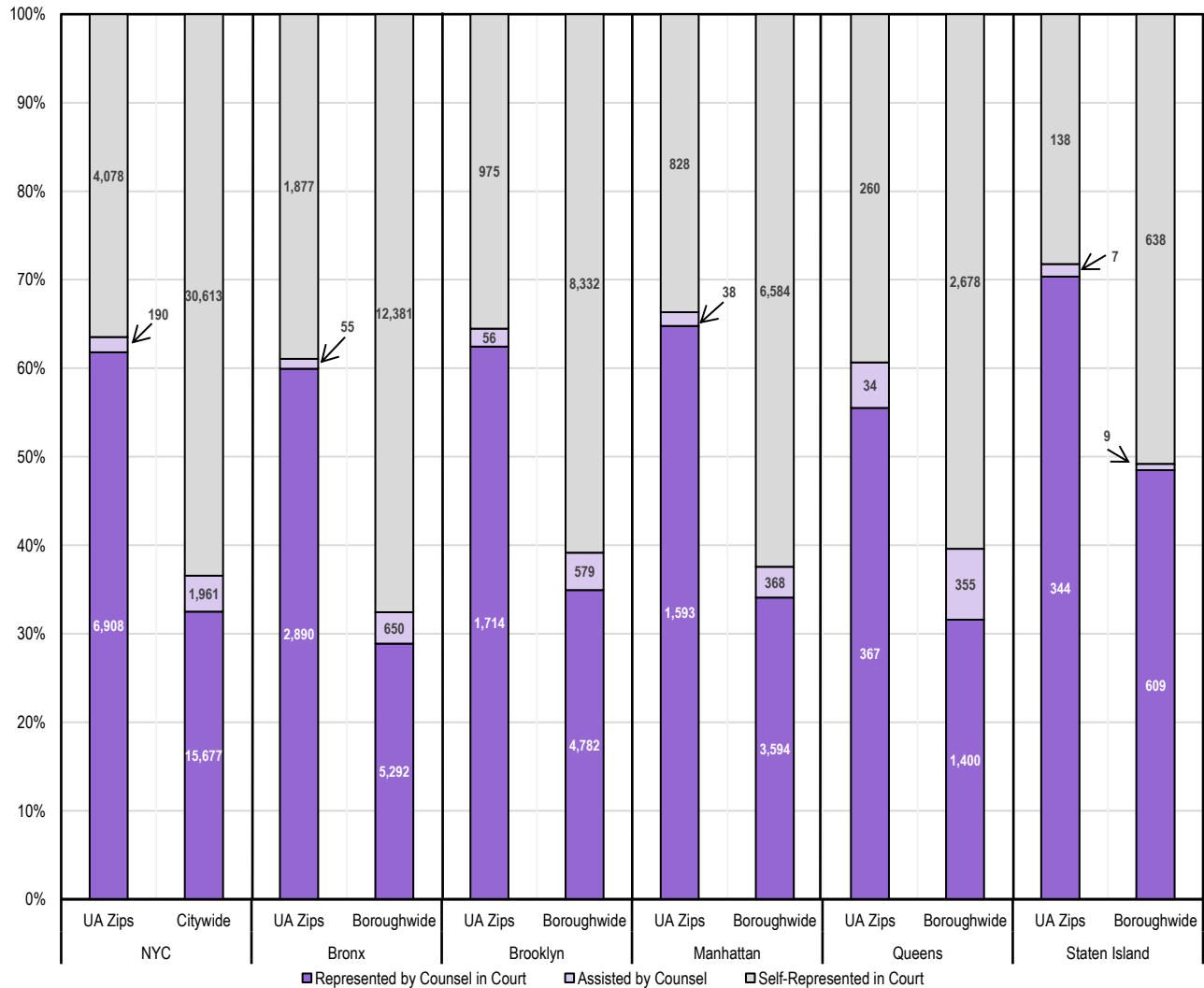
More tenants facing eviction were assisted by OCJ's legal services in Fiscal Year 2019 than ever before, as the percentage of tenants with lawyers in Housing Court continued to grow.

Historically, the vast majority of tenants in Housing Court faced eviction proceedings without legal representation while landlords consistently had counsel, but this dynamic has been changing since the Administration has increased its investment in tenant legal services and launched Universal Access. The trend continued to improve in FY2019. The number of households in eviction cases in Housing Court that were assisted by OCJ's legal services programs rose by more than 25% in FY2019 compared to the year before, increasing from 25,649 to 32,170. In the last quarter of FY2019, over 32% of tenants appearing in Housing Court for eviction cases were represented by attorneys, reflecting a nearly 3% rise in the representation rate compared to the year before and an exponential increase from the representation rate for tenants of only 1% in 2013 as reported by the State Office of Court Administration. Legal representation rates in court varied across the boroughs, with the Bronx at 29%, Queens at 32%, Manhattan at 34%, Brooklyn at 35%, and Staten Island at 48%.

Universal Access is being implemented via a phased-in "ZIP-by-ZIP" approach⁴ that has enabled OCJ to partner with the Housing Court administration and legal services providers to facilitate meaningful and effective methods of providing access to counsel. As a result, there has been a substantial impact on the availability of legal assistance for tenants in these communities in need. Whereas the legal representation rate for tenants appearing in Housing Court to face eviction cases was 32% citywide at the end of FY2019, the rate was 62% for tenants in the twenty ZIP Codes targeted in the first phases of Universal Access implementation. This reflects a roughly 8% increase in the proportion of tenants with defense lawyers in their eviction cases in targeted neighborhoods compared to the year before. Here, too, rates varied across the boroughs, with Staten Island exhibiting the highest legal representation rate at 70%, followed by Manhattan at 65%, Brooklyn at 62%, the Bronx at 60% and Queens at 56%.

⁴ This is discussed in detail in this report in the section entitled "Legal Services for Tenants Facing Eviction in Housing Court: Boroughs and ZIP Codes."

Legal Representation⁵ and Assistance Rates for Tenants Appearing in Housing Court in Eviction Proceedings
April 1, 2019 – June 30, 2019



Sources: NYS Office of Court Administration data as analyzed by OCJ; OCJ Administrative Data.

⁵ Legal representation rates were determined by combining data from the NYS Office of Court Administration regarding eviction proceedings in New York City Housing Court for which legal representation was indicated in such data and OCJ administrative data indicating that full legal representation was provided by OCJ legal services providers in cases marked as “self-represented” in court data.

Residential evictions reached historic lows in 2018, and the majority of tenants represented in court through OCJ's legal services programs are able to stay in their homes.

As we found in last year's report, when lawyers have represented tenants in court, they have been successful in preserving the homes of thousands; in Housing Court eviction cases resolved by OCJ's legal services providers, 84% of households represented in court by lawyers were able to remain in their homes, not only saving thousands of tenancies, but also promoting the preservation of affordable housing and neighborhood stability.

At the same time that access to quality legal assistance for tenants has been increasing, the number of New Yorkers being evicted from their homes has been on the decline. Residential evictions by New York City marshals – which once numbered almost 29,000 per year – have declined by over 30% since 2013. In 2018, there were roughly 20,000 residential evictions by marshals, a decline of 5% compared to the year before.⁶

Tenants facing eviction now have new and easier ways of accessing OCJ's Universal Access legal services.

OCJ recently established Universal Access legal services for tenants in New York City Housing Authority (NYCHA) public housing facing administrative termination of tenancy proceedings. We have worked with legal provider partners and NYCHA to develop a program model to effectively provide comprehensive access to legal services for NYCHA tenants facing such proceedings. As part of the first phase of implementation, in early FY2020 OCJ in partnership with legal services providers from across the city began providing access to legal services on site where NYCHA administers termination proceedings. In this first phase, all heads of NYCHA households who are seniors (62 years and older) and who are facing termination of their tenancies in administrative proceedings have immediate access to these free legal services on-site. This operational approach is expected to serve as a model for expansion for all NYCHA tenants facing termination of tenancy as Universal Access implementation continues.

OCJ will be monitoring the impact of increased awareness of the availability of free legal assistance through the New York City Housing Court's new revised "plain language" notice of petition form. This revised notice - the first thing a tenant sees in every eviction case properly filed in New York

⁶ Earlier this year, the New York City Department of Investigation (DOI) revised their "Summary of Evictions, Possessions & Ejectments Conducted" report for calendar year 2018 to reflect changes in the number of residential evictions and possessions conducted by marshals in 2018 and to correct the previous 2018 report issued by DOI in January of 2019. At the time of publication of this report, the corrected data from DOI is accessible online via the New York City Housing Court website at http://nycourts.gov/COURTS/nyc/SSI/statistics/Stats_2018SEPEC.pdf. OCJ's report and all references herein to the number of residential evictions are based on DOI's reports.

City Housing Court - now includes information that will guide and encourage tenants to access OCJ's legal services. To further facilitate access, OCJ has partnered with the court system to establish a telephone hotline that is included on the Notice of Petition for tenants to call and find out more about free legal assistance in New York City, learn about program eligibility and connect with free counsel as quickly as possible. With the use of the new form starting in September 2019, we are now monitoring the impact that this new pathway to early access will have on OCJ's legal services programs.

Eviction Proceedings in Housing Court and “Covered Individuals”

In FY2019, there were an estimated 209,995 residential eviction petitions filed citywide in New York City Housing Court, in which an estimated 319,559 individuals were named⁷ as respondents. This reflects an estimated decline of 13,491 eviction case filings year over year, or a 6% decrease.⁸

The table below details estimated residential eviction petitions and “covered individuals” during FY2019, broken down by borough. The table also presents a breakdown of such filings based on the nature of the claim for eviction: nonpayment of rent and “holdover.” Holdover claims aim to evict a tenant or other person in the apartment for reasons other than simple nonpayment of rent, including allegations that the tenant has violated a lease provision; has improperly put others in the apartment; has become a nuisance to other tenants; or is staying after a lease has expired.

Eviction Proceedings in Housing Court and Estimated Covered Individuals July 1, 2018 – June 30, 2019

	Residential Eviction Petitions Filed			Estimated Covered Individuals		
	Holdover	Non-Payment	Total	Holdover	Non-Payment	Total
Bronx	6,888	67,061	73,949	16,977	79,837	96,814
Brooklyn	9,184	49,956	59,140	25,349	62,273	87,622
Manhattan	4,163	37,833	41,996	12,501	47,513	60,014
Queens	7,359	22,798	30,157	25,875	41,375	67,250
Staten Island	1,187	3,566	4,753	3,122	4,737	7,859
New York City	28,781	181,214	209,995	83,824	235,735	319,559

Source: NYS Office of Court Administration data as analyzed by OCJ.

⁷ Eviction petitions are not required to explicitly name all parties; “JOHN DOE” or “JANE DOE” are often used in lieu of individual names. OCJ has counted all named and “Doe” respondents in each eviction petition to estimate the number of “covered individuals” (as defined in the Universal Access law) residing in the related dwelling.

⁸ OCJ’s reports, including the 2018 Report on Year One of Universal Access Implementation, may be found at www.nyc.gov/civiljustice.

Warrants of Eviction Issued in Housing Court

The table below details the number of warrants of eviction issued in Housing Court during FY2019, broken down by borough and by type of eviction proceeding (nonpayment or holdover). The Housing Court issues warrants of eviction to a City Marshal, authorizing the removal of tenants from the premises. A tenant can respond to the issuance of an eviction warrant by submitting an Order to Show Cause seeking to prevent or delay the eviction and possibly raising defects in procedure. A tenant may also vacate their residence before a formal eviction takes place. Information about actual evictions carried out by City Marshals is in the following section of this report.

Warrants of Eviction Issued in New York City Housing Court July 1, 2018 – June 30, 2019

	Warrants of Eviction Issued		
	Holdover	Non-Payment	Total
Bronx	3,196	27,557	30,753
Brooklyn	4,574	18,844	23,418
Manhattan	1,535	11,635	13,170
Queens	3,681	8,694	12,375
Staten Island	726	1,485	2,211
New York City	13,712	68,125	81,297

Source: NYS Office of Court Administration data as analyzed by OCJ.

Residential Evictions Executed by City Marshals

Official reporting on the number of residential evictions conducted by City Marshals becomes available from the New York City Department of Investigation (DOI) after the conclusion of each calendar year. Thus, the table below details the number of such evictions conducted by City Marshals during calendar year 2018.

Citywide, residential evictions in 2018 declined by 5% compared to 2017 and by 31% compared to 2013, with substantial reductions in the number of evictions realized in each of the five boroughs during this five-year period.

Residential Evictions Executed by City Marshals January 1, 2013 – December 31, 2018

	Residential Evictions Executed					
	2013	2014	2015	2016	2017	2018
Bronx	10,194	9,580	7,401	7,667	7,438	6,856
Brooklyn	8,313	7,908	7,033	6,476	5,984	5,710
Manhattan	4,525	3,933	2,898	2,907	2,843	2,713
Queens	4,862	4,542	3,939	4,290	4,105	4,072
Staten Island	955	894	717	749	704	662
New York City	28,849	26,857	21,988	22,089	21,074	20,013

Source: NYC Department of Investigation, retrieved from New York City Housing Court at <https://www.nycourts.gov/COURTS/nyc/housing/statistics.shtml>.⁹

⁹ Earlier this year, the New York City Department of Investigation (DOI) revised their “Summary of Evictions, Possessions & Ejectments Conducted” report for calendar year 2018 to reflect changes in the number of residential evictions and possessions conducted by marshals in 2018, and to correct the previous 2018 report issued by DOI in January of 2019. At the time of publication of this report, the corrected data from DOI is accessible online via the New York City Housing Court website at http://nycourts.gov/COURTS/nyc/SSI/statistics/Stats_2018SEPEC.pdf. OCJ’s report and all references herein to the number of residential evictions are based on DOI’s reports.

Legal Services for New York City Tenants

OCJ contracts with nonprofit legal services provider organizations across the city to provide access to legal services for thousands of New York City tenants facing eviction and displacement. OCJ's tenant legal services partners are:

- Brooklyn Defender Services
- Brooklyn Legal Services Corporation A
- CAMBA Legal Services, Inc.
- Catholic Migration Services
- Goddard Riverside Law Project
- Housing Conservation Coordinators
- Jewish Association for Services for the Aged
- Legal Services NYC
- Lenox Hill Neighborhood House
- Make the Road New York
- Mobilization for Justice
- Neighborhood Association for Intercultural Affairs, Inc.
- Neighborhood Defender Service of Harlem
- New York Legal Assistance Group
- Northern Manhattan Improvement Corporation
- RiseBoro Community Partnership
- The Bronx Defenders
- The Legal Aid Society
- Urban Justice Center

In FY2019, 78% of the households assisted received legal defense services in eviction proceedings in Housing Court or termination of tenancy proceedings, up 5% from FY2018. As detailed in the table below, OCJ's tenant legal services providers assisted 41,094 households, comprising 105,045 individuals, with legal advice and representation in FY2019. The number of households assisted in Housing Court eviction proceedings increased by 25% compared to FY2018, reflecting approximately 15,000 more New Yorkers assisted in these cases than in the prior year. The number of households receiving legal assistance in NYCHA administrative termination of tenancy proceedings was consistent with FY2018, with a slight decline of 46 cases in FY2019, or 15%, and as detailed later in this report the number of NYCHA households receiving legal assistance in Housing Court eviction proceedings nearly doubled in the last year, increasing by 96% from 1,271 in FY2018 to 2,497 in FY2019.

The number of households receiving legal help in other court litigation also increased roughly twofold, from 1,885 in FY2018 to 3,605 in FY2019; this category includes proceedings such as "HP" actions filed on behalf of tenants to demand court-ordered apartment repairs, 7A proceedings, and other litigation in Housing Court and other courts. In an Article 7A proceeding, a group of tenants sues a landlord who has not provided critical services such as heat, running water, or electricity; has failed to correct unsafe conditions in the building; or has engaged in a pattern of

harassment or illegal eviction, and the court has the authority to appoint an outside administrator to run the day-to-day operations of a building in place of its owner.

**Legal Services for New York City Tenants Provided by OCJ Programs
July 1, 2018 – June 30, 2019**

Type of Legal Proceeding/ Matter	Households Assisted	Individuals Assisted
Eviction Proceedings in Housing Court	32,170	83,475
NYCHA Termination of Tenancy Proceedings	266	620
Other Administrative Proceedings	3,019	7,549
Other Court Litigation	3,605	8,888
Other Housing-Related Legal Assistance	2,034	4,513
Total	41,094	105,045

Source: OCJ Administrative Data.

Legal Services for Tenants Facing Eviction in Housing Court

Focusing on the 32,170 households that received legal services in eviction proceedings in Housing Court, the table below disaggregates these cases by service level: full legal representation and brief legal assistance or advice. Both full legal representation (up 20%) and brief services (up 41%) saw increases in FY2019 compared to the year before.

New York City Households Facing Eviction in Housing Court Assisted by OCJ Legal Services July 1, 2018 – June 30, 2019

Households Assisted			Individuals Assisted		
Brief/Advice	Full Legal Representation	Total	Brief/Advice	Full Legal Representation	Total
9,906	22,264	32,170	25,469	58,006	83,475

Source: OCJ Administrative Data.

Legal Services for Tenants Facing Eviction in Housing Court: Boroughs and ZIP Codes

In FY2019, OCJ's legal services providers assisted tenants facing eviction in Housing Court in every borough and in 175 NYC postal codes.¹⁰ Universal Access implementation moved forward this fiscal year by making free legal representation available to all income-eligible tenants facing eviction in Housing Court in twenty ZIP Codes across the city, up from fifteen in FY2018. These ZIP Codes were targeted for services in this second phase of Universal Access implementation based on factors including the number of residential marshal evictions carried out in the ZIP Code; the prevalence of rent-regulated housing; the volume of eviction proceedings in the ZIP Code; whether the area was already being served through other HRA OCJ-funded legal services programs; shelter entries from the ZIP Code; and other factors of need.

¹⁰ A table detailing households and individuals assisted disaggregated by ZIP Code is included at the Appendix to this report.

In FY2019, the ZIP Codes targeted for Universal Access legal services (“UA ZIP Codes”) were:

Borough	UA ZIP Codes
Bronx	10457, 10462, 10467, 10468
Brooklyn	11216, 11221, 11225, 11226
Manhattan	10025, 10026, 10027, 10031
Queens	11373, 11385, 11433, 11434
Staten Island	10302, 10303, 10310, 10314

In addition to legal services provided in the UA ZIP Codes, OCJ’s legal services providers also assisted thousands of New York City tenants in other ZIP Codes across the city (“Non-UA ZIP Codes”). The table below shows the number of households and individuals receiving legal services in FY2019 for eviction proceedings in Housing Court, broken down by borough and level of services provided as well as by UA ZIP Codes and Non-UA ZIP Codes.

Legal Services for Tenants Facing Eviction in Housing Court: Boroughs and ZIP Codes
July 1, 2018 – June 30, 2019

		Households Assisted			Individuals Assisted		
		Brief/ Advice	Full Legal Representation	Total	Brief/ Advice	Full Legal Representation	Total
UA ZIP Codes	Bronx	392	4,881	5,273	1,005	13,177	14,182
	Brooklyn	503	2,976	3,479	1,213	7,281	8,494
	Manhattan	276	2,303	2,579	570	5,097	5,667
	Queens	270	893	1,163	697	2,501	3,198
	Staten Island	58	798	856	128	2,428	2,556
	NYC	1,499	11,851	13,350	3,613	30,484	34,097
Non-UA ZIP Codes	Bronx	2,339	3,294	5,633	6,286	9,106	15,392
	Brooklyn	2,717	3,864	6,581	6,972	10,071	17,043
	Manhattan	1,243	1,322	2,565	2,576	3,037	5,613
	Queens	2,074	1,376	3,450	5,939	3,856	9,795
	Staten Island	34	557	591	83	1,452	1,535
	NYC	8,407	10,413	18,820	21,856	27,522	49,378
Total	Bronx	2,731	8,175	10,906	7,291	22,283	29,574
	Brooklyn	3,220	6,840	10,060	8,185	17,352	25,537
	Manhattan	1,519	3,625	5,144	3,146	8,134	11,280
	Queens	2,344	2,269	4,613	6,636	6,357	12,993
	Staten Island	92	1,355	1,447	211	3,880	4,091
	NYC	9,906	22,264	32,170	25,469	58,006	83,475

Source: OCJ Administrative Data.

Legal Services for Tenants Facing Eviction in Housing Court: Age of Head of Household

The table below provides a breakdown by the age of the head of household for tenant households facing eviction in Housing Court that received legal services in FY2019, as reported by such tenants to their legal services provider.¹¹ Every age group saw increases in FY2019 in the number of households served compared to the year before, with the largest increases in households assisted seen in those with heads of household aged 65 or older (up 63%, from 2,673 to 4,361); aged 55-64 years old (up 34%, from 4,887 to 6,532) and aged 18-24 years old (up 30%, from 461 to 599).

Legal Services for Tenants Facing Eviction in Housing Court: Age of Head of Household July 1, 2018 – June 30, 2019

	18-24 years old	25-34 years old	35-44 years old	45-54 years old	55-64 years old	65+ years old
Bronx	192	2,344	2,860	2,255	2,033	1,195
Brooklyn	178	1,558	2,407	2,364	2,106	1,397
Manhattan	82	620	909	1,151	1,310	1,061
Queens	98	759	1,190	1,108	845	601
Staten Island	49	323	391	332	238	107
New York City	599	5,604	7,757	7,210	6,532	4,361

Source: OCJ Administrative Data.

¹¹ This analysis excludes 107 households served, or 0.3% of all households served, for which information about the age of the head of household was not available.

Legal Services for Tenants Facing Eviction in Housing Court: Household Size

The table below provides a breakdown by household size of tenant households facing eviction in Housing Court that received legal services in FY2019. As in FY2018, smaller households served were more typical in Manhattan than in other boroughs; households of two or fewer members accounted for over two-thirds of all tenant households facing eviction served in Manhattan. Overall, 33% of households served citywide had one member (an increase of 4% from the year before), while 25% had four or more members (down 3% from the year before).

Legal Services for Tenants Facing Eviction in Housing Court: Household Size July 1, 2018 – June 30, 2019

	1 person	2 people	3 people	4 people	5 or more people
Bronx	3,021	2,495	2,407	1,551	1,432
Brooklyn	3,496	2,310	1,828	1,186	1,240
Manhattan	2,327	1,128	780	464	445
Queens	1,325	939	916	693	740
Staten Island	371	338	322	200	216
New York City	10,540	7,210	6,253	4,094	4,073

Source: OCJ Administrative Data.

Legal Services for Tenants Facing Eviction in Housing Court: Length of Tenancy

The table below provides a breakdown by estimated length of tenancy of tenant households facing eviction in Housing Court that received legal services in FY2019, as reported by such tenants to their legal services provider.¹² Citywide, more than half of households served (56%) had lived in their homes for six or more years at the time that legal services were provided. As compared to FY2018, the largest increases were seen in households in which tenancies were the longest - a 38% increase in households served in which tenancy was ten years or longer (from 9,105 to 12,607) – and the shortest – a 35% increase in households served in which tenancy was shorter than three years at the time they received legal assistance (from 5,416 to 7,331).

Legal Services for Tenants Facing Eviction in Housing Court: Estimated Length of Tenancy July 1, 2018 – June 30, 2019

	1-2+ years	3-5+ years	6-9+ years	10 or more years
Bronx	2,383	2,662	1,828	3,686
Brooklyn	2,202	1,900	1,548	4,165
Manhattan	789	624	494	2,993
Queens	1,473	985	598	1,429
Staten Island	484	337	240	334
New York City	7,331	6,508	4,708	12,607

Source: OCJ Administrative Data.

¹² This analysis excludes 1,016 households served, or 3.2% of all households served, for which information about the length of tenancy was not available.

Legal Services for Tenants Facing Eviction in Housing Court: Household Income

The table below provides a breakdown by estimated annual household income of tenant households facing eviction in Housing Court that received legal services in FY2019.¹³ Ninety four percent (94%) of households served in Housing Court eviction proceedings in FY2019 were “income-eligible” as defined under the Universal Access law – that is, households with an annual gross household income not in excess of 200% of the federal poverty guidelines as updated periodically by the United States Department of Health and Human Services (“the Federal Poverty Guidelines” or “FPL”).¹⁴ As in FY2018, there is variation across the boroughs, as detailed below.

Legal Services for Tenants Facing Eviction in Housing Court: Estimated Annual Household Income as a Percentage of Federal Poverty Guideline (FPL) July 1, 2018 – June 30, 2019

	Less than 50% of FPL	51% to 100% of FPL	101% to 150% of FPL	151% to 200% of FPL	More than 200% of FPL
Bronx	2,959	3,536	2,049	1,262	477
Brooklyn	2,521	2,631	1,849	1,424	637
Manhattan	1,042	1,367	942	667	376
Queens	916	1,024	794	586	204
Staten Island	432	410	263	177	113
New York City	7,870	8,968	5,897	4,116	1,807

Source: OCJ Administrative Data.

¹³ This analysis excludes 24 households served, or 0.0% of all households served, for which household income information and income eligibility were unknown. This analysis also excludes 3,488 households, or 8.5% of households served, for which the reported annual household income information was not sufficiently detailed to determine percentage of FPL category, but for which provider records confirm income eligibility for legal services.

¹⁴ The 2019 Federal Poverty Guidelines are available at <https://aspe.hhs.gov/poverty-guidelines>. For a household of one, 200% of the 2019 guidelines is \$24,980 (annually); for two, \$33,820; for three, \$42,660; for four, \$51,500; for five, \$58,840; for six, \$69,180.

Legal Services for Tenants Facing Eviction in Housing Court: Public Benefits Recipients

The table below provides a breakdown by borough of the number of households that received legal services in eviction proceedings in Housing Court that were receiving ongoing public benefits at the time when legal services were rendered. A household is considered to have been receiving “ongoing public benefits” if one or more members of the household were receiving active Cash Assistance or Supplemental Nutrition Assistance Program (SNAP, also known as “food stamps”) benefits through HRA at the time that OCJ legal services were first provided to the household.

For comparison, the overall number of households served with annual incomes at or below 200% FPL – income eligibility for full legal representation under the Universal Access law – is also presented below. Approximately 40% of households that were at or below 200% FPL were receiving ongoing public assistance when they received legal services.

Legal Services for Tenants Facing Eviction in Housing Court: Public Benefits Recipients July 1, 2018 – June 30, 2019

	Households Receiving Ongoing Public Benefits	Households Served At or Below 200% FPL
Bronx	4,896	10,485
Brooklyn	3,480	9,462
Manhattan	1,773	4,772
Queens	1,632	4,414
Staten Island	551	1,339
New York City	12,332	30,470

Sources: OCJ Administrative Data, HRA Enterprise Data Warehouse (EDW). Receipt of “ongoing public benefits” was established by matching OCJ enrollment data against EDW records to verify active Cash Assistance or SNAP benefits case on the date of enrollment for legal services.

**Legal Services for Tenants Facing Eviction in Housing Court:
Rent-Regulated Status of Households Served**

Almost half of the rental apartment units in New York City are subject to some form of rent regulation,¹⁵ which limits how much a landlord may increase the rent and provides other forms of protections for tenants that prevent dramatic rent increases year to year, and otherwise ensure housing stability.

As detailed in the table below,¹⁶ according to reports by legal services providers, legal services were provided to tenants in rent-regulated housing in 18,825 Housing Court eviction cases in FY2019.¹⁷ This accounts for 63% of households served citywide, but there was variation across the boroughs; rent-regulated tenants comprised a higher proportion of the caseload handled in the Bronx (74%), Manhattan (61%), and Brooklyn (60%) than in Queens (36%) or Staten Island (20%).

**Legal Services for Tenants Facing Eviction in Housing Court:
Rent-Regulated Status of Households Served
July 1, 2018 – June 30, 2019**

	Rent-Regulated	Unregulated	Total
Bronx	8,030	2,606	10,636
Brooklyn	5,963	3,161	9,124
Manhattan	3,127	1,551	4,678
Queens	1,427	2,533	3,960
Staten Island	278	1,141	1,419
New York City	18,825	10,992	29,817

Source: OCJ Administrative Data.

¹⁵ Waickman, C. R., Jerome, J. B. R., Place, R. (2018). Sociodemographics of Rent Stabilized Tenants: An Analysis Based on the 2017 New York City Housing and Vacancy Survey (NYCHVS). NYC Department of Housing Preservation and Development. Retrieved from <https://www1.nyc.gov/assets/hpd/downloads/pdf/about/rent-regulation-memo-1.pdf>.

¹⁶ This analysis excludes 2,352 households served, or 7.3% of all households served, for which information about reported rent regulation status of the subject apartment was not available.

¹⁷ FY2019 is the first year for which this data is available.

Legal Services for Tenants Facing Eviction in Housing Court: Households in NYCHA Public Housing

The table below provides a breakdown of households and individuals in NYCHA public housing that received legal services in eviction proceedings in Housing Court in FY2019. Citywide, the number of NYCHA households served nearly doubled, a 96% percent increase from 1,271 to 2,497.

Legal Services for Tenants Facing Eviction in Housing Court: Households in NYCHA Public Housing July 1, 2018 – June 30, 2019

	Households Assisted	Individuals Assisted
Bronx	503	1,232
Brooklyn	775	2,057
Manhattan	726	1,775
Queens	264	677
Staten Island	229	603
New York City	2,497	6,344

Sources: OCJ Administrative Data, NYCHA. Eviction proceedings in NYCHA public housing were identified by matching property addresses listed in OCJ enrollment data to a list of NYCHA residential development addresses, at <https://www1.nyc.gov/assets/nycha/downloads/pdf/Address-Guide-01142019.pdf>

Full Legal Representation for Tenants Facing Eviction in Housing Court: Cases Resolved and Outcomes Achieved

The table below summarizes the reported outcomes of Housing Court eviction proceedings in which tenants facing eviction received full legal representation from OCJ legal services providers in FY2019. It is important to note that these data relate to such cases that were *resolved* during the reporting period of FY2019. Many of the eviction proceedings in which legal providers took on legal representation in FY2019 are currently ongoing in Housing Court, and when they are resolved these final dispositions will be included in future reports.

In the overwhelming majority of cases resolved in FY2019, OCJ legal services providers obtained outcomes that enabled their clients to remain in their residence. Specifically, tenants were allowed to remain in their homes in 84% of cases citywide, and were legally required to leave in 16% of cases. A legal requirement that a tenant leave a residence following an eviction proceeding does not typically require the tenant to vacate the residence immediately; tenants may be permitted to remain for several weeks or months to allow them to obtain new housing.

Outcome rates varied across the city, with tenants in Manhattan (92%), the Bronx (90%) and Brooklyn (84%) able to remain in their residences at higher rates than in Queens (67%) and Staten Island (65%), This is likely due to the larger prevalence of large multi-unit and rent-regulated apartment housing in the Bronx, Brooklyn and Manhattan as compared to Queens and Staten Island, and by comparison, the higher volume of owner-occupied and single- or two-family properties in Queens and Staten Island.

Full Legal Representation for Tenants Facing Eviction in Housing Court: Outcomes Achieved July 1, 2018 – June 30, 2019

	Tenants Allowed to Remain in Residence				Tenants Required to Leave Residence			
	Households		Individuals		Households		Individuals	
Bronx	4,190	90%	11,728	90%	486	10%	1,363	10%
Brooklyn	3,153	84%	8,113	84%	615	16%	1,529	16%
Manhattan	1,736	92%	4,180	93%	152	8%	309	7%
Queens	1,013	66%	2,904	67%	517	34%	1,458	33%
Staten Island	544	68%	1,467	65%	251	32%	795	35%
New York City	10,636	84%	28,392	84%	2,021	16%	5,454	16%

Source: OCJ Administrative Data.

In a small number of cases, an attorney assigned to represent a tenant facing eviction in Housing Court may withdraw from the case or may be discharged by a client who no longer wishes to be represented by the provider. As shown in the table below, in FY2019 OCJ’s legal services providers withdrew or were discharged in 320 cases.

**Full Legal Representation for Tenants Facing Eviction in Housing Court:
Attorney Discharges and Withdrawals
July 1, 2018 – June 30, 2019**

	Attorney Discharged by Tenant Before Case Conclusion	Attorney Withdrew Before Case Conclusion
Bronx	45	90
Brooklyn	28	54
Manhattan	13	35
Queens	21	15
Staten Island	10	9
New York City	117	203

Source: OCJ Administrative Data.

Legal Services for Tenants Facing NYCHA Administrative Termination of Tenancy Proceedings

As noted earlier in this report, OCJ recently established Universal Access legal services for tenants in New York City Housing Authority (NYCHA) public housing facing administrative termination of tenancy proceedings. We have worked with legal provider partners and NYCHA to develop a program model to effectively provide comprehensive access to legal services for NYCHA tenants facing termination of tenancy proceedings. As part of the first phase of implementation, OCJ launched a pilot program in early FY2020 in partnership with legal services providers from across the city. This initiative targets all NYCHA senior (aged 62 and older) heads of household facing administrative termination of tenancy proceedings at the recently opened NYCHA hearing facility in Brooklyn. NYCHA schedules the first case appearance for all senior heads of household on a predetermined day of the week, and OCJ staff and legal services provider partners screen and conduct intakes to provide immediate on-site legal services. All NYCHA heads of household 62 years and older who are facing a termination of tenancy proceeding have access to legal services through this first phase of program implementation. This operational approach is expected to serve as a model for expansion for all NYCHA tenants facing termination of tenancy as Universal Access implementation continues.

As detailed in the table below, in FY2019, 266 households facing administrative termination proceedings comprising 620 NYCHA residents received legal services through OCJ's eviction defense legal programs. Citywide OCJ legal services providers assisted NYCHA households by providing full legal representation in 56% of such proceedings. Over half of the households served in FY2019 were in Brooklyn (52%), the highest concentration of the five boroughs.

**Legal Services for Tenants Facing NYCHA Administrative Termination of Tenancy Proceedings
July 1, 2018 – June 30, 2019**

	Households Assisted			Individuals Assisted		
	Brief/ Advice	Full Legal Representation	Total	Brief/ Advice	Full Legal Representation	Total
Bronx	17	36	53	29	80	109
Brooklyn	86	53	139	199	141	340
Manhattan	7	33	40	18	82	100
Queens	4	9	13	9	18	27
Staten Island	3	18	21	15	29	44
New York City	117	149	266	270	350	620

Source: OCJ Administrative Data.

**Legal Services for Tenants Facing NYCHA Administrative Termination of Tenancy Proceedings:
Age of Head of Household**

Focusing on the households that received legal services in administrative termination of tenancy proceedings at NYCHA, the table below provides a breakdown by the age of the head of household for tenant households facing termination of tenancy in NYCHA administrative proceedings that received legal services in FY2019, as reported by such tenants to their legal services provider.

**Legal Services for Tenants Facing NYCHA Administrative Termination of Tenancy Proceedings:
Age of Head of Household
July 1, 2018 – June 30, 2019**

	18-24 years old	25-34 years old	35-44 years old	45-54 years old	55-64 years old	65+ years old
Bronx	1	7	11	10	14	10
Brooklyn	3	14	23	42	37	20
Manhattan	1	3	9	9	8	10
Queens	0	0	3	4	6	0
Staten Island	1	4	2	2	11	1
New York City	6	28	48	67	76	41

Source: OCJ Administrative Data.

**Legal Services for Tenants Facing NYCHA Administrative Termination of Tenancy Proceedings:
Household Size**

The table below provides a breakdown by household size of households facing NYCHA administrative termination of tenancy proceedings that received legal services in FY2019.

**Legal Services for Tenants Facing NYCHA Administrative Termination of Tenancy Proceedings:
Household Size**

July 1, 2018 – June 30, 2019

	1 person	2 people	3 people	4 people	5 or more people
Bronx	21	20	6	3	3
Brooklyn	45	38	26	19	11
Manhattan	12	11	6	7	4
Queens	3	6	4	0	0
Staten Island	9	7	3	0	2
New York City	90	82	45	29	20

Source: OCJ Administrative Data.

**Legal Services for Tenants Facing NYCHA Administrative Termination of Tenancy Proceedings:
Estimated Length of Tenancy**

The table below provides a breakdown by estimated length of tenancy of tenant households facing NYCHA administrative termination of tenancy proceedings that received legal services in FY2019 as reported by tenants to their legal services provider.¹⁸

**Legal Services for Tenants Facing NYCHA Administrative Termination of Tenancy Proceedings:
Estimated Length of Tenancy
July 1, 2018 – June 30, 2019**

	1-2 years	3-5 years	6-9 years	10 or more years
Bronx	8	6	12	25
Brooklyn	20	28	15	74
Manhattan	8	6	4	20
Queens	3	2	1	7
Staten Island	1	4	4	10
New York City	40	46	36	136

Source: OCJ Administrative Data.

¹⁸ This analysis excludes 8 households served, or 3.0% of all households served, for which information about the length of tenancy was not available.

**Legal Services for Tenants Facing NYCHA Administrative Termination of Tenancy Proceedings:
Estimated Annual Household Income**

The table below provides a breakdown by estimated annual household income of tenant households facing NYCHA administrative termination of tenancy proceedings that received legal services in FY2019.¹⁹

**Legal Services for Tenants Facing NYCHA Administrative Termination of Tenancy Proceedings:
Estimated Annual Household Income as a Percentage of the Federal Poverty Level (FPL)
July 1, 2018 – June 30, 2019**

	Less than 50% of FPL	51% to 100% of FPL	101% to 150% of FPL	151% to 200% of FPL	More than 200% of FPL
Bronx	12	26	9	4	0
Brooklyn	35	46	31	16	1
Manhattan	8	15	13	2	0
Queens	2	7	2	1	0
Staten Island	7	6	7	0	0
New York City	64	100	62	23	1

Source: OCJ Administrative Data.

¹⁹ This analysis excludes 16 households served, or 6.0% of all households served, for which information about estimated annual household income was not available.

**Legal Services for Tenants Facing NYCHA Administrative Termination of Tenancy Proceedings:
Public Benefits Recipients**

The table below provides a breakdown by borough of the number of households that received legal services in NYCHA administrative termination of tenancy proceedings that were receiving ongoing public benefits at the time when legal services were rendered.

**Legal Services for Tenants Facing NYCHA Administrative Termination of Tenancy Proceedings:
Public Benefits Recipients
July 1, 2018 – June 30, 2019**

	Households Receiving Ongoing Public Benefits
Bronx	17
Brooklyn	54
Manhattan	16
Queens	5
Staten Island	7
New York City	99

Source: OCJ Administrative Data, HRA Enterprise Data Warehouse (EDW). Receipt of “ongoing public benefits” was established by matching OCJ enrollments against EDW records, based on case number or head of household SSN, to verify active cash assistance or SNAP benefits case on the date of enrollment for legal services.

Full Legal Representation for Tenants Facing NYCHA Administrative Termination of Tenancy Proceedings: Cases Resolved and Outcomes Achieved

The table below summarizes the outcomes of NYCHA administrative termination of tenancy proceedings in which tenants received full legal representation from OCJ legal services providers and such cases that were resolved during the reporting period of FY2019.

**Full Legal Representation for Tenants Facing NYCHA Administrative Termination of Tenancy Proceedings: Outcomes Achieved
July 1, 2018 – June 30, 2019**

	Allowed to Remain				Required to Leave			
	Households		Individuals		Households		Individuals	
	#	%	#	%	#	%	#	%
Bronx	7	100%	17	100%	0	0%	0	0%
Brooklyn	13	92.9%	33	97.1%	1	7.1%	1	2.9%
Manhattan	9	100%	21	100%	0	0%	0	0%
Queens	3	100%	6	100%	0	0%	0	0%
Staten Island	6	100%	8	100%	0	0%	0	0%
New York City	38	97.4%	85	98.8%	1	2.6%	1	1.2%

Source: OCJ Administrative Data.

Appendix: Legal Services for Tenants Facing Eviction in Housing Court: Boroughs and ZIP Codes

ZIP Code	Households Served	Individuals Served
THE BRONX		
10451	248	654
10452	826	2,303
10453	778	1,990
10454	181	535
10455	183	494
10456	882	2,553
10457	1,974	5,492
10458	519	1,553
10459	362	973
10460	482	1,354
10461	86	230
10462	468	1,149
10463	163	371
10464	4	9
10465	26	55
10466	211	583
10467	1,597	4,193
10468	1,234	3,348
10469	128	372

ZIP Code	Households Served	Individuals Served
10470	47	109
10471	27	60
10472	235	589
10473	136	333
10474	68	186
10475	41	86
BROOKLYN		
11201	67	143
11203	299	684
11204	66	194
11205	91	217
11206	249	638
11207	965	2,788
11208	561	1,560
11209	120	296
11210	218	498
11211	123	330
11212	968	2,673
11213	367	851
11214	92	241
11215	46	97
11216	563	1,326
11217	105	178

ZIP Code	Households Served	Individuals Served
11218	94	255
11219	55	139
11220	132	369
11221	842	2,061
11222	32	60
11223	101	297
11224	162	464
11225	800	1,857
11226	1,274	3,250
11228	18	47
11229	88	194
11230	123	327
11231	53	117
11232	36	98
11233	523	1326
11234	90	232
11235	125	256
11236	194	468
11237	149	407
11238	144	314
11239	84	191
11249	41	94

ZIP Code	Households Served	Individuals Served
MANHATTAN		
10001	29	59
10002	119	264
10003	31	36
10004	2	5
10006	1	1
10009	102	185
10010	23	34
10011	51	79
10012	26	43
10013	17	34
10014	18	20
10016	30	53
10017	7	9
10018	7	12
10019	33	43
10020	1	2
10021	18	28
10022	20	24
10023	37	59
10024	46	72
10025	534	931

ZIP Code	Households Served	Individuals Served
10026	627	1,467
10027	831	1,892
10028	32	45
10029	356	926
10030	184	418
10031	587	1,377
10032	241	590
10033	238	571
10034	276	630
10035	130	318
10036	45	74
10037	44	70
10038	18	41
10039	141	333
10040	163	408
10044	12	28
10065	16	19
10075	8	9
10128	40	64
10280	3	7

ZIP Code	Households Served	Individuals Served
QUEENS		
11001	2	4
11004	2	3
11101	93	205
11102	55	123
11103	41	113
11104	39	86
11105	30	75
11106	66	159
11354	92	212
11355	99	233
11356	27	71
11357	13	25
11358	32	62
11360	4	4
11361	13	39
11362	3	6
11363	3	8
11364	14	40
11365	59	168
11366	9	22
11367	66	176

ZIP Code	Households Served	Individuals Served
11368	216	704
11369	43	112
11370	24	72
11372	116	323
11373	240	685
11374	49	125
11375	59	137
11377	100	258
11378	24	61
11379	19	38
11385	205	512
11411	18	48
11412	82	237
11413	85	261
11414	21	46
11415	42	112
11416	56	165
11417	49	139
11418	80	222
11419	81	261
11420	74	203
11421	67	190

ZIP Code	Households Served	Individuals Served
11422	69	237
11423	65	193
11426	11	14
11427	15	40
11428	15	37
11429	57	186
11431	1	2
11432	184	572
11433	279	806
11434	439	1,195
11435	126	360
11436	53	191
11691	526	1,607
11692	194	626
11693	33	91
11694	34	91
STATEN ISLAND		
10301	170	460
10302	104	304
10303	384	1,139
10304	265	678
10305	52	127
10306	53	127

ZIP Code	Households Served	Individuals Served
10307	10	25
10308	6	15
10309	16	46
10310	191	630
10312	19	57
10314	177	483
Total	32,170	83,475

Appendix: Legal Services for Tenants Facing NYCHA Administrative Termination of Tenancy Proceedings: Boroughs and ZIP Codes

ZIP Code	Households Served	Individuals Served
THE BRONX		
10451	10	24
10453	1	1
10454	6	15
10455	3	4
10456	6	7
10457	2	2
10459	1	4
10460	2	5
10463	2	2
10465	2	4
10467	5	10
10469	1	1
10472	2	4
10473	9	20
10475	1	6
BROOKLYN		
11201	6	18
11203	2	3
11204	1	2
11205	9	27

ZIP Code	Households Served	Individuals Served
11206	17	46
11207	13	27
11208	9	18
11211	2	6
11212	26	59
11213	5	8
11216	3	12
11217	8	22
11221	7	14
11223	2	4
11224	7	20
11231	2	9
11233	7	17
11234	4	9
11235	1	2
11238	6	15
11239	2	2

ZIP Code	Households Served	Individuals Served
MANHATTAN		
10002	1	2
10009	8	21
10016	1	4
10025	3	3
10026	4	8
10027	7	20
10029	6	16
10030	2	6
10032	1	3
10035	2	3
10037	2	2
10039	2	8
10128	1	4
QUEENS		
11101	1	2
11102	1	3
11106	1	1
11365	3	8
11367	1	2
11377	1	2
11434	1	2

ZIP Code	Households Served	Individuals Served
STATEN ISLAND		
11691	2	3
11692	1	1
11693	1	3
10301	1	7
10303	2	5
10304	5	12
10310	2	4
10314	11	16
TOTAL	266	620