

NEW YORK CITY - HUMAN RESOURCES ADMINISTRATION (HRA)
OFFICE OF CIVIL JUSTICE (OCJ)

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IN THE MATTER OF:

PUBLIC HEARING ON OCJ'S UNIVERSAL ACCESS TO LEGAL
COUNSEL PROGRAM

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DATE: November 18, 2021

HELD AT:

BEFORE: JORDAN DRESSLER,
Civil Justice Coordinator

DIGITALLY RECORDED PROCEEDING, TRANSCRIBED BY:
GABRIELLE ATKINSON
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1 MR. JORDAN DRESSLER: I'm going to unmute
2 myself. Can you all hear me? If you can give me a thumbs
3 up. Okay, great. Good evening, everybody. Welcome to
4 the City of New York's Fourth Annual Public Hearing on the
5 implementation of the City's Right to Counsel Law. My
6 name is Jordan Dressler. I'm the Civil Justice
7 Coordinator for New York City's Office of Civil Justice in
8 the unit of the Department of Social Services and Human
9 Resource Administration. We're going to start in earnest
10 in a few minutes, to give everybody a chance to join the
11 meeting. Everybody should be muted at this point. Just
12 wanted everybody who's here now to note that this hearing
13 is being recorded. Thank you. Then we'll get started in
14 just a couple minutes. Thanks. Okay, good evening,
15 everybody. As we get started I want to let everybody know
16 that language interpretation services tonight are
17 available in Spanish, Haitian Creole, Mandarin, and
18 Russian. Since we're on Zoom I want to make sure that
19 everyone hears this, so please listen closely. If you
20 need or want interpretation services in any of these
21 languages, please listen not because I'm going to ask our
22 language interpreter to introduce themselves and give
23 instructions on how to access language interpretation.
24 First, will the Spanish interpreter please introduce
25 themselves?

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1 RAOUL: [Introduction in Spanish]

2 MR. DRESSLER: Thank you. Will the Haitian
3 Creole interpreter please introduce themselves?

4 HAITIAN CREOLE INTERPRETER: [Introduction in
5 Haitian Creole]

6 MR. DRESSLER: Thank you. Will the Mandarin
7 interpreter please introduce themselves?

8 MANDARIN INTERPRETER: [Introduction in
9 Mandarin]. Thank you.

10 MR. DRESSLER: Thank you. Will the Russian
11 interpreter please introduce themselves?

12 RUSSIAN INTERPRETER: [Introduction in Russian]

13 MR. DRESSLER: Thank you. I'm just going to
14 give it a moment to let folks go into their respective
15 rooms if they want, and then we'll continue. If you'd
16 like to continue to listen to this proceeding in English,
17 please select English for the best experience. If you're
18 using Zoom on a computer you can do this by clicking on
19 the globe icon on the bottom of your screen. If you're
20 using a mobile device you can click on the three dots on
21 the bottom of your phone screen, and if you've dialed in
22 by phone, don't worry, you'll still be able to hear all
23 the proceedings. This hearing is public. We invite
24 anyone who wishes to be heard on tonight's topic of Right
25 to Counsel and Housing Legal Services to speak. In terms

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1 of procedure, I'll say a few words, and then we have a
2 speakers list made up of people who have already signed
3 up. But if you wish to speak this evening and you're not
4 on the speakers list yet, please let us know in the Zoom
5 chat box and we will be sure to get to you. If you joined
6 this hearing by calling in by phone, you can raise your
7 hand by pressing star 9 and we will add you to the
8 speakers list. I do want to remind everybody that this is
9 a public hearing for all. We will not be answering
10 questions nor will be asking any questions of speakers.
11 This is an opportunity for the public to be heard. With
12 that, we're going to get started. Good evening, and
13 welcome to the Fourth Annual Public Hearing on the City's
14 Right to Counsel Law and Universal Access to Legal
15 Services Program. My name is Jordan Dressler. I'm the
16 Civil Justice Coordinator with New York City's Office of
17 Civil Justice at the Human Resources Administration. I'm
18 very happy to be joined tonight by Sara Zuiderveen, Deputy
19 Commissioner for Homelessness Prevention at HRA; Jaclyn
20 Moore, OCJ's Executive Director, and Assistant
21 Coordinators Agne Jomantaite and Anabel de Castro. I also
22 want to acknowledge Carolyn Robledo and Camelia Mitchell
23 of DDS's Office of Refugee and Immigrant Affairs. As you
24 may know, OCJ is a unit within HRA which is a part of the
25 City's Department of Social Services, the largest social

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1 services agency in the United States. HRA assists more
2 than 3 million New Yorkers annually through the
3 administration of a range of public assistance programs
4 including cash assistance, employment services, the
5 Supplemental Nutrition Assistance Program, otherwise known
6 as food stamps, rental assistance, and eviction
7 prevention. Since OCJ was established at HRA in 2015 our
8 office has launched and operated a range of civil legal
9 services programs for New York City residents in need.
10 The centerpiece of our work is the implementation of New
11 York City's groundbreaking Right to Counsel Law, also
12 known as Universal Access to Legal Services, which is the
13 subject of this evening's hearing. Four years ago the
14 City of New York made history, becoming the first city in
15 the United States to enact a law ensuring that all tenants
16 facing eviction in housing court or in administrative
17 termination of tenancy proceedings and public housing have
18 access to free legal services. I want to acknowledge the
19 leadership of the New York City Council, and in particular
20 main sponsors, council members, and soon to be borough
21 presidents, both, Mark Levine of Manhattan and Vanessa
22 Gibson of the Bronx, and sincerely and personally thank
23 them for their tireless support for this important work.
24 Since that day in 2017 when the Right to Counsel Law was
25 enacted, the landscape for access to justice for tenants

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1 in New York City and elsewhere has been transformed.
2 Cities and now states across the country have moved
3 forward with their own tenants Right to Counsel
4 initiatives following our work in New York City, and other
5 jurisdictions across the United States are exploring their
6 own tenant legal services initiatives. Here in New York
7 City I am proud to report that four years after enacting
8 the law we have made real and substantial progress in
9 increasing and enhancing access to justice, and not just
10 access to justice, leading to fair and just outcomes for
11 tenants. Today, as the City continues its recovery from
12 the COVID-19 pandemic, and as the courts continue to be
13 affected by COVID-related legal and operational changes
14 and reforms, New York City's Right to Counsel Law is now
15 implemented city-wide, with all tenants and eviction
16 proceedings in New York City Housing Court and
17 [unintelligible] determination proceedings having access
18 to free legal services regardless of zip code, provided by
19 a network of OCJ-contracted non-profit legal services
20 provider partners. As the pandemic began, OCJ shifted
21 from a phased-in expansion to providing access to legal
22 services to all eligible tenants city-wide, regardless of
23 geography or zip code. OCJ's approach was later codified
24 by the City Council and signed into law by the mayor in
25 May of 2021. Local Law 54 of 2021, which officially

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1 accelerated the mandate for Right to Counsel
2 implementation by more than a year, serves as validation
3 of our swift response to tenants' needs during the
4 pandemic. Our Right to Counsel legal services provider
5 partners across the five boroughs have worked in
6 partnership with us and the New York City Housing Court,
7 as well as policymakers, advocates, and other
8 stakeholders, to greatly increase the availability of
9 high-quality legal assistance for tenants, hard work that
10 predated the COVID-19 pandemic. So, when the COVID-19
11 emergency began in March of 2020, the processes that OCJ
12 had put in place with system stakeholders to expand and
13 enhance legal services for tenants proved to be critical
14 as the City faced the devastating impacts of the COVID-19
15 emergency, and were supplemented by new approaches to
16 delivering legal help to tenants who need it. We have
17 established protocols with the Housing Court to connect
18 unrepresented tenants facing eviction in court with
19 assigned legal providers to provide free legal services in
20 their eviction proceedings. Working with OCJ, the court
21 now requires landlords petitions and motion papers to
22 include information about how to access free Right to
23 Counsel legal assistance, and OCJ has been referring
24 unrepresented tenants facing the enforcement of a pre-
25 pandemic eviction warrant to reach out for free legal

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1 services to an OCJ legal provider. OCJ also partnered
2 with Housing Court administrators and legal providers to
3 establish daily provider assignment court parts and
4 calendars where Right to Counsel attorneys operating on a
5 rotational basis join court conferences to assist all and
6 represent the tenants in court and offer them Right to
7 Counsel legal services, allowing tenants to access
8 critical legal help in an efficient and effective manner.
9 As reflected in our most recent progress report which we
10 released yesterday and is available on our website, which
11 is NYC.gov/civiljustice, C-I-V-I-L-J-U-S-T-I-C-E. This
12 accelerated implementation of Right to Counsel and the
13 introduction of new access and intake processes has led to
14 a dramatic increase in the rate of legal representative
15 for tenants appearing in eviction proceedings and Housing
16 Court. The rate of New York City tenants appearing in
17 their eviction cases with legal representation in court
18 which once stood at 1% in 2013 reached 71% by the end of
19 fiscal year 2021. This comes after the number of
20 evictions conducted in New York City had dropped to
21 historic lows prior to the pandemic, falling by 41%
22 between 2013 and 2019, which evictions nationwide have
23 been up. In all, as of the end of the last fiscal year,
24 approximately 540,000 New York City residents, over a
25 half-million New Yorkers had received free legal

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1 representation, advice, or assistance in eviction and
2 other housing-related matters since the start of the
3 DeBlasio administration through tenant legal services
4 programs administered by HRA. As we have found since the
5 start of the implementation of the Right to Counsel Law,
6 in the overwhelming majority of cases, when attorneys
7 represent tenants in eviction proceedings in court they
8 achieve a positive outcome for their clients. In cases
9 that resolved in fiscal year 2021, once again, 84% of
10 tenant households represented in Housing Court
11 [unintelligible] proceedings by OCJ-funded tenant lawyers
12 were able to remain in their homes. As proud as we are of
13 reaching these milestones, I want to acknowledge that this
14 has been enormously challenging work, and these
15 accomplishments have not come easy. Despite all we faced
16 and continue to face since the COVID-19 pandemic began,
17 OCJ, our provider partners, and other system stakeholders
18 have worked to meet the moment and provide effective
19 access to comprehensive free legal assistance to tenants
20 in need under these unprecedented challenging
21 circumstances. As you know, the pandemic has
22 substantially altered operations in New York City Housing
23 Court, and both substantive and procedure law have been
24 transformed through a series of eviction moratoria,
25 administration orders, and other legal mandates.

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1 Throughout it all, tenant legal service providers
2 supported by OCJ have stepped up to provide New York City
3 tenants with legal assistance and protection, and we are
4 proud to support this vital work. We haven't just rested
5 on providing services, though. We have wanted to get the
6 word out. Since the start of the COVID-19 pandemic the
7 DSS has shared pertinent information and taken questions
8 about DSS programs and client needs, including updates
9 from OCJ about evictions, court proceedings, and the
10 availability of legal services through the weekly
11 teleconferences that DSS Commissioner Steven Banks has
12 held with elected officials, service providers, CBO
13 partners and advocates, and then weekly follow-up
14 informational newsletters. Additionally, we have
15 conducted proactive outreach to tenants at risk of
16 eviction through the pandemic, including a partnership
17 with the mayor's office on a mail campaign announcing the
18 launch of the City's Tenant Help Line, as well as targeted
19 mail and phone outreach initiatives directed at New York
20 City tenants facing eviction. Today OCJ is working with
21 stakeholders on outreach initiatives to further increase
22 awareness of Right to Counsel, as well as tenants' legal
23 rights in New York City. This week the City launched a
24 multimedia city-wide public awareness campaign about Right
25 to Counsel, which will be featured on digital platforms as

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1 well as local news media that serve diverse cultures and
2 neighborhoods, and later this year I am proud to say that
3 OCJ will be partnering with community-based organizations
4 on a range of tenant education and outreach efforts to
5 inform about tenant rights in New York City Housing Court.
6 This program, initiated pursuant to Local Law 53 of 2021,
7 will include Know Your Rights education sessions,
8 distribution of written materials, and targeted outreach
9 to tenants at risk of eviction. Certainly challenges lay
10 ahead with the expiration of broad statewide eviction
11 protections in January as just the start. But we have all
12 experienced years of challenges, from standing up a full-
13 fledged Right to Counsel program that effectively and
14 efficiently gives tenants real and meaningful access to
15 vital legal help, to working hand-in-hand with all of you
16 to upend a tradition and a courthouse culture that for too
17 long said that if you're a tenant you are on your own, or
18 maybe someone can help you, to where we are today where
19 you can and you will get the legal help you need. We have
20 met these challenges head-on. We have found innovative
21 solutions. We have found common ground, and we have, to
22 borrow a phrase, changed the game, leveling the playing
23 field for our neighbors, our loved ones, our fellow New
24 Yorkers in need. As we move forward, OCJ will continue to
25 partners with all system stakeholders to make the

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1 protection and support of legal services available to New
2 York City tenants facing eviction, and tonight's hearing
3 is an important part of that effort to make sure we
4 continue to serve New Yorkers effectively, and with cities
5 and states across the country following our progress, it
6 is crucial that we hear from you, advocates, tenants, and
7 members of the community, as well as elected officials,
8 legal providers, labor unions, and other non-profits. I
9 hope that we hear about your own experiences with the
10 initiative, what you think is working, where you think
11 there is room for improvement, and how we can move forward
12 together to continue to meet this unprecedented moment of
13 need for so many of us and our neighbors. So, with that,
14 I thank you. I'm going to turn to housekeeping and
15 hearing procedure. So, here's a few words about how
16 tonight's hearing will go. As I mentioned earlier, the
17 hearing is public. We invite anyone who wishes to be
18 heard on the topic of Right to Counsel and Housing Legal
19 Services to speak. We will not be answering questions,
20 nor will we be asking any questions of speakers, because
21 this is an opportunity for the public to be heard. If you
22 wish to speak but are not yet on the speakers list, you
23 can get on the list by doing one of the following: if
24 you're participating online, look for the Participants
25 icon and the black bar running along the bottom of your

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1 screen. Click on Participants. You will see an option
2 called Raise Your Hand. If you click on that you'll be
3 added to our speakers list. If you're using your phone to
4 dial in, press star 9 to be added to the speakers list,
5 and when it's your turn to speak, I'll call your name, or
6 if you're dialing in I'll call out your phone number.
7 Everybody will be on mute up until then, and when it's
8 your turn to speak you can unmute yourself. Again, for
9 those who might've come late, I want to give an
10 opportunity for our interpreters to again call out for
11 folks who might want to make use of interpretation
12 services. So, will the Spanish interpreter please
13 introduce themselves?

14 RAOUL: Can you hear me?

15 MR. DRESSLER: Yep.

16 RAOUL: [Introduction in Spanish]

17 MR. DRESSLER: Thank you. Will the Haitian
18 Creole interpreter please introduce themselves? No? Are
19 they in the room? Is that the issue?

20 MS. CAROLYN ROBLEDO: Wedley, you are on mute.
21 Please unmute yourself.

22 MR. DRESSLER: Oh, that's the issue. Thanks,
23 Carolyn. How about we come back? Will the Mandarin
24 interpreter please introduce themselves?

25 MANDARIN INTERPRETER: Yes.

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1 MR. DRESSLER: Just the same as before.

2 MANDARIN INTERPRETER: Oh, so we're going to
3 make the announcement again, right?

4 MR. DRESSLER: Yep, just in case we had any
5 late-comers. Thank you.

6 MANDARIN INTERPRETER: Hello?

7 MR. DRESSLER: Yes. Can you hear me?

8 MANDARIN INTERPRETER: Yeah, so-

9 MR. DRESSLER: [interposing] Please give the
10 announcement again, just in case there's somebody now who
11 wants to join the room.

12 MANDARIN INTERPRETER: [Introduction in
13 Mandarin]. Thank you.

14 MR. DRESSLER: Thank you. Will the Russian
15 interpreter please introduce themselves and give the
16 announcement again? Thank you.

17 RUSSIAN INTERPRETER: [Introduction in Russian]

18 MR. DRESSLER: Thank you. Back to the Haitian
19 Creole interpreter. Please introduce yourself.

20 HAITIAN CREOLE INTERPRETER: [Introduction in
21 Haitian Creole]

22 MR. DRESSLER: Thank you. Okay. If you would
23 prefer not to speak in public and would rather submit a
24 statement in writing, OCJ is collecting all written
25 statements and will make them part of the record of this

1 hearing, which we will make available to the public on our
2 website at www.nyc.gov/civiljustice in the future, and
3 written statements can be submitted to OCJ online at our
4 email address civiljustice@hra.nyc.gov. Also, as I
5 mentioned, tonight's hearing is being recorded. It's also
6 being transcribed, and we'll make that transcription
7 available on the website as well. In order to ensure
8 everyone who wants to will have an ample opportunity to
9 speak, we must limit speakers to three minutes apiece.
10 I'll alert you when your three minutes have ended. We're
11 just about ready to start. I'm going to call speakers one
12 by one. When you hear your name or your phone number
13 you'll need to unmute yourself and turn on your microphone
14 so we can hear you, and I would appreciate it if everybody
15 stayed on mute until that time comes. Okay. Okay. And
16 now I will call the first speaker, as soon as I know who
17 the first speaker is. Thank you for indulging us. Okay,
18 first speaker, Raun Rasmussen. Raun?

19 MR. RAUN RASMUSSEN: Yes, sorry. I'm taking
20 myself off mute.

21 MR. DRESSLER: No, no, no. I don't mean to rush
22 you. Sorry, just making sure--

23 MR. RASMUSSEN: [interposing] No, that's all
24 right. Yes.

25 MR. DRESSLER: Raun Rasmussen, you're on.

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1 MR. RASMUSSEN: Thank you so much. Thank you,
2 Jordan, Legal Services NYC. I'm Raun Rasmussen. I'm the
3 Executive Director of Legal Services NYC, and we welcome
4 the opportunity to give testimony tonight. Our mission is
5 to fight poverty [unintelligible] social and economic
6 justice on behalf of low-income New Yorkers. We are
7 thrilled to be able to provide legal services through the
8 Right to Counsel program in all the boroughs of New York.
9 I have just a couple of points that I'd like to address.
10 Despite the dramatic and important successes that Jordan
11 has just described that we have all read about in the
12 report, and that many of us know about from the personal
13 experience of doing the work, the need for anti-eviction
14 legal services is going to grow, and soon. Based on the
15 work of NYU's Furman Center, we know that tens of
16 thousands of New Yorkers owe hundreds of millions of
17 dollars in back rent, and although HRA, thank you, through
18 a variety of grant programs, and OTDA through the recently
19 closed, I'm sorry to say, Emergency Rental Assistance
20 Program, have provided billions of dollars in rental
21 assistance. Neither of these agencies can possibly
22 provide all the back rent needed to address the tens of
23 thousands of old and new cases that will be prosecuted in
24 the near future, and in dramatically increasing numbers
25 when the eviction moratorium ends. Eviction filings

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1 during the pandemic have been significantly suppressed,
2 and I think most of us know that. When the moratorium
3 ends and the filings begin to climb, the Right to Counsel
4 program is going to be more important than ever as tenants
5 will need more scrappy, legally savvy fighters by their
6 sides to keep their homes. Despite the fact that the fact
7 that the Right to Counsel Law is four years old, we've
8 really only begun to build the foundation for this
9 movement, and as you know, Jordan, and others here at this
10 hearing know, this is a movement not just for the
11 provision of a lawyer to every tenant, it's a move to
12 provide justice and to empower tenants and to stabilize
13 neighborhoods, and to build better, fairer systems of
14 conflict resolution, and to eliminate racism in the
15 courts. Although we are on the way, we have not yet fully
16 figured out even the simple stuff, how to effectively
17 address at scale the problems of delivering the highest-
18 quality, highest-impact legal services to every tenant who
19 wants our help through a model that's financially
20 sustainable and that provides the right kind of
21 professional development for our staff. [Background
22 noise] I had no idea I would be called first. I turned on
23 the teapot. Sorry about that. So, I want to just repeat
24 that sentence for a second, that although we're on the way
25 we really haven't figured out how to do this, how to

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1 address at scale the problems of delivering high-quality,
2 high-impact legal services through a model that's
3 financially sustainable and that provides the right kind
4 of professional development for our staff. The work to
5 provide a right to counsel must be done in the context of
6 our determination to meet the many other goals that I
7 mentioned above, because if we don't build long-term
8 neighborhood stability while we prevent evictions we'll
9 never be able to become a more just society.

10 MR. DRESSLER: Raun, I have to cut your time.
11 Your time is up, so could you wrap it up?

12 MR. RASMUSSEN: I just want to say thank you to
13 you, Jordan, for building this program from scratch and
14 nurturing all of its successes by creating this really
15 dynamic, effective partnership, and we really look forward
16 to continuing our work with you and to building on
17 successes, so thank you.

18 MR. DRESSLER: Thank you. Next up, Adriene
19 Holder.

20 MS. JULIA MCNALLY: Good evening, my name is
21 Julia McNally. I will be speaking on behalf of the Legal
22 Aid Society. I'm the Director of the Queens Neighborhood
23 Office. Thank you so much for the opportunity to testify
24 tonight, and in particular, Mr. Dressler, thank you so
25 much for your tireless commitment to this work. We are so

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1 proud to be a partner in New York's historic Right to
2 Counsel program. Right to Counsel in Housing Court is not
3 only a requirement of due process, but also a key tool to
4 mitigate the worst effects of the pandemic. During the
5 pandemic, low-income people, people of color, and our most
6 vulnerable immigrant communities have been
7 disproportionately impacted by the loss of a family
8 member, long-term health consequences, job loss, and
9 increased caretaking obligations. As a result of
10 government policies that have contributed to and caused
11 the racial wealth gap and housing segregation, these same
12 families are most likely to live in substandard housing
13 and to pay an exorbitantly high portion of their income as
14 rent. The people whose lives have been most severely
15 disrupted by the pandemic are the most vulnerable to
16 harassment, displacement, and eviction. With OCJ's
17 support, Legal Aid has fought harassment, neglect, and
18 illegal lockouts, all of which have the life or death
19 consequences of displacement during a pandemic. We have
20 successfully advocated for system-wide reforms such as
21 eviction moratoria, the Safe Harbor Act, and emergency
22 rental assistance, and we are working more each day to
23 ensure that our clients get the benefits of those reforms.
24 As the combined impact of our policy and practice work,
25 evictions have been fortunately exceedingly rare during

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1 the pandemic. In the future we hope to deepen our
2 partnership with OCJ. We urge OCJ to join us in urging
3 OCA to bridge the digital divide. While we've learned
4 that virtual appearances can work, more needs to be done
5 to bridge the digital divide for our clients. For
6 example, interventions such as a simple and
7 straightforward means of requesting a reasonable
8 accommodation and full-time technical assistance can
9 promote due process. At the end of the eviction
10 moratorium we will also need a simple means for pro se
11 litigants to file orders to show cause, as well as a
12 simple means for OCJ to be alerted at the time that a
13 notice of eviction is served.

14 MR. DRESSLER: Julia, you've got about 60
15 seconds to go.

16 MS. MCNALLY: Okay, thank you very much. We ask
17 HRA to join us in advocating to expand federal funding for
18 rental assistance, to back the Good Cause Eviction Bill,
19 to increase the effects levels, and to ensure that there
20 are sufficient resources to fully fund the Right to
21 Counsel. We are looking towards the end of the eviction
22 moratorium, and we urge OCJ to carefully monitor trends
23 and eviction filings, and the restoration of cases to the
24 calendar to ensure that legal services providers will
25 continue to be able to offer assistance to all eligible

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1 New Yorkers and stem the eviction tide that we are all
2 concerned about. Thank you for your support.

3 MR. DRESSLER: Thank you. Thank you, Julia.
4 Next up, I'm very pleased to introduced the City
5 Councilman from Manhattan, and now future Manhattan Bureau
6 President, Mark Levine.

7 MR. MARK LEVINE: Thank you so much, Jordan. I
8 am just thrilled to be with all of you to acknowledge the
9 enormous success of New York City's first-in-the-country
10 legislation. I want to take a minute to thank you,
11 Jordan, for being the founding leader of this office, and
12 to have been just outstanding in your dedication and
13 effectiveness in rolling out this legislation. It's been
14 a pleasure working with you, and my whole team feels that
15 way, so thank you. Thank you to the incredible coalition
16 of advocates; so many of you are on now who made this
17 possible. We have impacted lives, and the data that's
18 come out in the most recent report makes that quite clear.
19 We have many fights ahead, but I'll tell you, I am so
20 grateful that we have this law in place as we approach the
21 end of the pandemic and the possible large number of
22 evictions that await us on the other side. We're going to
23 need this law more than ever. We're going to need to make
24 sure it's implemented well. We have an agenda in Albany,
25 for sure, to take Right to Counsel statewide. We have an

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1 agenda in Washington to get more funding for rental relief
2 for tenants who still haven't gotten it in New York State.
3 I don't want to minimize the work ahead in what could be a
4 difficult period for tenants, but I am just so grateful to
5 all of you on this call, both in OCJ and advocates who are
6 testifying today for what you've done to make this
7 possible. So, that's it for me. Thank you, everybody. I
8 look forward to partying with you in my new role
9 continuing to fight for tenants, fairness, and justice in
10 Housing Court for many years to come. Thank you so much.

11 MR. DRESSLER: Thank you, thank you. Not on
12 mute, thank you very much. I'll apologize in advance.
13 We're all in the office this evening doing this, and it
14 turns out the floors are being cleaned, so you may hear
15 some vacuum cleaners. So, I am going to apologize in
16 advance and we'll work through it if it really becomes an
17 issue. Thank you again, Councilmember, or President-
18 elect. Next up we have Sheila Boston, Alison King, and
19 Andrew Scherer who I think may be presenting as a group,
20 and if not, please let me know.

21 MS. SHEILA BOSTON: Correct.

22 MR. DRESSLER: Okay, great. Thank you, Sheila.

23 MS. BOSTON: Good evening. This testimony is
24 presented on behalf of the New York City Bar Association
25 Civil Right to Counsel task force formed in the spring of

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1 2018 to advocate for the most effective implementation of
2 New York City's newly established Right to Counsel in
3 eviction cases. To support the extension of that right to
4 other jurisdictions, and to advocate for the extension of
5 the right to counsel in other civil matters where
6 fundamental human needs are at stake. New York Law School
7 professor Andrew Scherer and Alison King, pro bono counsel
8 at [unintelligible] Porter are the task force coaches.
9 The task force includes the two immediate past presidents
10 of the City Bar as well as the current president, myself,
11 who sits ex officio, as well as prominent members of the
12 bar, judiciary, and legal academia, leading housing rights
13 advocates, and liaisons to other relevant City Bar
14 committees. The task force does not include
15 representatives or organizations with an immediate stake
16 in the Right to Counsel program. The Right to Counsel for
17 tenants in New York City is leveling the playing field in
18 Housing Court, giving people a fighting chance to assert
19 their legal rights, and sending a message that the lives
20 and homes of New York City's low-income households are
21 entitled to be treated with dignity and respect. It's
22 helping to preserve low-income housing, stabilize low-
23 income communities, stem the displacement of low-income
24 households, promote the stability in the households of
25 thousands of children whose development depends on it, and

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1 reduce the incidence of homelessness and its concomitant
2 human and governmental cost. It's helping to transform
3 the culture and nature of the Housing Court to a more
4 balanced law with greater stability and deeper attention
5 to legal rights and principles. During the pandemic it
6 has saved lives as well as homes by ensuring that tenants
7 have been able to avail themselves of pandemic-related
8 protections against eviction, as well as preexisting
9 rights, and the City is to be applauded for leading the
10 state and the nation by adopting this measure, for
11 enthusiastically moving forward with a massive undertaking
12 of implementation, and for engaging in ongoing dialogue
13 with key stakeholders.

14 MS. ALISON KING: Thank you, Sheila. This is
15 also an unprecedented enrollment with profound
16 implications for the Right to Counsel. New York is in the
17 midst of a housing crisis as a result of the pandemic, and
18 a staggering number of New Yorkers have lost their jobs,
19 some permanently, and over 1.4 million households in New
20 York State are at risk of housing instability or rent
21 shortfalls. New York State's eviction moratorium will end
22 on January 15, 2022. The impact of this potential
23 avalanche of eviction cases and resulting judgments will
24 follow most heavily on people of color, people with
25 disabilities, seniors, veterans, and low-income New

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1 Yorkers who constitute the vast majority of respondents in
2 eviction cases, and whose communities in our city are the
3 most critically affected by the pandemic. Measures have
4 been taken to address this crisis, as Jordan has
5 described, but we believe that they're not sufficient.
6 Courts are already overwhelmed by hundreds of thousands of
7 pre-pandemic pending cases and will be further compromised
8 with--

9 RECORDED VOICE: [interposing] Recording in
10 progress.

11 MS. KING: --I'm sorry--in cases if sufficient
12 additional remedial measures aren't taken.

13 MR. ANDREW SCHERER: So, thankfully, there is a
14 wide consensus about the importance of counsel for tenants
15 in New York City who face eviction at a time like this.
16 The City, the legal services organizations, and the courts
17 have all worked hard to transform themselves almost
18 overnight to continue to do all that they can to keep the
19 tenants and stakeholders safe from the pandemic and to
20 extend the right to counsel, at least for the moment, to
21 basically everyone who's coming to court in an eviction
22 case. These measures are so important, not just to
23 families, but to the current and future stability of the
24 neighborhoods of our city, and are very much to be
25 applauded. We as the task force offer the following

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1 comments and suggestions. First, we urge the City to
2 actively support the statewide effort to create a Right to
3 Counsel statewide that would cover any case that could
4 result in a tenant losing their home and that requires
5 courts, judges, and landlords to ensure that tenants know
6 about their right to counsel and how to use it, and
7 requires the courts to adjourn cases until tenants have
8 had time to retain and consult with their Right to Counsel
9 attorneys. So, it would actually really be value added to
10 the program the City has in place. We urged the City to
11 increase, as Jordan said, it's about to do its outreach
12 and fostering awareness. It's more important than ever
13 for the City to initiate an aggressive public outreach and
14 awareness campaign. We understand that plans are on hold
15 but we're very pleased to see that the plans are underway
16 and the word will get out in a way that it really hasn't
17 thus far. We urged the City to make sure that multiple
18 languages are used in the media campaign. We'll have all
19 sorts of platforms. We urge the City also to rapidly
20 implement and adequately fund Local Law 53 to engage
21 community organizations in the outreach efforts, and we
22 urge the City to implement a uniform process to provide
23 right to counsel and make sure that the calendaring is
24 based on the capacity of the legal services organizations
25 to fund what's actually needed to make sure that there are

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1 enough attorneys and support staff to meet the need, to
2 make sure that there are social workers, paralegals,
3 public benefit advocates, mental health professionals, and
4 other service providers, in addition to housing attorneys
5 who are so necessary to assure that entrants receive full
6 and adequate representation. We also want to urge the
7 City to make sure that as we're moving to this next year
8 with the a new mayor to do everything that needs to be
9 done to make sure that other sources of funding for
10 housing-related legal services may continue to be
11 provided, and that the services are maintained that have
12 been in place for these last several years. Also, this is
13 somewhat more minor, but not so minor. We want to applaud
14 the City for really making a solid shift to using the
15 language of Right to Counsel. We have become a model, as
16 people have been saying, for the whole country, and it's
17 really important that people understand that this is a new
18 right and an important right, and that it was hard-fought,
19 and that people will fight to preserve it if they need to,
20 and there are places all over the country now that are
21 trying to emulate us. Thank you very much for your time
22 and consideration. Please don't hesitate to call upon the
23 task force if we can be helpful, and we very much look
24 forward to continuing this important dialogue. I also
25 just want to gratefully acknowledge two of my law students

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1 who helped us prepare the testimony for tonight, Carly
2 Cartenburg [phonetic] and Joe Rockman. Thank you very
3 much.

4 MR. DRESSLER: Thank you. I'm going to just
5 pause for a moment for just an announcement quickly.
6 Actually, not so quickly. We may have created some undue
7 pressure on folks to try to rush their statements to make
8 sure they get in in under the three-minute mark. Not at
9 all our intention. Sometimes the speed has caused some
10 challenges for some of our interpreters. So, if folks can
11 just slow down a little bit, I assure you, we'll go easy
12 on cutting folks off. We'll be reasonable. I think
13 anybody who's been in these hearings before knows we don't
14 cut mics if we don't need to, and we've never had to, so
15 if everybody can just make sure they're just speaking at a
16 nice ordinary pace to make sure that our interpreters who
17 have been so helpful can make sure they can interpret
18 appropriately. Thanks. Next up, Austen Refuerzo.

19 MR. AUSTEN REFUERZO: Thanks, Jordan. Hi, I'm
20 Austen Refuerzo, a supervising attorney at the Housing
21 Defense practice at Neighborhood Defender Service of
22 Harlem. NDS is a community-based public defender office
23 that provides high-quality legal services to residents of
24 [unintelligible] Manhattan, and a member of the LEAD
25 [phonetic] Coalition. As a holistic public defender NDS

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1 is particularly familiar with the collateral consequences
2 of homelessness, including an increased chance of entering
3 the criminal legal system. The New York City Right to
4 Counsel has begun to fundamentally upend the dynamic of
5 Housing Court. Housing Court has historically and
6 notoriously operated as a high-speed eviction mill, a
7 place where unrepresented tenants were deceived, tricked,
8 and bullied out of their homes. The past four years have
9 proven tenants represented by an attorney are
10 significantly more likely to be able to remain in their
11 homes. Keeping tenants in their homes protects families,
12 preserves communities, and prevents the destabilization
13 that often precipitates involvement in the criminal,
14 legal, or child welfare system. As a holistic public
15 defender, NDS knows that the Right to Counsel when
16 fighting an eviction case is a bulwark against the worst
17 injustices of our legal system. It is alarming to imagine
18 how woeful the last 20 months would have been had the
19 Right to Counsel not been partially, and thanks to
20 [unintelligible] 2050 fully implemented during the
21 pandemic. By marshaling the existing army of Right to
22 Counsel attorneys we are able to avoid the tragic,
23 violent, and potentially fatal wave of evictions feared at
24 the beginning of the pandemic. HRA and the Right to
25 Counsel attorneys have done an admirable job reacting to

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1 the dual affordable housing and COVID-19 crises. However,
2 we at NDS seek to provide a more lasting stability, and in
3 doing so, interrupt the cycle of the same tenants
4 appearing in Housing Court over and over. At NDS, social
5 workers ensure that Right to Counsel clients have the
6 support and access to services they need, while legal
7 advocates connect tenants to rental assistance and rental
8 subsidies which provide long-term solutions and lasting
9 stability. These are services not currently funded
10 through HRA or promised to every Right to Counsel
11 attorney, but they should be. We much acknowledge--

12 MR. DRESSLER: [interposing] About 60 seconds to
13 go.

14 MR. REFUERZO We must acknowledge that racist,
15 cultural, and oppressive systems are connected, and that
16 an attorney is but a balm treating the symptoms of larger
17 problems, not a panacea. An effective right to counsel is
18 one funded in a way to ensure that tenants have access to
19 social workers and legal advocates if they require them.
20 Imagining a better Housing Court landscape requires a
21 Right to Counsel that is more proactive and holistic. The
22 pandemic has thrown a harsh light on the prevalence of
23 landlord harassment and deplorable housing conditions.
24 The Right to Counsel must meet tenants where they are, a
25 reality that can only be achieved by the incorporation and

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1 funding of community organizers into the Right to Counsel
2 program. Because of the Right to Counsel program, fewer
3 New Yorkers have been evicted. However, with the forced
4 resumption of Housing Court proceedings, it's axiomatic
5 that the Right to Counsel requires support that enables
6 attorneys, social workers, and advocates to dedicate the
7 required resources to fight for lasting stability. Thank
8 you. Thank you for your work, Jordan.

9 MR. DRESSLER: Thank you, Austen. Jenny Laurie
10 is our next speaker.

11 MS. JENNY LAURIE: Thank you. My name is Jenny
12 Laurie. I'm the Executive Director of Housing Court
13 Answers. I want to start by echoing everyone else, and
14 thanking you, Jordan, for your great work at OCJ, and also
15 thank your staff, they've been terrific. You've all been
16 so supportive and great to work with as we've both gone
17 through the beginning of the Right to Counsel, but also
18 during the pandemic. Housing Court Answers operates the
19 Right to Counsel hotline. HCA staff work in partnership
20 with OCJ and the City's legal service providers to help
21 tenants facing eviction in Housing Court. As the most
22 recent OCJ report shows, the Right to Counsel has been a
23 great success. The report shows that 84% of tenants with
24 legal representation were able to stay in their homes.
25 Recent reports on the City's family homelessness say that

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1 numbers have gone down as evictions have also gone down.
2 Despite the success, the pandemic threatens to overwhelm
3 our eviction prevention systems. I want to thank the
4 Right to Counsel Coalition which led the campaign to enact
5 the current law and which leads the current campaign to
6 win the statewide Right to Counsel which is so important.
7 The coalition led by tenants who have lived through
8 eviction and housing instability have some really good
9 suggestions for ways to prepare for the coming end of the
10 eviction moratorium. I'd like to highlight two of those
11 that others have spoken of as well. The first one is just
12 to ensure that there is a fair and systematic process for
13 connecting tenants with counsel and ensure that cases in
14 court are not moving too fast for that process. This
15 means pushing back on the force for greater efficiency in
16 the courts. This is a force that would have us go back to
17 the pre-pandemic assembly-line style of justice in Housing
18 Court. There will be a frightening volume of cases in the
19 City's courts when the moratorium ends. The other is
20 preserve the other City-funded legal programs that help
21 tenants. At Housing Court Answers we spend a lot of time
22 over the phone coaching tenants who need help filing HP
23 actions against landlords who are depriving their
24 buildings of basic services. While these folks are not
25 facing classic eviction case in Housing Court, they are

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1 being forced from their homes through other means. We
2 urge the City to preserve the anti-harassment and tenant
3 protection funded work. And that's it. Thanks again,
4 Jordan, for your great work.

5 MR. DRESSLER: Thank you. Okay, where's my
6 little list here? Okay, thank you. Thank you, Jenny.
7 Next up, Joanna Laine.

8 MS. JOANNA LAINE: Good evening. My name is
9 Joanna Laine and I'm a tenant defense attorney in the
10 Brooklyn office of the Legal Aid Society. I'm also an
11 officer of the Association of Legal Aid Attorneys, UAW
12 2325, or ALA, for short. ALA is the labor union
13 representing a diverse group of attorneys at several
14 different legal services organizations who are dedicated
15 to safeguarding the rights of tenants. We want to thank
16 you, Mr. Dressler, for your stewardship of the Right to
17 Counsel program, and for allowing ALA to testify today.
18 As tenant advocates we applaud the expansion of Right to
19 Counsel to tenants in New York City's five boroughs and
20 all zip codes. However, or organizations are becoming
21 increasingly unable to sustain the Right to Counsel
22 program with the level of resources that are currently
23 allocated to us. It's our understanding that the funding
24 that organizations receive is not enough to finance the
25 true cost of the Right to Counsel program. We as staff

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1 attorneys experience this first-hand every single day as
2 we struggle to maintain untenably high case loads. Nearly
3 every member of our union reports being overwhelmed, and
4 we expect this will worsen even more when the eviction
5 moratorium expires. We're therefore deeply concerned that
6 the level of resources currently being provided to fund
7 Right to Counsel won't be enough to sustain the momentum
8 of this great and essential program. Beyond the Right to
9 Counsel program, funding must also be sustained for tenant
10 organizing as well for affirmative litigation, group
11 representation, and representation in other cases which
12 arise from landlord-tenant disputes. With increased
13 landlord aggression during the pandemic we've had to take
14 on many affirmative cases like illegal lockouts and HP
15 actions for repairs to ensure that our clients aren't
16 forced out of their homes in other ways. We're also
17 seeing landlords file cases in new forums in order to put
18 pressure on tenants to self-evict. So, the City must
19 preserve an expand all housing-related legal services
20 programs, not just the Right to Counsel. We also ask that
21 OCJ work with the courts to ensure that cases are
22 calendar-based in the capacity of legal services providers
23 with sufficient time to ensure that cases are fairly
24 adjudicated, and we must draw on the lessons of the COVID-
25 19 pandemic to improve Housing Court. One unexpected gift

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1 of the pandemic has been the option of virtual appearances
2 which allowed tenants to appear in court without having to
3 miss work or find child care. We encourage OCJ to
4 advocate for a permanent virtual option in routine Housing
5 Court appearances, and for resources for tenants with
6 limited access to technology. Finally, OCJ must work with
7 the courts to ensure that tenants who don't yet have a
8 lawyer are adequately notified of their court appearances
9 in advance. We've observed a really troubling number of
10 tenants who failed to receive proper notice of their court
11 case, and therefore end up at risk of eviction simply by
12 default. In this challenging time we as attorneys will
13 continue to fight for our clients, but we cannot do this
14 alone. Again, we need OCJ to adequately fund our offices'
15 essential housing-related work, and to support a court
16 system that truly gives justice to New York City tenants.
17 On behalf of ALA, thank you again for taking the time to
18 hear our testimony.

19 MR. DRESSLER: Thank you. Okay, next up, Kevin
20 Li. Kevin?

21 MR. KEVIN LI: One second, I'm getting my camera
22 all set up. Hello, everyone. My name is Kevin. Thank
23 for this opportunity to testify about the Universal Access
24 Program. My name is Kevin Lee and I'm an attorney at
25 CAMBA Legal Services. CAMBA Legal Services is proud to be

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1 one of the providers of the Universal Access Program where
2 we have services in Brooklyn and Staten Island, and
3 recently, surprisingly, [unintelligible] boroughs. We are
4 a member of LEAP, a coalition of 17 New York City civil
5 legal services providers, many of which participate in the
6 legal access program. We would like to thank the city
7 counsel for continuing the universal access program at
8 time when municipal budgets across the world have been
9 forced to do more with less. The [unintelligible]
10 administration for the work on this program which will
11 leave a lasting legacy on New York City, our partners are
12 working with as the Right to Counsel program expands to
13 help more people than ever, and many others as the Right
14 to Counsel Coalition, the community-based organizations,
15 and its organizers from across the city all work
16 tirelessly to promote justice for all. Of course, last
17 but not least, we would like to thank the Office of Civil
18 Justice for its continuing work to ensure that those in
19 need obtain the legal help that they need to keep their
20 homes. Their hard work in the past four years has helped
21 create an incredibly important and successful program. We
22 have spoken in the past about the overall financial
23 savings the program provides to the City budget by
24 limiting homelessness; this continues to be true.
25 However, today we want to highlight the unquantifiable

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1 human health that the program and its participants that
2 CAMBA Legal Services have provided during these trying
3 times. This past year CAMBA Legal Services has continued
4 to assist our fellow New Yorkers with housing issues amid
5 the COVID-19 pandemic. This unprecedented pandemic has
6 resulted in hardships that would have culminated in more
7 homelessness were it not for this program which has
8 expanded across the city to help nearly everyone facing
9 evictions in housing court. Without the program, tens of
10 thousands may not have had the time, knowledge or help
11 applying for the Emergency Rental Assistance Program, also
12 known as ERAC, which provides much-needed help for rental
13 arrears that have accrued because of the pandemic. With
14 the help of the Office of Court Administration, Housing
15 Court judges and their staff, Universal Access has helped
16 create a process to ensure that everyone facing evictions
17 knows their rights of what's unnecessary eviction and
18 preserves their tenancies. We also want to unequivocally
19 state how successful virtual representation has been,
20 despite some issues which we all continue to work together
21 to resolve. We have proven that virtual representation in
22 and of itself has not resulted in diminished
23 representation, and it has in fact expanded access to
24 justice [unintelligible] process connecting those sued by
25 landlords to legal service providers have ensured that

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1 almost everyone facing eviction be able to talk to a
2 lawyer. Even if someone is not eligible for full
3 representation, they have an opportunity to have someone
4 review their case, which enables them to know their rights
5 and thus better protect themselves. In short, virtual
6 representation of our clients and Housing Court's
7 implementation of it has been an unqualified success and
8 should continue following the pandemic. Despite these
9 successes there are still things that need to be done to
10 ensure that those facing eviction have the right to
11 protect themselves. They include access to all court
12 files digitally. The New York City Judiciary System and
13 Office of [unintelligible] Administration has done a
14 commendable job during this pandemic, balancing the need
15 to access courts with safety. One of its most impactful
16 actions during the pandemic was implementation of the New
17 York State Court Electronic Filing System for Housing
18 Court, also known as NYSA. This has been tremendously
19 impactful and allows us to provide access to court files
20 vigilantly without having to go into various housing
21 courts with the City. [Background noise] My baby's very
22 excited--

23 MR. DRESSLER: [interposing] Kevin, it's about
24 60 seconds to go, and it sounds like you might have your
25 hands full.

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1 MR. LI: We encourage that the court continues
2 to digitize files which are [unintelligible] have not been
3 regularly digitized. A lot of New York cases have been
4 digitized very well. We encourage OCJ to provide more
5 resources to the court for the OC, Office of Court
6 Administration provide that support as well. In addition
7 to that, we also have told some other of our colleagues
8 that we want to expand access to HP cases. We've
9 witnessed landlords resort to put more pressure on our
10 clients by harassing them, by turning off their services,
11 in hopes of trying to get them out of the apartments. We
12 believe that tenants have a hard time to start their own
13 HP cases, and we urge that OCJ provides more resources to
14 the legal service providers so that we can help them, as
15 we all know HP actions serve as a deterrent to prevent
16 landlords from doing things that are what we believe to be
17 incredibly unscrupulous. Thank you for giving me the
18 opportunity to testify. We want to close our testimony by
19 just saying all defendants that we helped virtually, they
20 were able to stay in their apartments, and that we take
21 great pride in the work that we've done, the program has
22 achieved. We look forward to working together to ensure
23 that all tenants have the right to counsel so that they
24 can keep their home. Thank you.

25 MR. DRESSLER: Thank you. I understand there

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1 was a question in the chat about an issue with the Spanish
2 interpretation process. I think that's been taken care
3 of, but I do understand. I'll caution everybody again,
4 and again we will go maybe even a little bit easier on
5 timelines. We do want to make sure everybody has an
6 opportunity to speak at a reasonable hour. Please just
7 try to slow down a little bit when you're giving your
8 statement. Thank you. Okay, next up is Zac Hale
9 [phonetic].

10 MR. ZAC HALE: Thank you, Jordan. Thank you,
11 HRA, and to everyone else who is speaking. Can you hear
12 me?

13 MR. DRESSLER: Yep.

14 MR. HALE: Okay, thank you. My name is Zac
15 Hale. I'm an attorney with the Preserving Affordable
16 Housing Unit at Brooklyn Legal Services Corporation A, or
17 Brooklyn A. Brooklyn A has been providing low-barrier,
18 high-quality legal services to tenants for over 50 years,
19 and in that time few developments have been as crucial to
20 the safety and security of New York renters, as has the
21 City Council's passage of the Universal Access or Right to
22 Counsel in 2017. Before Universal Access, unrepresented
23 tenants face frivolous eviction cases and had little
24 recourse in the face of harassing negligent landlords, but
25 in just four years the program has enabled providers like

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1 us to keep countless tenants in their homes and keep those
2 homes safe, healthy, and affordable. Brooklyn A alone has
3 helped over 10,000 New Yorkers stay in their homes in the
4 years since 2017. That's over 10,000 New Yorkers who
5 avoided the trauma of forced displacement, thanks to the
6 City Council's enactment and expansion of Universal
7 Access. In a city where more than two-thirds of
8 households are renters it's impossible to overstate the
9 benefit that access to counsel has brought, not only to
10 tenants, but to the City as a whole. Facing an eviction
11 is a scary, overwhelming, and isolating time for families
12 already facing financial and personal hardships.
13 Appearing in court alone is an intimidating process, but
14 thanks to Right to Counsel, tenants can show up empowered
15 and informed with an attorney by their side. Universal
16 Access lifts our clients up and puts them on equal footing
17 with their landlords, providing the dignity of legal
18 representation without the burdensome cost. Without
19 Universal Access many tenants would be unable to afford an
20 attorney, would have to proceed pro se. Navigating the
21 legal process as a pro se litigant is very challenging.
22 As recently as 2013 only 1% of tenants in Housing Court
23 were represented by lawyers, compared with 95% of
24 landlords, as many of you know. Universal Access levels
25 the playing field, as we've heard over and over again

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1 tonight. It prevents evictions and ensures repairs are
2 made. It stops harassment, stops self help, prevents
3 homelessness. Right to Counsel reduces the number of
4 evictions and it's shown in the data, and it also saves
5 the government money by reducing shelter costs and other
6 expenses. A recent Brooklyn A case illustrates the
7 importance of Right to Counsel, so I'll share that with
8 you now before closing. We had a client, an elderly
9 woman, who called 311 after her landlord had cut off her
10 heat in winter. In retaliation, the landlord locked her
11 out of her apartment and proceeded to call the police and
12 make false allegations against her that led to her arrest.
13 Brooklyn A picked up the phone, worked with the public
14 defender to get the charges dropped so they wouldn't
15 prevent her from getting back into her home. We sued the
16 landlord for locking her out, and we took the case to
17 trial and won. The client was able to change the locks
18 and return to her home. The landlord was persistent,
19 however, and soon after, while the client was out shopping
20 one day on a weekend, the landlord did the same thing
21 again. This time our attorney was able to show up, speak
22 with the police, provide the court order and explain it to
23 them so she could get back into her home. This is a
24 critical for moment for tenants just like that client that
25 I spoke about, and with COVID, many New Yorkers have lost

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1 income, exacerbating the already dire housing crisis.
2 Stable housing is the cornerstone of stability for all of
3 the other areas of someone's life, and now more than ever
4 it's essential to the recovery of New York and New Yorkers
5 that we protect stable, safe, affordable housing. Legal
6 services ensures that that can be reality for the tenants
7 in New York. As we prepare for the lift of the moratorium
8 on evictions, it's crucial to maintain and even expand the
9 resources that uplift the rights of tenants and preserve
10 affordable housing for all. We look forward to partnering
11 with the City, HRA, OCJ, and continuing with Right to
12 Counsel, expanding the Right to Counsel, and getting our
13 communities the resources they need to stay safe and
14 healthy at this trying time. Thank you.

15 MR. DRESSLER: Sorry, I was unmuting. Thank
16 you. I'm going to just take a little bit of privilege
17 here to pause the proceedings. We've been at this for
18 about an hour. I wanted to say this at the top of the
19 meeting and then realized people would be filing in, and
20 maybe I'd say it at the end of the meeting and then
21 realized people would be filing out, so I'm going to take
22 the nice meeting middle to take a moment to acknowledge
23 the important critical, hard, and exemplary work, not of
24 the providers, which are great, not of the advocates,
25 which are great, but of the team at OCJ. Some of you know

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1 I'm approaching my last days at OCJ, and I just want to
2 take a moment to say thank you and to make sure that
3 everybody here who's so invested in the success of this
4 program, the success of this ecosystem, the continued
5 reforms and improvements, understands how critical the
6 work of the Office of Civil Justice, the team that works
7 here at 4 World Trade, is to making all of that possible.
8 It is often unsung, but the work of the contracts and the
9 schedules and the payments and the rotations and the
10 coordination of referrals, and the coordination with the
11 courts and with providers are literally the glue that hold
12 this system together. I have been very fortunate to work
13 alongside some of the best professionals in government,
14 some of the best professionals full-stop in making this
15 work a reality. While we spent admirable and appropriate
16 time talking about the direct delivery of services and the
17 direct delivery of outreach, I do want to take a moment
18 just to say very sincerely thank you to everybody at OCJ
19 for making that a reality. So, with that, we will get
20 back to our speakers. The next three speakers, I know we
21 had a lot of folks sign up early and it all sort of came
22 in at the same time. We have a few legal professionals
23 who are on the list. I assure you we're getting to you
24 soon. We do want to turn to folks who do not appear to be
25 legal professionals and hear from them and come back, and

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1 we'll be going in order. So, I'm going to give the next
2 three names so folks can get ready. Ervin Bennett,
3 Gloribel Castillo, and Sandra Mitchell. Ervin Bennett,
4 you're up first. Maybe not. Okay, Gloribel Castillo?
5 Okay, we can come back to these names. Sandra Mitchell?
6 Okay.

7 MS. ROBLEDO: I think Ms. Mitchell was trying to
8 speak. I see her--you're on mute.

9 MR. DRESSLER: Okay.

10 MS. SANDRA MITCHELL: Can you hear me now?

11 MR. DRESSLER: Sandra Mitchell?

12 MS. MITCHELL: Yes, I [crosstalk] chat box.
13 Thank you for that. [Crosstalk] Sandra Mitchell. I am a
14 New Yorker that is proud of New York, and I am proud of
15 the HRA staff too, since I used to work in Accounts
16 Payable. I used to process all those checks. And I am
17 too so proud of our elected officials, Mark Levine, and
18 also the unsung heroes that are behind the scenes
19 answering the phones and filling out the forms, and just
20 everything. I'm just so proud to be a New Yorker. Good
21 evening, everyone. I just want to say thank you, Mr.
22 Dressler--and I'm from the South so we say Mister and
23 Misses and Ma'am to show respect--for making New York
24 proud again. It takes leadership, and you have been a
25 great leader for us. You have a listening ear for the

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1 people and your team has as well as a reflection of you,
2 and the heart and the bravery and the patience to work
3 tirelessly to keep our city safe from homelessness and
4 extensive costs. Before the Right to Counsel was created
5 that was not the case for me. I was forced into
6 homelessness but an unscrupulous landlord who wants to
7 have people move in, only to have them move out so he
8 could jack the rent up. I did represent myself pro se and
9 I wouldn't want this to happen to any human being. I
10 thought that my innards were just going to fall out and I
11 would die every time I stood up in front of the judge.
12 But doing volunteer work with CASA, Community Action for
13 Safe Apartments, being in the shelter, and getting special
14 letters written so that I could stay at the
15 [unintelligible] guidelines for court hearings, and I
16 could come back at 2:00 in the morning from our fearless
17 leader Shayla and the wonderful staff that held me up,
18 even when I was in the shelter fighting for better
19 supports for people before you get thrown in a shelter.
20 So, my story is a little bit different. Right to Counsel
21 came after I lost my case. I could've gone further on but
22 I didn't have the strength to do it, so now Right to
23 Counsel is here and it's universal, and I'm very proud to
24 be a part of that. I'm very proud to work with everyone,
25 the community-based organizations and attorneys that

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1 stepped up, and I'm really hoping and praying every day
2 that we have a system that is sustainable so that everyone
3 will get access to Right to Counsel, and that I hope, I'm
4 praying, that we will make sure that it is available to
5 people, that we make people aware that no one has to stand
6 alone, like how I had to. I'm very concerned about the
7 cost to New York City, and any city, any state in this
8 United States of America, because in the shelter where I
9 was it cost \$2.1 million to run that shelter, and a lot
10 could be done with that \$2.1 million by making sure that
11 people can stay in their homes, and that they don't have
12 to face eviction, and that also they can provide
13 sustainable housing, low income housing, and there were a
14 lot of women there in that shelter that because their
15 spouse either died or did not have jobs, or they
16 separated, they were in there, they were working, and
17 there was no housing for them.

18 MR. DRESSLER: I hate to interrupt. I just want
19 to let you know you've got about 30 seconds to go.

20 MS. MITCHELL: Yes, that's all I have to say.
21 Thank you so much for having the heart of the people of
22 New York City, and for your staff, and for everyone that's
23 on this call who are here from CASA, who are here from
24 Northwest Bronx Community Clergy Coalition, who are here.
25 Now I'm in my apartment, it's been four years, and I'm

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1 just really very grateful for how New York City stood up,
2 the knight in shining armor, and the beacon of light for
3 the rest of the states, for the rest of the cities. Thank
4 you.

5 MR. DRESSLER: Thank you. I said a moment ago
6 how good our staff is. They're so good that they reminded
7 that in years past I would read out names three at a time
8 to give folks some sense that they might be coming up, so
9 I'm going to do that now and going forward, as soon as I
10 get back to my list, if you could just bear with me.
11 Okay. The next three names, we'll take them in order,
12 Cristina Quinones Betancourt, Jesenia Ponce, and Hannah
13 Fishman. So, Cristina?

14 MS. CRISTINA QUINONES BETTANCOURT: Yes. Thank
15 you, and good evening. My name is Cristina Quinones
16 Betancourt and I am a supervising attorney in the housing
17 project Mobilization for Justice in our Bronx office. MFJ
18 envision a society in which there is equal justice for
19 all. Our mission to achieve social justice by
20 prioritizing the needs of people who have low incomes,
21 have disabilities, or are otherwise disenfranchised. One
22 of the very important ways that we do this is by providing
23 zealous representation to tenants facing eviction. MFJ
24 appreciates the opportunity to share information with OCJ
25 about the vital work MFJ has done because of Right to

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1 Counsel, as well as some thoughts about the implementation
2 of Right to Counsel could be improved. We would also like
3 to take this opportunity to extend a special thank you to
4 Jordan Dressler. He has been instrumental in the
5 implementation of Right to Counsel, as many people have
6 already mentioned. He has been beyond helpful as we have
7 continued to navigate the daunting challenges posed by
8 COVID-19 pandemic. It is an understatement to state that
9 Right to Counsel is necessary. Currently MFJ participates
10 in Right to Counsel in the Bronx every Tuesday, and on
11 that day a team of around 16 advocates comprised of
12 supervising attorneys, staff attorneys, and paralegals
13 appear in court virtually to conduct intakes for dozens of
14 tenants who are all at imminent risk of eviction. We also
15 receive additional referrals from HRA on a weekly basis
16 via email. In the last year the right to counsel MFJ
17 provided advice, counsel, and representation to thousands
18 of tenants and prevented hundreds of evictions. We have
19 also obtained millions of dollars in monetary assistance
20 for our Right to Counsel clients. All of this was
21 achieved in the middle of the pandemic and further
22 demonstrates that Right to Counsel works. It is
23 undeniable that Right to Counsel has saved countless
24 tenants from eviction, however, MFJ also believes there is
25 room to improve the implementation of the program to

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1 ensure that we better fulfill our obligations. I'm not
2 going to repeat many of the insightful comments that have
3 already been made during this hearing, however, the
4 following are some additional ways the process could be
5 changed to better benefit clients, the court, and
6 attorneys. To start, although HRA has improved its
7 referral process over the last couple of years, we have
8 suggestions on how that process could be further improved.
9 Currently HRA refers some court cases to us via email with
10 each case being referred in its own separate email. The
11 system makes the referrals difficult to track, and it
12 could lead to cases falling through the cracks.
13 Accordingly, we would appreciate a more centralized system
14 that would allow us to see all referrals for the entire
15 week in a single place, such as a PDF, spreadsheet,
16 worksheet, or document. Additionally, housing law is
17 highly technical and complicated, and every single case
18 typically requires advocates to conduct substantial
19 investigation into the facts of the case before being able
20 to provide confident representation. Accordingly, we
21 would ask that HRA provide us with as much advanced notice
22 as possible when referring cases to providers, because we
23 frequently receive some referrals for cases that are
24 scheduled to be conferenced within a matter of days. This
25 short turn-around time is often insufficient to complete

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1 an intake, much less to make meaningful strides towards
2 resolving the tenants' legal issues, and also causes
3 significant stress for tenants who then feel like they
4 might have to go to court without representation.

5 MR. DRESSLER: 30 seconds to go.

6 MS. BETANCOURT: Yes, thank you. Finally, in
7 order to provide holistic representation to our clients,
8 as has already been mentioned, we would ask that legal
9 service providers be authorized to prepare CityFHEPS
10 applications in-house. The outsourcing of these
11 applications creates needless delays and places tenants at
12 risk of eviction. So, while we appreciate our partners at
13 home base, and I understand that they are dealing with a
14 massive volume of cases, allowing our paralegals to handle
15 the process from start to finish would greatly benefit our
16 clients. Thank you very much.

17 MR. DRESSLER: Thank you. Jesenia Ponce?

18 MS. JESENIA PONCE: Thank you, Jordan, and
19 hello, everyone. Good evening, everyone. My name is
20 Jesenia Ponce. I'm a supervising attorney here at NMIC.
21 On behalf of NMIC I want to thank you for the opportunity
22 to testify on the Right to Counsel program that has deeply
23 impacted tenants in our community, in the communities that
24 we serve. I do realize that my time is limited here, and
25 I will briefly summarize some points in our written

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1 testimony for our Right to Counsel staff has assisted
2 [background noise] leveraging millions of dollars in rental
3 arrears assistance since the acceptance of this law.
4 However, their legal [background noise] often relies on
5 the support of the team of staff who leverage City and
6 private sources to ensure that we are able to address
7 underlying issues that are often required for our advocacy
8 to be successful. So, this is why funding for proper
9 staffing is essential to the long-term eviction prevention
10 idea. Our work does not end with settlement, as many of
11 us know here. Eviction proceedings require far more than
12 litigation. Our community needs a holistic approach to
13 resolution that will not leave tenants unstable in their
14 homes after we sign a stipulation for them or with them in
15 court. Also, as attorneys navigate through the upcoming
16 eviction wave that will be early 2022. The predatory
17 practices by landlords will likely be exposed at a greater
18 scale. As it stands, most of our work focuses on eviction
19 prevention, however, we are unable to conduct
20 investigative work and find patterns of inconsistencies
21 across the City to then engage in progressive work. We
22 cannot really make a difference long term if we can't
23 engage in the [background noise] investigation in this
24 progressive work. Systemic issues as we know as exist, as
25 many of us have encountered through our litigation or

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1 advocacy in court. Without proper funding to research the
2 issues, like I said, we cannot make a difference long
3 term. Impact litigation is crucial for a long-term
4 solution to housing instability brought on by predatory
5 landlords. So, this is essential for our work.

6 MR. DRESSLER: 60 seconds.

7 MS. BETANCOURT: Thanks, Jordan. With the
8 moratorium lifting, the Right to Counsel program will play
9 a significant goal, as we all know, in maintaining
10 affordable housing stock in New York City and assessing
11 how the program can be improved will result in lasting
12 result at eviction prevention for years to come, for
13 generations to come. Thanks again, Jordan, for hearing
14 our testimony.

15 MR. DRESSLER: Thank you. I'm going to make
16 another reminder to everybody to please try to slow down.
17 I know there's a lot of information to cover, and again, I
18 know we're placing somewhat of an external pressure on you
19 because we've got a time limit, but you understand the
20 good reasons why we have that, but we do want to make sure
21 that folks taking advantage of interpretation services are
22 hearing all of the important things that you all have to
23 say. So, please just try your best to slow down a little
24 bit. Also, I wanted to give a heads up that after Hannah
25 Fishman provides a statement, we're going to be moving on

1 to some folks who actually are going to be speaking
2 through the Spanish interpreter. I'm going to give those
3 names now so folks can get ready. I just want to warn
4 everybody this will be a moment where we want to make sure
5 the technology works, so you may want to give us just a
6 little indulgence to make sure everybody's in and properly
7 heard. Those names are Maria Vasquez, Lorena Santana, and
8 Daisy Santos. They'll come with a Spanish interpreter
9 right after Hannah Fishman. Hannah, you're up.

10 MS. HANNAH FISHMAN: Good evening. Thank you
11 for the opportunity to speak tonight. My name is Hannah
12 Fishman. I'm a supervising attorney in the New York Legal
13 Assistance Group's Tenants' Rights Unit. NYLAG is a civil
14 legal services organization and a proud Right to Counsel
15 provider. The Right to Counsel for tenants in New York
16 City has already been a resounding success as we've
17 already heard tonight. Though the program has prevented
18 eviction and enforced tenants rights for thousands,
19 there's more that needs to be done to make sure not just
20 access to counsel, but access to the high-quality legal
21 services and programs dropped [unintelligible] and to
22 complementary services that will better serve our clients
23 needs. First, it's imperative that OCJ develop a process
24 for providing tenants with their right to counsel that
25 ensures cases are assigned and calendared based on the

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1 capacity of legal services providers. Even with
2 exponential growth in the tenant bar, attorneys already
3 are dealing with case loads higher than ever before.
4 Overburdening advocates with unmanageable case loads not
5 only may lead to a deterioration in the quality of
6 services we can provide, but also will burn out our staff,
7 preventing the field from retaining the passionate,
8 diligent advocates we work hard to develop and train.
9 There's a culture change happening in Housing Court today.
10 Landlords and their attorneys, long accustomed to the
11 eviction mill operating on their timeline are now facing
12 the highly competent attorneys representing tenants. A
13 case that may have resolved quickly in the past no longer
14 necessarily will because of the heavy litigation required
15 to assert tenants' rights. This vital culture change
16 bringing Housing Court back to its inception as a place
17 for tenants to assert their rights can only be effectuated
18 with advocates who are sufficiently resourced to meet
19 their clients' needs. Second, many tenants face
20 challenges accessing their right to counsel because they
21 are persons with disabilities, limited English
22 proficiency, or both. OCJ must ensure those tenants can
23 have those needs met even at the early stages of the
24 litigation process, such as when tenants first get
25 assigned to counsel. Finally, the Right to Counsel alone

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1 cannot solve problems facing New York City tenants. They
2 will be best served with the assistance of social workers,
3 public benefits advocates, mental health professionals,
4 for example, in addition to housing attorneys. The Right
5 to Counsel program is as successful as it is because of
6 programs like One-Shot Deals, CITYFEPS, CASA. These
7 services should both be protected and expanded, as should
8 affordable, safe housing in the City. Eviction defense
9 attorneys can reduce evictions and avoid the violent
10 eviction process.

11 MR. DRESSLER: 30 seconds.

12 MS. PONCE: They cannot create affordable
13 housing where there is none. Thank you.

14 MR. DRESSLER: Okay, all right. So, next up is
15 Maria Vasquez who I understand is going to be using the
16 Spanish interpreter [crosstalk].

17 MS. MARIA VASQUEZ: [via interpreter] Good
18 evening. My name is Maria Vasquez. I'm a resident of the
19 Bronx. I'm a member of CASA. I'm here to testify how the
20 organizations like CASA are important for the people of
21 the Bronx. The Bronx usually is the highest borough with
22 the levels of eviction compared to other boroughs.
23 Eviction of 79 units higher during the pandemic. How the
24 eviction affects my community? If a tenant like me is
25 facing an eviction, to have an attorney is the key to

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1 keeping me in my house. I'm in court, I'm being arrested,
2 and in need of repair, and I'm also a victim of COVID-19.
3 Eviction disrupts the children's' education, destroys
4 whole communities, and has a few other traumatic
5 consequences.

6 MR. DRESSLER: Just about another minute to go.

7 MS. VASQUEZ: Okay. [via interpreter] To have
8 legal assets also--

9 RAOUL: I'm sorry, I'm asking her to repeat.

10 MS. VASQUEZ: [via interpreter] Legal
11 representation protects the tenant's rights, and also to
12 fight for their homes. That would be all. Good night.

13 MR. DRESSLER: Thank you. Next up we have
14 Lorena Santana.

15 MS. LORENA SANTANA: [via interpreter] My name
16 is Lorena Santana. I'm a tenant. I'm a leader for the
17 [unintelligible] immigration. We are not tired to say how
18 far we have come in order to represent the rights of the
19 New York City tenants and to part of the coalition with
20 that name. We are also very excited to see that fund has
21 been spanned to the whole city and all zip codes, and to
22 get funds in order to build power in our communities. As
23 long as the time is passing we can see how needed is the
24 right of representation. We have still seen that in our
25 communities as tenants we have seen how 84% of the tenants

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1 with these rights won, and to see how the case of the
2 landlord are decreasing in the courts. This right to
3 representation helps us to develop more accurate and equal
4 laws. Lower the rent, regulate the apartments, and also
5 repairs by the landlords. The COVID-19 pandemic shows how
6 big is the crisis of living spaces and is important to
7 have a shelter when the time is not good or we are
8 struggling. Even though we are now dealing with the
9 crisis that we have and the affects of the pandemic, many
10 tenants can't pay the rent. Further, local laws have made
11 a [unintelligible] with housing. Since March 15, 2020 to
12 November 1, 2021 the landlords, the big corporations
13 wanted to evict more than 72,000 cases [crosstalk] or
14 other than the pandemic case. If we add the
15 [unintelligible] of eviction this program will finish
16 January 15th, and now there is no money for thousands of
17 people that still need help. As well we want to recommend
18 to the City and to the Office of Civil Justice to make
19 sure that every tenant in the City aren't by themselves,
20 but also they have the support in order to keep his or her
21 home. Increasingly the right to representation in the
22 City [crosstalk] way and in languages of the City.

23 MR. DRESSLER: Just about another--pardon me,
24 madam, I'm so sorry. Pardon me, madam. Just about
25 another minute to go.

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1 MS. SANTANA: [via interpreter] Implement and
2 finance the Local Law 53 in order that all tenants have
3 the right and now how to use it. Support and join to our
4 coalition to ask to the Governor and the Senate and the
5 Assembly that make the right of representation a law for
6 the whole New York State. Put in place a process equal
7 and systematic in order the tenants get access to this
8 right. Preserve the existing programs when the right to
9 representation becomes a law. Tenants' right of
10 representation we have advanced a lot, implementing the
11 rights of the tenants.

12 MR. DRESSLER: I'm sorry to interrupt. We need
13 to really wrap it up here to make sure other folks have--
14 any last words?

15 MS. SANTANA: [via interpreter] I'm about to
16 finish.

17 MR. DRESSLER: Okay, go ahead.

18 MS. SANTANA: [via interpreter] That's why we
19 have to take advantage of this crisis in order to create
20 opportunities and keep growing. Thank you very much.

21 MR. DRESSLER: Thank you. Next up we have Daisy
22 Santos, and after Daisy Santos, I want to give a heads up,
23 we have Ava Ferenci [phonetic], Dennis Donnelly, and Bruno
24 Daniel Garcia after Daisy Santos. So, Daisy Santos
25 [crosstalk].

1 MS. DAISY SANTOS: [via interpreter] Good
2 evening. My name is Daisy Santos. I'm a tenant and I
3 live in the Bronx and I'm part of the Housing Committee.
4 The Bronx is a very poor community and it's like a mix,
5 too. That's why a lot of people don't have information.
6 There is a lot of animosity between the tenants and the
7 landlords. Even though the law has to be the same for
8 all, it's very hard to get [unintelligible] if we don't
9 have the right representation in front of the justice. A
10 lot of people don't know that they have that right. For
11 example, when I arrived to this country and I just knew
12 that I had right just a short time ago. But institutions
13 like CASA taught me a lot. [Crosstalk] the situations of
14 persons that live in very bad conditions and the landlord
15 doesn't care about it and they do nothing. But if we are
16 represented by an organization like CASA and other
17 organizations we can live a little bit better.
18 [Background noise] I'm sorry, somebody is talking?

19 MR. DRESSLER: I'm sorry, let me interrupt. I
20 apologize. Let me just interrupt for a moment to just
21 announce, I think this is the case, but if not, anybody
22 who's not speaking ought to be on mute, that's myself
23 included, until it's time to flag for time. I'd
24 appreciate if you would just [crosstalk]. Please, go
25 ahead.

1 MS. SANTOS: [via interpreter] Sorry. I think
2 that we need more help here in communities like this; we
3 may need for information because we need it. We need it
4 in order to defend ourselves. It's good to know that we
5 have lawyers that can be our voice, and they can express
6 our sense. The only way to keep the democracy in our
7 country is to close the gap between the poor and rich, and
8 the low is the same for all. It doesn't matter our race
9 and condition. Thank you.

10 MR. DRESSLER: Thank you, thank you. We're
11 going to take a moment to move the interpreter back into
12 the Spanish room, and I want to make sure that happens
13 smoothly, so let's just take a moment to let that happen.
14 Then, as I said, I believe the next name is--sorry, I lost
15 my list again--I think I said Ava Ferenci. But I want to
16 make sure and I don't want to confuse anything. Yes, Ava
17 Ferenci is going to be next in just a moment. Apologies
18 if I'm mispronouncing that or any other name this even. I
19 think I've been doing an okay job. Okay.

20 MS. ROBLEDO: Raoul, you are now in the English
21 room. Please go ahead with the consecutive
22 interpretation.

23 MR. DRESSLER: Okay, great. We consider this a
24 great victory that we've done this fairly smoothly. In a
25 night talking about a lot of great victories, we're happy

1 about this one, too. Okay, Ava Ferenci? Maybe not? Or
2 on mute? Ava or Ava [crosstalk]? Okay, we'll come back.
3 Sorry. Again, apologies. Next up, Dennis Donnelly.
4 Dennis? Mr. Donnelly?

5 MR. DENNIS DONNELLY: Yes, hi, everyone.

6 MR. DRESSLER: Thank you.

7 MR. DONNELLY: Thank you. My name is Dennis
8 Donnelly and I'm a staff attorney at Communities Resist
9 where we provide legal services and organizing support for
10 tenant associations and individual tenants throughout
11 Brooklyn and Queens. Thank you to Jordan Dressler, OCJ,
12 and HRA for your unwavering support, for organizing, and
13 for legal services that have helped thousands of tenants
14 across New York City during this recovery. It's with your
15 continued support that we'll be able to help our clients
16 as the City moves towards recovery. We're here today to
17 speak in terms of where to put the Right to Counsel
18 program, as well as the Anti-Harassment and Tenant
19 Protection program, both of which desperately need to
20 continue to be funded and supported by OCJ and the City as
21 they provide complimentary legal services for tenants
22 through out New York City. We are proud members of the
23 Right to Counsel [crosstalk] Coalition and we echo the
24 comments made by many others in support of not only the
25 existing Right to Counsel program but in many ways to

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1 strengthen and expand it as it is fully implemented. I
2 want to echo the comments specifically about the benefits
3 of advocating for the passage of statewide right to
4 counsel, as this would provide much-needed additional
5 funding and support for legal services throughout the rest
6 of New York, as well as in New York City, as well as the
7 need for New York City's Right to Counsel program as well
8 as the state program to provide funding not just for
9 lawyers but for the vital and necessary work of social
10 workers, mental health advocates, benefits advocates,
11 tenant organizers, and other staff who help tenants
12 throughout the City in so many ways that lawyers often are
13 less-equipped to do, speaking from my own personal
14 experience. But what I'd also like to talk about is the
15 community-based legal services work that I personally do
16 really under the Anti-Harassment and Tenant Protection
17 grant, which is a part of the demand you've heard from
18 many people that other programs continue to be funded as
19 OCJ also expands Right to Counsel. The HP program
20 provides additional protection that goes beyond the
21 general shield that Right to Counsel gives anyone in an
22 eviction case.

23 MR. DRESSLER: I'm sorry to interrupt you. Just
24 about 60 seconds to go.

25 MR. DONNELLY: Thank you. We know in many areas

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1 in New York, but especially in gentrifying communities or
2 areas that have been targeted by re-zonings, that the
3 worst landlords don't just politely file one eviction case
4 in court, they also go to unscrupulous tactics such as not
5 making repairs, stopping heat and hot water and other
6 essential services, construction as harassment, and other
7 more explicit and old fashioned forms of harassment and
8 discrimination that we know are still a huge problem for
9 tenants throughout the City. Legal services that work
10 under a community or group representation model allow for
11 tenants who are facing these kinds of predatory and
12 unscrupulous landlords to be able to use their power more
13 effectively, not just with legal services getting better
14 outcomes in court, but with winning better conditions in
15 their homes and with providing relief for Right to Counsel
16 providers so that they are not overburdened with a large
17 number of cases from specific buildings run by some of the
18 worst evictors in New York City.

19 MR. DRESSLER: Sorry to interrupt. We need to
20 wrap it up around there, so maybe--

21 MR. DONNELLY: [interposing] Thank you. My last
22 thought was just again to thank everyone and to stand in
23 support with the Right to Counsel Coalition, the Right to
24 Counsel program, and other legal services funding. Thank
25 you.

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1 MR. DRESSLER: Thank you. Okay, I'm going to
2 give the three next names who I don't think are going to
3 need a switch-out of interpreter. We'll find out if
4 that's true. Before I do, I just want to remind
5 everybody, if you want to speak and you have not yet
6 signed onto the list, you can do so in the chat. If you
7 are on a phone and want to weigh in, we can do that too,
8 and just want to make sure I get the right instructions on
9 how to do that. I believe it's pressing star 9 to raise
10 your hand. Is that right? Yes? Star 9? Yes, I'm told
11 it's right. So, you can feel free to do that. But now we
12 have Laura Govan, Anita Martinez, and Kim Statuto
13 [phonetic]. So, Laura Govan, you're up first. Laura
14 Govan? Apologies if I'm mispronouncing it. No? Okay, we
15 can come back. Anita Martinez? Oh, shoot. I'm sorry,
16 there was a name that I did skip. I skipped Bruno. Thank
17 you. I can see it in the chat which I happened to see.
18 Let me go back. It happens once every year. Bruno Daniel
19 Garcia, sorry, you have the floor. I apologize. Bruno?

20 MR. BRUNO DANIEL GARCIA: [Audio garbled] Thank
21 you so much for giving me the time. I'm glad
22 [unintelligible] represent [unintelligible] all of my
23 colleagues [unintelligible] elaborated on a lot before.

24 MR. DRESSLER: Bruno, I'm very sorry. We're
25 having some trouble with the audio. I'm hearing it at

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1 least, and I'm looking at our ASL interpreters and I think
2 they're having some trouble as well. I'm not quite sure
3 what to do about that.

4 MR. GARCIA: I'm not sure either. Is
5 [unintelligible]?

6 MR. DRESSLER: If it's okay, and if you don't
7 mind, want to drop off and log back in? And we'll keep an
8 eye out for your name in the chat, and come right back to
9 you. Would that be okay? We'll give it a try? I think
10 he did. Let's give that a try. Okay. Let's come back to
11 Laura Govan, see--okay. And now Anita Martinez?

12 MS. ANITA MARTINEZ: Hi. How are you? Thank
13 you for your time. I'll make it really quick, less than
14 probably 60 seconds. So, this is just a concern that I
15 have. We lost our mother to COVID and she was the head of
16 household on a lease. The management is saying to us that
17 she does no longer exist and that we have to leave the
18 premises. We are trying to avoid leaving and we need
19 assistance and we don't know where to go or who, at this
20 point, to go to. I also want to say that they should at
21 least--the landlords should post for assistance where to
22 go, and was wondering if anybody can help in that
23 response. Thank you.

24 MR. DRESSLER: Thank you. Kim Statuto?

25 MS. KIM STATUTO: Good evening, everybody.

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1 Thank you for letting me be here. I'm actually a product
2 of eviction. Way before Right to Counsel I was evicted in
3 1994 with four children because I did not understand legal
4 jargon in Housing Court they were able to take the
5 apartment that inherited due to my mom's passing. Had I
6 known what I know today they would have never got the
7 apartment. When the Department of Homeless Services found
8 out what was going on we when to court, we won the case,
9 but management and landlord said, oh, well, we'll have to
10 put her back on the waiting list because we've already
11 given that apartment away. So, all the work that Right to
12 Counsel has done post-1994 is great, but had we had them
13 then I would have not become homeless for seven months in
14 the New York City shelter system. I support them firmly.
15 I thank you for letting me be here. Evictions are not
16 only violent, they are traumatizing to children, because I
17 had four children, one under 3 months, and they watched
18 their stuff be thrown on a truck and there was nothing I
19 could do for them. Thank you.

20 MR. DRESSLER: Thank you. I'm going to come
21 back to Laura Govan.

22 MS. LAURA GOVAN: I'm here. Can you hear me
23 now?

24 MR. DRESSLER: Yeah, sure can. All good.

25 MS. GOVAN: I have to make it brief because I

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1 have children here, but [unintelligible] require my
2 attention as well. My name is Laura Govan. I've lived in
3 my home for 32 years. My housing situation involves
4 illegal, unlawful evictions that's not resolved,
5 discrimination, unethical, harassing, and unethical issues
6 and conduct which are still not resolved. I was not able
7 to get an attorney because Right to Counsel in Housing
8 Court was not available when my cases or proceedings
9 started in Housing Court. To make it as brief as
10 possible, I think Right to Counsel is important because
11 tenants have a right to know about what their rights are
12 and to remain in their homes and where to get assistance
13 and/or help. And what's required to preserve their
14 tenancy and to have community-based groups that would be
15 available for outreach and available to educate the
16 tenants to their right to housing and help or assistance
17 to preserve their rights to their tenancy and to require
18 courts and landlords to ensure tenants know about Right to
19 Counsel and getting assistance, perhaps with social
20 workers, paralegals, or whatever, to aid them with helping
21 the tenants preserve their rights to remain in their
22 community and to preserve their tenancy, and that's about
23 as far as I could go right now. These are the issues that
24 I believe that's needed for people to remain at home. I
25 think we need Right to Counsel. Okay. Thank you.

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1 MR. DRESSLER: Thank you.

2 MS. GOVAN: You're welcome. Okay, we're going
3 to come back to Bruno Daniel Garcia who's been able to
4 rejoin. Again, sorry about that, Bruno. I know there
5 were those audio issues. All right, we can come back. I
6 think we now need a moment because the next two speakers
7 are going to be Spanish speakers, and so we want to give
8 another opportunity for our interpreter to rejoin our
9 larger group to be able to give the interpretation, so
10 let's just take a moment.

11 MS. ROBLEDO: Hi, Raoul. You're now in the
12 English room.

13 RAOUL: Can you hear me?

14 MS. ROBLEDO: Perfectly.

15 MR. DRESSLER: Bear with us. Okay. The next
16 name is Yoselyn Gomez, and if you just give us a moment
17 we'll be able to share the next two so folks can gear up
18 and get ready. After Yoselyn Gomez we'll have Anjelica or
19 Angelica Rojas and Rosa Guzman. But now we have Yoselyn
20 Gomez. Thank you.

21 MS. YOSELYN GOMEZ: [via interpreter] Good
22 evening. My name is Yoselyn Gomez. I'm a member of the
23 Right to Counsel, and I'm also a member of the CASA
24 organization here in the Bronx. I'm not going to repeat
25 what others have said before. I just want to let you know

1 the reasons why the tenants live here in the Bronx need to
2 remain in their homes. We have been fighting for the
3 Right to Counsel to since 2015 and we are proud that this
4 should be the first one in the nation. I tried to benefit
5 from the state-approved benefits of the COVID housing
6 fund, but I have not received a single cent from that.
7 That was offered to tenants as kind of a rent fund. That
8 means that I'm a victim and I'm in line to be homeless
9 starting in January of next year. By my organization CASA
10 has been at the forefront of the struggle for the tenants'
11 rights here in the Bronx. I want to ask the authorities
12 to expand the Right to Counsel to all citizens of New York
13 State, because the right to a decent home is a right that
14 has existed since 1948 at least. I want to ask you if you
15 can please provide additional funding and expanding
16 financing for organizations such as CASA that fight on
17 behalf of tenants. Because we also need to provide
18 information to tenants that they do have a right to
19 counsel and that's a right that exists. Today I live in
20 my own home--

21 MR. DRESSLER: [interposing] I'm sorry to
22 interrupt. We have about 60 seconds to go.

23 [Spanish crosstalk]

24 MS. GOMEZ: [via interpreter] I'm here because
25 the lawyer represented me in front of Housing Court. I

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1 want this right to be expanded to all of the communities.
2 Thank you.

3 RAOUL: She said that the interpreter doesn't
4 [unintelligible].

5 MR. DRESSLER: All right, we're going to move
6 on. Thank you, everybody. Okay, and I apologize.
7 Angelica Rojas. And again, we will need the help of the
8 interpreter here. Angelica Rojas?

9 MS. ANGELICA ROJAS: Yes, hi, everyone. They're
10 making me have an interpreter.

11 [Spanish crosstalk]

12 MS. ROJAS: [via interpreter] Good evening, my
13 name is Angelica Rojas. I represent the CASA
14 organization. This organization helped me and my
15 neighbors to organize ourselves. This organization helped
16 me find a lawyer, and they helped us fight against the
17 injustices from the landlords. I live in a complex of
18 seven buildings. The landlord doesn't give us heating or
19 hot water, and during the pandemic this happened. Thanks
20 to legal counsel we won the case. Thanks to legal counsel
21 we were able to remain in our homes. And thanks to legal
22 counsel we continue in the struggle. The landlord has not
23 paid the electric bill. Because the organization helped
24 us organize ourselves and seek legal assistance, we
25 received a notice on Tuesday that they're going to shut

1 off electricity and gas service in the building. Through
2 CASA and legal services the landlord paid the electric
3 bill yesterday because we were able to pressure.
4 Organizations like CASA provide legal assistance, lawyers,
5 and workshops where we received education in relation to
6 our legal rights as tenants, and that's why we keep
7 fighting and we remain in our homes. There should be more
8 punishment of landlords. They should be punished because
9 they are not providing basic services to their tenants.
10 Our building is infested with rats and cockroaches. I
11 live on the fifth floor and the roof is always leaking
12 every time it rains. At CASA we receive the legal help to
13 provide the services and for the representation that we
14 need. They also helped us with the interpretation. We
15 get education in relation to our rights as tenants, how to
16 be good leaders, and to organize ourselves.

17 MR. DRESSLER: We are just about--do you have
18 any final--we're at about 45 seconds out. If I could have
19 a moment. We know it takes longer when it's [crosstalk]--
20 it's okay. I was just going to say we know it's been
21 taking longer with interpretation naturally, so we've been
22 given more time, but please, continue.

23 MS. GOMEZ: [via interpreter] [audio breaks up].
24 [Spanish crosstalk]

25 MS. GOMEZ: [via interpreter] The landlord has

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1 behaved in such a way that everything has become a chronic
2 type of harassment, and he's always seeking to remove us
3 from the building. We need legal services like CASA to
4 help us in these issues. We need organizations like CASA
5 and legal services to defend ourselves. Thank you for
6 listening.

7 MR. DRESSLER: Thank you. Okay, bear with me.
8 Okay, next up we'll have Rosa Guzman, and then following
9 Rosa Guzman we'll have Ines Arzu [phonetic]. Before we
10 move on, I just want to ask if there's anyone else who
11 wants to sign up to speak, and in particular, just for
12 logistics' sake, if there's anyone Spanish speaking who
13 would like to say a few words, please sign up in the chat.
14 We'll give that a minute. But in the mean time, Rosa
15 Guzman?

16 MS. ROSA GUZMAN: Hello?

17 MR. DRESSLER: Great, yes.

18 MS. GUZMAN: [via interpreter] Good evening. My
19 name is Rosa Guzman. I live in the Bronx.

20 RAOUL: Could you please bring in the next
21 interpreter? I've been interpreting straight for almost
22 half an hour.

23 MS. ROBLEDO: Will do, Raoul.

24 RAOUL: thank you.

25 MR. DRESSLER: Can we continue now though and

1 we'll follow up for the next one? No? Okay.

2 FRANCIS: Okay, can you hear me now?

3 MS. GUZMAN: Hello?

4 [Spanish crosstalk]

5 MS. GUZMAN: [via interpreter] My name is Rosa
6 and I live in the Bronx. I am a member of CASA, and I'm
7 here to testify that CASA organization have been very
8 important for the Bronx community. Usually the Bronx
9 community has a higher rate of eviction compared to other
10 cities. If a tenant like me faces an eviction you have a
11 right to have legal counsel, because that helps us to keep
12 our home safe. Eviction causes dramatic consequences for
13 the families and to the communities. Thanks to the CASA
14 organization we feel a little bit safer. We learn a lot
15 from them, including our rights of a tenant, because we
16 know that a lot of landlords live [unintelligible] the
17 tenants. I think that the City has to care that all
18 tenants have the right to legal representation to have a
19 safe community and quiet in the house. I think that the
20 City spent more money taking care of homeless that what
21 they pay in order that the tenants have representation.
22 That will be all. Thank you very much, and good night.

23 MR. DRESSLER: Thank you very much. Next up we
24 have Ines Arzu.

25 MS. INEZ ARZU: [via interpreter] Good night,

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1 good evening. My name is Ines Arzu. I came here to
2 testify that the group that helped me a lot is CASA. I've
3 been living in this building for about 19 years, and they
4 help me a lot in court. Because I'm a single mom and you
5 know that in this country it's very hard to be a single
6 mother. I also applied for the relief that gave the
7 government to pay the rent. I applied since the month of
8 June; at this time I have no answer. They said that they
9 are missing a letter from the landlord, and the landlord
10 is telling me apply for a One-Shot Deal. I think it's a
11 One-Shot Deal. I called to [unintelligible] from CASA and
12 I explained to them my situation, and they said don't
13 apply for One-Shot Deal because I have no proof of the
14 help that I was supposed to get from them. I would like
15 that the lawyer can communicate with those people in the
16 government in order that they give them an answer in cases
17 like ours. Because I have kids and I also have my mother,
18 she is sick. Where can I go with them? And I'm thinking
19 CASA because of the reputation and because they have been
20 there for me. [Unintelligible]. And Section 8 is not
21 paying because they found violations here. They have me
22 [crosstalk] today and tomorrow and they are not doing
23 anything for me. And thank you to CASA for being here
24 fighting our cases. January 15, 2022 a lot of people, we
25 are going to be out there, a lot of people. And I hope

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1 and pray to God that we can get help in order to pay our
2 rent. Last year I was in quarantine because one of my
3 kids had COVID. This year too my daughter
4 [unintelligible] has COVID and I had to quarantine with
5 her too. How can we pay the rent if we are not working?
6 Thank to CASA for the advice that they gave us day by day
7 in order that we learn how to fight for our house. Thank
8 you. Good night.

9 MR. DRESSLER: Right on schedule. Thank you.
10 Okay, I want to call out some names. These are folks that
11 we understood had signed up. They may not be present, but
12 with the interpreter here I want to make the most of it.
13 So, Jimmy Moran? Okay. Marisol Morales? All right.
14 Teodolina Ponce [phonetic]?

15 MS. TEODOLINA PONCE: [via interpreter] Good
16 evening.

17 MR. DRESSLER: Go ahead.

18 [Spanish crosstalk]

19 MS. T. PONCE: [via interpreter] Good evening,
20 my name is Teodolina Ponce, and I'm a member of CASA. I
21 live in the Bronx, and I think that improving the
22 [unintelligible] in order that the tenant can know what to
23 do. The City should put publicity and banners and
24 campaigns [unintelligible]. The most solid knowledge for
25 the tenants, improve the behavior of intimidation by the

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1 landlords and the unethical behavior from the attorneys of
2 the landlords. Improve compliance of the intimidation
3 behavior of the landlord and investigate the worst
4 evictions. Implement the Local Law and give money to the
5 community groups to make activities for education.
6 Improve the right to legal representatives and to stay
7 level in order that be sent to all tenants, doesn't matter
8 the incomes and the type of cases. And require that the
9 courts and the landlords make that the tenants know RTC.
10 It's important that the City makes sure that all tenants
11 have and use this rights to legal representation,
12 especially during economic crisis of worldwide hell. The
13 City can and has to do more to stop evictions and educate
14 and support the tenants how to navigate for the Housing
15 Court.

16 MR. DRESSLER: We have about 60 seconds to go.

17 [Spanish crosstalk]

18 MS. T. PONCE: [via interpreter] Nobody should
19 remain with no home or to be afraid to lose his or her
20 home. As a Bronx residence I think we need organizations
21 like CASA to educate us and expose us better. Thank you
22 to all for listening to me.

23 MR. DRESSLER: Thank you. Okay. Mercedes
24 Acosta? Okay. I think with that our able Spanish
25 interpreter can go back to the Spanish room. We'll give

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1 that a moment so that the transfer happens. Then the next
2 few names we're going to call are Kevin Worthington, Linda
3 [crosstalk]--wait, I'm sorry, Kevin, just give me one
4 second to give a couple of names if they're present. [All
5 phonetic] Linda Seward, Mercedes Escoto, and Elias Gomez,
6 and Elvira Uribe. But first, Kevin Worthington. Kevin,
7 thank you.

8 MR. KEVIN WORTHINGTON: Good evening, and thank
9 you for the opportunity to testify tonight. My name is
10 Kevin Worthington. I'm a staff attorney at Communities
11 Resist, and I'll be reading my colleague Bruno Daniel
12 Garcia's testimony. We're here in solidarity with the
13 Right to Counsel Coalition of which we're a proud member.
14 We continue to stand in full support of the expansion and
15 accelerated implementation of Right to Counsel, and
16 therefore thank the City for passing and implementing
17 Local Law 54, and for enacting Local Law 53 requiring the
18 City to work with [unintelligible] fund neighborhood-based
19 organizing groups. A recent report indicates 61% of
20 eligible tenants don't know about their right to counsel
21 before arriving in court, so we urge the City to implement
22 and find Local Law 53. When Right to Counsel was first
23 passed the coalition presented the City with a list of
24 principals for implementation, preserving all the funding
25 sources for legal services was and is still critical. The

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1 City must preserve all City-funding housing-related legal
2 services programs and ensure that current funding for
3 existing programs providing affirmative litigation,
4 building-wide work, or publishing specific legal services
5 is not eliminated, reduced, or redirected. Through the
6 LEAD Coalition, funding from the Anti-Harassment Tenant
7 Protection Program has served over 16,000 for the past
8 seven years. We believe that programs like HTP work very
9 much in coordination with Right to Counsel. We have
10 worked in buildings where tenants once prevailing over an
11 individual eviction have been able to organize with their
12 neighbors and realize even more success by fighting for
13 repairs and ending harassment. HTP-funded services are
14 also able to provide outreach to tenants early, organizing
15 buildings before evictions are commenced. During the
16 pandemic we saw the concerning rise in harassment tactics
17 such as illegal lockouts. Landlords hope that these
18 tactics would be an avenue to forcibly misplace tenants
19 without having to follow proceedings in court. We saw
20 that many families on the brink of eviction have horrible
21 long-term repair issues that the landlord hopes will cause
22 families to self-evict. Our experience has shown that an
23 effective response is to organize tenant association for
24 group representation. For these reasons, Communities
25 Resist enthusiastically supports the expansion of Right to

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1 Counsel and the renewal of the Anti-Harassment Tenant
2 Protection Program. Thank you again for the opportunity
3 to speak.

4 MR. DRESSLER: Okay. So, I'm going to do a few
5 things. Again, Linda Seward, Mercedes Escoto, Elias
6 Gomez, and then Mariatou Diallo [phonetic]? Okay. I said
7 there were a few names that I would come back to a second
8 time just in case we had missed them the first time.
9 Ervin Bennett? Okay. Gloribel Castillo? Okay. With
10 that, with one exception, Lauren Springer, which we're
11 about to get to, that is going to bring us to the end of
12 the list. We're getting close to 9. We can go a bit
13 after 9. We want everybody to be heard, but now would be
14 the time if you haven't hopped into the chat to put your
15 name on the list, please do so now; it's time for that.
16 In the meantime, Lauren Springer?

17 MS. LAUREN SPRINGER: Thank you. I'm speaking
18 tonight on behalf of the Right to Counsel New York City
19 Coalition. Good evening. Thank you, Jordan Dressler, and
20 the Office of Civil Justice for the opportunity to testify
21 today. Please accept our testimony on behalf of the Right
22 to Counsel New York City Coalition which led and won the
23 campaign to establish Right to Counsel for tenants facing
24 eviction. We're proud of New York City's groundbreaking
25 Right to Counsel legislation and applaud the City Council,

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1 the mayor, and the Office of Civil Justice for its
2 dedication to making the Right to Counsel available to all
3 New Yorkers during this pandemic. This law has had
4 tremendous impact in just a few years since it passed.
5 People have testified tonight. 86% of tenants who had the
6 Right to Counsel won their case and stayed in their homes.
7 Landlords are suing people less and community groups are
8 actively using the Right to Counsel as a powerful tool to
9 protect and advance tenants' rights. Right to Counsel has
10 also helped develop a body of more just case law, lower
11 tenants' rents, restabilize apartments, and has forced
12 landlords to make repairs. As we've seen during the
13 COVID-19 pandemic, Right to Counsel is more important than
14 ever before. Hundreds of thousands of New Yorkers are
15 unable to pay rent and emergency federal and state laws
16 have added a level of complexity to eviction court
17 proceedings that make Housing Court even more difficult to
18 navigate. We know that evictions in housing instability
19 have a disproportionate impact on people of color,
20 especially women and children and color. Evictions and
21 housing instability also have significant impacts not just
22 on people's housing but on people's education, employment,
23 family relationships, physical and mental health, and so
24 much more. New York City's Right to Counsel moves us
25 closer towards achieving economic gender and racial

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1 justice. So, we applaud the City for extending Right to
2 Counsel to all Housing Court cases during the pandemic,
3 regardless of zip code, for making Right to Counsel
4 available to all tenants with pre-pandemic eviction
5 warrants, regardless of income, for instituting a blanket
6 income eligibility waiver, and for passing and
7 implementing Local Law 54, speeding up the implementation
8 of Right to Counsel by more than a year. We also applaud
9 the City for enacting Local Law 53 requiring the City to
10 work with and fund neighborhood-based organizing groups,
11 and we are anxious to hear about its implementation.
12 Since the onslaught of COVID-19, between March 15, 2020,
13 and November 1, 2021, landlords, mostly large, predatory
14 equity corporations, filed over 72,000 eviction cases
15 against New York City families, and many more cases are
16 still pending from before the pandemic. Our eviction
17 protection laws are set to expire on January 15th of next
18 year, and the Emergency Rental Assistance funds are almost
19 all depleted. Right to Counsel has been critical to
20 ensuring that as many of these families as possible retain
21 their basic human right to a home. It's paramount that we
22 focus on strengthening and expanding it. So, in order to
23 protect New Yorkers' basic human right to housing and in a
24 spirit of collaboration, we strongly encourage the City
25 and the Office of Civil Justice to adopt the following

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1 recommendations. One, increase the City's outreach and
2 awareness. During this crisis it's more important for the
3 City to initiate an aggressive public outreach and
4 awareness campaign. We understand that the City's
5 outreach plans were on hold as cases were paused, and we
6 applaud the City's rollout of a paid media campaign this
7 past Monday, November 15th, to raise awareness about Right
8 to Counsel. In May 2020 the Hunter College Department of
9 Urban Planning Studio released a report which indicates
10 that 61% of eligible tenants in New York City's Housing
11 Courts did not know about their right to counsel prior to
12 arriving in court. Interviews took place between October
13 2019 and mid-February 2020. Unless tenants are aware of
14 their right to counsel before they receive court papers,
15 many could leave their homes believing they have no chance
16 of winning a case on their own, especially if they've been
17 unable to pay rent in this economic and public health
18 crisis. We urge the City to ensure that the paid media
19 campaign provides information in multiple languages across
20 all the chosen platforms and media sources, and that these
21 platforms and sources include local community media
22 outlets, and that the media campaign is sustained and
23 supported on a regular basis. We also recommend that the
24 implementation and funding of Local Law 53 is noted above.
25 We applaud the City for passing this legislation, but we

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1 are concerned that it has yet to be implemented. We urge
2 the City to implement this law immediately so that tenants
3 know their rights and can protect their homes. We also
4 urge that you support and join the RTC NYC Coalition in
5 demanding that the governor and our New York State
6 Assembly and Senate immediately pass our statewide Right
7 to Counsel Bill. The state law improves the New York City
8 law in a few key ways. It extends right to counsel to all
9 New Yorkers regardless of income. As we saw during COVID
10 we can and must make this a right to all tenants
11 regardless of income. It covers any case that could
12 result in a tenant losing their home. This includes
13 Supreme Court cases, administrative hearings, appeals, and
14 more. It requires the courts, judges, and landlords to
15 ensure that tenants know about their right to counsel and
16 how to use it. It also requires the courts to adjourn
17 cases until tenants have had time to retain and consult
18 with their RTC attorney. We also urge that they implement
19 a uniform and systematic process for providing tenants
20 with Right to Counsel, ensuring that cases as calendared
21 based on the capacity of legal service providers. The
22 Office of Civil Justice should coordinate the assignment
23 of councilman and eviction cases with the Office of Court
24 Administration, and OCJ should strongly advocate for OCA
25 to calendar cases in a volume that matches the capacity of

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1 RTC legal services organizations. OCJ must also ensure
2 adequate funding for the RTC legal services provider so
3 that there are enough attorneys and support staff to meet
4 the need. The City must ensure that tenants receive full
5 and adequate representation to prevent evictions. This
6 requires social workers, paralegals, public benefits
7 advocates, mental health professionals, and other service
8 providers in addition to housing attorneys. The City
9 should recognize these services as necessary with a
10 holistic implementation of the Right to Counsel and fund
11 RTC legal services at a level that enables RTC legal
12 services organizations to use multi-role teams to provide
13 holistic RTC representation. Finally, preserve current
14 programs. When ARTC was first passed we presented the
15 City with a list of principals for implementation,
16 preserving other funding sources for legal services was
17 and is still critical. The City must preserve all City-
18 funded housing-related legal services programs and ensure
19 that current funding for existing programs providing
20 affirmative litigation, building-wide work, or population-
21 specific legal services is not eliminated, reduced, or
22 redirected. This includes funding for affirmative cases
23 that deal with repairs, harassment, et cetera, for
24 individual tenants, and groups of tenants. Extending ARTC
25 for these cases during the pandemic made this clear. Most

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1 families on the brink of eviction continue to face
2 landlord harassment and live in dangerous and unhealthy
3 conditions. These conditions often include mold, vermin,
4 cockroaches, and other pests, which are common causes and
5 triggers of the types of respiratory conditions that make
6 COVID-19 especially dangerous. Thank you for taking the
7 time to listen to me this evening.

8 MR. DRESSLER: I think I'm back off mute. Thank
9 you. With that, we have come to the end of the list of
10 speakers, and therefore the end of this hearing. Last
11 call. If anybody wants to have the last word you can pop
12 into the chat. Going once, going twice, okay. At 9:01
13 p.m. I want to say thank you to everybody for sticking it
14 out. These nights are always long. They are always
15 illuminating. We really appreciate the opportunity to be
16 heard and to hear, and if you're still on this meeting it
17 means you are very committed to the success of the Right
18 to Counsel program, and we appreciate the support and the
19 guidance and the insights. So, with that, I want to say
20 thank you to all and wish you a good night. Thanks,
21 everybody.

22 (Proceeding Concluded.)
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Ubiquis

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C E R T I F I C A T E

I, Gabrielle Atkinson, certify that the foregoing transcript of proceedings in the 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.



11/22/2021