

Universal Access to Legal Services

A Report on Year Four of Implementation
in New York City

Prepared by the
Office of Civil Justice
New York City Human Resources Administration
Fall 2021

Introduction

On August 11, 2017, New York City enacted Local Law 136 of 2017,¹ groundbreaking legislation which made the City of New York the first city in the United States to commit to provide access to free legal services to all tenants facing eviction proceedings in housing court and public housing authority termination of tenancy proceedings. This historic law, also known as the Right-to-Counsel (RTC) or Universal Access (UA) law, tasks the Office of Civil Justice (OCJ) of the New York City Human Resources Administration (HRA) with planning and implementing programs that would provide all tenants facing eviction in New York City Housing Court whose household income is at or below 200% of the Federal Poverty Guidelines² with access to full legal representation in their eviction proceedings, and brief legal assistance for those making more, as well as legal services for tenants of the New York City Housing Authority (NYCHA) facing administrative termination of tenancy proceedings.

Four years later, as the City continues its recovery from the COVID-19 pandemic, and as the courts continue to be affected by COVID-related legal and operational changes and reforms, NYC's RTC law is now implemented citywide, with all tenants in eviction proceedings in New York City Housing Court and NYCHA termination proceedings having access to free legal services, regardless of ZIP code, provided by a network of OCJ-contracted nonprofit legal services provider partners. As the pandemic began, OCJ shifted from a phased-in expansion to providing access to legal services to all eligible tenants citywide, regardless of geography/ZIP code. OCJ's approach was later codified by the City Council and signed into law by the Mayor in May of 2021. Local Law 54 of 2021,³ which officially accelerated the mandate for RTC implementation by more than one year, serves as validation of OCJ's swift response to tenants' needs during the pandemic.

Since New York City enacted the nation's first right-to-counsel law, cities and states across the country have moved forward with their own "tenant's right to counsel" legislation modeled on New York City's law or exploring their own tenant legal services initiatives.⁴ In Philadelphia, San Francisco, Minneapolis, Boulder, and other state and local jurisdictions, governments are following New York City's lead and implementing RTC laws and programs to level the playing field for their tenants in the housing legal system.

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

² U.S. Federal Poverty Guidelines Used to Determine Financial Eligibility for Certain Programs, U.S. Department of Health and Human Services, available at <https://aspe.hhs.gov/topics/poverty-economic-mobility/poverty-guidelines>.

³ Council Intro 2050A-2020, enacted on May 11, 2021, available at <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=4624861&GUID=FEF6E3D8-8BFA-4281-AABF-F36EF7A2BC40&Options=ID%7CText%7C&Search=2050>.

⁴ For more information, the National Coalition for a Civil Right to Counsel provides an overview of RTC efforts across the United States, available at <http://civilrighttocounsel.org/>.

Pursuant to the RTC law, OCJ issues annual progress reports⁵ on the development, deployment and impact of our legal services for tenants facing eviction. This progress report, our fourth, covers City Fiscal Year 2021⁶ – a period during which New York City and the world continued to address the challenges caused by the COVID-19/coronavirus pandemic, and a time of transformation in the City’s Housing Courts.

OCJ’s Legal Services for Tenants in FY2021

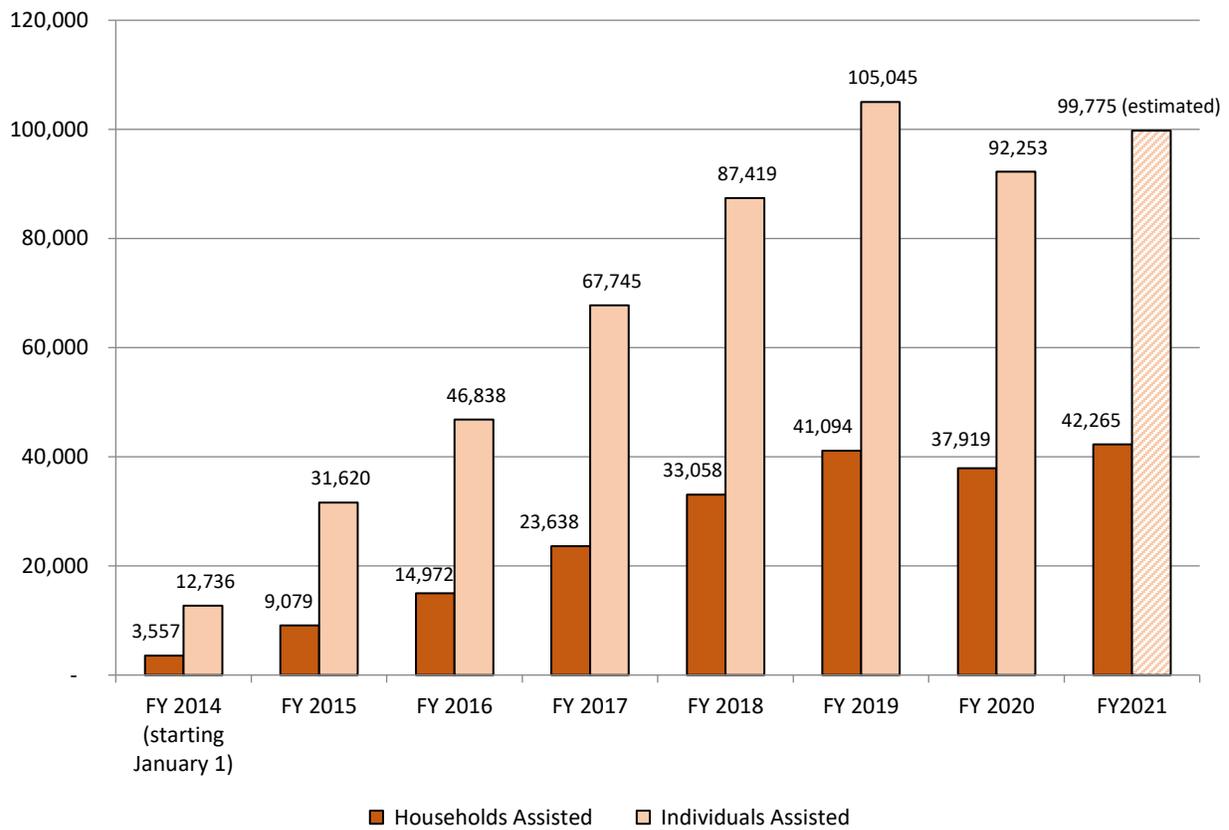
In City Fiscal Year 2021, OCJ-funded legal organizations provided legal assistance to approximately 100,000 New Yorkers in approximately 42,000 households across New York City facing housing challenges including eviction, disrepair, landlord harassment and other threats to their tenancies. Notably, the number of eviction filings fell by approximately 49,000, 46% lower than the same period the year before and 72% lower than during FY2019, prior to the COVID-19 pandemic. Despite this steep drop in filings, however, the number of households receiving legal services from OCJ’s legal services providers *increased* by roughly 11% compared to FY2020, and reflected a 79% increase compared to FY2017, before the formal launch of the Universal Access program to implement the City’s right-to-counsel law.

As of June 30, 2021, *over 540,000* New Yorkers had received free legal representation, advice, or assistance in eviction and other housing-related matters since the start of the de Blasio Administration in 2014 through tenant legal services programs administered by the Human Resources Administration.

⁵ The information presented in this report reflects OCJ’s analysis of data available as of this report’s publication date, including data as reported by the New York State Office of Court Administration (OCA) and the New York City Department of Investigations (DOI), and the New York City Housing Authority (NYCHA). OCJ’s reports may be found at www.nyc.gov/civiljustice.

⁶ July 1, 2020 through June 30, 2021.

New York City Households and Individuals Receiving Administration-Funded Housing Legal Assistance, January 1, 2014 – June 30, 2021



Source: OCJ Administrative Data. Methodology: During FY2021, OCJ used revised data reporting requirements to simplify data collection by contracted legal services providers in brief legal assistance and legal advice matters, in response to the remote/phone-based nature of the delivery of such legal services during the COVID-19 pandemic. As a result, reports on 7,246 households receiving brief legal assistance did not include information about household size (17.1% of all enrollments in FY21). OCJ calculated an average number of individuals per household of 2.4 using actual household size data reported by legal services providers to OCJ in 35,019 enrollments (82.8% of all enrollments in FY2021). This average was then used to generate an estimated number of individuals assisted in such cases where data on household size was unavailable. This methodology is used throughout this Report where “Estimated Individuals” is reported.

When the COVID-19 emergency began in March of 2020, the processes OCJ had put in place with system stakeholders to expand and enhance legal services for tenants proved to be critical as the city faced the devastating impacts of the COVID-19 emergency, and were supplemented by new approaches to delivering legal help to tenants who need it. Working in collaboration with OCJ's legal services partners, Housing Court Answers and the Mayor's Office, OCJ rapidly established a housing legal hotline to provide access to live phone-based legal advice and assistance provided by tenant legal services partners. Through the hotline, tenants with questions and concerns about eviction and Housing Court as well as other landlord-tenant issues are receiving legal advice and assistance Monday through Friday. These services are currently available via 311 and the Mayor's Public Engagement Unit through the City's Tenant Helpline, and through Housing Court Answers' hotline. Legal advice services are free and are available to all NYC residential renters with housing questions or issues, regardless of income, geography/ZIP code, or immigration status.

For unrepresented tenants facing eviction proceedings in Housing Court, OCJ eliminated ZIP code-based screening to make services accessible to tenants citywide in March of 2020. OCJ also established protocols with the Housing Court to connect unrepresented tenants facing eviction in court with assigned legal providers to provide free legal services in their eviction proceedings. Working with OCJ, the Court now requires landlords' petitions and motion papers to include information about how to access free RTC legal assistance, and OCJ has been referring unrepresented tenants facing the enforcement of a pre-pandemic eviction warrant who reach out for free legal services to an OCJ legal provider. OCJ also partnered with Housing Court administrators and RTC legal providers to establish daily provider assignment court parts and calendars in every borough, where RTC attorneys operating on a rotational basis join court conferences to assist all unrepresented tenants in court and offer them RTC legal services, allowing tenants to access critical legal help in an efficient and effective manner.

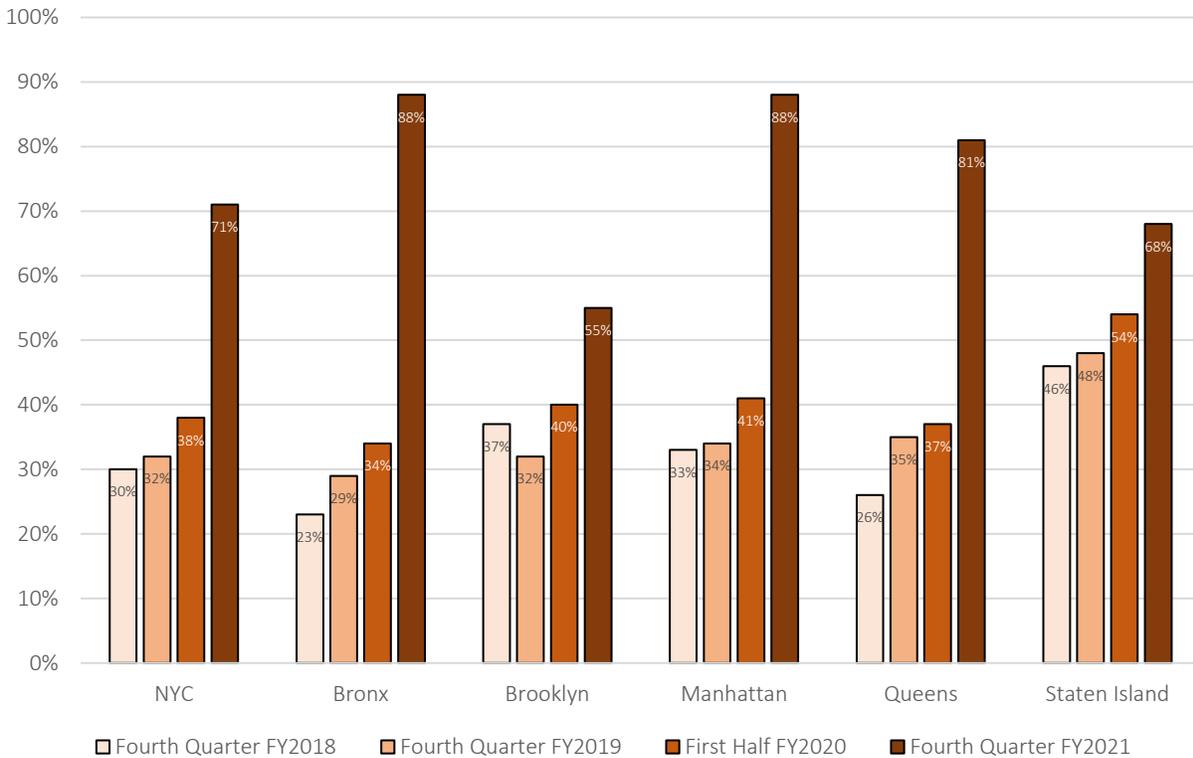
By the end of FY2021, the accelerated implementation of RTC and the introduction of new access and intake processes had led to a dramatic increase in the rate of legal representation for tenants appearing in eviction proceedings in Housing Court. As detailed in the charts below, while all tenants with calendared eviction cases had access to RTC legal services, more than 71% of tenants who appeared in Housing Court for eviction cases in the fourth quarter of FY2021 were represented by attorneys in court, up from 38% in the first half of FY2020⁷ and a substantial increase in legal representation for New York City tenants compared to 2013, when the citywide representation rate was 1% as reported by the State Office of Court Administration.⁸ When cases

⁷ Legal representation rates for the fourth quarter of FY2020 (April 1, 2020 – June 30, 2020) are unavailable due to the near-closure of New York City Housing Court for eviction proceedings during that period.

⁸ Chief Judge's Hearing on Civil Legal Services, Third Dep't, Oct. 6, 2014 (statement of Hon. A. Gail Prudenti, Chief Administrative Judge, New York State Unified Court System, at 6, Exhibit B at 3). In Permanent Commission on Access to Justice, Appendices to Report to the Chief Judge of the State of New York, 2014, page 609. Retrieved from https://www.nycourts.gov/accesstojusticecommission/PDF/2014%20CLS%20Report_Appendices_Vol%202.pdf.

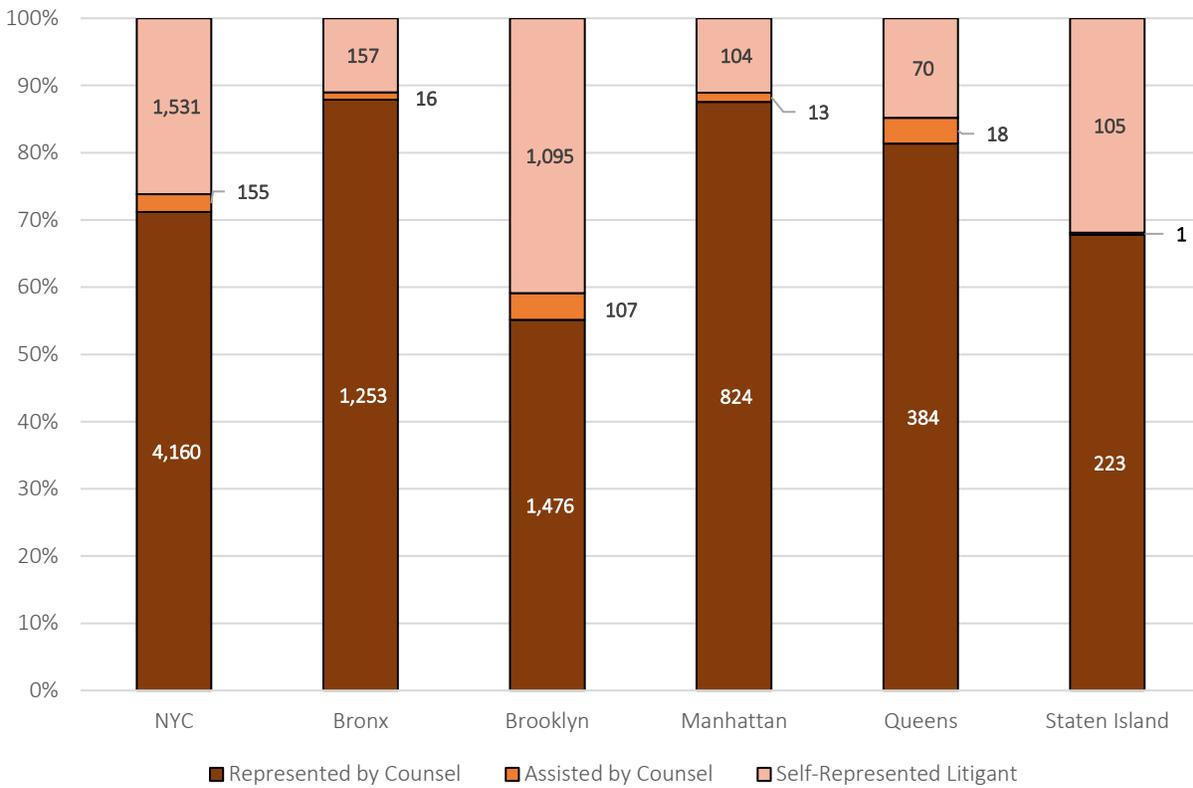
where brief legal assistance and advice provided to tenants appearing in Housing Court eviction cases by RTC legal providers are analyzed, the percentage of tenants receiving RTC legal services in their cases is roughly 74% in New York City, ranging across the five boroughs from 89% in the Bronx and Manhattan, 85% in Queens, 68% in Staten Island and 59% in Brooklyn.

Legal Representation⁹ Rates for Tenants Appearing in Housing Court in Eviction Proceedings, FY2018-FY2021



⁹ Legal representation rates were determined by combining data from the NYS Office of Court Administration regarding eviction proceedings in New York City Housing Court for which legal representation was indicated in such data and OCJ administrative data indicating full legal representation was provided by OCJ legal services providers in cases marked as “self-represented” in court data.

Legal Representation¹⁰ and Assistance for Tenants Appearing in Housing Court Resolution Parts¹¹ in Eviction Proceedings, April 1, 2021 – June 30, 2021



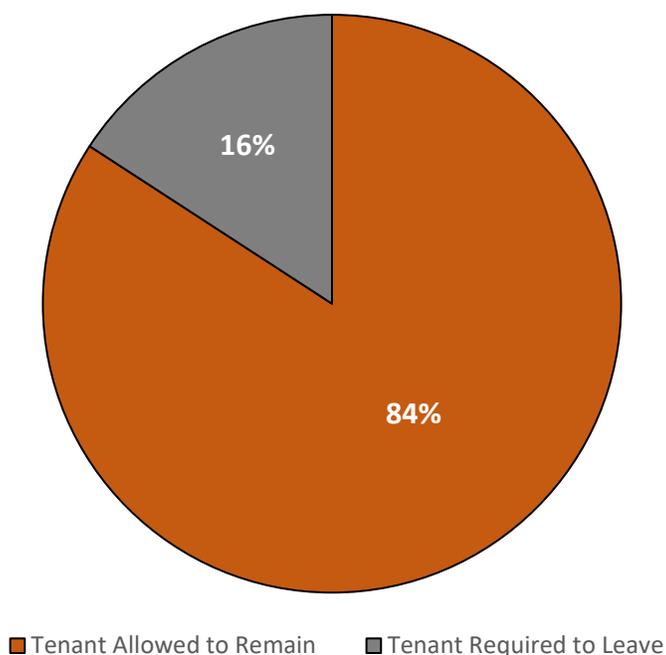
Sources: NYS Office of Court Administration data as analyzed by OCJ; OCJ Administrative Data.

¹⁰ Legal representation rates were determined by combining data from the NYS Office of Court Administration regarding eviction proceedings in New York City Housing Court for which legal representation was indicated in such data and OCJ administrative data indicating full legal representation was provided by OCJ legal services providers in cases marked as “self-represented” in court data.

¹¹ This analysis does not include court appearances in the legal provider assignment parts/calendars in New York City Housing Court (HMP, HMP2, Z, Z2, CAP, CAP2) where RTC legal providers participated to offer free legal services to all unrepresented tenants and arrange formal intakes with prospective clients following an adjournment of the eviction proceeding and in anticipation of a future court date.

As in previous years, when RTC lawyers have represented tenants in court, they have been overwhelmingly successful in preserving the homes of their clients; in Housing Court eviction and NYCHA termination cases resolved by OCJ’s legal services providers in FY2021, 84% of households represented in court by lawyers were able to remain in their homes, preserving these tenancies and promoting the preservation of affordable housing and neighborhood stability.

Legal Representation for New York City Households Facing Eviction in Housing Court and NYCHA Termination of Tenancy Proceedings: Outcomes Achieved, July 1, 2020 – June 30, 2021



Source: OCJ Administrative Data.

In addition to implementing RTC legal services citywide for tenants in eviction proceedings in Housing Court, OCJ continued to work closely with the New York City Housing Court and the nonprofit legal providers who comprise OCJ’s Anti-Harassment and Tenant Protection (AHTP) program to ensure that tenants in emergency cases—illegal lockouts and HP actions for critical repairs—are afforded access to free legal services. Since the start of the pandemic in March of 2020, OCJ has worked with the Court and legal services providers to establish a case referral protocol that connects unrepresented tenants who file or appear in such emergency cases in court with free legal services.

Since the start of the COVID-19 pandemic, DSS has shared pertinent information and taken questions about DSS programs and client needs, including updates from OCJ about evictions, court proceedings and the availability of legal services, through weekly teleconferences that the DSS

Commissioner holds with elected officials, service providers, CBO partners and advocates and then weekly follow-up informational newsletters. Additionally, OCJ has worked in partnership with the Mayor's Office to Protect Tenants to conduct proactive outreach to tenants at risk of eviction throughout the pandemic, including a mail campaign announcing the launch of the Tenant Helpline as well as targeted mail and phone outreach initiatives directed at New York City tenants who faced pre-pandemic eviction warrants or who were at risk of eviction for failing to appear in court proceedings.

OCJ is now working with stakeholders on outreach initiatives to increase awareness of RTC as well as tenants' legal rights in New York City. In the fall of 2021, OCJ and the Mayor's Office will launch a multimedia citywide public awareness campaign about RTC which will be featured on digital platforms as well as local news media that serve diverse cultures and neighborhoods. In addition, later this year OCJ will be partnering with community-based organizations on a range of tenant education and outreach efforts to inform about tenant rights in New York City Housing Court. This program, initiated pursuant to Local Law 53 of 2021, will include "know your rights" education sessions, distribution of written materials and targeted outreach to tenants at risk of eviction.

As we move forward and face unprecedented and likely unexpected challenges as the COVID-19 pandemic recovery continues, OCJ will continue to work hand in hand with all justice system stakeholders to make civil legal assistance available and effective for New York City tenants in need.

Eviction Proceedings in Housing Court and “Covered Individuals”

In FY2021, there were an estimated 57,964 residential eviction petitions filed citywide in New York City Housing Court, in which an estimated 122,452 individuals were named¹² as respondents. This reflects a decline of approximately 49,000 eviction case filings compared to the same period last year, or a 46% decrease,¹³ likely driven by the statewide legal restrictions on eviction filings and changes to case processing in New York City Housing Court in response to the COVID-19 pandemic.

The table below details estimated residential eviction petitions and “covered individuals” during FY2021, broken down by borough. The table also presents a breakdown of such filings based on the nature of the claim for eviction: nonpayment of rent and “holdover.” Holdover claims aim to evict a tenant or other person in the apartment for reasons other than simple nonpayment of rent, including allegations that the tenant has violated a lease provision; has improperly put others in the apartment; has become a nuisance to other tenants; or is staying after a lease has expired.

Eviction Proceedings in Housing Court and Estimated Covered Individuals July 1, 2020 – June 30, 2021

	Residential Eviction Petitions Filed			Estimated Covered Individuals		
	Holdover	Non-Payment	Total	Holdover	Non-Payment	Total
Bronx	2,272	17,362	19,634	6,955	29,192	36,147
Brooklyn	2,948	12,531	15,479	9,899	22,780	32,679
Manhattan	1,713	9,251	10,964	5,339	15,989	21,328
Queens	2,869	7,845	10,714	10,436	19,116	29,552
Staten Island	426	747	1,173	1,418	1,328	2,746
New York City	10,228	47,736	57,964	34,047	88,405	122,452

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

¹² Eviction petitions are not required to explicitly name all parties; “JOHN DOE” or “JANE DOE” are often used in lieu of individual names. OCJ has counted all named and “Doe” respondents in each eviction petition to estimate the number of “covered individuals” (as defined in the Universal Access law) residing in the related dwelling.

¹³ OCJ’s reports may be found at www.nyc.gov/civiljustice.

Warrants of Eviction Issued in Housing Court

The table below details the number of warrants of eviction issued in Housing Court during FY2021, broken down by borough and by type of eviction proceeding (nonpayment or holdover). The Housing Court issues warrants of eviction to a City Marshal, authorizing the removal of tenants from the premises. A tenant can respond to the issuance of an eviction warrant by submitting an Order to Show Cause seeking to prevent or delay the eviction and possibly raising defects in procedure. A tenant may also vacate their residence before a formal eviction takes place. Information about actual evictions carried out by City Marshals is in the following section of this report.

Warrants of Eviction Issued in New York City Housing Court July 1, 2020 – June 30, 2021

	Warrants of Eviction Issued		
	Holdover	Non-Payment	Total
Bronx	8	11	19
Brooklyn	78	68	146
Manhattan	10	2	12
Queens	14	19	33
Staten Island	13	22	35
New York City	123	122	245

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

Residential Evictions Executed by City Marshals

Official reporting on the number of residential evictions conducted by City Marshals becomes available from the New York City Department of Investigation (DOI) after the conclusion of each calendar year. Thus, the table below details the number of such evictions conducted by City Marshals from calendar year 2013 through calendar year 2020. Since 2013, New York City has seen a substantial reduction in residential evictions by city marshals. There were 16,996 residential evictions by marshals in calendar year 2019, a 41% decrease compared to 2013, when there were 28,849 such evictions. These downward trends, coinciding with OCJ’s continued implementation of RTC legal services and enactment of the Housing Stability and Tenant Protection Act of 2019, continued through early 2020, until residential evictions by city marshals were halted in March of 2020 because of the COVID-19 emergency. In all, at the end of 2020, only roughly 3,000 residential evictions had been executed by city marshals during the calendar year.

Residential Evictions Executed by City Marshals January 1, 2013 – December 31, 2020

	2013	2014	2015	2016	2017	2018	2019	2020
Bronx	10,194	9,580	7,401	7,667	7,438	6,856	5,855	1,007
Brooklyn	8,313	7,908	7,033	6,476	5,984	5,710	4,902	899
Manhattan	4,525	3,933	2,898	2,907	2,843	2,713	2,290	408
Queens	4,862	4,542	3,939	4,290	4,105	4,072	3,352	618
Staten Island	955	894	717	749	704	662	597	103
NYC	28,849	26,857	21,988	22,089	21,074	20,013	16,996	3,035

Source: NYC Department of Investigation, retrieved from New York City Housing Court at <https://www.nycourts.gov/COURTS/nyc/housing/statistics.shtml> and provided by DOI; 2020 “Summary of Evictions, Possessions & Ejectments Conducted” report provided by DOI.¹⁴

¹⁴ In FY2019, the New York City Department of Investigation (DOI) revised their “Summary of Evictions, Possessions & Ejectments Conducted” report for calendar year 2018 to reflect changes in the number of residential evictions and possessions conducted by marshals in 2018, and to correct the previous 2018 report issued by DOI in January of 2019. At the time of publication of this report, the corrected data from DOI is accessible online via the New York City Housing Court website at http://nycourts.gov/COURTS/nyc/SSI/statistics/Stats_2018SEPEC.pdf. OCJ’s report and all references herein to the number of residential evictions are based on DOI’s reports.

Legal Services for New York City Tenants

New York City's sustained commitment to access to justice for tenants in need is reflected in a substantial increase in mayoral funding for these critical services over the last several years. In City Fiscal Year 2013, mayoral funding for tenant legal services programs was approximately \$6 million. In FY2021, HRA's budget included \$136 million in funding for tenant legal services programs. As of FY2022, the Administration's funding for tenant legal services programs at OCJ stands at approximately \$166 million. OCJ contracts with nonprofit legal services provider organizations across the city to provide access to legal services for thousands of New York City tenants facing eviction and displacement. OCJ's tenant legal services partners are:

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

As detailed in the table below, OCJ’s tenant legal services providers assisted 42,265 households, comprising an estimated 99,775 individuals, with legal advice and representation in FY2021. Although legal assistance in court proceedings such as Housing Court eviction cases and other court litigation¹⁵ saw a decline compared to before the COVID-19 pandemic because of restrictions on and changes to court activity due to COVID-19, overall, the number of households receiving legal services through OCJ’s tenant legal services programs increased by approximately 11% in FY2021 compared to FY2020.

**Legal Services for New York City Tenants Provided by OCJ Programs
July 1, 2020 – June 30, 2021**

Type of Legal Proceeding/ Matter	Households Assisted	Estimated Individuals Assisted
Eviction Proceedings in Housing Court	12,754	31,257
NYCHA Termination of Tenancy Proceedings	92	186
Other Administrative Proceedings	1,809	4,479
Other Court Litigation	5,615	12,678
Other Housing-Related Legal Assistance	21,995	51,175
Total	42,265	99,775

Source: OCJ Administrative Data.

¹⁵ This category includes proceedings such as “HP” actions filed on behalf of tenants to demand court-ordered apartment repairs, 7A proceedings, and other litigation in Housing Court and other courts. In an Article 7A proceeding, a group of tenants sues a landlord who has not provided critical services such as heat, running water, or electricity; has failed to correct unsafe conditions in the building; or has engaged in a pattern of harassment or illegal eviction, and the court has the authority to appoint an outside administrator to run the day-to-day operations of a building in place of its owner.

Legal Services for Tenants Facing Eviction in Housing Court: By Borough and Legal Services Provided

Focusing on the 12,754 households that received legal services in eviction proceedings in Housing Court, the table below disaggregates these cases by service level: full legal representation and brief legal assistance or advice.

In FY2021, OCJ’s legal services providers assisted tenants facing eviction in Housing Court in every borough and in 178 NYC postal codes.¹⁶ The table below shows the number of households and individuals receiving legal services in FY2021 for eviction proceedings in Housing Court, broken down by borough and level of legal services provided. OCJ’s RTC legal provider partners provided full legal representation in 86% of the Housing Court eviction proceedings they handled in FY2021.

Legal Services for Tenants Facing Eviction in Housing Court: Boroughs and Legal Services Provided July 1, 2020 – June 30, 2021

	Households Assisted			Estimated Individuals Assisted		
	Brief/ Advice	Full Legal Representation	Total	Brief/ Advice	Full Legal Representation	Total
Bronx	463	4,103	4,566	1,173	10,707	11,880
Brooklyn	583	2,894	3,477	1,318	7,034	8,352
Manhattan	315	1,571	1,886	606	3,293	3,899
Queens	399	1,815	2,214	1,050	4,515	5,565
Staten Island	32	579	611	69	1,491	1,560
NYC	1,792	10,962	12,754	4,217	27,040	31,257

Source: OCJ Administrative Data.

¹⁶ The Appendix to this Report details the number of households and estimated number of individuals receiving legal services in FY2021 for eviction proceedings in Housing Court and NYCHA administrative termination of tenancy proceedings, broken down by borough and ZIP code.

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

The table below provides a breakdown by the age of the head of household for tenant households facing eviction in Housing Court that received legal services in FY2021, as reported by such tenants to their legal services provider.¹⁷

Legal Services for Tenants Facing Eviction in Housing Court: Age of Head of Household July 1, 2020 – June 30, 2021

	18-24 years old	25-34 years old	35-44 years old	45-54 years old	55-64 years old	65+ years old
Bronx	50	888	1,286	1,026	826	472
Brooklyn	59	573	825	821	717	419
Manhattan	25	235	367	446	431	341
Queens	35	354	550	487	427	289
Staten Island	14	125	183	135	108	46
New York City	183	2,175	3,211	2,915	2,509	1,567

Source: OCJ Administrative Data.

¹⁷ This analysis excludes 192 households served, or 1.5% of all households served, for which information about the age of the head of household was not available.

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

The table below provides a breakdown by household size of tenant households facing eviction in Housing Court that received legal services in FY2021.¹⁸

Legal Services for Tenants Facing Eviction in Housing Court: Household Size July 1, 2020 – June 30, 2021

	1 person	2 people	3 people	4 people	5 or more people
Bronx	1,350	1,090	940	590	534
Brooklyn	1,287	811	575	345	1,360
Manhattan	893	413	260	147	121
Queens	726	476	355	282	241
Staten Island	184	158	121	74	69
New York City	4,440	2,948	2,251	1,438	1,325

Source: OCJ Administrative Data.

¹⁸ This analysis excludes 352 households served, or 2.8% of all households served, for which information about household size was not available.

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

The table below provides a breakdown by estimated length of tenancy of tenant households facing eviction in Housing Court that received legal services in FY2021 as reported by such tenants to their legal services provider.¹⁹

Legal Services for Tenants Facing Eviction in Housing Court: Estimated Length of Tenancy July 1, 2020 – June 30, 2021

	1-2 years	3-5 years	6-9 years	10 or more years
Bronx	777	1,035	820	1,633
Brooklyn	581	646	506	1,387
Manhattan	298	199	179	919
Queens	476	381	272	640
Staten Island	169	173	93	159
New York City	2,301	2,434	1,870	4,738

Source: OCJ Administrative Data.

¹⁹ This analysis excludes 1,411 households served, or 11.1% of all households served, for which information about the length of tenancy was not available.

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

The table below provides a breakdown by estimated annual household income of tenant households facing eviction in Housing Court that received legal services in FY2021.²⁰

Legal Services for Tenants Facing Eviction in Housing Court: Estimated Annual Household Income as a Percentage of Federal Poverty Guideline (FPL) July 1, 2020 – June 30, 2021

	Less than 50% of FPL	51% to 100% of FPL	101% to 150% of FPL	151% to 200% of FPL	More than 200% of FPL
Bronx	1,290	1,234	771	458	445
Brooklyn	766	762	550	401	442
Manhattan	328	420	297	224	304
Queens	363	445	314	230	293
Staten Island	137	166	98	77	78
New York City	2,884	3,027	2,030	1,390	1,562

Source: OCJ Administrative Data.

²⁰ This analysis excludes 1,061 households served, or 8.3% of all households served, for which household income information is unknown, and 800 households, or 6.3% of households served, for which the reported annual household income information was not sufficiently detailed to determine percentage of FPL category, but for which provider records confirm income at or below 200% of FPL.

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

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

Legal Services for Tenants Facing Eviction in Housing Court: Public Benefits Recipients July 1, 2020 – June 30, 2021

	Households Receiving Ongoing Public Benefits
Bronx	1,368
Brooklyn	763
Manhattan	337
Queens	410
Staten Island	214
New York City	3,092

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

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

Almost half of the rental apartment units in New York City are subject to some form of rent regulation,²¹ which limits how much a landlord may increase the rent and provides other forms of protections for tenants that prevent dramatic rent increases year to year, and otherwise ensure housing stability.

As detailed in the table below, according to reports by legal services providers, legal services were provided to tenants in rent-regulated housing in 7,168 Housing Court eviction cases in FY2021.²² This accounts for 65% of households served citywide, but there was variation across the boroughs; rent-regulated tenants comprised a higher proportion of the caseload handled in the Bronx (78%), Manhattan (70%), and Brooklyn (70%) than in Queens (38%) or Staten Island (30%).

**Legal Services for Tenants Facing Eviction in Housing Court:
Rent-Regulated Status of Households Served
July 1, 2020 – June 30, 2021**

	Rent-Regulated	Unregulated	Total
Bronx	3,170	912	4,082
Brooklyn	2,072	900	2,972
Manhattan	1,095	497	1,592
Queens	656	1,088	1,744
Staten Island	175	412	587
New York City	7,168	3,809	10,977

Source: OCJ Administrative Data.

²¹ Waickman, C. R., Jerome, J. B. R., Place, R. (2018). Sociodemographics of Rent Stabilized Tenants: An Analysis Based on the 2017 New York City Housing and Vacancy Survey (NYCHVS). NYC Department of Housing Preservation and Development. Retrieved from <https://www1.nyc.gov/assets/hpd/downloads/pdf/about/rent-regulation-memo-1.pdf>.

²² This analysis excludes 1,777 households served, or 13.9% of all households served, for which information about rent regulation status was not available.

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

The table below provides a breakdown of households and individuals in NYCHA public housing that received legal services in eviction proceedings in Housing Court in FY2021. Notably, most eviction proceedings against tenants in public housing were stayed or prohibited by federal and state eviction restrictions throughout FY2021.

Legal Services for Tenants Facing Eviction in Housing Court: Households in NYCHA Public Housing July 1, 2020 – June 30, 2021

	Households Assisted	Individuals Assisted
Bronx	77	188
Brooklyn	70	169
Manhattan	69	174
Queens	36	98
Staten Island	22	53
New York City	274	682

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

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

The table below summarizes the reported outcomes of Housing Court eviction proceedings in which tenants facing eviction received full legal representation from OCJ legal services providers in FY2021. It is important to note that these data relate to such cases that were *resolved* during the reporting period of FY2021, and that there were fewer cases resolved during FY2021 than in previous years due to the changes in Housing Court operations that occurred throughout the fiscal year due to COVID-19. Many eviction proceedings which legal providers took on legal representation in FY2021 and in previous years are currently ongoing in Housing Court and will be included in future reports when they reach disposition.

In the overwhelming majority of cases resolved in FY2021, OCJ legal services providers obtained outcomes that enabled their clients to remain in their residence. Specifically, tenants were allowed to remain in their homes in 84% of cases citywide and were legally required to leave in 16% of cases. A legal requirement that a tenant leave a residence following an eviction proceeding does not typically require the tenant to vacate the residence immediately; tenants may be permitted to remain for several weeks or months to allow them to obtain new housing.

Full Legal Representation for Tenants Facing Eviction in Housing Court: Outcomes Achieved July 1, 2020 – June 30, 2021

	Tenants Allowed to Remain in Residence				Tenants Required to Leave Residence			
	Households		Individuals		Households		Individuals	
Bronx	684	91%	1,867	91%	70	9%	176	9%
Brooklyn	428	87%	1,035	86%	63	13%	171	14%
Manhattan	145	89%	334	93%	18	11%	27	7%
Queens	139	64%	335	64%	78	36%	190	36%
Staten Island	115	68%	267	62%	55	32%	166	38%
New York City	1,511	84%	3,838	84%	284	16%	730	16%

Source: OCJ Administrative Data.

In a small number of cases, an attorney assigned to represent a tenant facing eviction in Housing Court may withdraw from the case or may be discharged by a client who no longer wishes to be represented by the provider. As shown in the table below, in FY2021 OCJ’s legal services providers withdrew or were discharged in 65 cases.

**Full Legal Representation for Tenants Facing Eviction in Housing Court:
Attorney Discharges and Withdrawals
July 1, 2020 – June 30, 2021**

	Attorney Discharged by Tenant Before Case Conclusion	Attorney Withdrew Before Case Conclusion
Bronx	12	20
Brooklyn	3	8
Manhattan	7	2
Queens	5	5
Staten Island	2	1
New York City	29	36

Source: OCJ Administrative Data.

Legal Services for Tenants Facing NYCHA Administrative Termination of Tenancy Proceedings

As detailed in the table below, in FY2021 OCJ’s eviction defense programs provided legal services to 92 households facing administrative termination proceedings, comprising 186 NYCHA residents. Notably, most eviction proceedings against tenants in public housing were stayed or prohibited by federal eviction restrictions throughout FY2021, and NYCHA’s administrative hearing office which conducts these proceedings was closed through FY2021. Citywide, OCJ legal services providers assisted NYCHA households by providing full legal representation in 66% of such proceedings.

Legal Services for Tenants Facing NYCHA Administrative Termination of Tenancy Proceedings July 1, 2019 – June 30, 2020

	Households Assisted			Estimated Individuals Assisted		
	Brief/ Advice	Full Legal Representation	Total	Brief/ Advice	Full Legal Representation	Total
Bronx	10	11	21	24	23	47
Brooklyn	8	26	34	17	53	70
Manhattan	9	13	22	14	22	36
Queens	4	3	7	5	9	14
Staten Island	0	8	8	0	19	19
New York City	31	61	92	60	126	186

Source: OCJ Administrative Data.

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

Focusing on the households that received legal services in administrative termination of tenancy proceedings at NYCHA, the table below provides a breakdown by the age of the head of household for tenant households facing termination of tenancy in NYCHA administrative proceedings that received legal services in FY2021, as reported by such tenants to their legal services provider.²³

**Legal Services for Tenants Facing NYCHA Administrative Termination of Tenancy Proceedings:
Age of Head of Household
July 1, 2020 – June 30, 2021**

	18-24 years old	25-34 years old	35-44 years old	45-54 years old	55-64 years old	65+ years old
Bronx	1	1	3	6	5	5
Brooklyn	1	4	3	5	7	14
Manhattan	0	2	4	3	2	10
Queens	0	1	0	2	0	4
Staten Island	1	0	2	2	1	2
New York City	3	8	12	18	15	35

Source: OCJ Administrative Data.

²³ This analysis excludes 1 household served, or 1.1% of all households served, for which information about the age of the head of household was not available.

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

The table below provides a breakdown by household size of households facing NYCHA administrative termination of tenancy proceedings that received legal services in FY2021.²⁴

**Legal Services for Tenants Facing NYCHA Administrative Termination of Tenancy Proceedings:
Household Size
July 1, 2020 – June 30, 2021**

	1 person	2 people	3 people	4 people	5 or more people
Bronx	7	4	3	4	0
Brooklyn	14	10	5	2	2
Manhattan	14	4	2	2	0
Queens	4	0	0	2	0
Staten Island	3	3	1	0	1
New York City	42	21	11	10	3

Source: OCJ Administrative Data.

²⁴ This analysis excludes 5 households served, or 5.4% of all households served, for which information about household size was not available.

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

The table below provides a breakdown by estimated length of tenancy of tenant households facing NYCHA administrative termination of tenancy proceedings that received legal services in FY2021 as reported by tenants to their legal services provider.²⁵

**Legal Services for Tenants Facing NYCHA Administrative Termination of Tenancy Proceedings:
Estimated Length of Tenancy
July 1, 2020 – June 30, 2021**

	1-2 years	3-5 years	6-9 years	10 or more years
Bronx	3	1	1	8
Brooklyn	5	7	2	17
Manhattan	6	1	1	13
Queens	3	0	0	3
Staten Island	1	2	1	4
New York City	18	11	5	45

Source: OCJ Administrative Data.

²⁵ This analysis excludes 13 households served, or 14.1% of all households served, for which information about the length of tenancy was not available.

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

The table below provides a breakdown by estimated annual household income of tenant households facing NYCHA administrative termination of tenancy proceedings that received legal services in FY2021.

**Legal Services for Tenants Facing NYCHA Administrative Termination of Tenancy Proceedings:
Estimated Annual Household Income as a Percentage of the Federal Poverty Level (FPL)²⁶
July 1, 2020 – June 30, 2021**

	Less than 50% of FPL	51% to 100% of FPL	101% to 150% of FPL	151% to 200% of FPL	More than 200% of FPL
Bronx	2	8	2	1	0
Brooklyn	8	12	3	2	2
Manhattan	6	4	2	1	2
Queens	1	3	0	0	0
Staten Island	3	2	3	0	0
New York City	20	29	10	4	4

Source: OCJ Administrative Data.

²⁶ This analysis excludes 25 households served, or 27.2% of all households served, for which information about estimated annual household income was not available.

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

The table below provides a breakdown by borough of the number of households that received legal services in NYCHA administrative termination of tenancy proceedings in FY2021 that were receiving ongoing public benefits at the time when legal services were rendered.

**Legal Services for Tenants Facing NYCHA Administrative Termination of Tenancy Proceedings:
Public Benefits Recipients
July 1, 2020 – June 30, 2021**

	Households Receiving Ongoing Public Benefits
Bronx	2
Brooklyn	8
Manhattan	4
Queens	3
Staten Island	3
New York City	20

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

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

The table below summarizes the outcomes of NYCHA administrative termination of tenancy proceedings in which tenants received full legal representation from OCJ legal services providers and such cases that were resolved during the reporting period of FY2021.

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

July 1, 2020 – June 30, 2021

	Allowed to Remain				Required to Leave			
	Households		Individuals		Households		Individuals	
	#	%	#	%	#	%	#	%
Bronx	2	100%	5	100%	0	0%	0	0%
Brooklyn	3	100%	6	100%	0	0%	0	0%
Manhattan	0	100%	0	100%	0	0%	0	0%
Queens	1	100%	4	100%	0	0%	0	0%
Staten Island	1	100%	2	100%	0	0%	0	0%
New York City	7	100%	17	100%	0	0%	0	0%

Source: OCJ Administrative Data.

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

ZIP Code	Households Served	Estimated Individuals Served
THE BRONX		
10451	152	379
10452	319	814
10453	469	1,253
10454	89	247
10455	100	254
10456	309	843
10457	592	1,580
10458	361	997
10459	137	368
10460	266	699
10461	43	102
10462	211	517
10463	114	261
10464	6	17
10465	17	45
10466	111	283
10467	460	1,112
10468	399	1,083
10469	67	170
10470	38	97

ZIP Code	Households Served	Estimated Individuals Served
10471	16	27
10472	119	326
10473	96	204
10474	34	102
10475	34	80
ZIP Unconfirmed	7	17
BROOKLYN		
11201	26	33
11203	164	367
11204	18	40
11205	22	33
11206	104	227
11207	206	559
11208	208	513
11209	44	115
11210	96	230
11211	67	152
11212	331	858
11213	206	501
11214	43	116
11215	17	21
11216	116	258

ZIP Code	Households Served	Estimated Individuals Served
11217	59	101
11218	46	142
11219	36	117
11220	41	108
11221	193	424
11222	13	19
11223	32	81
11224	106	319
11225	194	430
11226	341	836
11228	15	33
11229	34	87
11230	93	221
11231	21	43
11232	20	47
11233	223	515
11234	28	76
11235	43	90
11236	65	153
11237	58	151
11238	77	170
11239	37	90

ZIP Code	Households Served	Estimated Individuals Served
11242	1	1
11249	27	67
ZIP Unconfirmed	6	8
MANHATTAN		
10001	24	40
10002	47	80
10003	21	27
10004	1	1
10006	1	2
10007	2	2
10009	28	46
10010	14	24
10011	19	27
10012	9	18
10013	9	13
10014	13	17
10016	28	38
10017	4	4
10018	9	14
10019	35	70
10021	8	9
10022	14	19

ZIP Code	Households Served	Estimated Individuals Served
10023	24	32
10024	31	47
10025	102	192
10026	113	232
10027	149	297
10028	23	37
10029	132	325
10030	105	245
10031	147	328
10032	148	312
10033	134	322
10034	99	231
10035	64	158
10036	38	58
10037	34	61
10038	4	7
10039	112	258
10040	73	190
10044	10	14
10065	10	16
10069	2	5
10075	9	14

ZIP Code	Households Served	Estimated Individuals Served
10128	28	41
10280	3	4
10282	2	8
ZIP Unconfirmed	4	10
QUEENS		
11004	9	22
11040	1	1
11101	40	79
11102	41	85
11103	16	28
11104	27	54
11105	39	85
11106	17	32
11109	2	5
11354	29	70
11355	77	171
11356	9	31
11357	12	26
11358	14	30
11360	6	9
11361	13	20
11362	1	1

ZIP Code	Households Served	Estimated Individuals Served
11363	3	8
11364	14	35
11365	35	92
11366	5	11
11367	28	70
11368	148	459
11369	11	21
11370	11	31
11372	70	153
11373	125	339
11374	54	120
11375	62	131
11377	55	147
11378	17	47
11379	19	40
11385	94	227
11411	9	17
11412	40	88
11413	30	82
11414	4	12
11415	25	53
11416	20	54

ZIP Code	Households Served	Estimated Individuals Served
11417	14	36
11418	46	116
11419	30	71
11420	20	39
11421	25	67
11422	10	25
11423	34	85
11426	10	19
11427	22	52
11428	23	64
11429	24	67
11432	71	162
11433	87	252
11434	148	372
11435	76	198
11436	17	64
11691	225	607
11692	60	191
11693	16	35
11694	16	41
ZIP Unconfirmed	8	10

ZIP Code	Households Served	Estimated Individuals Served
STATEN ISLAND		
10301	108	263
10302	30	91
10303	97	249
10304	158	372
10305	31	75
10306	46	116
10307	4	17
10308	6	9
10309	18	49
10310	56	168
10312	18	41
10314	38	109
ZIP Unconfirmed	1	1

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

ZIP Code	Households Served	Estimated Individuals Served
THE BRONX		
10451	2	3
10454	3	6
10455	3	9
10456	1	1
10458	1	2
10459	1	4
10463	2	2
10465	2	5
10466	1	4
10472	2	3
10473	2	3
ZIP Unconfirmed	1	4
BROOKLYN		
11201	1	2
11205	2	5
11206	4	5
11207	3	9
11208	2	4
11211	2	2
11212	5	10

ZIP Code	Households Served	Estimated Individuals Served
11213	3	4
11216	1	3
11217	2	7
11221	3	4
11223	1	1
11224	2	4
11229	2	5
11236	1	4
MANHATTAN		
10002	2	4
10009	2	3
10027	4	6
10029	10	13
10032	1	1
10034	1	3
10038	2	6
QUEENS		
11102	1	1
11106	2	3
11354	2	2
11365	1	4
11433	1	4

STATEN ISLAND		
10303	1	2
10304	2	9
10310	2	4
10314	3	4