

Know Your Rights

Virtual Town Hall for Tenants

**Thursday,
March 3 • 6:00 pm**

Streamed live:

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NYC
Mayor's Public
Engagement Unit

NYC
Mayor's Office of
Immigrant Affairs

NYC
Mayor's Office to
Protect Tenants



**Mayor's Office to
Protect Tenants**

Greta Aiken

Enforcement and Engagement Initiatives Manager

About MOPT

The **Mayor's Office to Protect Tenants (MOPT)** was created in January 2019 when Mayor Bill de Blasio signed into law **Executive Order No. 39**, establishing an office to coordinate the City's range of tenant protection efforts.

MOPT is a core part of the City's strategy to confront the affordable housing crisis. Our office works across City agencies to make existing anti-harassment and anti-displacement programs better, and to create new strategies to root out abuse.

Eviction Protections Updates

- **The Eviction Moratorium:** The “eviction moratorium,” officially known as the NYS COVID-19 Emergency Eviction and Foreclosure Prevention Act (CEEFPFA) expired on January 15, 2022. This law prevented eviction for tenants who submitted a Hardship Declaration.
 - While the Court is no longer accepting Hardship Declarations, evidence of financial hardship due to COVID-19 from between March 2020-Jan. 15, 2020 could still prevent an eviction.
 - Tenants still have many protections from eviction.
- **ERAP:** The Emergency Rental Assistance Program (ERAP) re-opened its portal and began accepting rental assistance applications again on Jan. 11, 2022. **We urge all New Yorkers in need of rent relief to apply to ERAP, as a pending application will provide temporary protection from eviction. Documentation of immigration status will not be requested.**
 - Note: There is currently no federal funding available to provide assistance to New York City residential tenants. Therefore, applications will only be reviewed and considered for funding if additional funds become available. Certain tenant protections are available when your application is pending.

What are my rights?

- Regardless of your immigration status, if you have lived in your apartment for more than 30 days or have a lease agreement, **it is illegal for someone to pressure or force you to leave your home, to shut off your utilities or try to get you to leave as punishment, or to lock you out of your home** (no matter your immigration status and even if you do not have a formal lease). You have the right to stay in your home unless you receive an Eviction Order signed by a Judge and delivered by a Marshal or Sheriff.
 - If any of the above has happened/is happening to you, call 911 right away and then call 311 and ask for the “Tenant Helpline” for referral to a free legal services provider.
 - If the police are unable to get you back into your apartment, call your local Housing Court right away to start a court case called an “illegal lockout” where you ask to be “restored to possession” of your unit.
- **Don’t self-evict!** Your landlord cannot tell you to leave—in writing or verbally; they must bring you to court before they can legally evict you. You have the right to argue your case in court, and New York City provides free legal advice and counsel to eligible tenants through the Right to Counsel Program.

Helpful Links

- **Mayor's Office to Protect Tenants Webpage (including fact sheets):** [NYC.gov/tenantprotection](https://nyc.gov/tenantprotection)
- **Eviction Prevention Brochure:** <https://www1.nyc.gov/assets/tenantprotection/downloads/pdf/eviction-prevention-brochure.pdf>
- **MOPT's Illegal Evictions/Lockouts Web Page:** <https://nyc.gov/tenantprotections/lockouts>
- **MOPT+PEU's Tenant Resource Portal:** [NYC.gov/tenantresourceportal](https://nyc.gov/tenantresourceportal)
- **HRA's ERAP Webpage:** [NYC.gov/ERAP](https://nyc.gov/ERAP)
- **HRA's OCJ's RTC/Legal Services Webpage:** [NYC.gov/RTC](https://nyc.gov/RTC)

Resources

- **PEU's Tenant Helpline** can help you better understand your rights, guide you through the steps to protect yourself from eviction, and connect you with free legal services. The Tenant Helpline provides free and confidential assistance in your preferred language and can assist with a range of tenancy issues. All NYC residential renters are eligible, regardless of income level, immigration status, lease status, or zip code.
 - To access the Tenant Helpline, call 311 and ask for the “Tenant Helpline” in your preferred language.
- **Right to Counsel:** Under NYC’s Right-to-Counsel (RTC) law, HRA’s Office of Civil Justice provides tenants facing eviction in Housing Court or NYCHA administrative proceedings with access to free legal representation and advice provided by nonprofit legal services organizations from across the 5 boroughs.
 - Right to Counsel Legal Services are free, available in every zip code, available regardless of immigration status, and can support people who do not have a lease but have lived in their unit for 30 days or more. 84% of tenants who had a lawyer through the Right to Counsel Program avoided eviction in 2019.
 - Call 311 and ask for “Right to Counsel” to be connected with assistance.
- **“One Shot Deals” and Other Public Benefits:** You can apply for public benefits such as “One Shot Deals”, SNAP (food stamps), and Cash Assistance at nyc.gov/AccessHRA or HRA’s smartphone app ACCESS HRA.



**Mayor's Public
Engagement Unit**

Jasmin Batista

Outreach Director for Tenant Support Team

Tenant Support Unit (TSU)



Tenant Support Unit (TSU)

The **Tenant Support Unit** was launched in June 2015 to support tenants with a wide-range of issues - from advocating for necessary repairs to fighting rent overcharges. TSU conducts proactive outreach to tenants who are at risk of eviction, supports those calling in for assistance via the Tenant Helpline, and connects New Yorkers to services that can help them stay in their homes. Services are free, confidential, and available in multiple languages.



Tenant Helpline



Right to Counsel



Proactive Outreach

Tenant Helpline

In April 2020, the City launched the Tenant Helpline to serve as a one-stop-shop to inform New York City tenants about their rights and connect them to housing-related resources, including free legal services:

- Information and education on tenant rights
- Referrals for enforcement
- Landlord/tenant mediation
- Referrals to cash assistance, SNAP, Homebase
- Other resources providing the tenant sustainability in their home

The Tenant Helpline is staffed by housing experts who can triage a wide variety of calls and immediately determine whether a client will need comprehensive case management or a simple referral (to another agency or CBO). To accurately identify a client's needs and provide them with the personalized care necessary to address sensitive cases requires extensive training, and PEU staff are uniquely equipped with the skills required for these conversations.

- TSU has responded to almost **90K helpline inquires** since the start of the Tenant Helpline!
- More than **20K referrals** have been sent to legal service providers
- We've seen an **increase in referrals** from our partners as the helpline's reputation grows throughout the City

Eviction Moratorium Outreach

- PEU has reached out to more than 50,000 tenants in NYC through peer to peer texting and phone outreach who may be impacted by the end of the eviction moratorium
- Created Eviction Moratorium tool kit to share with City agencies, CBO's and other partnering agencies
- Conducted numerous Virtual presentations on Tenant Rights to our local partners
- Facilitated a Know your Rights presentation to our elected officials
- Tabled with partners to provide 1:1 support services to constituents
- Illegal lockout working committee: created trainings for: DHS, Department of Aging CARES Program, Housing Committee for Community Board 17

Fighting Eviction in Housing Court

- Under **New York City's Right-to-Counsel (RTC) law**, legal services are free, available in every ZIP code, and available regardless of immigration status. DSS/HRA's Office of Civil Justice (OCJ) ensures tenants facing eviction in Housing Court or NYCHA administrative proceedings have access to free legal representation and advice, provided by nonprofit legal services organizations from across the five boroughs.
- PEU **can** make legal referrals for NYC constituents in these circumstances.

Lockouts

- Lockouts are **illegal**, no matter one's immigration status.
- Tenants are protected against a lockout if they have lived in the same place for **at least 30 days**, even if they did not sign a lease.
- Tenants who are illegally locked out should:
 - Call **911** right away.
 - Go to Housing Court in their borough to **file an Order to Show Cause**.
 - Call **646-386-5750** for the address and hours for their borough.
 - Call 311 and ask for the **Tenant Helpline** to get a referral to a free legal service provider.

Client Story



*Tenant ZM had reached out to **PEU's Tenant Support Team** via the **Tenant Helpline**. The pandemic had caused a financial hardship in which led to her having rental arrears.*

A TSU Specialist assisted the tenant with submitting an ERAP application. This included sharing information about the program and providing guidance throughout the process. We also referred the tenant to apply for additional benefits via AccessHRA.

ZM was approved for ERAP including the additional 3 months.

**Questions about your lease?
Are you behind on rent?
Are you in housing court?**

Call 311 and ask for the

Tenant Helpline

**to get free help from an NYC
Tenant Support Specialist.**





**Mayor's Office of
Immigrant Affairs**

Lydia Li
Organizer

MOIA Resources



- **IDNYC**

Renew your card online or make an appointment to enroll at **NYC.gov/IDNYC** or **call 311 and say “IDNYC”**



- **ACTION NYC**

Call 311 and say “Action NYC”. Action NYC offers free, safe immigration legal help across NYC.

Q&A

- ★ Drop your comments in the Facebook chat to have your questions answered
- ★ Or Call 311 and ask for the Tenant Helpline to speak to a Specialist

