



NEW YORK STATE SENATOR

Brad Hoylman-Sigal

## My Testimony In Support of Intro 214-A and a Right to Counsel for Low-Income Tenants At Risk of Eviction

BRAD HOYLMAN-SIGAL September 30, 2016



Thank you for the opportunity to submit testimony on New York City Intro 214-A, which would provide legal counsel to tenants facing eviction, ejection, or foreclosure proceedings, whose incomes are below 200% of the federal poverty line. As the State Senator representing New York's 27th District, which includes gentrifying neighborhoods like Chelsea, the East Village, and portions for the Upper West Side, my constituents and I are all too familiar with the urgent eviction crisis in our city.

C.B., one of my constituents, has lived in the East Village for 25 years. When a severe mold infestation grew in his apartment, his landlord ignored his requests for repairs. C.B. just wanted a safe, healthy living environment, so he brought an HP Action in Housing Court against his landlord and withheld a portion of his rent. When the landlord then filed to evict him, C.B. feared he would lose his rent-regulated apartment and have nowhere to go — but thanks to a pro-bono attorney, he won both cases, was able to stay in his home, and get the dangerous mold in his apartment remediated.

For C.B., an attorney made all the difference — and he is not alone. Today, more than 200,000 New Yorkers go to Housing Court every year — the vast majority of whom are low income tenants who can't afford a private attorney.

Forcing low-income tenants to represent themselves, usually against wealthy and wellrepresented landlords, has created a civil legal system that is sharply skewed against working-class New Yorkers. This unfair system has predictable results: an eviction epidemic. From the early 2000s through 2015, the number of families who were forced out of their home by evictions grew steadily — reaching nearly 30,000 families in 2013, according to the New York Times. Evictions are driving New York's ballooning homelessness crisis; tonight, nearly 60,000 people will sleep in city shelters, about two thirds of whom are families with children.

The status quo is unacceptable, and this bill is the obvious solution. According to a report commissioned by the New York City Bar Association, tenants are 77% less likely to be evicted if they have an attorney. In fact, New York has seen an 18% decline in evictions since Mayor de Blasio's commendable expansion of legal services for lowincome tenants. The evidence is clear: having an attorney is often what keeps New York families in their homes.

Ensuring access to counsel for vulnerable New Yorkers is both the right thing to do and, in the long run, is fiscally responsible. Helping New Yorkers stay in their homes means helping keep our neighbors out of the shelter system. According to a report commissioned by the New York City Bar Association, the costs of implementing this bill would be approximately \$199 million; meanwhile, the City spends approximately \$294 million annually sheltering families who are homeless because of evictions. In other words, providing counsel to low-income New Yorkers wouldn't really cost us money – it would ultimately save about 25 million taxpayer dollars by reducing the shelter population, even before we factor in harder-to-measure costs that come from disrupting a child's education, increased health and safety risks, and difficulty maintaining stable employment that often follow when a family is forced into homelessness. This bill helps keep vulnerable New Yorkers in their homes while wisely saving taxpayer dollars.

That's why I am proud to support Council Member Levine, tenants, and Intro 214-A, which would create a right to counsel in Housing Court for low-income New York tenants. Not only do I support Right to Counsel in New York City, I am proud to cosponsor the equivalent legislation in the State Senate – so no tenant in New York State is evicted from their home simply because they couldn't afford an attorney.

Thank you for your consideration of my comments and this critical legislation I also want to take a moment to thank the fantastic pro-bono legal service providers who defend and advise tenants in my district, especially MFY Legal Services, Housing Conservation Coordinators, and the Urban Justice Center. I know for a fact that Manhattan, and New York as a whole, is more affordable, diverse, and safely housed thanks to your efforts. I look forward to our continued work to ensure no New York tenant is ever unfairly evicted from their home.