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The City of New York **Manhattan Community Board 8**

December 29, 2015

Vicki Been, Commissioner
Housing Preservation and Development
210 Joralemon St # 804
Brooklyn, New York 11201

RE: RESOLUTION In Support of a Right to Counsel for Low-income New Yorkers Who Face Losing their Homes in Legal Proceedings

Dear Ms. Been:

At the December 16, 2015 Full Board meeting of Manhattan Community Board 8, the following recommendation was adopted by a vote of 40 in favor, 3 opposed, 0 abstentions and 0 not voting for cause:

RE: RESOLUTION In Support of a Right to Counsel for Low-income New Yorkers Who Face Losing their Homes in Legal Proceedings

WHEREAS, a substantial number of people facing eviction and foreclosure proceedings live in poverty, are not able to afford or obtain counsel to represent them, and must appear in court unrepresented, and **WHEREAS**, eviction and foreclosure proceedings are technical legal proceedings in which lawyers generally appear for the petitioners and the rules of evidence and procedural and substantive law all apply; they are consequently very difficult for unrepresented parties to navigate, and **WHEREAS**, representation by counsel in eviction and foreclosure proceedings keeps people in their homes and communities and out of the homeless shelters and provides fundamental fairness and due process for those who face losing their homes, and **WHEREAS**, the consequences of eviction and foreclosure are dire for low-income people: there is a deficit of affordable housing, and low-income families and individuals who lose their homes in legal proceedings often end up in homeless shelters or in housing that is less affordable than the housing they must leave; and they suffer from loss of employment, missed schooling and damage to physical and mental health, and **WHEREAS**, these dire consequences for those who lose their homes in turn result in huge costs to the City of New York in providing shelter, social services and other services, and **WHEREAS**, Intro 214, which would create a right to counsel in eviction and foreclosure proceedings, is currently pending at the City Council and is co-sponsored by 38 of the 51 Councilmembers. **THEREFORE, BE IT RESOLVED THAT**, the X Board supports the right to counsel for low-income New Yorkers who face losing their homes in legal proceedings and urges the City Council and the Mayor to adopt Intro 214 or any other measure that would guarantee the right to counsel for low-income New Yorkers who face losing their homes in legal proceedings.

Please advise this office of any action taken regarding this matter.

Sincerely,

James G. Clynes
Chairman

Edward Hartzog
Chair, Housing Committee

Cc: Honorable Bill de Blasio, Mayor of the City of New York
Honorable Gale Brewer, Manhattan Borough President
Honorable Liz Krueger, NYS Senator, 26th Senatorial District
Honorable Dan Quart, NYS Assembly Member, 73rd Assembly District
Honorable Rebecca Seawright, NYS Assembly Member, 76th Assembly District
Honorable Ben Kallos, NYC Council Member, 5th Council District
Honorable Daniel Garodnick, NYC Council Member, 4th Council District
Daniel Bernstein, Esq.