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The City of New York
Community Board 8 Manhattan
Housing Committee
Tuesday, April 18th, 2023 – 6:30PM
Conducted Remotely on Zoom

Please note: The resolutions contained in the committee minutes are recommendations submitted by the committee co-chairs to the Community Board. At the monthly full board meeting, the resolutions are discussed and voted upon by all members of Community Board 8 Manhattan.

Resolutions for Approval:

Item 1: Support of a Right to Counsel for all New York State Residents who Face Losing Their Homes in Legal Proceedings

Minutes

The meeting was called to order at approximately 6:30 PM by co-chairs Edward Hartzog, Rebecca Lamorte, and Gregory Morris.

Present at the meeting were the following Community Board 8 and Committee members: Bill Angelos, Saundra Coleman, Edward Hartzog, Rebecca Lamorte, Gregory Morris, Rita Popper, and Marco Tamayo.

Item 1: Presentation on Statewide Right to Counsel (A1493/S2721) by the A. Philip Randolph Square Alliance

The co-chairs welcomed the committee members and public members to the meeting.

A presentation was provided by The Right to Counsel NYC Coalition (RTCNYC). RTCNYC is a tenant-led coalition that formed in 2014 to change Housing Courts, prevent displacement, and stop the eviction crisis that threatens our families, our homes, and our neighborhoods. RTCNYC is made up of tenants, organizers, advocates, legal services organizations, faith leaders, unions and more! In 2017, after a three-year grassroots campaign, the Coalition won the Right to Counsel, making New York the first city in the country to establish a Right to Counsel for low-income tenants facing eviction.

It discussed the priority legislation identified as Statewide Right to Counsel (S2721/A1493), introduced by Senator Rachel May and Assembly Member Latoya Joyner, which guarantees ALL tenants across New York State the RIGHT to a FREE lawyer when facing an eviction.

It shared that the Right to Counsel changes the power relationship between landlords and tenants in and outside Housing Court:

- Right to Counsel protects tenants' rights and emboldens more tenants to fight for their homes!
- Every year, landlords try to evict hundreds of thousands of Black and Brown New Yorkers. Many are immigrants and most are women. Right to Counsel doesn't just stop evictions, it helps fight back against the displacement of people of color.

- For many landlords, evictions are essential to their business model. Landlords evict tenants because they have power - and because it increases their profits - not because the law supports them. Right to Counsel disrupts this business model, by keeping tenants in their homes and stopping displacement.

RTNYC asked the committee to consider the attached resolution to support long-term solutions, prevent displacement and keep New Yorkers in their homes. New York State must pass Statewide Right to Counsel and fund its implementation with \$172 million in the fiscal year 2024 budget, to enable-

- Guaranteed legal representation for tenants facing eviction across NYS.
- Expanded infrastructure outside of NYC to empower more tenant-initiated cases--a critical step in transforming housing courts from eviction machines to places that hold landlords accountable, uphold tenants' rights, and enable tenants to remain in their homes.
- Growth of community organizations that provide tenants' rights education and tenant organizing.
- Creation of the Office of Civil Representation, which will oversee Right to Counsel's implementation and help legal services providers determine and enact effective strategies to attract, train and retain new talent.

A motion was made to support the attached resolution. It passed unanimously.

RESOLUTION

In Support of a Right to Counsel for ALL New York State Residents Who Face Losing their Homes in Legal Proceedings

WHEREAS, a substantial number of people facing eviction and foreclosure proceedings across New York State live in poverty, are not able to afford or obtain counsel to represent them, and must appear in court unrepresented, while the vast majority of NYS landlords have counsel, 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, in New York City and in the 20-plus cities, states and counties with a Right Counsel in eviction proceedings, statistics have borne out these benefits of Right to Counsel, and have also demonstrated that Right to Counsel reduces default evictions, and overall eviction filings, 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 and State of New York in providing shelter, social services and other services, such that Right to Counsel, in reducing these costs, would pay for itself in the long term, while also preventing multiple, compounding harms to New Yorkers and

WHEREAS, Statewide Right to Counsel (Joyner-A1493/May-S2721), which would create a right to counsel in eviction and foreclosure proceedings for ALL New Yorkers, is currently pending in the State legislature

and, in the 2022 session, passed by 90 votes in the Assembly, and had 28 Senate cosponsors, with a majority of NYC's State legislators in both houses cosponsoring the legislation,

WHEREAS, though many New York City residents have a Right to Counsel, Statewide Right to Counsel legislation would bring many benefits to New York City residents, ensuring ALL New York City residents have a right to counsel, strengthening mandates on our court system to enforce tenants' rights, and conferring counsel in tenant-initiated cases, and

WHEREAS, the full funding of Statewide Right to Counsel legislation would include funds to enable zealous representation and best legal practices across NYC civil legal services providers; enable NYC providers to cover ALL New York City residents facing eviction and displacement; and enable the administering state body to research and address the effects of the national civil attorney shortage on New York State's ability to provide civil legal services for New Yorkers,

THEREFORE, BE IT RESOLVED THAT, the Community Board 8 in Manhattan supports Statewide Right to Counsel for ALL New Yorkers who face losing their homes in legal proceedings and urges the State Assembly, Senate, and Governor to pass and fully fund Statewide Right to Counsel in the FY 2024 budget.

Item 2: Discussion with George Janes on NYC housing development, zoning, and regulations

Planning expert, George Janes, provided a presentation on Zoning Text Amendments. These are changes to the text of the New York City Zoning Resolution. Text Amendments do not require the Uniform Land Use Review Procedure, however, in practice; the Department of City Planning refers Zoning Text Amendments to the Community Board for review. Mr. Janes noted that the city has said it wants input early in the process. He encouraged the Housing Committee to convene to discuss these amendments and develop an approach to present to the Department of City Planning.

Being that the agenda had been completed, a motion was passed to conclude the meeting.

There was no old or new business. The meeting adjourned at approximately 8:24 PM.

Edward Hartzog, Rebecca Lamorte, and Gregory Morris, Co-Chairs