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

April 24, 2023

Hon. Kathy Hochul
Governor of New York State
NYS State Capitol Building
Albany, NY 12224

Andrea Stewart-Cousins
Majority Leader
The New York State Senate
250 Broadway, Room 1930
New York, NY 10007

Carl E. Heastie
Speaker
The New York State Assembly
LOB 932
Albany, NY 12248

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

Dear Governor Hochul, Ms. Stewart-Cousins, and Mr. Heastie,

At the Full Board meeting of Community Board 8 Manhattan held on April 19, 2023, the board approved the following resolution by a vote of 40 in favor, 0 opposed, 4 abstentions and 0 not voting for cause:

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 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.

Please advise us of any action taken on this matter.

Sincerely,

Russell Squire

Russell Squire
Chair

Ed Hartzog, Gregory Morris, and Rebecca Lamorte,

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

cc: Honorable Eric Adams, Mayor of the City of New York
Honorable Mark Levine, Manhattan Borough President
Honorable Jerry Nadler, 12th Congressional District Representative
Honorable Liz Krueger, NYS Senator, 28th Senatorial District
Honorable José M. Serrano, NYS Senator, 29th Senatorial District
Honorable Edward Gibbs, NYS Assembly Member 68th Assembly District
Honorable Alex Bores, NYS Assembly Member, 73rd Assembly District
Honorable Rebecca Seawright, NYS Assembly Member 76th Assembly District
Honorable Keith Powers, NYC Council Member, 4th Council District
Honorable Julie Menin, NYC Council Member, 5th Council District