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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 **X Board** 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.