

At CAMBA Legal Services, we serve tenants in Brooklyn and Staten Island who are behind on their rent or otherwise facing eviction. As a member of the Right to Counsel Coalition, we are here to testify to the fact that Right to Counsel (RTC) works.

Prior to the adoption of the RTC program by New York City in 2017, our Housing Unit met with many more tenants than we had funding to serve, and even after triaging and using our limited financial resources efficiently, we would have to turn people away. With Right to Counsel, our Housing Unit has expanded dramatically. Our capacity to serve our community is much closer to being commensurate with need. We are able to do the work to ensure tenants have a true right to counsel.

Based on our experience with New York City's RTC program, it is our view that the proposed \$35 million in increased funding for legal services providers throughout Upstate New York does not go far enough to address the housing and eviction crisis facing tenants across New York State.

Further, we strongly recommend that the Statewide Right to Counsel bill sponsored by Rachel May and Latoya Joiner be passed, so that these essential tenant rights are enshrined in law, rather than implemented piecemeal through the graces of the governor. Our communities deserve more than just funding, and that funding needs to be adequate.

This bill would cover legal actions brought by tenants known as "HP actions," and would make it easier for tenants to compel repairs required under the law to make their homes truly habitable. The recent tragedy in the Bronx where seventeen people died in a fire, including eight children, shows the need for tenants to be able to effectively enforce their rights.

The legislature has passed many laws over the years to help tenants, but without a true right to counsel, tenants often are not able to use those laws as they were intended. Every tenant facing eviction across New York State needs a lawyer, and in many cases, the support of a community organizer to fight their case. The current proposal will not come close to doing that.

Something that is little understood is that in nonpayment proceedings in New York, the primary remedy a landlord seeks is not evicting the tenant but rather being made financially whole. Eviction defense attorneys help ensure this happens when possible. That means that landlords benefit from Right to Counsel programs. A Right to Counsel program ensures that the legal process moves more smoothly, to address the actual issues, and provide remedies that are fair to all. This is part of why the seven cities that now have a Right to Counsel have seen up to a 77 percent reduction in evictions. Everyone has benefited.

Research around the country has repeatedly demonstrated that adopting an eviction right to counsel is a good fiscal investment – creating more positive economic impact and cost savings than the cost of providing legal representation. Between 70,000 and 85,000 tenants outside New York City are expected to face eviction each year and we estimate that between 45,000 and 50,000 would be served annually through an eviction right to counsel.

Even tenants with the most hopeless cases benefit from the assistance of counsel. Last summer I met with Ms. Walker (not her real name). She was facing a “no grounds holdover” action seeking to evict her from an illegal unit. Her legal rights are limited. Prior to New York City’s Right to Counsel program, we never would have taken her case. But I am glad we did. What having the program meant to Ms. Walker was having someone able to explain the legal system to her, someone to help her understand which issues mattered in terms of her housing stability and which issues did not, and most importantly having someone knowledgeable who could negotiate with her landlord’s attorney so that we could come to a settlement. Having the program spared judicial resources. It gave Ms. Walker some control over her fate despite her terrible situation. This is the least that people deserve. Currently, New York is failing to meet that standard.

\$35 million is not enough to meet the need of New Yorkers facing eviction. New York needs a Right to Counsel state wide law, and funding of at least \$500 million.

Thank you for the opportunity to testify.