

NEW YORK, NY (May 8, 2023) — Today, **Legal Services NYC, The Legal Aid Society, New York Legal Assistance Group, Urban Justice Center’s Safety Net Project, NMIC, Mobilization for Justice, The Bronx Defenders, Neighborhood Defender Service of Harlem and The Right to Counsel NYC Coalition**, ahead of the New York City Council’s Committee on General Welfare Executive Budget hearing, echoed City Council members and Borough Presidents’ call for the City to boost funding for the Right to Counsel program by \$351 million to ensure that every eligible tenant facing eviction gets a lawyer.

The groups issued the following statement:

“As New Yorkers face a growing affordability crisis that is pushing more and more families to the edge of homelessness, we call on the City not to abandon New York City tenants during this upcoming fiscal year. The City must invest \$351 million in increased funding for the Right to Counsel program to ensure that all low-income tenants facing eviction have access to an attorney to fight for their right to stay in their home. This increased funding, supported by four borough presidents and the City Council Progressive Caucus, will help ensure that every eligible New York City tenant who needs a housing attorney can get one.

Right to Counsel is a vital, proven lifeline that supports the stability of families and communities. When tenants have access to an attorney in Housing Court, the vast majority are able to stay in their homes. But with evictions continuing to skyrocket across the city, funding for this crucial program has dragged shamefully behind. Currently, the City is only funding legal services providers to represent less than one third of the staggering 120,000 eviction cases expected this year, with no new funding allocated in the Mayor’s FY24 Executive Budget Proposal.

We know where this will lead: Without a full investment in Right to Counsel, thousands of tenants will slip through the cracks and into homelessness. Systemic underfunding has led to chronic attorney burnout and high turnover, forcing legal services providers to do more with less and creating a crisis that has the deepest impacts on our most marginalized neighbors. The time for New York City to invest in solutions that truly protect the rights of tenants is long overdue. New Yorkers can’t wait.

Background:

During the pandemic, in response to the urgent need, the de Blasio Administration opened up Right to Counsel (RTC) citywide, including those households earning more than 200 percent of the federal poverty line to keep New Yorkers safely housed.

RTC providers met the challenge, representing all tenants who needed help in response to the extraordinary circumstances created by the COVID-19 pandemic, even with constant changes in the law.

Prior to RTC’s implementation, only one percent of tenants were represented by an attorney in eviction cases, which contributed to a massive power imbalance between landlords and tenants.

New York’s Right To Counsel law has been highly effective at keeping tenants in their homes. Over the last four years, 84 percent of tenants who received representation under Right To Counsel won their cases and stayed in their homes.

Moreover, the Community Service Society released a recent report revealing that, since implementation of RTC in 2017, the program has led to a decline in eviction filings by about 30 percent, keeping families housed and protected against homelessness.

When tenants do not have an attorney, they often do not know their rights and defenses or how to assert them, resulting in otherwise preventable evictions, which are destabilizing and traumatic for vulnerable families with long-term collateral consequences that affect employment, education, and health outcomes as well.

However, when a tenant has counsel, all stakeholders benefit. Housing is a fundamental human right and having tenants, who are usually people of color, proceed through a judicial process where their homes could be taken away from them without the assistance of an attorney is inherently unjust.

Often, attorneys are able to identify and secure resources for the tenant to address rental arrears; proceedings are more efficient for the court when attorneys for the parties are involved; and there is a return on investment for the City when tenants can remain in their homes and do not have to contribute to the City’s already burgeoning homeless shelter population.

New York City is in the midst of the worst affordability crises and the Right to Counsel is an invaluable tool in addressing this crisis head on. Fully funding this program will not only prevent evictions but, in many instances, serve as a lifeline for New York City families.

Last month, RTC providers launched their City funding campaign, requesting an increase of \$351 million in the City’s Fiscal Year 2024 budget to ensure that this critical program is able to meet increasing demand.

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