

NEW YORK CITY DSS OFFICE OF LEGAL AFFAIRS
COUNTY OF NEW YORK

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OFFICE OF CIVIL JUSTICE
UNIVERSAL ACCESS TO COUNSEL PUBLIC HEARING

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DATE: January 29, 2025
TIME: 6:00 p.m. to 9:00 p.m.
HELD AT: 150 Greenwich Street, 38th Floor
New York, NY 10007

DIGITALLY RECORDED PROCEEDING, TRANSCRIBED BY:
GIA MARIA MAYOL
ACOLAD

1 MS. RANIECE MEDLEY: All right. Good evening,
2 everyone. Welcome to the City of New York's Seventh
3 Annual Public Hearing on the implementation of the City
4 Universal --

5 MS. LIN: Excuse me.

6 MS. MEDLEY: Yes?

7 MS. LIN: This is the Mandarin interpreter. I
8 have not made my announcement yet and I'm not at.

9 MS. CHERYL WERTZ: It's okay, Lin. Let Raniece
10 do her intro and then we'll come to you.

11 MS. LIN: Okay. Sorry.

12 MS. MEDLEY: No problem. So yes, starting
13 again, just cross over here. Good evening, everyone.
14 Welcome to the City of New York's Seventh Annual Public
15 Hearing on the implementation of the City's Universal
16 Access to Counsel Law, also known as Right-to-Counsel. My
17 name is Raniece Medley and I'm the Civil Justice
18 Coordinator for New York City Office of Civil Justice at
19 the Department of Social Services. We'll begin in a few
20 minutes. We're just waiting for a few additional
21 attendees to join and for some additional announcements
22 for those who may be joining in languages other than
23 English or who would like ASL interpretation services.
24 Alexander, go ahead.

25 MR. ALEXANDER: The following announcement will

1 be in Spanish. [Spanish Language 0:01:10-0:01:42]. Thank
2 you.

3 MS. WERTZ: Lin, go ahead. Alex, you're in the
4 Spanish room.

5 MS. LIN: [Mandarin Language 0:01:54-0:02:17]
6 Over. I'm done.

7 MS. WERTZ: Thank you.

8 MS. LIN: You're welcome.

9 MS. WERTZ: Raniece, we can repeat French or
10 move forward. It's up to you.

11 MS. MEDLEY: I want to repeat the French and
12 then we'll go ahead, I think, just to make sure. I think
13 I cut someone off earlier.

14 MS. WERTZ: Okay, hang on one second. Gladys,
15 you have been removed from the French room. Can you
16 repeat our announcement in French, please?

17 MS. GLADYS: No problem. [French Language
18 0:02:57-0:03:36]. Over.

19 MS. MEDLEY: All right. Thank you very much.
20 Well, good evening again. Welcome to those who just
21 joined the hearing. We have a few housekeeping matters
22 before we get started. We will have Spanish, Mandarin,
23 French, and American Sign Language interpretation services
24 tonight. If you would like interpretation services,
25 please listen to the following instruction. I'm going to

1 ask our language interpreters to introduce themselves and
2 give instructions on how to access language
3 interpretation. Will a Spanish interpreter please
4 introduce themselves? Do you want us to have Alex speak
5 again? Do you think we should, Cheryl, or you want to
6 move on since we did that to begin?

7 MS. WERTZ: I think we're okay and we can come
8 back to languages later.

9 MS. MEDLEY: Okay.

10 MS. WERTZ: Depending on how many people
11 continue to join.

12 MS. MEDLEY: Okay, so we will go ahead and make
13 sure that we continue to make some announcements
14 throughout the evening just so folks are sure how to be
15 able to connect with our interpretation services. Thank
16 you, interpreters. I'm going to allow a moment for folks
17 who need interpretation services to enter into those
18 breakout rooms as we're going forward. If you'd like to
19 continue to listen to this proceeding in English, please
20 select English for the best experience. If you're using
21 Zoom on a computer, you can do this by clicking on the
22 globe icon on the bottom of your screen. If you're using
23 a mobile device, you can click on the three dots on the
24 bottom of your phone screen. If you dialed in by phone,
25 you'll still be able to hear all the proceedings. Right.

1 So everyone joining us, just a reminder that this is a
2 public hearing and I'd like to remind everyone that this
3 hearing is being recorded. We invite anyone who wishes to
4 be heard on tonight's topic of Universal Access to Counsel
5 and Tenant Legal Services to speak. We have many speakers
6 who have already signed up and they will be called upon in
7 the order in which they signed up. If you wish to speak
8 this evening and have not yet signed up, please let us
9 know in the Zoom chat box and we will do our best to get
10 you by the end of the hearing at 9:00 p.m. If you joined
11 this hearing by calling in by phone, you can raise your
12 hand by pressing star nine and we will add you to the
13 speaker's list. Some information on run of show, I want
14 to again remind everyone this public hearing is open to
15 all. We will not be answering questions from any of the
16 speakers and we will not be asking any questions. This is
17 an opportunity for the public to be heard. So once again,
18 welcome to the Seventh Annual Public Hearing on the
19 Universal Access to Counsel Law. My name is Raniece
20 Medley and I'm the Civil Justice Coordinator for the
21 Office of Civil Justice at the Department of Social
22 Services. I want to take a moment to acknowledge and
23 thank the team at OCJ from contract management to
24 procurement, from data synthesis to the halls of Housing
25 Court. The team shows up for this critical work of

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1 supporting tenants and our provider partners every day.
2 This could not happen without you all and you all are
3 greatly appreciated. I'm glad to be joined this evening
4 by three members of my team: Data and Research
5 Coordinator, Anabel de Castro and Assistant Coordinators
6 Zach Sheola and Zamira Avadyaev. I also want to
7 acknowledge Cheryl Wertz and Carolyn Robledo of DSS Office
8 of Refugee and Immigrant Affairs or ORIA. As you may
9 know, OCJ is a unit within DSS, the largest local
10 municipal social services agency in the country. DSS
11 assists more than 3 million New Yorkers annually through
12 the administration of a range of public assistance
13 programs including cash assistance, employment services,
14 the supplemental nutrition assistance program, rental
15 assistance, and eviction prevention. Since OCJ was
16 established in 2015, the Office has launched and operated
17 a range of civil legal services programs for New Yorkers
18 in need. This centerpiece of our work and the reason
19 we're all here tonight is the City's groundbreaking
20 Universal Access to Counsel Program. More than seven
21 years ago, the City of New York made history in becoming
22 the first city in the country to pass a law guaranteeing
23 that all tenants facing eviction in Housing Court or
24 administrative termination of tenancy proceedings in
25 public housing have access to free legal services. I want

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1 to acknowledge the main sponsors of the bill in the City
2 Council who now serve as borough presidents. Bronx
3 Borough President Vanessa Gibson and Manhattan Borough
4 President Mark Levine. I want to thank them both for
5 their tremendous work and support of this law. Since
6 2017, when the Universal Access to Counsel Law was
7 enacted, access to civil legal services for tenants in
8 need has dramatically increased, both here in New York
9 City and beyond, as cities and states across the nation
10 have pursued their own Right-to-Counsel initiatives. I'm
11 proud to report that in the more than seven years since
12 enactment, we have made real and significant progress in
13 enhancing access to civil legal services and bringing
14 about fair and just outcomes for tenants. Today, three
15 years after the end of the city's eviction moratorium, the
16 Universal Access program continues to be implemented
17 citywide with all New York City tenants in eviction
18 proceedings and New York City Housing Authority residents
19 in termination of tenancy proceedings having access to
20 free legal advice or representation provided by a network
21 of OCJ-contracted legal services provider partners. As
22 proud as we are of this program's accomplishments, we are
23 committed to further strengthening and improving this
24 city's tenant legal services. Again, thank you all for
25 joining tonight's hearing, amplifying your experiences

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1 with the UA program and sharing your thoughts and ideas on
2 improving the program going forward. I, once again, would
3 like to remind attendees of a few points. This is a
4 public hearing. We invited anyone who wishes to be heard
5 on the topics of Universal Access to Counsel and Tenant
6 Legal Services to speak. Again, we won't be answering any
7 questions or asking any questions of the speakers. We
8 invite anyone who wishes to speak but is not yet on the
9 speaker's list to sign up now using the Zoom chat box or
10 to dial star nine if you dialed in. I also want to remind
11 everyone that this hearing is being recorded. A
12 transcript of the hearing and the recording of the hearing
13 will be made available online at the Office of Civil
14 Justice website after the hearing. If you would prefer
15 not to speak in public and would rather submit a statement
16 in writing, you may submit your statement to us by email
17 at civiljustice@hra.nyc.gov. OCJ is also collecting
18 written statements and will make them part of the record
19 for this hearing, which will be made available to the
20 public as well on our website. In order to ensure that
21 everyone who wants to speak will have ample opportunity to
22 do so, we will be limiting speakers to three minutes each.
23 I'll alert you when your three minutes have ended, and I
24 may alert you sooner than that to give you a heads up.
25 I'm going to call on speakers one by one. When you hear

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1 your name or your phone number, you'll need to unmute
2 yourself and turn your microphone on so that we can hear
3 you. Those who dialed in can unmute themselves using star
4 six. Everyone must stay muted until you are called on to
5 speak. Okay, let's begin. Our first speaker tonight is,
6 I believe, New York State Senator Sepulveda.

7 MR. LUIS SEPULVEDA: Hi, good evening, everyone.
8 I'm having a little difficulty with my camera. I prepared
9 a statement just so I can indicate to everyone my
10 philosophy on this issue. Now, I represent the 32nd
11 Senate District, wherein about 94% of my constituents are
12 renters. Before becoming a state senator and a state
13 assemblyman, I was a housing attorney for about 30 years.
14 So, I have first-hand experience knowing the detrimental
15 impacts people go on to court without representation. So,
16 as a senator, I'm sure that I've worked to create policies
17 to protect those tenants, either through legislation or
18 through our budgets. With this in mind, I'd like to
19 extend my support for Local Law 136 and universal access
20 to legal services, a Right-to-Counsel in a city with
21 diversity and ambition has long prided itself on being a
22 beacon of opportunity and fairness. At its core, the
23 right to a fair trial and equal justice under law should
24 not be contingent on one's wealth. The law should not be
25 contingent or applied according to a person's color or a

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1 person's circumstance, but should be applied fairly to
2 all. And to do that, people who cannot afford an attorney
3 require free legal representation. My constituents, they
4 face the highest eviction rate. Without proper legal
5 representation, people are more likely to face harsher
6 penalties, lose their homes or apartments, or suffer
7 unjust consequences in court. That is why universal
8 access to legal services is an extreme necessity. It's
9 essential for upholding the integrity of our justice
10 system and ensuring that it works for everyone, not just
11 those that are wealthy. Legal aid is not just about
12 providing counsel. It's about upholding human dignity,
13 ensuring that our courts are places where fairness
14 prevails and where the law protects rather than punishes
15 the most vulnerable. The State has made strides in
16 expanding access to legal services, but the truth is we
17 still have a lot of work to do. We must continue to
18 invest in legal aid programs, support public defenders,
19 and expand services to reach all who need the services.
20 This is not a luxury. It's a fundamental right. Every
21 New Yorker deserves a chance to have their day in court,
22 and that means ensuring that they have counsel and the
23 support they need to fight for their justice. Let us
24 ensure legal aid, representation, and our privileges
25 reserved for a few, but rights are afforded to all. Thank

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1 you. And I pledge my complete support for these efforts,
2 and if anyone that lives in my district needs assistance
3 with free legal counsel, they can always reach out to my
4 office. And a member of my staff is also participating in
5 this call. Thank you all.

6 MS. MEDLEY: Thank you. Our next speaker is
7 Jenny Laurie from Housing Court Answers.

8 MS. JENNY LAURIE: Thank you very much, Raniece.
9 Welcome to all the advocates on the call tonight. It's
10 great. My name is Jenny Laurie. I'm the Executive
11 Director of Housing Court Answers. We staff information
12 tables in the New York City Housing Courts with non-
13 lawyers, and we operate a hotline talking to tenants
14 facing eviction. As everyone knows, the City's
15 implementation of its Right-to-Counsel law continues to
16 struggle. The Court is basically returning to pre-
17 pandemic levels of volume. Last year, there were 15,000
18 evictions by marshals, pretty much the same level that we
19 had prior to the pandemic. Courts have returned to pretty
20 speedy case rates as well in terms of scheduling and
21 calendaring. Most of the tenants, I think more than half
22 is fair to say, that we talk to on our hotline and our
23 information tables are going through their eviction cases
24 without legal representation. In all the boroughs,
25 tenants go through an intake process, often to be told

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1 that there isn't the capacity to provide a representation
2 for them even though they qualify. We also hear from
3 tenants who are not informed of their Right-to-Counsel or
4 screened for an attorney or explained how that process
5 works. A common complaint from tenants is that they
6 didn't understand why someone was asking them the
7 information that they were asking for. I would like to
8 draw particular attention to the process in the Bronx.
9 Tenants come to Court, get directed to the second floor
10 for the intake process or call in or go in online, and
11 they get little to no explanation on how the process works
12 or is supposed to work, get no explanation if a provider
13 isn't there to do the screening, which is often the case,
14 and leave without understanding why they came to Court
15 that day. I'm sure it's obvious to everyone tonight that
16 tenants in Housing Court and eviction cases without
17 counsel are at a great disadvantage. They sign
18 stipulations agreeing to give up basic defenses, to pay
19 rent they don't owe, to move before they have to, to give
20 up the right to repairs, give up their possible defenses
21 under the new good cause eviction law, and give up
22 basically their rights to a fair disposition of their
23 case. Also, many tenants in New York City really struggle
24 now to get through HRAs, either back rent programs or
25 ongoing rent programs, FHEPS, CityFHEPS, and the One

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1 Shots. And I know that a lot of these issues are outside
2 of the control of the Office of Civil Justice, but I think
3 OCJ could help to make the screening and intake process
4 for tenants in new eviction cases clear, explain how the
5 process works, and when there is no capacity for new
6 cases, basically explain to tenants there's no capacity
7 and here's what your options are. Coordinate with the
8 legal service providers and the clerks in the Bronx
9 Housing Court to make that process super clear to tenants
10 who are coming in for their cases in the Bronx. And to be
11 a strong advocate for the Right-to-Counsel with the Court
12 especially, but also with the city administration and with
13 the State. Thank you.

14 MS. MEDLEY: Thank you, Jenny. Our next speaker
15 is Muhammad Faridi.

16 MR. MUHAMMAD FARIDI: Good evening. My name is
17 Muhammad Faridi and I am the president of the New York
18 City Bar Association and I am honored to speak on behalf
19 of our Right-To-Counsel Task Force at the City bar. I am
20 joined this evening by Sara Wagner, who I think I see on
21 the Zoom box there, who is one of the three Co-Chairs of
22 our task force, along with Alison King and with Andy
23 Scherer. Our task force was founded in 2018 to support
24 the implementation of the City's Right-To-Counsel law, and
25 its members include former and current presidents of the

1 Bar Association, some of the most prominent attorneys in
2 New York City, legal scholars, housing advocates, and
3 representatives from our judiciary. In our view, the
4 City's passage of the Right-to-Counsel was a historic
5 first step. And for the first time in our nation's
6 history, low-income tenants facing eviction were
7 guaranteed legal representation. It is undeniable that
8 the law has had a significant impact. We've seen
9 evictions and eviction filing drop dramatically. I think
10 over 83% of represented tenants now are able to remain in
11 their homes. Housing Court dockets have become more
12 balanced, fostering fairness and dignity, very much needed
13 dignity for New Yorkers who were otherwise facing
14 displacement. And the Right-to-Counsel has proven to be a
15 critical tool in stabilizing our communities, preserving
16 affordable housing, and reducing homelessness. And the
17 City, our city, set a national example. We inspired 20
18 other localities and five other states to adopt similar
19 protections. Yet, with all of these successes, the
20 promise of Right-to-Counsel is far from being fully
21 realized. The system is struggling. There aren't enough
22 attorneys to meet the need, and thousands of tenants are
23 left unrepresented. And this is not just a matter of
24 access to justice. It's a matter of racial justice, as
25 eviction disproportionately impacts marginalized

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1 communities. So to address all of this, or to address
2 some of this, our task force urges immediate action. We
3 support the passage of the statewide Right-To-Counsel
4 bill, which would strengthen tenant protection across New
5 York and ensure that no one loses their home due to lack
6 of representation. The Right-to-Counsel should not depend
7 on one's ability to afford a lawyer. We must fully
8 realize the promise, protect vulnerable tenants, and
9 ensure that no one in our city faces eviction alone. So
10 I'll turn it over to Sara Wagner to address the two other
11 recommendations that we are making. Thank you.

12 MS. SARA WAGNER: Hi, my name is Sara Wagner. I
13 am the Co-Chair of the Civil Right-to-Counsel Task Force
14 at the City Bar. Thank you very much for allowing us to
15 have a voice this evening. The City Bar Right-to-Counsel
16 Task Force has many recommendations for the Office of
17 Civil Justice, but just a few are that the OCJ should work
18 with the other departments in the City's Human Resources
19 Administration to streamline and revise procedures that
20 affect the implementation of the Right-to-Counsel.
21 Stakeholders report that there are delays and roadblocks
22 in processing One Shot deals and housing subsidies like
23 CityFHEPS. These are necessary government benefits to
24 avoid eviction and should be provided at the earliest
25 possible stage when eviction is threatened. A system

1 should be put in place to make these benefits available
2 before eviction petitions are filed. The current approach
3 of requiring proof of eviction cases, 30-day expirations,
4 repetitive detailed document requests and mandatory
5 interviews to get aid wastes judicial resources and Right-
6 to-Counsel attorneys' time. An efficient aid system would
7 reduce court filings and cut the red tape and enable legal
8 services providers to use their resources to provide legal
9 eviction prevention rather than spend that time chasing
10 after government benefits. And like Laurie explained, the
11 system for distribution of cases of Right-to-Counsel
12 eligible tenants to legal services providers, which
13 differs by county, is chaotic and confusing for tenants,
14 providers and the Court. The Office of Civil Justice
15 should work with tenant leaders, providers and the Court
16 to devise a better approach that allows for counsel at all
17 stages of eviction proceedings. OCJ should also work with
18 the stakeholders to develop a full implementation plan to
19 assure that all tenants who are entitled to representation
20 under the Right-to-Counsel law are able to secure counsel
21 as soon as possible. This plan should include concrete
22 steps with a timetable to grow the program by providing
23 sufficient funding to hire and retain enough attorneys and
24 support staff to provide the highest quality legal
25 representation to tenants. Funding must be sufficient to

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1 ensure that caseloads are manageable and employee
2 compensation is high enough to support recruitment and
3 retention of qualified candidates. The City should
4 support and fund pipeline efforts of the providers and
5 local law schools to prepare, recruit, and retain
6 attorneys and other eviction prevention staff. One final
7 comment. The Task Force has long supported the term
8 Right-to-Counsel to describe the program. We appreciate
9 that OCJ has adopted this term and shifted away from the
10 confusing and obtuse phrase universal access. Tenants and
11 their allies fought hard to win the Right-to-Counsel and
12 Right-to-Counsel has inspired a movement to replicate this
13 right in jurisdictions across the country. It is time to
14 make the Right-to-Counsel a reality. Thank you for your
15 time and consideration and please don't hesitate to call
16 upon the Task Force if we can be helpful in any way. We
17 look forward to continuing this fascinating conversation.
18 Thank you.

19 MS. MEDLEY: Thank you. Our next speaker is
20 Isaac Adlerstein. Isaac Adlerstein. Okay, I'll move to
21 Adam Markovics.

22 MR. ADAM MARKOVICS: Good evening. My name is
23 Adam Markovics. I'm Director of the RTC program at the
24 Bronx Defenders. New York City made history in 2017 by
25 becoming the first municipality in the nation to pass a

1 Right-to-Counsel law for Housing Court cases. Heralded as
2 a groundbreaking initiative, the RTC program has proven to
3 be an essential lifeline for tenants with low income,
4 offering them a fighting chance to remain in their homes
5 and avoid the devastating consequences of eviction. And I
6 should add at the outset that I am speaking in
7 introduction to testimony prepared by myself and my
8 colleagues in coalition. I'm here in coalition with the
9 legal services providers providing these services under
10 the Right-to-Counsel program in the City. The success of
11 the RTC program in preventing homelessness and keeping
12 families housed is not just anecdotal. It is backed by
13 concrete data and real-world outcomes. As of October
14 2024, 24 jurisdictions across the U.S. have implemented
15 some form of civil Right-to-Counsel with many looking to
16 New York City's model as a guide. After eight years of
17 implementation, the evidence is clear. The Right-to-
18 Counsel works. Providing legal representation to tenants
19 facing eviction is critical. Studies consistently show
20 that tenants with legal representation in eviction
21 proceedings are significantly less likely to be evicted.
22 In New York City, 84% of tenants with an attorney remain
23 in their homes, while eviction filings and default
24 judgments have dropped by 30%. Furthermore, legal
25 representation results in fewer judgments of possession

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1 and lower money judgments. The impact of RTC goes beyond
2 keeping families housed. Evictions have far-reaching
3 consequences, not only affecting housing stability, but
4 also impacting employment, physical health, and mental
5 well-being. Even when eviction cannot be avoided, legal
6 representation often buys tenants valuable time to
7 navigate related challenges, such as finding alternative
8 housing or stabilizing their finances. The benefits of
9 RTC extend beyond the tenants themselves. It also saves
10 the City money. By reducing the number of people who
11 enter the shelter system, the program helps alleviate one
12 of the most expensive items of the City's budget. In
13 fiscal year 2023, the Department of Homeless Services
14 spent over \$2.2 billion on shelter operations, with
15 average stays for individuals lasting more than a year.
16 The funding required to fully implement RTC is a fraction
17 of that amount, making it a cost-effective tool to address
18 the housing crisis, preserve affordable housing, and
19 stabilize vulnerable communities. Despite its proven
20 success, the RTC program is not without challenges.

21 MS. MEDLEY: Adam, I'm just going to give you a
22 little note there on your time, because I know you're
23 moving to other folks as well.

24 MR. MARKOVICS: Yeah.

25 MS. MEDLEY: 30 seconds.

1 MR. MARKOVICS: 30 seconds. Why don't I just
2 skip ahead and say, in short, in support of the RTC
3 program, we're urging the City to take immediate action by
4 providing, among other things, payment advances and
5 revising our contract terms to ensure the sustainability
6 of the program. Our testimony is divided into four parts,
7 addressing, number one, the City's contracting process,
8 number two, the fiscal year '25 to '27 contract, and part
9 three, the administrative part pilot in Brooklyn, and in
10 part four, recruitment, training, and retention. With
11 that, I turn it over to my colleague, Jonathan Fox of the
12 New York Legal Assistance Group, to begin the first part
13 of our testimony concerning the City's contracting
14 process. Thank you for your time.

15 MR. JONATHAN FOX: Thank you, Adam.

16 MS. MEDLEY: I was just going to say, go ahead,
17 Jonathan.

18 MR. FOX: Okay, thank you, Adam. My name is
19 Jonathan Fox. I am the Director of NYLAG's Tenants Rights
20 Unit and we represent clients in Brooklyn, Queens, and
21 Manhattan through the Right-to-Counsel program. The City
22 should reform its current contracting process, which is
23 currently marked by significant disorganization. The City
24 must ensure that legal services nonprofits receive their
25 funding allocation in a timely manner at the beginning of

1 every fiscal year. Delayed funding confirmation forces
2 organizations to operate without financial certainty,
3 placing their operations, staff, and services at risk. By
4 aligning the timing of nonprofit funding with City
5 agencies and ensuring timely contract registration, the
6 City can level the playing field and allow nonprofits to
7 plan and execute their programs without interruption. The
8 City must also streamline the contracting process itself,
9 reducing unnecessary paperwork and bureaucratic hurdles
10 that slow down the approval and payment process.
11 Nonprofits should be able to enter into contracts and
12 submit invoices without facing excessive delays due to
13 administrative red tape. By making the contracting
14 process more efficient and user-friendly, the City will
15 allow nonprofits to focus more on their mission of service
16 delivery rather than spending valuable resources
17 navigating a complicated system. Additionally, the
18 current delay in payments jeopardizes providers' ability
19 to provide crucial legal services to clients. The most
20 urgent issue facing Right-to-Counsel providers is the
21 ongoing delay in receiving payments on contracts. While
22 these contracts were registered on time, none of the legal
23 services providers have been able to submit invoices for
24 payment due to the City's failure to approve our FY25
25 budgets. As a result, RTC providers have now gone six

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1 months without being able to invoice except for limited
2 advances that fail to cover providers' full costs. These
3 outstanding amounts are on top of the significant amount
4 owed to some providers for FY24 contracts.

5 MS. MEDLEY: 30 seconds.

6 MR. FOX: These payment delays --

7 MS. MEDLEY: Jonathan, you're frozen, just so I
8 don't know if you want to click off and try to click back
9 on.

10 MR. FOX: -- from the Legal Aid Society.

11 MS. MEDLEY: Yes, thanks. Mun?

12 MS. MUNONYEDI CLIFFORD: Everyone, good evening,
13 and thank you to the folks --

14 MS. MEDLEY: You're very -- I just want to stop
15 you for a second. You're very low. I'm having trouble
16 hearing you.

17 MS. CLIFFORD: Oh, give me just a minute. Can
18 you hear me now?

19 MS. MEDLEY: It's still low, but I don't know if
20 others -- is it just me?

21 MS. CLIFFORD: It's low?

22 MS. MEDLEY: Okay, yes. We can't hear you well,
23 Mun.

24 MS. CLIFFORD: Can you hear me now?

25 MS. MEDLEY: It's a little better.

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1 MS. CLIFFORD: Can you hear me now?

2 MS. MEDLEY: That's better.

3 MS. CLIFFORD: You can hear me now? Okay.

4 MS. MEDLEY: Now you're gone, Mun.

5 MS. CLIFFORD: Oh.

6 MS. MEDLEY: Now we can hear you, though.

7 MS. CLIFFORD: Okay. Can you hear me now?

8 Okay. I'm sorry, guys.

9 MS. MEDLEY: You're fine. Go ahead. We can
10 hear you now.

11 MS. CLIFFORD: Can you hear me now?

12 MS. MEDLEY: Yes.

13 MS. CLIFFORD: Okay, I feel like I can't move my
14 body.

15 MS. MEDLEY: Yes.

16 MS. CLIFFORD: So, good evening, everyone.
17 Thank you for organizing this hearing. My name is Mun
18 Clifford. I'm the Attorney-in-Charge of the Citywide
19 Housing Practice at the Legal Aid Society, a proud
20 provider of the Right-to-Counsel program. I am testifying
21 today to urge the City to allocate more resources to the
22 Right-to-Counsel program, which is currently underfunded
23 and unable to fully meet the needs of all eligible tenants
24 facing eviction in New York City. As you know, and as
25 some of our colleagues have testified to earlier, the

1 Right-to-Counsel law was enacted to ensure that tenants
2 facing eviction in Housing Court have access to counsel,
3 because no one should lose their home simply because they
4 cannot afford an attorney. The law was groundbreaking.
5 It was a groundbreaking step in the fight to protect
6 tenants' rights, and the results of the program have been
7 extraordinary. In fact, the Right-to-Counsel program has
8 been proven to have a very high success rate in preventing
9 eviction and reducing the long-term negative consequences
10 of displacement, which ultimately saves the City
11 significant costs in shelter and emergency services.
12 However, the City's current funding for this program falls
13 woefully short of what is necessary to meet the demand.
14 In August of 2023, the City published the Anti-Eviction
15 Full Representation RfX, which anticipated funding \$408
16 million for fiscal year 2025 through 2027. This funding
17 was originally designated to provide full representation
18 for 44,444 eviction cases each year. But as the eviction
19 crisis has grown, so too has the need for full legal
20 representation. In 2023, eviction filings in New York
21 City totaled around 138,000. Based on these filings, we
22 estimate that approximately 71,000 eviction cases annually
23 would be eligible for legal representation. Yet, with the
24 current funding, only about 44,000 of these cases will be
25 covered, just 62% of those who need help. This is simply

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1 unacceptable. Providing funding for only 62% of eligible
2 tenants falls far short of the law's intent, which was to
3 ensure that all eligible tenants have access to counsel.
4 This means that fewer tenants are receiving the legal
5 representation that they need to stay in their homes,
6 while the City's own goals for the program remain unmet.
7 In addition to funding legal assistance, funds need to be
8 allocated to other necessary services for clients, such as
9 paralegal case handlers and social workers. The Right-to-
10 Counsel program is not just a moral imperative. It is an
11 investment in the long-term stability of our community.
12 The program has demonstrated that access to counsel and
13 eviction proceedings is effective in preventing
14 homelessness, reducing shelter costs, and helping tenants
15 maintain housing stability. But for the program to
16 succeed, we must fully fund it. It is important to
17 acknowledge that while we often talk about the goal of
18 full implementation of the Right-to-Counsel law, this
19 vision cannot be achieved through funding alone. The
20 Office of Civil Justice must continue to work arm-in-arm
21 with legal services providers, tenants, tenants, tenants,
22 and other stakeholders to ensure that this law fully
23 fulfills its promise. That wasn't a glitch, I said
24 tenants three times. This means actively engaging with
25 the communities most impacted by eviction, listening to

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1 their needs, and ensuring that the program's rollout is
2 responsive to the realities on the ground. Thank you for
3 your time, and I strongly urge the Office of Civil Justice
4 in the City to increase funding for the Right-to-Counsel
5 program to meet the growing needs and to support its
6 continued success. I'm going to pass it over to my
7 colleagues over at HCC to continue our testimony.

8 MS. LESLIE THORPE: Hello. Thank you. My name
9 is Leslie Thorpe, and I'm the Executive Director of
10 Housing Conservation Coordinators, one of the RTC
11 providers in Manhattan Housing Court. Thank you for this
12 opportunity to speak to you today about the actual cost of
13 this work and the critical need to provide adequate and
14 equitable funding. And I apologize, I have a little bit
15 of a frog, so I'm trying to get through without clearing
16 my throat. Eviction defense proceedings are incredibly
17 complex, and the legal landscape has shifted dramatically
18 in recent years. With laws like the Housing Stability and
19 Tenant Protection Act and the newly passed Good Cause
20 Eviction Law, tenant protections have strengthened, but
21 they've also complicated the defense process. As a
22 result, we providers are finding ourselves in a bind. The
23 recent Rfx process failed to account for these
24 complexities and the true cost of providing comprehensive
25 legal representation, which includes much-needed mental

1 health and advocacy support. The suggested case rate of
2 \$3,063 was grossly inadequate and undermined our ability
3 to dedicate the necessary time and resources to each case.
4 This is a critical issue, as insufficient funding means
5 fewer tenants will receive the representation they
6 desperately need. Legal representation can temporarily
7 stop evictions, but addressing the root causes often
8 requires a team that includes social work support and
9 benefits advocates, services that are also underfunded.
10 Moreover, the Housing Courts are still operating at a pace
11 similar to pre-pandemic times, leaving many low-income
12 tenants unrepresented. The City's approach to allowing
13 providers to set their own rates sounded good in theory,
14 but in practice, it led to a pressure on organizations to
15 underbid their true costs. Many providers are now forced
16 to operate at unsustainable rates, which jeopardizes the
17 quality of legal support available to tenants.
18 Furthermore, for the providers operating on shoestring
19 budgets, it becomes harder to retain staff, which then
20 makes it harder for them to meet their contract
21 obligations, which then causes further reduced budgets.
22 It's a vicious cycle. In conclusion, it is imperative
23 that the Office of Civil Justice rectifies these
24 disparities and raises all provider rates to at least
25 \$7,500 per case to ensure that all RTC providers have the

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1 ability to fully staff and sustain our programs with the
2 resources needed to provide access to justice for all
3 tenants. Thank you for your attention to this critical
4 matter. And I now pass it to my colleague at Bronx Works
5 to talk about the 10% penalty, Jerome Frierson.

6 MR. JEROME FRIERSON: Good evening, everyone.
7 So my name is Jerome Frierson, and I'm the Vice President
8 of Legal Services at BronxWorks Incorporated. Thank you
9 for the opportunity to testify. So I want to focus on
10 three key points about why the 10% penalty undermines the
11 Right-to-Counsel program and why it's important to
12 reconsider another approach. First, the 10% penalty
13 incentivizes quantity over quality. OCJ has implemented a
14 new system that reduces provider funding by 10% if certain
15 performance targets are not met, even when external
16 factors like Housing Court backlogs or delays in public
17 benefits affect case outcomes. This creates immense
18 pressure to prioritize speed over meaningful legal
19 advocacy. Instead of taking time to build strong cases,
20 pursue appeals, or engage in time-intensive advocacy,
21 attorneys may feel compelled to rush through the cases
22 just to avoid penalties. This risks undermining the
23 quality of representation and is at odds with the intent
24 of the Right-to-Counsel, which aims to provide robust,
25 high-quality representation to tenants. Second, the 10%

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1 penalty worsens the workforce crisis in legal services.
2 Recruiting and retaining attorneys in the nonprofit sector
3 is already difficult due to lower salaries and high
4 caseloads. When providers face the risk of losing 10% of
5 their funding based on performance metrics, it becomes
6 even harder to offer competitive pay and retain
7 experienced attorneys. This instability can directly
8 impact tenants as they may lose access to skilled
9 advocates who are vital in fighting for their homes.
10 Third, the 10% penalty makes it hard to serve tenants.
11 Reducing provider funding by 10% deprives legal services
12 organizations of critical resources at a time when the
13 need for eviction defense is even greater than ever.
14 Instead of penalizing providers for circumstances beyond
15 their control, the City should focus on ensuring legal
16 services organizations have the resources they need to
17 meet the growing demand for representation. To address
18 these concerns, we respectfully request that the City
19 consider a more collaborative, nuanced approach. Suspend
20 the 10% penalty for the first evaluation period as
21 providers were not clear on the methodology or formula
22 used to determine scores. A better approach would be to
23 collaborate with providers to address systemic barriers to
24 service delivery. Options include phased benchmarks,
25 grace periods for new providers, or adjustments tied to

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1 external factors like Court and agency delays or hiring
2 challenges. All of these could achieve better outcomes
3 for the program. Incorporate the OCA caseload standard
4 into performance metrics so that the 10% penalty is tied
5 to reasonable, achievable expectations. If funding is at
6 risk based on performance, the standard should reflect the
7 realities of legal practice as some of my colleagues from
8 BKA will further attest to.

9 MS. MEDLEY: 30 seconds.

10 MR. FRIERSON: Okay. We're all deeply committed
11 to the success of Right-to-Counsel and we hope to work
12 together with the City to find solutions that will help
13 sustain and strengthen this vital program. By
14 collaborating on a more thoughtful and flexible approach,
15 we can ensure the continued success of tenant advocacy
16 while also supporting the organizations that provide these
17 essential services. Thank you so much. And I pass it to
18 Chris Helwig from Neighborhood Defender Services.

19 MR. CHRISTOPHER HELWIG: Good evening. Thank
20 you so much for taking the time to listen to us today. My
21 name is Christopher Helwig and I'm the Interim Managing
22 Attorney at Neighborhood Defender Service of Harlem. I'm
23 responsible for our Right-to-Counsel practice. There have
24 been two critical changes made to New York's Right-to-
25 Counsel by this current contract that I want to talk

1 about. The first is the failure to account for rollover
2 cases. And the second is the elimination of funding for
3 the provision of legal advice. Both these changes harm
4 tenants and our organizations. Our experience over the
5 last six months has shown that these changes have created
6 bad incentives that are antithetical to the purpose of a
7 Right-to-Counsel. I'd like to give you two real examples.
8 Earlier this month, we met a working tech-savvy tenant
9 whose One Shot deal application was already pending. By
10 the time she appears for a second time in Housing Court,
11 her arrears will probably be paid off and the case will
12 probably be discontinued. But on that same day, we also
13 met a tenant who suffers from severe mental illness and
14 has a legally complicated but a very legally viable
15 defense. With limited resources where we can only pick
16 one, the choice should be clear. The first tenant is
17 likely to achieve a satisfactory outcome on her own, so we
18 should assist in the case where our representation is
19 needed the most. But this contract pushes us to do the
20 exact opposite. For every challenging case we assign,
21 that represents three to five easy cases that we cannot
22 assign. Moreover, those challenging cases are the ones
23 that often stretch across fiscal years, making it harder
24 for our staff to meet targets in the next year. This
25 means that making the biggest impact directly hurts our

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1 ability to fund our work. We ask that this contract
2 system be amended to moderate this perverse pressure.
3 First, we should be allowed to report some of our rollover
4 cases towards our performance for the next fiscal year.
5 This has been allowed for the entirety of the life of
6 Right-to-Counsel in New York and with good reason. It's a
7 safety valve that stops us from being punished for taking
8 on the most difficult cases. And secondly, some portion
9 of our fiscal year performance should be allocated for us
10 to provide legal advice or brief services. Using the
11 example case of that working tech-savvy tenant, we could
12 nearly ensure that her housing would remain secure just by
13 providing her with some advice on navigating HRA and how
14 to handle her next appearance. Full representation for
15 that case is simply overkill. Allowing us to meet some
16 portion of our targets by advising out those easy cases
17 will give us critical capacity to provide full
18 representation to the most challenging. We ask that you
19 trust providers to triage what is needed for each case and
20 return to us the flexibility to allocate resources where
21 they are needed most in the communities that we serve.
22 Thank you for taking the time to listen to me, and I'm
23 going to next introduce Philip Duncan from NMIC.

24 MR. PHILIP DUNCAN: Thank you, Chris. I'm
25 Philip Duncan. I'm the Assistant Director for Housing at

1 Northern Manhattan Improvement Corporation. We are a
2 Right-to-Counsel provider in Manhattan. So I'm here to
3 talk about the provider reporting requirements. And it's
4 clearly important for OCJ to collect accurate and timely
5 data regarding the provider's work in order to measure the
6 impact of the program and ensure providers are performing
7 under their contracts. But OCJ's reporting requirements
8 fail to accurately capture the work on the ground and
9 create significant administrative burdens that has worked
10 in diverting resources from direct client services. Now,
11 small reporting requirements can lead to big consequences
12 to providers and to the data that we report. We are
13 subject to financial penalties if we fail to meet
14 performance metrics that largely track the number of cases
15 that we take. And the strict adherence to predefined data
16 fields leads to automatic rejection of cases. So if the
17 case is reported but doesn't adhere to those fields, it
18 gets rejected. In particular, designating the notice of
19 appearance date as a required field leads to delays in the
20 reporting of cases. Case handlers may do substantive work
21 on cases but delay filing a notice of appearance for
22 strategic or ethical reasons. The result is OCJ receives
23 an inaccurate representation of the provider's work, which
24 can impact our OCJ performance metrics. So OCJ has
25 recognized this issue and attempted supplemental reporting

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1 systems. We were advised to fill out Microsoft forms, and
2 then we were told to fill out spreadsheets to capture the
3 cases that we couldn't report with the actual reporting
4 system. But these methods have changed over time, and
5 there's a lack of clear communication about the correct
6 way to actually convey the cases that we're taking but
7 unable to report. So this there's a disconnect between
8 the capacity estimation that OCJ makes based on their
9 incomplete data picture. And, again, this impacts the
10 performance metrics because one of the performance metrics
11 is acceptance of OCJ referrals, and the assessment of
12 capacity directly impacts the number of mandatory
13 referrals that providers are sent. So OCJ sends mandatory
14 referrals that exceed provider capacity and don't reflect
15 our actual contractual obligations. And as a corollary to
16 this, there are strict mid-month deadlines, which asking
17 for extension of these deadlines in order to report cases
18 that have been assessed or assigned in the previous month.
19 That also impacts the performance metrics. So failure to
20 meet the reporting deadline would fail that other
21 performance metric.

22 MS. MEDLEY: 30 seconds.

23 MR. DUNCAN: Thank you. Just one more thing.

24 So the administrative burdens force the case handling
25 staff to spend time on data reporting at the expense of

1 client-focused legal assistance, and ultimately impacting
2 the quality of service that we're able to provide. So
3 what we're asking is for OCJ to adopt flexible and
4 transparent reporting systems that reflect the operational
5 realities of legal services providers. With that, I will
6 hand it over to Tricia from Brooklyn A.

7 MS. TRICIA LENDORE: Thank you, Philip. Good
8 evening, everyone. Thank you for the opportunity to
9 testify this evening. The topic I'm going to speak on is
10 the OCA caseload report, which must be taken into account
11 in OCA's administration of the Right-to-Counsel program.
12 So the Universal Access Caseload Working Group was
13 convened at the request of OCJ to devise a uniform
14 caseload standard. Yet the contract's funding structure
15 assumes that an eviction proceeding is simply a routine
16 matter that can be resolved quickly. However, this
17 completely ignores that the Universal Access to Justice
18 Caseload Working Group report and the recommendations of
19 the New York State Office of Court Administration, dated
20 August 31st, 2023, and also known as the OCA Caseload
21 Report, concluded that given the complexity and pace of
22 eviction proceedings, a full-time experienced universal
23 access, also known as right-to-counsel attorney, can
24 provide representation on approximately 48 full legal
25 representation cases per year. The RfX was not based on

1 this guideline and required a universal access attorney to
2 do almost double the number of cases to meet the \$3,063
3 case rate, which would not provide for quality
4 representation and would lead to even more burnout and
5 attrition of staff, as well as other professional and
6 ethical challenges. Thank you for your time and
7 consideration. I'm now going to transfer the mic to
8 Alexander Cox at CAMBA to discuss the admin pilot.

9 MS. MEDLEY: Do we have anyone from CAMBA or
10 Alexander?

11 MR. ALEXANDER COX: Yes, sorry about that. Hi,
12 everyone. I'm Alexander Cox. I'm a Supervising Attorney
13 at CAMBA Legal Services in Brooklyn. I'm going to be
14 speaking tonight about the administrative pilot project
15 and just provide some background and lay out some
16 recommendations on how it should be evaluated and
17 improved. In spring of 2023, the New York State Office of
18 Court Administration, OCA, in partnership with the New
19 York City Department of Social Services, Office of Civic
20 Justice, OCJ, launched an administrative part pilot in
21 Brooklyn Housing Court. The goal of the pilot was to
22 optimize providers' ability to connect with tenants
23 eligible for the Right-to-Counsel. While the pilot did
24 help streamline intake, issues have arisen throughout the
25 two-year rollout that have hindered its progress. We

1 asked OCJ to work with HRA, the Court, and providers to
2 improve the program before rolling it out to other
3 boroughs. Before the pilot program in Brooklyn, intake
4 was handled within each assigned Court part. Legal
5 service providers met individually with tenants to assess
6 eligibility for representation. For those who didn't
7 qualify for full representation, providers offered brief
8 legal advice on the spot. This approach ensured that all
9 tenants were engaged, appropriate adjournments were
10 requested, and case timelines were managed based on
11 negotiations with petitioners' counsel or judges'
12 calendars. The pilot introduced significant changes. Now
13 at their first appearance, tenants in Brooklyn with cases
14 in the designated Court parts are directed to OCJ
15 representatives to evaluate eligibility for legal
16 representation, screen for potential rental assistance
17 programs, and begin the rental arrears application process
18 where appropriate. Only after this are eligible tenants
19 referred to legal service providers who staff the
20 designated intake area. Furthermore, these first-time
21 cases are automatically adjourned for 45 days. We want to
22 commend the City's role in this process and acknowledge
23 several improvements to the process writ large. The 45-
24 day adjournments for all cases give sufficient time to
25 prepare their best strategies, strategize rental

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1 assistance paths, or plan for relocation. With the income
2 eligibility determinations now handled by OCJ and on-site
3 applications assisted at kiosks by HRA, providers can
4 conduct more intakes and dedicate more time to substantive
5 legal issues, and tenants can get a head start on
6 addressing rental arrears. The uniform 45-day
7 adjournments help attorneys manage their own calendars
8 more efficiently and spare both them and court personnel
9 the time that was previously lost to haggling with
10 landlord attorneys over adjournment requests and
11 scheduling issues. Despite the advantages, the program
12 still presents significant challenges. I'm going to go
13 over a couple of these. There is a lack of clarity across
14 the stakeholders as to eligibility when making in-court
15 referrals. There's issues with compliance with notice of
16 appearance requirements.

17 MS. MEDLEY: 30 seconds.

18 MR. COX: I know some of these have been
19 mentioned by some of my colleagues, so I'm going to try to
20 just use my discretion. There are still issues with lack
21 of capacity. I do want to highlight that under this
22 program, the only tenants who are eligible for
23 representation are those with, quote-unquote, new part
24 cases. That is, those with their first appearance in
25 their case being within a designated Court part. However,

1 the providers often find that court personnel will refer
2 any tenants that approach them with questions of the
3 intake area, telling them that they can speak with a
4 lawyer there. The intake providers invariably must then
5 either add in the extra intakes or explain to confused and
6 frustrated tenants that they are not eligible for the
7 program and will therefore not be able to speak with an
8 attorney. This also creates a time loss for the providers
9 and corresponding increases in wait times for eligible
10 tenants.

11 MS. MEDLEY: It's time. Thank you. And is that
12 to Ami?

13 MS. AMI SHAH: Thank you.

14 MS. MEDLEY: Yeah, there we are. Thanks.

15 MS. SHAH: Yes. Good evening, everyone. My
16 name is Ami Shah. I'm the Citywide Deputy Director of
17 Housing and Legal Services, NYC, a citywide provider of
18 Right-to-Counsel representation. Thank you for the
19 opportunity to testify. For Right-to-Counsel to be
20 successful and sustainable, it's crucial to address the
21 ongoing issues of attorney recruitment, training, and
22 attrition. Attorney recruitment requires substantial
23 resource investment, work that OCJ should be involved in,
24 fund, and recognize. The provider community, both
25 individually and collectively, has been trying to tackle

1 recruitment by working on a law school to practice
2 pipeline, engaging with community-based organizations,
3 connecting with law schools throughout the country, and
4 participating in deeper, broader, and more diverse
5 recruitment programs, as well as creatively increasing
6 salaries and expanding benefits to the extent their
7 budgets enable them to. OCJ must recognize the
8 considerable time and effort recruiting and hiring takes
9 across all job functions, and account for this time when
10 evaluating provider performance and capacity.
11 Additionally, funding constraints of the program continue
12 to leave salaries for staff and supervisors at Right-to-
13 Counsel programs substantially lower than those of other
14 public interests and government attorney positions, making
15 recruitment all the more challenging. While limited
16 efforts to achieve funding parity with the Corporation
17 Counsel happened several years ago, OCJ needs to provide
18 funding so that providers can achieve updated and broader
19 parity with the New York State Attorney General salaries
20 so that our recruitment can actually be successful. Once
21 candidates enter a Right-to-Counsel practice, providers
22 face additional challenges in ensuring adequate time for
23 training of both staff and supervisory positions. Right-
24 to-Counsel practices require substantial initial training
25 in order to understand, even foundationally, the

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1 complexity of housing law in New York City. For
2 experienced attorneys who have this foundation and seek to
3 take on much-needed supervisory roles, providers must be
4 able to help them build skills around supervising and
5 managing a practice, skills that are distinct from those
6 that make effective advocates. Rather than having each
7 provider bear the burden of duplicative training programs,
8 OCJ should partner with legal services providers to
9 develop and fund training opportunities for attorneys at
10 all levels. Additionally, the challenge of attrition
11 continues to remain sector-wide and requires a
12 reassessment of how Right-to-Counsel attorneys are
13 compensated, engaged, and valued. More than anything,
14 retaining qualified staff requires a housing practice that
15 pays a living wage. The most direct way to mitigate the
16 risk of attrition for a citywide program is to fund it
17 sufficiently to ensure Right-to-Counsel staff are
18 compensated on par with legal staff at government
19 agencies. Legal services providers are tasked with
20 implementing a law. The compensation our staff receive to
21 implement that law should not depend on an individual
22 organization's ability to negotiate with OCJ, a history of
23 private fundraising, or a willingness to subsidize a
24 Right-to-Counsel practice. OCJ should ensure funding
25 enables providers across the board to give their staff

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1 salaries comparable with other agencies. As we move
2 through the many stages of New York City's housing crisis,
3 we remain on the front lines of efforts to ensure that the
4 needs of New York's marginalized communities are met. As
5 our clients undergo this unparalleled crisis, we stand
6 there right beside them. We thank you as a provider
7 community for the opportunity to testify, and we look
8 forward to continue to work with OCJ to best serve our
9 client community.

10 MS. MEDLEY: Thank you all. Our next speaker is
11 Lola Omoyosi. Lola? Okay, I saw her on, okay. Marcel
12 Smith [phonetic]? Marcel Smith? Hal Bergold.

13 MR. HAL BERGOLD: (inaudible).

14 MS. MEDLEY: Hal, we heard you initially, there
15 was an echo and it wasn't very loud. I'm gonna move to
16 Alex Jacobs and come back to Hal. Alex Jacobs? Loretta
17 Humphrey [phonetic]? Okay. Just wanna remind folks that
18 we do have interpretation services available. Thank you,
19 I see in the chat here an update that Hal is at 35 Marcy.
20 Understood. I know in the past I know folks have stepped
21 up to a mic. I don't know if that's the setup that you
22 all have working today, but just let us know when Hal's
23 ready and we can bring him in. Again, we have
24 interpretation services available, Spanish, Mandarin, and
25 French, so that folks can be able to go into breakout

1 rooms and hear in the language that they prefer. We also
2 have American Sign Language available as we can see as
3 well. So, if you need those services, you can go ahead
4 and enter into the Zoom breakout room. Okay. Sean
5 Connolly? He may be part of that. I'm gonna call a
6 couple of names here just to see if maybe these are all
7 folks who are part of the CASA group. Paulette James
8 [phonetic], Nikki Miller [phonetic], Cherise Dumbia
9 [phonetic]. Okay. Flatbush, New Settlement, if there's
10 anyone from either of those groups that would just like to
11 speak, go ahead.

12 FEMALE VOICE 1: All right, thank you. So, this
13 is the Flatbush Tenant Coalition.

14 MS. MEDLEY: Sure.

15 FEMALE VOICE 1: And we want to say that we need
16 funding and adjournment.

17 TENANTS: We need funding and adjournment.

18 FEMALE VOICE 1: We need funding and not
19 eviction.

20 TENANTS: We need funding and not eviction.

21 FEMALE VOICE 1: We need funding and
22 adjournment.

23 TENANTS: We need funding and adjournment.

24 FEMALE VOICE 1: We need funding and not
25 eviction.

1 TENANTS: We need funding and not eviction.

2 FEMALE VOICE 1: Funding and adjournment.

3 TENANTS: We need fu...

4 FEMALE VOICE 1: Funding not eviction.

5 TENANTS: We need funding and not eviction.

6 FEMALE VOICE 1: We need funding and

7 adjournment.

8 TENANTS: We need funding and adjournment.

9 FEMALE VOICE 1: We need funding and not
10 eviction.

11 TENANTS: We need funding and not eviction.

12 FEMALE VOICE 1: And until we get it?

13 TENANTS: (inaudible)

14 FEMALE VOICE 1: Until we get it?

15 TENANTS: (inaudible)

16 FEMALE VOICE 1: Until we get it?

17 TENANTS: (inaudible)

18 FEMALE VOICE 1: Until we get it?

19 TENANTS: (inaudible)

20 [Break in the audio]

21 MS. MEDLEY: Thank you. I don't know if we had
22 anyone from 35 Marcy or from --

23 MR. BERGOLD: Hello?

24 MS. MEDLEY: -- New Settlement. Go ahead.

25 MR. BERGOLD: We are here. So, what we can do

1 is just have people come up one at a time. They can
2 introduce themselves...

3 MS. MEDLEY: That's fine. We can go ahead and
4 do that. And we'll just go ahead and signal the time as
5 we have for other speakers. You go ahead.

6 MR. BERGOLD: Sounds good. Yeah.

7 MS. MERCEDES PASCOTTO: Hi, my name is Mercedes
8 Pascotto [phonetic]. I'm a retired social worker and I'm
9 here and I have been able to keep my apartment because of
10 the Right-to-Counsel. Without them, it was impossible for
11 me, even though that I'm a graduate person with knowledge
12 and everything like that, I couldn't sustain the fact that
13 the landlord was going to throw me out. They were
14 harassing me. They were not fixing my apartment. It was
15 difficult for me. After that, I suffered a stroke and
16 that led me to lose my income. So right now, I'm on the
17 one income I get paid once a month and I cannot afford to
18 repair my apartment. That's exactly what I used to do
19 when I was working. I got paid every two weeks. I was
20 paying for my repairs. I didn't even know who the
21 landlord was. And now after I retired, after all that
22 stress, I cannot afford it anymore. The cost of living is
23 too high for me. I'm still, after all that stress, I had,
24 I suffered a stroke. Right now, my health is also an
25 issue, apart from my income that is not sufficient to pay

1 all my bills. And because of that, we really need to get
2 the benefit of the Right-to-Counsel. So, my question to
3 OCJ is what can we do to support more in order for us to
4 get that bill passed for the Right-to-Counsel to become
5 permanent? Because I would like to be a part of the
6 solution. I don't like to be a part of the problem. So,
7 if there's anything as a CASA, I'm a CASA leader too. If
8 there's anything else that we as CASA members can support
9 OCJ or any other organization, we are here for you guys.
10 Even though that my health is not a hundred percent, I beg
11 of you to please give us all the support that you can give
12 us so we can continue to live in a good stable housing.
13 Because here in the Bronx, it's not easy, especially with
14 the cost of living. I'm like, I don't know what else I
15 can do to make sure that I can keep my apartment anymore.
16 I'm alone, my children left me. You know, my mother, I
17 have my mother in my apartment with home attendant 24
18 hours. I have to get rid of her, tell my brother, take my
19 mother, I cannot do this anymore. And my family is now is
20 gone because of the system, how the system is arranged is
21 gone. I used to go to court, you know what I used to
22 tell, you used to lie to me. And you know, lying is not
23 an answer, but the answer that I'm looking for. You don't
24 lie to people. They used to tell me, the landlord is
25 gonna do all the repair next month, you're gonna come back

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1 and everything will be resolved. They used to lie to me.
2 And take advantage of my situation. It's not fair for us,
3 people that have worked in the Bronx for 30 or 35 years,
4 city workers, for me to be going through this. It's not
5 worth, how we become insensible to justice? Is that what
6 we have come to now?

7 MS. MEDLEY: 30 seconds left.

8 MS. PASCOTTO: We need to resolve this issue,
9 please. Count on CASA, if anything else we can do, I will
10 really appreciate that. The whole community in CASA will
11 really appreciate it. Thank you for listening to me.

12 MS. MEDLEY: Thank you.

13 [Spanish Language 1:08:13-1:08:25]

14 MS. MEDLEY: While we wait for the next speaker
15 at CASA, I had -- we -- oh, go right ahead, go right
16 ahead.

17 MR. GERONIMO JOURDAIN: [Spanish Language
18 1:08:43-1:09:04].

19 MS. WERTZ: Excuse me, do we wanna, can I, you
20 can pause one minute, I'm gonna get you a Spanish
21 interpreter, okay?

22 MR. JOURDAIN: Sure.

23 MS. WERTZ: Alexander, I'm gonna bring you out
24 of the Spanish room.

25 [Spanish Language 1:09:17-1:09:23].

1 MS. WERTZ: Okay, Alexander, you are no longer
2 in the Spanish room, so please unmute yourself, and after
3 he speaks a bit, provide his interpretation services.

4 MR. ALEXANDER: Okay. No problem.

5 MS. WERTZ: Thank you, sorry, go ahead.

6 MR. ALEXANDER: [Spanish Language 1:09:33-
7 1:09:34]

8 MR. JOURDAIN: Okay. [Spanish Language 1:09:37-
9 1:09:38]

10 MR. ALEXANDER: Good night.

11 MR. JOURDAIN: [Spanish Language 1:09:40-
12 1:09:46]

13 MR. ALEXANDER: And I'm Geronimo Jourdain, and
14 I'm a member of CASA.

15 MR. JOURDAIN: Mm-hmm. [Spanish Language
16 1:09:56-1:10:17]

17 MR. ALEXANDER: I am trying..

18 MR. JOURDAIN: [Spanish Language 1:10:19-
19 1:10:27]

20 MR. ALEXANDER: [Spanish Language 1:10:27-
21 1:10:30]. Okay?

22 MR. JOURDAIN: Sure.

23 MR. ALEXANDER: So, at the moment, I am
24 advocating and fighting for all residents to be able to
25 get legal representation or attorneys. At the moment, we

1 don't have representation.

2 MR. JOURDAIN: [Spanish Language 1:10:45-
3 1:11:19]

4 MR. ALEXANDER: At the moment, I am offering my
5 help going every Monday outside of the court to go and
6 help the people that are going to have a trial against
7 their landlord. And I try to give them the best advice as
8 possible, but that's not enough.

9 MR. JOURDAIN: [Spanish Language 1:11:38-
10 1:12:18]

11 MR. ALEXANDER: So, after I seen the lack of a
12 legal representation or authorities, I had an idea. My
13 idea is to have those students that are almost finishing
14 their college or those law students that are almost
15 finishing their college to be hired by the court to help
16 with the representation in those cases for the people that
17 need the lawyers. Since we have a lack of legal
18 representation, maybe the students that are almost
19 finishing their colleges, they're able to assist.

20 MS. MEDLEY: One minute.

21 MR. JOURDAIN: [Spanish Language 1:12:54-
22 1:13:18]

23 MR. ALEXANDER: And maybe not leaving the
24 students alone, the law students, maybe having a more
25 experienced lawyer or more seasoned lawyer to supervise

1 three of the law students that are representing the
2 tenants.

3 MR. JOURDAIN: [Spanish Language 1:13:36-
4 1:13:45]

5 MR. ALEXANDER: So, for now, that was my
6 proposal, and I wanted to share my idea. Thank you so
7 much.

8 MR. JOURDAIN: Thank you.

9 MS. MEDLEY: Thank you so much. Thank you.
10 While we wait for the next CASA member, going back to a
11 name that I called earlier. Alex Jacobs? And I'm sorry,
12 Matt, we'll call, we'll get right to you. First, we're
13 gonna have Alex Jacobs. You can stay right there.

14 MR. ALEXANDER: [Spanish Language 1:14:08-
15 1:14:13].

16 MS. WERTZ: Wait, hang on a second, Alex, hang
17 on. Wait, hang on a second, Alexander, because you're not
18 in the other room yet. Can we just clarify, does the next
19 CASA member, does Alex Jacob prefer to Spanish or English?

20 MR. ALEX JACOB: English is good.

21 MS. WERTZ: Alex Jacobs prefers English. Does
22 the next CASA member prefer Spanish or English?

23 FEMALE VOICE 2: English.

24 MS. WERTZ: English? Okay. Okay, hang on a
25 second, and Alexander, I'm gonna put you back in the

1 interpretation room so that you can help out folks that
2 are there. Okay, Alexander, you are back in the Spanish
3 room. My apologies, and we're ready to keep going.

4 MS. MEDLEY: Thank you, Cheryl. Go ahead, Alex.

5 MR. ALEX JACOBS: Okay, hi, everybody. My name
6 is Alex. I'm a housing attorney at Queens Legal Services,
7 and I've been doing my job now for about eight and a half
8 years. I primarily work in our Right-to-Counsel and UAC
9 unit in Queens, but I'm speaking on my own behalf, not on
10 behalf of my employer or my union, ALSA 2320. I don't
11 know if people fully understand what happens in a Housing
12 Court or the amount of work that goes into it or what a,
13 quote, Right-to-Counsel looks like in practice, but what I
14 can say is that I don't think there is a, quote, Right-to-
15 Counsel. What people have a right to right now is an
16 opportunity to speak to somebody like me, and if we're
17 lucky enough to have capacity to represent them then
18 hopefully they're able to have an attorney. That's not a
19 right, right? Anything that we're calling a right that is
20 subject to funding isn't a right. This means that
21 somebody is maybe lucky to get through what is essentially
22 a lottery if they come on the right day. It's really a
23 shame that this is called a right, that it's not a funded
24 project, that it's not something that people have
25 guaranteed because what I see every day in court are

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1 people who are having one of the worst days of their
2 lives. They're lost and they're confused about what's
3 going on, and it's great that they can speak to somebody
4 for two, three, five, 10, 15 minutes to get some advice,
5 some guidance, but that's not representation, that's not
6 advocacy, and it's not parody. What happens is, despite
7 what I tell people, whether they have a good case or a
8 quote-unquote bad case, inevitably they come back to court
9 and they're cowed and they're intimidated by a landlord's
10 attorney who's there every single day for the past 15, 20,
11 25 years and to making a deal to give up their apartment
12 that maybe they never had to give up, or they're making a
13 deal to give up their apartment much sooner than they
14 should, or maybe they're making a deal to pay the person
15 that wants to make them homeless for the privilege of
16 coming to court to become homeless, and it's really a
17 crying shame. And what I think about every day that I go
18 to work now is that I have so many marvelous coworkers
19 that love this job, that love the work that we do, but are
20 unable to do it long-term because there isn't enough money
21 to sustain the practice, there isn't enough money to keep
22 us feeling like we can keep going, and the city has an
23 obligation to make sure that a quote, Right-to-Counsel
24 project really is a right, that it isn't a privilege, that
25 it isn't a lottery, that people are actually getting

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1 representation and advocacy. The city, which makes this
2 such an impossible place to live in, which can control
3 rent and make sure that it stays affordable for everybody,
4 that New York City isn't just a place for finance and the
5 people who serve finance, that it's truly a city for all
6 of us, the same city council, the same people who have the
7 power to fix that aren't paying us money to do our job.
8 They're not legislating to protect rent, they're not
9 legislating to keep people within their homes, they're not
10 legislating to protect against the worst displacement from
11 gentrification, they are acting in a way that is
12 contradictory to a Right-to-Counsel project. We have a
13 job that's extremely important in my organization and in
14 my sibling organizations. Being a housing attorney isn't
15 a starter job, it's not a job that people get when they
16 come out of law school --

17 MS. MEDLEY: 30 seconds.

18 MR. JACOBS: -- and then maybe in two or three
19 years, they find out what they really want to do. It's a
20 job that has vital importance to the communities that we
21 serve, and we should be retaining people who are
22 experienced and passionate about this work and not losing
23 them just because the city chooses to not pay us and to
24 not fund this project. The money is there, we can give
25 NYPD billions of dollars, we can give landlords money, we

1 can give finance, we can give real estate money, but when
2 it comes to helping poor people for some reason, only at
3 that point is it so hard to find money, and we see this
4 with the Department of Education, we see this with
5 everything, --

6 MS. MEDLEY: Time.

7 MR. JACOBS: -- something benefits working class
8 poor people in this city. Thank you.

9 MS. MEDLEY: Thank you. And we're returning to
10 CASA. I just have one question before we go back to the
11 room. Thank you so much for waiting. Patricia put in the
12 chat, if you all saw, that you are also part of the CASA
13 group, but you're not there. Patricia, I just wanted to
14 know whether you wanted us to add you to the speaker list,
15 or you just wanted to make sure we knew you're a part of
16 the CASA at the 35 Marcy.

17 MS. PATRICIA JEWETT: I'm on the list. I'm on
18 the list. Thank you.

19 MS. MEDLEY: Okay, great, understood. Thank
20 you, go ahead. Now we're back to CASA at 35 Marcy. Thank
21 you very much.

22 MS. SARAH DELANEY: Yes, good evening. My name
23 is Sarah Delaney. I am an injured nurse. I am not
24 working right now, and I thank God for Right-to-Counsel.
25 But I have something that I just want to say really quick,

1 right? Excuse me. I'm so sorry about that. Hold on, I
2 have to say this, right? So, I'm gonna say something,
3 right? We look at, and this, I brought this up for a
4 reason, right? The scales of justice, right? What do the
5 scales of justice mean? It's, hold on a second. I'm so
6 sorry. I had it (inaudible). The scales of justice
7 relate to the fairness in the judicial process. They
8 indicate that each side of the case will be considered in
9 a court case. Additionally, the scales underscore that
10 decisions will be made by weighing the evidence in a fair
11 manner. The sword represents, symbolizes lady justice's
12 authority to make decisions, right? Why are the scales of
13 justice unbalanced? The meaning and the symbolism depends
14 on the content. Under certain circumstances, the
15 unbalanced scales are said to represent weighing the
16 merits of one side against the other. With the
17 understanding, a fair judgment will give credence to one
18 set of facts over another. The blindfold of the scales of
19 justice represents impartiality, and it signifies that
20 justice should be administered without bias, treating
21 everyone equally regardless of wealth, power, or social
22 status. The idea that law is blind is embodied in this
23 blindfolded woman who weighs each argument based purely on
24 facts and on law. And who holds the scales of justice?
25 Lady justice, right? But what happens when we look at our

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1 side and when we're looking here? Brooklyn was being
2 gentrified and they had the most highest cases. Now it's
3 the Bronx, and everybody is going to court right now. So,
4 when I was listening to what our speaker said, Senator
5 Sepulveda said he stood in agreement. Muhammad Faridi
6 said that he acknowledged the injustice and the disparity
7 that the tenants are experiencing. Anna Markowitz said
8 that RTC is backed by anecdotal data evidence-based facts
9 that it works. We know that 84% of tenants with an
10 attorney stay in their homes and result in lower and more
11 just settlements. We also understand that \$2.2 billion
12 going to a shelter versus the RTC is cost-effective. So
13 please let's fund the RTC. We also have to think of the
14 high success rates and settlements that are being going,
15 that are going through and the negative displacement
16 factors, including homelessness, joblessness, education,
17 and economic and social destabilization of all affected
18 communities. That was also Ms. (inaudible). Mr. Pearson
19 said by reducing the funding by 10%, it undermines the
20 quality of the council and tenants lose skilled advocates.
21 Times when with also legal representation is needed more
22 than ever. So, you not only lose experienced council, but
23 the community members lose experienced people. We can't
24 do that to ourselves. Right here. We should not be
25 having to choose over the cases. We have to put people

Acolad

1 first. And I wanna see that, I would like to see that
2 everyone works with the DOJ or DOJ to get this happening,
3 to make this happen. But what I have to say right now --

4 MS. MEDLEY: 30 seconds.

5 MS. DELANEY: -- is in the Bronx, overburdened,
6 overwhelmed, underserved. We need RTC. So, let's make
7 RTC a reality for all. This is what's happening in the
8 Bronx. Pushing more people on top of more people was out
9 and pushing them out of their homes to make space for
10 others who have not resided in this neighborhood, in these
11 areas for years, decades. You are pulling knowledge,
12 people and families apart and breaking down the community
13 that they serve. Because we're here for a reason, not
14 because we want to, but we're here, excuse me, we're here
15 because we want to be, not for a reason. It's not about
16 the money. We love our communities and we deserve the
17 right to be heard. We deserve an equal right, equal
18 opportunity for all. Let's make RTC a reality for all.
19 Thank you.

20 FEMALE VOICE 1: Yey. Woohoo.

21 [Spanish Language 1:23:23-1:23:26]

22 MS. SANDRA MITCHELL: May I speak now? Grace
23 and peace to everyone.

24 MS. MEDLEY: Yeah.

25 MS. MITCHELL: Grace and peace to everyone.

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1 I'm sorry, I need some dental work to be done,
2 so I'm trying to talk around the teeth I have. It's an
3 honor to testify before you in the matchless name of
4 Jesus. I'm a chaplain. My name is Chaplain Sandra
5 Mitchell. As a universal woman of God, and I'm a leader
6 of CASA and the Right-to-Counsel Coalition. I'm here to
7 urge the Office of Civil Justice to protect and uphold the
8 Right-to-Counsel law. I'm testifying today to share my
9 experiences with evictions and how it's in court with you.
10 I have lived at 253 East 181st Street in the borough of
11 the Bronx for eight years, but I've lived in the Bronx for
12 55 years. I've seen the lines at Housing Court wrap
13 around two and three times. I go on Mondays with my
14 colleagues to tell people to please come and learn your
15 rights. You don't have to be evicted. You've heard our
16 check record, 84% when they have Right-to-Counsel, they
17 stay in their apartments. I want to share to you why
18 Right-to-Counsel is important to me and the city of New
19 York and every city and township in America. I was hauled
20 into court for withholding \$7,000 in rent. I was held the
21 rent because we had no heat, no hot water and sewage
22 coming up through the bathtub, the toilet, the kitchen
23 sink and non-working refrigerator and stove. The landlord
24 hauled me into court and he lied. He said, I owed
25 \$65,000, \$7,000 and \$65,000. Ridiculous and the judge was

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1 saying it was ridiculous. I ran back and forth between
2 CASA and the state building to get information on what I
3 could do. I didn't know my rights. He violated the
4 warranty of hability and he didn't, he refused to make
5 repairs. So, I showed up with a cashier's check of
6 \$7,000. The judge said, why are you wasting our time?
7 Why are you relying on this woman? No penalties for the
8 landlord. He was ordered to make all the repairs. He
9 didn't make any of the repairs and not until now. I just
10 started a new job, a new career as a mental health
11 counselor. And I got six strokes, (inaudible). Six
12 stokes. How dare you? God has kept me alive through all
13 of this. I'm no longer gainfully employed. They will
14 reap what they sow. I decree and declare today they will
15 reap what they sow. They do not give us justice. It's
16 not a threat, it's a promise. They will reap what they
17 sow, they do not give us justice. Justice will prevail no
18 matter what. These tears are tears of anger. I lived in
19 this Bronx, 55 years and seen people for 55 years hauled
20 into court and thrown out of their apartments. How dare
21 they do that? They have all these calculations and
22 miscalculations. It's profit over people. You will not
23 do this to God's people. They have the money; they have
24 the money. So, we need fair justice. I don't care where
25 you come from. You decide you want to live here in the

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1 Bronx, you deserve housing. Housing is a human right.

2 Housing is a human right.

3 ALL: Housing is a human right. Housing is a
4 human right. Housing is a human right. Housing is a
5 human right. (Inaudible).

6 MS. MITCHELL: Wait, wait. It affects the
7 mental health, your employment, your everything. And if
8 they just don't do the right thing, I ask God to just come
9 in and turn this world upside down. Because housing is a
10 human right. I have a right to live. I have a right to
11 be gainfully employed. I have a right to start my career
12 again. I'm helping people with their mental anguish, but
13 I cannot do what I was created to do because I'm being
14 thrown out of my apartment because I'm not having my
15 rights. There's no

16 [Spanish Language 1:28:06-1:28:10]

17 MS. MITCHELL: Write that down in your
18 transcript.

19 MS. MEDLEY: Thank you.

20 [Spanish Language 1:28:15-1:28:32]

21 MR. VALENTIN LOPEZ: [Spanish Language 1:28:29].

22 MS. WERTZ: Hang on one second. We'll get you a
23 Spanish interpreter, okay? Dora, I'm gonna grab you from
24 the Spanish room. Hang on. Dora, you are now outside of
25 the Spanish room. Can you provide interpretation services

1 for us, please?

2 MS. DORA: Yes, Cheryl. [Spanish Language
3 1:28:58-1:29:09]

4 MR. LOPEZ: [Spanish Language 1:29:11-1:29:16]

5 MS. DORA: Good evening, everyone. My name is
6 Valentin Lopez.

7 MR. LOPEZ: [Spanish Language 1:29:20-1:29:22]

8 MS. DORA: I'm a member of CASA.

9 MR. LOPEZ: [Spanish Language 1:29:27-1:29:30]

10 MS. DORA: I'm one of those who are in the court
11 every Monday.

12 MR. LOPEZ: [Spanish Language 1:29:37-1:29:41]

13 MS. DORA: I see the situation that goes on in
14 court every Monday.

15 MR. LOPEZ: [Spanish Language 1:29:46-1:29:48]

16 MS. DORA: I can see how terrible that is and
17 how strong that is.

18 MR. LOPEZ: [Spanish Language 1:29:56-1:30:00]

19 MS. DORA: Most people go there depressed with
20 their hearts in their hands.

21 MR. LOPEZ: [Spanish Language 1:30:13-1:30:16].

22 MS. DORA: They're very worried when they go to
23 court.

24 MR. LOPEZ: [Spanish Language 1:30:19-1:30:23].

25 MS. DORA: I have to give them support and tell

Acolad

1 them to keep calm.

2 MR. LOPEZ: [Spanish Language 1:30:31- 1:30:39].

3 MS. DORA: But I was there -- [Spanish Language
4 1:30:40] I was there one Monday and I saw this person who
5 was really desperate. I told him to be calm.

6 MR. LOPEZ: [Spanish Language 1:30:46-1:30:52].

7 MS. DORA: He was never -- he had never been in
8 court before. He had no family, and he didn't have
9 anything.

10 MR. LOPEZ: [Spanish Language 1:30:59-1:31:05].

11 MS. DORA: He had a -- at court, he had a
12 hearing for the first time. I was just telling him to
13 keep calm and to take a break.

14 MR. LOPEZ: [Spanish Language 1:31:17-1:31:22].

15 MS. DORA: The city paid for a part or a portion
16 of his rent. And then I told him that he should take
17 charge in paying the other half or the other part of the
18 rent payment.

19 MR. LOPEZ: [Spanish Language 1:31:35-1:31:38].

20 MS. DORA: When the city doesn't pay them when
21 they do not do the repairs, --

22 MR. LOPEZ: [Spanish Language 1:31:44-1:32:00].

23 MS. DORA: -- I told him to be calm and he went
24 into court. And then when he left, he thanked me and he
25 hugged me around six times. He had tears in his eyes.

1 MR. LOPEZ: [Spanish Language 1:32:14-1:32:20].

2 MS. DORA: He told me that what he had in mind
3 is to take a bottle of pills and end his life.

4 MR. LOPEZ: [Spanish Language 1:32:30-1:32:42]

5 MS. DORA: I didn't cry at that moment because
6 I'm a man. But those are -- there, you can see terrible
7 cases over there. You can see families getting out of
8 court in ambulances.

9 MR. LOPEZ: [Spanish Language 1:32:55-1:33:02].

10 MS. DORA: I've been in court and I've seen
11 people fainting and they had to call the paramedics for
12 them, women and men.

13 MR. LOPEZ: [Spanish Language 1:33:11-1:33:32].

14 MS. DORA: I went into court this Monday and I
15 saw the courtrooms where the judges are, and I saw all the
16 people waiting outside.

17 MR. LOPEZ: [Spanish Language 1:33:43] --

18 MS. MEDLEY: 30 seconds.

19 MR. LOPEZ: [Spanish Language 1:33:46-1:33:50].

20 MS. DORA: I think that the judges are those who
21 need to judge the people, not the attorneys.

22 MR. LOPEZ: [Spanish Language 1:33:56-1:34:09].

23 MS. DORA: The judges tell people to get an
24 attorney, but they are tired trying -- calling and trying
25 to get an attorney 'cause they know there are none.

1 MR. LOPEZ: [Spanish Language 1:34:18-1:34:37].

2 MS. MEDLEY: We're at time but please go ahead
3 with the interpretation.

4 MS. DORA: Yeah. I'm sorry I couldn't hear the
5 last part.

6 MS. MEDLEY: Oh, I said if there were any, any -
7 - anymore to be interpreted there --

8 MS. DORA: Oh, okay.

9 MS. MEDLEY: -- but we're at time.

10 MS. NORA: All right. [Spanish Language
11 1:34:52-1:34:54].

12 MR. LOPEZ: Okay, [Spanish Language 1:34:55-
13 1:34:56].

14 MS. NORA: Thank you.

15 MS. MEDLEY: We have Juan Espinosa and Nelson
16 Diaz, who've also requested Spanish interpretation
17 services.

18 MS. NORA: Okay.

19 MS. MEDLEY: Dora, are you okay to stay or do
20 you want me to swap out for Alexander?

21 MS. NORA: No, I'll, I'll do one and then you
22 can swap to Alex, please. Thank you.

23 MS. MEDLEY: Perfect.

24 MR. BERGOLD: Nelson is in the room. He'll go
25 next, but we'll continue with the room.

1 MS. EVELYN RIVERA: My name is Evelyn Rivera
2 [phonetic].

3 MS. NORA: [Spanish Language 1:35:38-1:35:43]?

4 MS. RIVERA: [Spanish Language 1:35:46-1:35:50].

5 MS. NORA: My name is Evelyn Rivera. [Spanish
6 Language 1:35:50-1:35:53].

7 MS. RIVERA: Okay. [Spanish Language 1:35:55-
8 1:36:02].

9 MS. NORA: I'm a member of CASA since this
10 organization started here in the Bronx.

11 MS. RIVERA: [Spanish Language 1:36:08-1:36:15].

12 MS. NORA: I live in 11 West of 142nd for over
13 40 years.

14 MR. BERGOLD: 172nd?

15 MS. NORA: [Spanish Language 1:36:24-1:36:27].

16 A hundred --

17 MS. RIVERA: [Spanish Language 1:36:30-1:36:38].

18 MS. NORA: When I moved into the building, the
19 building wasn't in good condition.

20 MS. RIVERA: [Spanish Language 1:36:46-1:36:55].

21 MS. NORA: I've been living -- I live there and
22 I try to do my best 'cause I'm the president of the tenant
23 association.

24 MS. RIVERA: [Spanish Language 1:37:04-1:37:11]

25 --

1 MS. NORA: At this time I'm going through a big
2 trouble or a strong trouble. Mm-hmm?

3 MS. RIVERA: [Spanish Language 1:37:18-1:37:23].

4 MS. NORA: The landlord is trying to get some
5 rent that I do not owe.

6 MS. RIVERA: [Spanish Language 1:37:29-1:37:39].

7 MS. NORA: That's a payment that comes from the
8 housing office.

9 MS. RIVERA: [Spanish Language 1:37:43-1:37:47].

10 MS. NORA: They're saying that they are trying
11 to collect more money than I owe.

12 MS. RIVERA: [Spanish Language 1:37:55-1:38:01]

13 --

14 MS. NORA: I've been to court over four times,
15 more than four times.

16 MS. RIVERA: [Spanish Language 1:38:06-1:38:15].

17 MS. NORA: The last time I went there was
18 December 23rd. It was really cold and I got sick until
19 now.

20 MS. RIVERA: [Spanish Language 1:38:24-1:38:31].

21 MS. NORA: The situation continues because he's
22 the type of person that he doesn't want to repair or make
23 repairs to the apartments.

24 MS. RIVERA: [Spanish Language 1:38:41-1:38:51].

25 MS. NORA: The -- apparently, the heating is not

1 work-- the heat is not working and there's also some
2 trouble with them cleaning the building.

3 MS. RIVERA: [Spanish Language 1:39:01-1:39:18]

4 --

5 MS. NORA: When I went to the housing court,
6 there's a problem because they want attorneys. And in
7 order for us to get an attorney -- continue, signora.

8 MS. RIVERA: [Spanish Language 1:39:29-1:39:40].

9 MS. NORA: And then when you go to present your
10 case, the attorneys that are there, they don't help us
11 enough.

12 MS. RIVERA: [Spanish Language 1:39:48]

13 MS. MEDLEY: 30 seconds.

14 MS. NORA: [Spanish Language 1:39:50-1:39:51].

15 MS. RIVERA: [Spanish Language 1:39:53-1:39:56]

16 --

17 MS. NORA: But they work more with the judge.

18 MS. RIVERA: [Spanish Language 1:39:58-1:40:02]

19 MS. NORA: With the judge and with the building
20 or the owner.

21 MS. RIVERA: [Spanish Language 1:40:07-1:40:11]

22 MS. NORA: In order for them to do whatever they
23 want.

24 MS. RIVERA: [Spanish Language 1:40:11-1:40:17].

25 MS. NORA: I have to go on the fourth and I

1 don't have a different attorney for my case.

2 MS. RIVERA: [Spanish Language 1:40:24-1:40:34].

3 MS. NORA: So, now, I'm looking into getting a
4 loan for a -- to pay for an amount that I do not owe
5 because I want to avoid being evicted.

6 MS. MEDLEY: Okay, can we -- we will follow up
7 just to get the contact details and information offline.
8 We're not asking you to share them here in the public
9 forum --

10 MS. NORA: Yeah, okay. Sig --

11 MS. MEDLEY: -- but we will follow specifically.

12 MS. NORA: Okay, signora. [Spanish Language
13 1:40:57-1:40:57].

14 MS. RIVERA: [Spanish Language 1:41:06-1:41:12].

15 MS. NORA: Thank you very much and please
16 continue to help the community because we need it.

17 MR. NELSON DIAZ: Hello. [Spanish Language
18 1:41:23]

19 MS. [CHERYLWERTZ](#): Wait one second. Hang on.
20 I'm going to fix our Spanish interpreters for you. Okay?

21 MS. NORA: [Spanish Language 1:41:29-1:41:32].

22 MS. [CHERYLWERTZ](#): Okay, Alexander, you are now
23 out in order to provide interpretation for the member at
24 CASA and Dora, you are back in the Spanish language room
25 for the next time we have an English language

1 conversation. Apologies. Please go on.

2 MR. ALEXANDER: Okay, [Spanish Language 1:42:00-
3 1:42:04]. Okay?

4 MR. DIAZ: Okay. [Spanish Language 1:42:07-
5 1:42:20].

6 MR. ALEXANDER: So my name is Nelson Diaz. I
7 also belong to the CASA organization and I'm one of those
8 supportive staff for people that goes every month outside
9 of the court.

10 MR. DIAZ: [Spanish Language 1:42:35-1:42:43].

11 MR. ALEXANDER: With the goal of letting people
12 know the hundreds of people that go to the court for
13 eviction cases that they have the right for a lawyer.

14 MR. DIAZ: [Spanish Language 1:42:57-1:43:10].

15 MR. ALEXANDER: Because when those people show
16 up to the court, they -- you know, they show up with their
17 hands on their heads, surprised, without knowing if
18 they're going to be evicted at the end of the court
19 session.

20 MR. DIAZ: [Spanish Language 1:43:24-1:43:50].

21 MR. ALEXANDER: It's very sad to see the amount
22 of people that come in to the court, you know, with sad
23 faces and without knowing what will be the results after
24 the court hearing and without knowing anything that they
25 would need to leave their houses immediately.

1 MR. DIAZ: [Spanish Language 1:44:05-1:44:30].

2 MR. ALEXANDER: And they don't only come with
3 eviction cases. They come with other kinds of cases, like
4 when they have a landlord that do not fix their units,
5 when they have a landlord that do not provide them back
6 the deposits to move out. So it's very difficult for them
7 to go in and confront the landlord in courts without the
8 proper representation.

9 MR. DIAZ: [Spanish Language 1:44:53-1:45:06] --

10 MR. ALEXANDER: The people that we --

11 MR. DIAZ: [Spanish Language 1:45:09-1:45:17]

12 MR. ALEXANDER: The people that show up for rent
13 and eviction cases are in a state of very high stress,
14 very nervous. Sometimes they don't even make it to go to
15 their own hearing. They start going to the bathroom many
16 times. Sometimes they get sick and we have to take them
17 to the hospital even before the hearing starts.

18 MR. DIAZ: [Spanish Language 1:45:38-1:46:03].

19 MR. ALEXANDER: It's very important to be or
20 have representation. That's like the safety net for those
21 people. Because when you go with no representation, the
22 lawyer or the landlord can show up to you and say, "Hey,
23 sign here, this is going to help you." And then without
24 even knowing, you are giving away your apartment.

25 MR. DIAZ: [Spanish Language 1:46:25-1:46:45].

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1 MR. ALEXANDER: And when you show up with no
2 lawyer, the end result of those court sessions or hearings
3 is that you will end up having 14 days to either resolve
4 and pay what you owe or being evicted.

5 MR. DIAZ: [Spanish Language 1:47:00-1:47:18].

6 MR. ALEXANDER: And I have people that show up
7 and they come up to me and let me know that they have been
8 given 14 days to resolve the situation. And they just
9 told me, "I just came to the hearing today, resigned,
10 not knowing what's going to happen. If I'm going to end
11 up maybe putting all my stuff in a storage unit and ended
12 up leaving in the streets."

13 MR. DIAZ: [Spanish Language 1:47:38-1:47:58].

14 MS. MEDLEY: Stop. Time.

15 MR. ALEXANDER: [Spanish Language 1:48:02]. You
16 want me to interpret that or the time is over?

17 MS. MEDLEY: The time is over. Close his
18 remarks.

19 MR. ALEXANDER: Okay. [Spanish Language
20 1:48:10-1:48:14].

21 MR. DIAZ: [Spanish Language 1:48:14].

22 MS. MEDLEY: Thank you.

23 [Background Conversations]

24 MR. BERGOLD: Oh, yeah. Are we -- are you all
25 interpreting in English?

1 FEMALE VOICE 3: I don't think that she can hear
2 you.

3 MR. CHRISTIAN: Can you all hear me?

4 MS. MEDLEY: Yes. Is that a question for us?
5 I'm sorry about the interpretation.

6 MR. BERGOLD: Yeah, that's the question. Yeah,
7 that's the questions for you all. If you're all planning
8 on interpreting the last thing that he said right before
9 you said time.

10 MS. MEDLEY: Oh, apologies if that was that was
11 missed. It was just time. What I had said was just that
12 time we were at time and that he could finish his remarks.

13 MR. BERGOLD: Yeah.

14 MR. ALEXANDER: All right, all right. I can
15 give the last order if you want to or what he was trying
16 to communicate.

17 MS. MEDLEY: Please.

18 MR. ALEXANDER: So the speaker was saying that
19 even himself, he was going through a very hard situation
20 or a hard case. He leaves in a two-bedroom apartment
21 where he -- the person that he was living with or roommate
22 brought his wife and stop paying his rent while the
23 speaker is paying his rent and the roommate stop paying
24 the rent or their part of the rent because they want the
25 speaker to leave the apartment so he can stay with the

1 whole apartment completely with his wife. So he was
2 mentioning how he -- he's seen very complex cases and even
3 himself. He's in a complex case currently.

4 FEMALE VOICE 1: He needs Rights to Counsel.

5 FEMALE VOICE 4: He needs Rights to Counsel.

6 FEMALE VOICE 1: He needs Right-to-Counsel.

7 TENANTS: We need Rights to Counsel.

8 MALE VOICE 1: RTC. [Spanish Language 1:50:15].

9 RTC. [Spanish Language 1:50:20].

10 TENANTS: [Spanish Language 1:50:20]

11 MALE VOICE 1: RTC. [Spanish Language 1:50:21].

12 TENANTS: [Spanish Language 1:50:23]. RTC

13 [Spanish Language 1:50:26-1:50:56].

14 MR. ALEXANDER: [Spanish Language 1:51:01].

15 MR. DIAZ: [Spanish Language 1:51:02-1:51:04]?

16 MR. ALEXANDER: Should I mention anything else
17 about my case or that's it?

18 MS. MEDLEY: We were at time. If you had
19 something you wanted to end with, that's fine. We're
20 happy to hear you.

21 MR. ALEXANDER: [Spanish Language 1:51:16-
22 1:51:22].

23 MR. DIAZ: [Spanish Language 1:51:23-1:51:41].

24 MR. ALEXANDER: I don't have a lawyer to help me
25 with my case. I don't have a lawyer to help me defend my

1 case and I went to the court and they told me that they
2 didn't have a lawyer to represent me.

3 MR. DIAZ: [Spanish Language 1:51:53-1:52:05].

4 MR. ALEXANDER: [Spanish Language 1:52:07-
5 1:52:09]?

6 MR. DIAZ: [Spanish Language 1:52:09-1:52:24].

7 MR. ALEXANDER: There are cases like mine where
8 the landlord sees a situation or the dispute between the
9 two parts are sharing the apartment and they would rather
10 for them both to leave so they can actually rent the
11 apartment and raise the rent.

12 MS. MEDLEY: Okay. So we will -- as I
13 mentioned, we can -- we will follow offline so that you
14 don't have to share your personal information here so that
15 we can make -- you know, so that we can support you and we
16 can work with you.

17 MR. ALEXANDER: [Spanish Language 1:52:53-
18 1:53:04].

19 MR. DIAZ: Okay, gracias.

20 MR. ALEXANDER: Thank you.

21 MS. MEDLEY: Thank you. I have three more
22 names, and this is CASA as well, but I know Patricia is
23 online. I have Patricia Jewett [phonetic] and then I have
24 Sabrina Ortiz who I think is also online and then Julius
25 Bennett [phonetic].

1 MS. JEWETT: Hi, good evening, everyone. My
2 name is Patricia Jewett and I am a member of CASA, also
3 affiliated with Right-to-Counsel and Right-to-Counsel is a
4 necessity. It's not just something that we want, it's
5 something that we need. And I say that because when I was
6 in court, it wasn't about back rent. My landlord waited
7 five years of missing paperwork, so they led to bring me
8 to court to evict me and my family. I had been in that
9 building since the 70s. My children, my grandchildren
10 have all been born in this building. My oldest is 44.
11 I've been in that building almost 50 years, and to know
12 that bullshit paperwork was standing between me and my
13 family being in the streets is crazy. We needed a lawyer.
14 We needed it desperately. Because if we had a house in
15 court lawyer, if Right-to-Counsel really was able to give
16 everyone what they needed, we would have never been back
17 and forth in court for about a year. And I think the
18 difference for me and my family was the fact that members
19 from CASA, members of the staff, stood there with us to
20 help give us the faith, the power to be there, because the
21 landlord didn't show up. The landlord didn't show up
22 until the judge said, "Listen, we've been going back and
23 forth for almost a year here. It's about time the
24 landlord come in this room and say exactly what they're
25 missing." And when he showed -- and when they showed up

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1 and when we complied, they still didn't give us paperwork.
2 They still didn't give us proof that we've complied. So,
3 Right-to-Counsel is a necessity because people are being
4 abused every day. I can't tell you the stress levels. I
5 can't tell you how I had an asthma attack and almost
6 didn't make it to court at all. But the stories that you
7 hear from people, it's real. Ad you've only seeing maybe
8 10% of what people are actually going through. 10%,
9 because most of us don't know, aren't in a position, don't
10 have the opportunity to bring our stories to the light.
11 But I can tell you that when I saw what was happening with
12 me, one of my neighbors that had been in the building
13 almost as long as me was this close to eviction, and CASA
14 saved her as well. They do work. They make miracles
15 happen, but they could do more if Right-to-Counsel was
16 really in place like it needs to be. It's a necessity.
17 It's not a plus, a bonus. It's something that's a basic
18 need, and we're missing that. They need to fund it, and
19 the judges know that there aren't enough lawyers.

20 MS. MEDLEY: 30 seconds.

21 MS. JEWETT: They know it. They put us in this
22 position on a regular. What do you do? I thank God for
23 CASA, and I hope that you guys are able to fund Right-to-
24 Counsel like it needs to be. Thank you.

25 MS. MEDLEY: Thank you. Sabrina? Sabrina

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1 Ortiz? Julius Bennett? Okay. John?

2 MR. JOHN LAVAN: Yes, that's me.

3 MS. MEDLEY: Mm-hmm?

4 MR. LAVAN: I had it written, so I'm sorry.

5 Good evening, members of the Office of Civil Justice. My
6 name is John Lavan [phonetic]. I'm here to testify in
7 support of the critical importance of the Right-to-Counsel
8 program for tenants facing eviction in New York City. The
9 Right-to-Counsel law enacted in 2017 has transformed the
10 housing landscape in New York City providing tenants with
11 legal representation, they need to protect their homes and
12 communities. This program is not just a matter of
13 fairness. It is a lifeline for thousands of low-income
14 families, seniors, individuals who would otherwise face
15 the daunting prospect of eviction without the benefit of
16 legal expertise. Before Right-to-Counsel, landlords and
17 housing court were almost always represented by attorneys,
18 while the majority of tenants were left to navigate the
19 complexities of the legal system alone. This imbalance
20 led to a devastating cycle of unjust evictions,
21 displacement, and homelessness. The implementation of
22 Right-to-Counsel has leveled the playing field, giving
23 tenants a fighting chance to assert their rights and
24 negotiate fair outcomes. The data speaks for itself.
25 Reducing evictions since the introduction of Right-to-

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1 Counsel, evictions, when they've gotten a lawyer,
2 obviously, in New York City have dropped significantly.
3 Tenants with legal representation are much more likely to
4 remain in their homes, saving families from the trauma and
5 financial burden of displacement. Cost savings for the
6 city, preventing evictions through legal representation
7 reduces reliance on homeless shelters and other city-
8 funded services. Studies have shown that every dollar
9 invested in Right-to-Counsel saves the city multiple
10 dollars in avoided costs related to homelessness.
11 Preservation of communities. Evictions disproportionately
12 affect vulnerable populations, particularly in
13 neighborhoods already grappling with gentrification and
14 housing instability. By keeping tenants in their homes,
15 Right-to-Counsel helps preserve the cultural and economic
16 diversity that makes our city unique. However, the
17 success of Right-to-Counsel hinges on adequate funding and
18 expansion. As the housing crisis deepens, the demand for
19 legal assistance continues to grow. Without sufficient
20 resources, the program risks being overwhelmed, leaving
21 tenants unprotected. I urge this body to reaffirm its
22 commitment to the Right-to-Counsel by ensuring robust
23 funding and expanding eligibility to reach all tenants at
24 risk of eviction, regardless of income or ZIP code.
25 Housing is a human right, and Right-to-Counsel is a proven

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1 tool to uphold the right for all New Yorkers. Thank you
2 for your opportunity to testify today. I'm happy to, you
3 know, whatever. So, aside from that, right, that's what I
4 wrote. I have no doubt, I'm a single father of a severely
5 autistic 16-year-old, nonverbal (inaudible), really low on
6 that spectrum. I would be homeless without a lawyer.
7 Luckily, I was able to find a lawyer from TakeRoot, and if
8 not, I would be homeless. And as I've gotten involved in
9 this, involved with the Right-to-Counsel Coalition or
10 whatever, we do the court watches or whatever. When you
11 go to the court watches and you see the desperate faces of
12 people that are just scared, like people, unless you're a
13 criminal, right? You're involved with criminal court,
14 their most consequential, their scariest moment is going
15 to a housing court, that they might walk out of there, you
16 know, with an eviction. So like, they deserve a lawyer.
17 Everybody really, really -- when you're in that situation,
18 like you go in there, you're scared. And even though
19 we're not lawyers, and we just give them a little
20 information, and you see how they feel a little, because
21 you're there, you go by yourself, and you're scared, and
22 it -- and I don't even know what else to say, it's just --

23 MS. MEDLEY: 30 seconds.

24 MR. LAVAN: You know, they have the lawyers,
25 landlords have the best lawyers in the business, and

1 tenants need a fighting chance, they need to be able to --
2 and it just -- like I said before, it saves the city money
3 in the long run and everything. So yeah, that's it, \$350
4 million at least, and please, expand the program. Thank
5 you.

6 MS. MEDLEY: Thank you. I have a phone number,
7 1 (929) 490-4614, (929) 490-4614. To unmute yourself, I
8 believe it's star six, is that right, star six?

9 MS. WERTZ: Yes, go ahead. We see you're
10 unmuted, go ahead.

11 FEMALE VOICE 5: Sorry, hopefully you can hear
12 me. I'm a resident of Woodside, Queens, and a tenant of a
13 building that is being run by a landlord that is like many
14 of the landlords described by many of the speakers today.
15 Somebody who refuses to do repairs, and practices really
16 shady communication, and without the programs that --
17 like, I'm struggling with wording today. But like the
18 program that provides, what's it called? Counsel?
19 Apologies for my memory. This is an invaluable program,
20 and it should definitely be funded. Myself was the child
21 of somebody who received support from such a program when
22 I was much younger. My mother did not speak English, she
23 could not read English, and she was given an eviction
24 notice by her landlord, and so this program really is
25 invaluable. Without it, we would have been kicked out,

1 without due -- without what I consider to be due process.
2 And that is, you know, crazy, and kind of low-key and
3 inhumane. But like some of the other folks in this
4 meeting have echoed, you know, lawyers are overworked,
5 underpaid. People who run this program are also
6 overworked and underpaid, and so I'm supporting, you know,
7 more funding for these folks to do the good work that they
8 do. And with that, I think I'm -- that's my statement.
9 Thank you very much.

10 MS. MEDLEY: Thank you. And I want to remind
11 people that we have Spanish, French, and Mandarin
12 interpreters available in breakout rooms so that you can
13 go to the room if you prefer to receive that translation
14 for the meeting. Next, we have Jeanette Prince
15 [phonetic], and this is Flatbush Tenant Coalition. As you
16 can see, I have Jeanette Prince, Walter McQueen, Gordon
17 Lee, and I have other names, but I'll start with those at
18 Flatbush. Go ahead.

19 MS. SABRINA: Hi, my name is Sabrina. I'm an
20 organizer with the Flatbush Tenant Coalition. I'm reading
21 on behalf of Jeanette Prince, who is here, but lost her
22 voice, but she typed up her speech. My experience in
23 housing court with Flatbush Gardens was very confusing. I
24 became disabled because of COVID, and at the beginning of
25 my court case, my health was at its worst point. I could

1 not make it to my court date and just wanted it done, but
2 when I was called back to court in October and was told
3 the arrears, they weren't telling me. It made sense.
4 Their breakdown was confusing. It included non-mercantile
5 charges that were not consistently charged. I was being
6 charged for repairs and other amounts that I didn't
7 understand, and it didn't add up. That day, they also
8 tried to add my son's name onto the stipulation despite no
9 other housing papers having their name, and my son had not
10 been involved in the court proceeds -- in the court
11 process at all. Outside of housing court, Flatbush
12 Gardens also makes life confusing and stressful.
13 Recently, they sent me a new lease and had increased my
14 rent and ignored my preferential rent. So I had -- as I
15 was seeing a huge increase, I had no idea this was even an
16 issue until I applied for DRIE, and they noticed it.
17 After speaking with them, they said many people had this
18 issue, yet they had made no effort to tell their tenants
19 that there was an issue. At one point, one of the
20 managers said that she would bring the lease directly to
21 me, and I waited all day, and they never showed up. When
22 I tried to have the service rescheduled, they said that
23 they would charge me \$200 for it, which made no sense as
24 she said, and it was a service that they were supposed to
25 provide for free. After a lot of pushing, I finally

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1 received my lease, though it was still slightly incorrect,
2 but we were able to get it approved by DRIE. But this is
3 one of the examples of how inconsistent and confusing
4 their practices are. So I'm going to pass this to Gordon.

5 MR. GORDON LEE: Good night, ladies and
6 gentlemen. I am Mr. Gordon Lee. I'm with all the groups,
7 with the Flatbush Tenant Coalition, Right-to-Counsel, Met
8 Coalition, CASA, and Policy Justice, you know, and others,
9 because I want to fight for all causes. For other --

10 MS. MEDLEY: Gordon, we're having problems
11 hearing you. Oh, you're frozen now, I think. Okay, we
12 can hear you again.

13 MR. LEE: I'm Gordon Lee, or you can also call
14 me Gord. I'm with all groups. This one, the Flatbush
15 Tenant Coalition, CASA, right? I want to fight for all
16 causes. Nobody's (inaudible) born under the midst of the
17 presidency, June 20 -- [Break in Audio] And now I've --
18 thank goodness, well, I've had experience in housing
19 court, as you can hear, and tenants are now required to
20 represent themselves, and only landlords can have Right-
21 to-Counsel and so -- and Right-to-Counsel is to help
22 tenants keep people in their home. For now, it's been
23 rolled back. Tenants can no longer have it. Tenants are
24 at high risk of becoming homeless if they, if they're due
25 to be evicted or vacated. And it's also partially because

1 of ever-rising rent hikes, and I'm hearing it's only going
2 to get much higher, much faster, and when we don't get our
3 money's worth. In the dead of winter, when it's in
4 dangerous cold weather, I often don't get heat. I get it
5 once in a while, but I usually don't. And as you've been
6 hearing, that being evicted, becoming homeless, you know,
7 it's a hardship in many ways, many ways, partially for
8 public safety reasons. I've been following the news, and
9 they have been saying that homeless people and tenants who
10 get evicted are faced with rent increases, and get
11 evicted, and they deny their Right-to-Counsel. Criminals
12 set fire to them on the train, and they blame homeless
13 people and tenants for the homeless crisis, while it's the
14 landlords who are creating the homeless crisis with the
15 evictions and the rent hikes, but the landlords are
16 getting rewarded. They get rich. And another problem is
17 I have all this rage, and I don't have words for it. I
18 don't know what to do with it, except things that nobody
19 would like. You know, I have a --

20 MS. MEDLEY: 30 seconds.

21 MR. LEE: I have a mental health history. Part
22 of it is emotional losses. Again, you know, I have rage
23 about this. I don't have words for it. I don't know what
24 to do with it. Like I just said, the hardships of being
25 denied Right-to-Counsel, facing rent hikes, evictions,

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1 future homelessness, the hardships of it. Again -- huh?

2 FEMALE VOICE 6: Are you finishing?

3 MR. LEE: Yeah. Not only do the criminals in
4 the street blame tenants and homeless people for the
5 homeless crisis, but when it's the landlords, they punish
6 us with cruelty, brutality, hate, vengeful behavior. To
7 me, that's close to (inaudible), and I'm serious when I
8 say I don't have the patience of neither one of them.

9 MS. MEDLEY: Time.

10 MR. LEE: Thanks for listening. Good night.

11 MS. MEDLEY: Thank you, Gordon.

12 TENANTS: Hey, hey, ho, ho. All evictions have
13 got to go. Hey, hey, ho, ho. All evictions have got to
14 go. Hey, hey, ho, ho. All evictions have got to go.
15 Hey, hey, ho, ho. All evictions have got to go.

16 MS. MEDLEY: Thank you. We have William
17 Bershadsky, Cynthia Gowen [phonetic].

18 MR. WILLIAM BERSHADSKY: Hi, I'm William. I'm
19 with (inaudible) Coalition. I've been listening to
20 everybody testify for the last two hours. We all have
21 something in common, is that we're all being abused by the
22 system. The tenants are being abused. The legal aides
23 are being abused. OCJ is being abused. Everybody's being
24 abused by the system. I came up -- I brainstormed some
25 ideas. I actually came up with a couple of ideas that can

1 solve all of our problems. I would like to call for an
2 in-person meeting with everybody that testified today to
3 brainstorm other solutions to our common problems. And if
4 Ms. Medley could organize an in-person meeting of
5 everybody that testified to brainstorm different solutions
6 to our problems, I think we can resolve all of our issues.
7 Thank you for listening.

8 FEMALE VOICE 1: Thank you, William. Good job,
9 William.

10 TENANTS: Everywhere we go. People want to
11 know. Who we are. So we tell them. We're are the
12 tenants. (Inaudible) tenants.

13 MS. CYNTHIA GOWEN: Hi, good evening, everyone.
14 My name is Cynthia. And I just want to say that it is
15 very important that we, the people, the tenants, get the
16 funding that's necessary. It's also supportive for the
17 attorneys as well. We need them as a tenant, as a
18 resident of New York City, all my life. Having a few run-
19 ins here and there, you just don't know where life is
20 going to take you at times, and representation is
21 extremely important. The support is needed by the
22 attorneys. The option to be able to seek advisory and
23 have time to do so is also very important. Excuse me. I
24 got a little nervous, so excuse me again. Yeah, just the
25 funding is important. We need the support. Tenants need

1 the support. New York City needs the support. It keeps
2 everything flowing. We know 2020, with the lockdown and
3 everything transpiring, made a lot of things just spiral
4 out of control, but we need to take initiative again and
5 slow it down a bit to support the people of New York City
6 moving forward. I hope that made sense.

7 MS. MEDLEY: Yes, thank you.

8 MS. GOWEN: Thank you.

9 TENANTS: Everywhere we go. People want to
10 know. Who we are. So we tell them. We are the tenants.
11 Fighting my tenants. Fighting for justice and ending
12 evictions. Ending the evictions. (Inaudible).

13 FEMALE VOICE 7: Thank you.

14 FEMALE VOICE 1: Thank you.

15 MS. MEDLEY: Thank you. We have a few names
16 that were called. Folks weren't able to respond at the
17 time, so I'm just going to call some of those names.
18 We'll call those names now. Isaac Adlerstein [phonetic]
19 or Adlerstein? Lola Omoyosi? Marcel Smith? Hal
20 Bergold? Loretta Humphrey? Sean Connolly? Sarah
21 Delaney? Juan Espinosa?

22 MR. HAL BERGOLD: This is Hal from CASA. Some
23 of these folks have already testified. Do you want do --

24 MS. MEDLEY: Okay. That's fine. Thank you,
25 Hal. We were keeping track best we could, but we just

1 wanted to make sure that we were inclusive. Sabrina
2 Ortiz?

3 MR. BERGOLD: She didn't make it on the Zoom.

4 MS. MEDLEY: Okay. Julius Bennett?

5 MR. BERGOLD: Didn't make it on the Zoom.

6 MS. MEDLEY: Okay. I see you all wrapping up.
7 I don't know if Walter McQueen is still there or if you
8 are concluding?

9 MS. SABRINA: Walter will be submitting his
10 testimony in writing.

11 MS. MEDLEY: Understood. Thank you. All right.
12 If there's anyone else who's online who would like to
13 speak, I see Kiara Santiago.

14 MS. KIARA SANTIAGO: Yes, hi, everybody. My
15 name is Kiara Santiago and I'm the benefits advocate for
16 the Right to counsel team at the Bronx Defenders. I see
17 many families who are going through a vicious cycle. It's
18 a cycle of uncertainty, lack of direction, victims to
19 predatory practices from landlords, and many of these
20 families are working multiple jobs and weekends meet to
21 catch up on rent, exhausted, and responsible for so many
22 things in their lives. These are the same people that are
23 expected to answer to a 14-day notice, and are expected to
24 handle a case that sometimes are so complex and require
25 all hands on deck. Right-to-Counsel is essential to give

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1 power back to the community. This power is the power
2 that's taken away with lack of information, with
3 landlords, attorneys imposing the power and misleading
4 folks to succumb to their will and with eviction and
5 ownership, this power can be given back to the community
6 by equipping them with the Right-to-Counsel that what is
7 proven to inform, empower, sustain, and rise, and it's
8 something that should definitely be taken into
9 consideration. Thank you.

10 MS. MEDLEY: Thank you. Adeleke [phonetic]? I
11 apologize if I did not pronounce your name correctly.

12 MS. ADELEKE: You said it correctly. Someone is
13 actually sending me their testimony by email and I want to
14 read it. So give me a moment to just get it.

15 MS. MEDLEY: Sure. Adeleke, you know you're on
16 mute. Just I didn't know if you were speaking with the
17 person who's gonna give you --

18 MS. ADELEKE: No. I'm actually on the phone.
19 I'm actually going to say it right now.

20 MS. MEDLEY: Okay.

21 MS. ADELEKE: I just received this email.
22 Sorry, I just wanted to --

23 MS. MEDLEY: No, I just thought you -- I figured
24 you were aware, but I wanted to make sure.

25 MS. ADELEKE: Hey, he just emailed, but he

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1 didn't attach it. So give me more time. Sorry.

2 MS. MEDLEY: Is there anyone else just while we
3 wait for this testimony to be shared?

4 FEMALE VOICE 8: Yes.

5 MS. MEDLEY: Is that CASA saying someone else if
6 that's the case?

7 FEMALE VOICE 8: Yes.

8 MS. MEDLEY: Go ahead. Go right ahead. You're
9 off camera, so we can't see you. So you can go ahead and
10 start speaking. That's fine. We just -- I just can't see
11 you.

12 FEMALE VOICE 8: All right. I just wanted to
13 say that I just have two quotes that I just want to leave
14 us with, right? So this is Dr. Martin Luther King, right?
15 The Rev. Dr. Martin Luther King says, the arc of the moral
16 universe is long, but it bends towards justice. Change
17 takes a long time, but it does happen. So let's not make
18 change take that long. Let's make it happen, okay? We
19 need to have that. And I also think that when we have --
20 the next time we do this O-- excuse me. When we do this
21 next OJC -- OCJ, and it might be best if we are able to do
22 it in person? You know, I think that it'll be better
23 served if we can see one another better and have more
24 impact, more impactful, okay? You know? We can't wait
25 too long because justice delayed is justice denied, all

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1 right? So we thank you for all that you're doing, but we
2 just want to move on this because you can hear so many
3 people really need Right-to-Counsel, so many facts, so
4 many ways, all right?

5 MS. MEDLEY: Okay.

6 FEMALE VOICE 8: And the Bronx is the last
7 frontier of gentrification, so they're hitting us hard.
8 We don't want that. We need to keep our communities
9 strong. We need to keep all our elders here in place so
10 they can help the next wave grow, the next generation grow
11 in the right way. Thank you, and have a blessed night.

12 MS. MEDLEY: Thank you. You as well.

13 FEMALE VOICE 8: Thank you.

14 MR. BERGOLD: And I can read the testimony that
15 Adeleke was trying to get.

16 MS. MEDLEY: That's fine. However you all want
17 to move forward, that's fine.

18 MR. BERGOLD: Okay, this is on behalf of Fitzroy
19 A. Christian. My name is Fitzroy Christian, and I'm a
20 tenant residing in a rent-stabilized building in the
21 Bronx. I'm a member of and tenant leader at CASA,
22 Community Action for State Departments, and a now-retired
23 paralegal advocate for tenants in New York City. In both
24 of those capacities, I witnessed the high pre-2017 volume
25 of evictions and displacements that occurred because most

1 tenants, less than 10%, did not have access to legal
2 representation in housing courts, did not know they had
3 rights they could assert, were intimidated by the
4 aggression of the landlord's attorneys, and overawed by
5 the court itself and their shafts, were mostly unhelpful
6 and at times blatantly anti-tenant. Then came the passage
7 of Right-to-Counsel legislation in 2017 during the
8 administration of former mayor, Bill de Blasio, that
9 provided legal representation for tenants meeting certain
10 criteria and were facing eviction in housing courts.
11 Almost immediately, we witnessed an almost complete
12 reversal of outcomes in eviction cases in housing courts,
13 where more than 80% of tenants who prior to Right-to-
14 Counsel would have been evicted were able to stay in their
15 homes because of full representation by an attorney. In
16 addition, New York City also saw a median savings of more
17 than \$200 million annually with the implementation of RTC.
18 Today, we are almost all the way back to the bad old days
19 of five-minute justice in housing courts, with the
20 resulting massive increase of evictions and explosions of
21 homelessness. Housing Court is now again the landlord's
22 eviction bill and collection agency, all because of you,
23 the Office of Civil Justice, in complicity with the
24 state's Office of Court Administration. Both of you have
25 become the major obstacles in the full implementation of

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1 the Right-to-Counsel Housing Court in New York City. It
2 is not difficult to understand why you refuse to accept
3 the intended name of Right-to-Counsel, but use the name
4 Universal Access to Counsel as a system that has the OCJ
5 as gatekeepers, with full control of access to the
6 resources mandated by the RTC legislation. The scant
7 couple of minutes allocated to us, tenants, and members of
8 the public to address this hearing does not allow for a
9 detailed discussion of the many ways the OCJ and OCA have
10 intentionally sabotaged the full and proper implementation
11 of the Right-to-Counsel laws. But I can and will say
12 this. The OCJ, headed by the state's Chief Justice, is
13 responsible for ensuring the application of justice
14 throughout all the courts in New York State. Here we are
15 witnessing and enduring the execution of justice, pun
16 intended, by the OCA. And I say shame, shame, shame.
17 This is not what the phrase justice is lying here. You,
18 the OCJ, with your increasing bureaucratization of the
19 process of providing funding and other resources to enable
20 the proper application of Right-to-Counsel, what with your
21 progressively burdensome paperwork demanded and reluctance
22 to properly fund the critical need for housing attorneys,
23 has become the major obstacle to the full implementation
24 of the RTC process.

25 MS. MEDLEY: 30 seconds.

1 MR. BERGOLD: The hearing today is a part of it.
2 It serves only to meet the legislative requirements of an
3 annual hearing at which members of the public have an
4 opportunity to contribute to the RTC process. But as has
5 happened each year since the first hearing in 2018, the
6 testimonies of the public and the voices of the tenants
7 have been ignored and will again be ignored. I'm calling
8 on you, OCJ, to reconsider your approach to the
9 fulfillment of the RTC mandate. Because of you, tens of
10 thousands of households have been displaced, tens of
11 thousands of families have been devastated, and tens of
12 thousands of children have been traumatized and will carry
13 the scars of homelessness well into their future. Enough
14 is enough. Do the right thing. Make RTC the right it was
15 designed and intended to be. Make it possible for the
16 poorer folks of the city to have an opportunity to remain
17 in the city they built and not be chased out because of
18 the greed of predatory landlords with their full
19 assistance. Housing is a human right. The Right-to-
20 Counsel is the way to make it this well. Thank you.

21 FEMALE VOICE 1: Make that Right-to-Counsel a
22 reality for all. Well said, well said.

23 MS. MEDLEY: Thank you. We have exhausted our
24 speakers list. Seeing no additional names, I just want to
25 check to see if there's anyone else in the room who would

1 like to speak. Seeing none, I just want to again thank
2 you all for your time and your attention, your commitment,
3 dedication to this cause, to the work. Also want to give
4 another shout out again to the team at ORIA who you heard
5 and the translators that you heard and Cheryl and Carolyn
6 and all of our translators, the team who's here with me
7 this evening and our staff and team who have joined us
8 online, Shaquanna, Alicia, we also had some of our
9 partners from other city agencies who've joined as well.
10 So really just want to thank you all for being here.
11 Thank you all for participating in this process. And
12 again, this transcript -- a transcript of this and a
13 recording of this will be made available on the OCJ
14 website and we will also post the written testimony that
15 was received. Thank you all and enjoy your evening.

16 (Proceeding Concluded.)
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I, Gia Maria Mayol, certify that the foregoing transcript of proceedings in the New York City DSS Office of Legal Affairs, County of New York, Office Of Civil Justice Universal Access Public Hearing, was prepared using the required transcription equipment and is a true and accurate record of the proceedings.



01/31/2025

Edited for accuracy



Gabrielle Atkinson 2/5/2025