

**NYS Senate and Assembly Joint Legislative Budget Hearing on Housing
Testimony on Funding for a Statewide Right to Counsel (A1493/S2721)
March 1, 2023**

We are five full-service fair housing organizations operating in regions across New York State, undersigned below. Our work gives us firsthand experience with the ways that policy can either impede or further the goal of fair housing for all. We support policies and programs that aim to eliminate discrimination, fortify fair housing laws, and cultivate accessible and inclusive communities.

In 2017, the [Right to Counsel NYC Coalition](#) won the campaign to establish a Right to Counsel for tenants facing eviction in New York City. The coalition is now working with over 100 statewide partners to pass a Right to Counsel for ALL New Yorkers and transform housing court from an “eviction machine” to a place that holds landlords accountable, upholds tenants’ rights, and enables tenants to remain in their homes. The campaign collectively represents tens of thousands of tenants across New York State and is honored to be working on permanent and transformative solutions to New York’s eviction crisis. Our statewide Right to Counsel legislation (A1493/S2721), introduced by Assembly Member Latoya Joyner and Senator Rachel May, would ensure that every tenant in New York State has the right to a lawyer when facing an eviction and:

- Covers every tenant across the state, regardless of income.
- Covers any legal proceeding that could result in a tenant losing their home.
- Requires that tenants be represented throughout their entire case, not just when they show up in court. This includes legal advice, advocacy, and assistance.
- Requires the State to contract with non-profit legal services organizations to provide Right to Counsel and with non-profit community-based organizations to provide tenants’ rights education and tenant organizing.

New York State’s eviction crisis will only get worse if we don’t enact solutions that strengthen tenants’ rights, prevent systemic discrimination, and empower tenants to fight for their homes. Passing and funding statewide Right to Counsel would do just that. Right to Counsel is proven to prevent displacement – 84 percent of tenants in New York City who had a Right to Counsel lawyer won their case, and the seven U.S. cities that passed Right to Counsel as of 2021 have seen up to a 77 percent reduction in evictions. Right to Counsel is critical to upholding ALL tenants’ rights: without an attorney, it’s much harder for tenants to raise available defenses and ensure all their rights are respected in their homes and in the courts. Finally, we know that keeping people in their homes is vastly less expensive than the state having to pick up care for people who become homeless. Statewide Right to Counsel will save our state an estimated \$3-6 for every dollar invested!

To comprehensively transform our court system and keep New York tenants in their homes and in New York, we need a fully funded Statewide Right to Counsel. The [budget proposal](#) lays out the need, in the FY 2024 budget, for \$172 million that will enable the first year of Statewide Right to Counsel’s implementation. There are many reasons why this funding is critical, one being the disparate eviction filings conducted by landlords, which perpetuate many types of systemic discrimination. [Black and Hispanic women](#), people with disabilities, residents with low incomes and/or housing vouchers, and families with children [see higher filing](#) rates. Evictions are detrimental



to one's well-being as they create housing instability. Involuntary displacement, substandard living conditions, adverse physical and mental health outcomes, homelessness, and school and job instability have all been linked to evictions.

Evictions are impacting families with children at a higher rate. According to the [State Comptroller](#), poverty rates are much higher for children than adults. Evictions lead families into the shelter system adding to the [homelessness](#) crisis. According to [CSS](#), twenty-three percent of families with kids under 18 faced evictions in 2022. Families with children under 18 account for nearly half of all attempted evictions in New York City, despite making up only 28 percent of households. We know this issue goes beyond the city, affecting many families across the state.

Evictions can also [create barriers to accessing another unit](#), as it negatively impacts a person's credit history, which we, as fair housing experts, recognize as a current barrier to housing for New Yorkers, particularly families with children, women, people of color, and amongst others as there are no statewide protections against this type of discrimination. Access to housing is a human right. New Yorkers deserve housing security, and RTC will provide a line of defense in upholding equity in the housing market.

New York's legislature must recognize that RTC will fortify housing protections for these vulnerable populations. We urge you to support the total funding and passage of the Right to Counsel in the budget this year. As a society, we cannot stand by any longer while New Yorkers and their families are forced into a confusing, overwhelming, and traumatizing court system without counsel by their side. No one should face something as devastating as eviction without even the most basic right to representation. Establishing this right will keep New Yorkers in their homes, prevent long-lasting harm to our families and communities, and save our state money. Our state has every reason to pass and fund A1493/S2721 in the budget this year, and we count on your leadership to ensure this happens.

Signed,

[Fair Housing Justice Center](#)
[Westchester Residential Opportunities](#)
[Long Island Housing Services](#)
[Housing Opportunities Made Equal \(of Buffalo\)](#)
[CNY Fair Housing](#)

