



HUDSON VALLEY JUSTICE CENTER

March 1, 2023

**Statement to the New York State Legislature’s Joint Legislative Housing Budget Hearing
New York Tenants Have Struggled for Years. Help them Stay in their Homes by
Passing Good Cause Eviction, The Housing Voucher Access Plan and Funding a Right
to Counsel in Eviction Proceedings.**

Hudson Valley Justice Center, Inc. (HVJC) provides free legal services to disadvantaged residents of the Hudson Valley, regardless of immigration status. HVJC is currently the only office in the region representing undocumented tenants in eviction proceedings.

The rate of eviction filings north of New York City was shocking before the pandemic. Comparing the number of tenant households in the largest cities north of New York City (according to US Census data) to the eviction filings in the corresponding City Courts (according to OCA’s eviction dashboard, <https://ww2.nycourts.gov/lt-evictions-33576>), we find *one eviction filing for every eight* tenant households.

City	Total number of rental units in 2019, according to the US Census 2019 ACS 1-Year Estimates Date Profiles	Source:	Eviction filings in these City Courts in 2019, according to OCA	Percentage of total number of eviction filings to total number of tenant households in 2019	Ratio
Albany	25410	https://data.census.gov/cedsci/table?q=dp04&g=1600000US3601000&tid=ACSDP1Y2019.DP04	4112	16.18	1 in 6
Buffalo	64896	https://data.census.gov/cedsci/table?q=dp04&g=1600000US3611000&tid=ACSDP1Y2019.DP04	9016	13.89	1 in 8
Mount Vernon	13485	https://data.census.gov/cedsci/table?q=dp04&g=1600000US3649121	2373	17.5	1 in 6
New Rochelle	16505	https://data.census.gov/cedsci/table?q=dp04&g=1600000US3650617&tid=ACSDP1Y2019.DP04	902	5.46	1 in 20
Poughkeepsie	8695	https://data.census.gov/table?q=dp04&g=0600000US3602759641_1600000US3659641	1562	17.96	1 in 6
Rochester	56605	https://data.census.gov/cedsci/table?q=dp04&g=1600000US3663000&tid=ACSDP1Y2019.DP04	7353	12.99	1 in 8

Schenectady	15988	https://data.census.gov/cedsci/table?q=dp04&g=1600000US3665508&tid=ACSDP1Y2019.DP04	2139	13.37	1 in 8
Syracuse	34390	https://data.census.gov/cedsci/table?q=dp04&g=1600000US3673000&tid=ACSDP1Y2019.DP04	3893	11.32	1 in 9
Yonkers	40988	https://data.census.gov/cedsci/table?q=dp04&g=1600000US3684000&tid=ACSDP1Y2019.DP04	5146	12.55	1 in 8
Totals	276962		36496	13.02	1 in 8

New York's ERAP program prevented many pandemic-related evictions, but the Legislature cannot allow a return to this the pre-pandemic status quo.

The Legislature is obviously aware of this problem, as it passed important and meaningful tenant protections in recent years. The 2019 Housing Stability and Tenant Protection Act offered new protections to tenants throughout New York. The Tenant Safe Harbor Act protected tenants who fell behind during the Pandemic, and the Tenant Dignity and Safe Housing Act will allow tenants to affirmatively bring delinquent landlords to housing court. Hopefully, the legislature will soon prohibit evictions without good cause.

Unfortunately, few of these laws will protect tenants without attorneys. Landlord-tenant law is an incredibly complex and fast-paced area of practice, which is challenging for experienced attorneys and even judges. As it is, tenants are outmatched. The vast majority of landlords are represented by attorneys, while less than 10% of tenants are represented. This often means tenants are unable to assert the protections the Legislature intended.

Studies have repeatedly shown¹ that legal representation decreases evictions, and that right to counsel programs often pay for themselves, in the form of cost-offsets.²

Fund Services Essential for Low Income Tenants and Homeowners

HVJC is a member of the Legal Services Access Alliance and supports the Alliance in **requesting continued support for the \$35 million for the legal representation for eviction services initiative** and **the addition of \$40 million for the Homeowners Protection Program (HOPP)** in the 2023-2023 enacted NYS budget.

HVJC urges the Legislature to **prohibit eviction without good cause** (S2892B/A5030B), to **fund a housing access voucher program** (S7628A/A9657), and to **fund a right to counsel in eviction proceedings** (S2721/A1493) to provide additional protections for vulnerable New Yorkers.

¹<https://www.stout.com/en/services/transformation-change-consulting/eviction-right-to-counsel-resources#collapseOne>; <https://www.amny.com/real-estate/staying-home-nyc-evictions-down-nearly-20-after-tenant-laws-enacted/>; <https://www.cssny.org/news/entry/right-to-counsel-and-stronger-rent-laws-helped-reduce-evictions-in-2019>

²https://www2.nycbar.org/pdf/report/uploads/SRR_Report_Financial_Cost_and_Benefits_of_Establishing_a_Right_to_Counsel_in_Eviction_Proceedings.pdf

Additional Budget Request

HVJC has expanded significantly in recent years, adding nine new full time staff positions, opening a second office in Orange County, and relocating our Westchester Office to a larger space. With this increase in staff, we served significantly more clients. From January 1, 2022 to December 31, 2022, our agency handled 626 cases benefitting the lives of 1,747 individuals, which is a significant increase over the 250 cases handled and 769 individuals benefitted the previous year. HVJC will also open a new office in Yonkers this spring, further expanding access to civil legal representation in Westchester.

Naturally, such expansion brings additional administrative burdens, including benefits management, payroll, invoicing, infrastructure maintenance, and a myriad of other perhaps unglamorous but absolutely indispensable tasks that must be accomplished before our attorneys can even begin to do their jobs. This essential work does not always receive the credit it deserves, but it must be done—and it must be funded.

For this reason, HVJC requests \$300,000.00 to hire two full-time administrative professionals, and a part-time assistant. These professionals will manage our various necessary accounts and services—for example, accounts needed for legal research, case management, and professional licensing obligations, as well as payroll, invoicing and other human resources needs. This administrative investment will streamline certain agency operations, and provide the office with resources to address the inevitable turnover and recruitment issues that accompanies growth.

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