

Joint Legislative Budget Hearing on Housing
March 1, 2023

North West Bronx Community & Clergy Coalition's testimony on Funding for a Statewide Right to Counsel (S2721/A1493)

North West Bronx Community Coalition is a proud member of the movement for Statewide Right to Counsel.

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. North West Bronx and Clergy coalition (NWBCCC) is a member-led, grassroots organization fighting for racial and economic justice in the Bronx.

We and other members of the Housing Courts Must Change! campaign collectively represent tens of thousands of tenants across New York State and are honored to be working on permanent and transformative solutions to New York's eviction crisis. Our statewide Right to Counsel legislation (S2721/A1493), 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 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. In fact, 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. Our [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. We need this funding because communities are being displaced at alarming rates because they are unable to defend themselves in housing court. Tenants should be able to find legal counsel when they have court dates to explore the full spectrum of their options. While many tenants facing eviction in NYC have a Right to Counsel already, the NYC Right to Counsel law currently does not cover everyone, such as the [thousands of families at risk of eviction](#) with incomes above 200 percent of the federal poverty line, nor does it cover all the types of cases through which a person might be evicted and displaced. NYC residents also need a Statewide Right to Counsel to ensure courts honor NYC's RTC law. Currently, 17,000 tenants are being denied their legal right to a lawyer because courts are pushing cases through housing court at a rate outpacing the capacity of RTC legal services providers. Passing Statewide Right to Counsel will alleviate this crisis by mandating that courts participate in upholding tenants' rights and match the pace of cases to attorney capacity.

We urge you to support the full funding and passage of Right to Counsel in the budget this year. As a society, we cannot stand by any longer while New Yorkers are forced into a confusing, overwhelming and traumatizing court system without counsel by their side. No one should have to face something as devastating as eviction without even the most basic right to representation. We know that establishing this right will keep New Yorkers in their homes, prevent an array of long-lasting harms to our families and communities, and save our state money. Our state has every reason to pass and fund S2721/A1493 in the budget this year, and we count on your leadership to ensure this happens.

Corine Ombongo -Golden
Mildred Hernandez
North West Bronx Community & Clergy Coalition