



MSCC

331 West 38th Street
New York, NY, 10018

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Joint Legislative Budget Hearing on Housing February 14, 2024

**Midtown South Community Council Testimony on Urgent Need to Fund and Pass
Statewide Right to Counsel (S2721)**

Midtown South Community Council (MSCC) is a proud member of the Right to Counsel (RTC) Coalition, a collective of various groups working to ensure that all New Yorkers have access to legal representation when facing eviction from their homes. MSCC's mission is to address the root causes of homelessness and create a fair and sustainable social infrastructure that provides dignity, health, and housing for all. We envision a city where homelessness and poverty are eliminated. And it is for this reason we and the members of our Housing Courts Must Change! Campaign collectively represents tens of thousands of tenants across New York State, ensuring people stay in their homes. We are honored to work on permanent and transformative solutions to New York's eviction crisis.

Established in 1983, MSCC's 501c3 focuses on improving the quality of life for residents, businesses, and visitors in Manhattan's midtown neighborhood, specifically from 29th Street to 45th Street and 9th to Lexington Avenues. Since 2016, MSCC has expanded its work to other communities in New York City thanks to its reputation and networks. As an organization with a visionary approach, we strive to unite people, advocate for better housing and healthcare access, and improve overall quality of life. By providing valuable services and empowering individuals to reach their full potential, MSCC aims to create positive change.

The historic passage in 2017 of New York City's Right to Counsel law made NYC the first place in the nation to establish a Right to Counsel for tenants facing eviction. It inspired a movement across the country, which has now seen counties win a Right to Counsel, including Westchester County, in 2023. The statistics speak for themselves: 84% of NYC tenants with a Right to Counsel lawyer have won their case and been able to remain in their homes, and default evictions, as well as eviction filings, have dropped dramatically. San Francisco saw a 10% drop in eviction filing rates in just one year after passing a universal RTC, and two-thirds of all represented tenants could remain in their homes. Cleveland found that within the first six months of having a Right to Counsel, 93% of tenants with a Right to Counsel lawyer avoided eviction or an involuntary move.

Right to Counsel works. It's a solution with a proven track record of success everywhere it's passed. Yet, while New York City led this charge, most New Yorkers still lack this fundamental right. And with landlords suing over 175,000 New Yorkers for eviction, New York State needs Right to Counsel now more than ever. In many localities across the state, only a fraction of tenants facing eviction are represented. In Albany, for example, in 2022, less than 2% of tenants had an attorney, while most landlords were represented. This representation rate is even lower

regarding affirmative cases to protect against the neglect of repairs, harassment, or illegal lockout. Most tenants outside of New York City experience housing court as a place that *only exists to facilitate eviction—where they have little to no recourse to assert their rights, particularly their right to a safe, habitable home.*

We invite you to attend our monthly MSCC Homeless and Housing meetings to hear stories of eviction. The meetings, held since 2016, are at 9.30 am every first Tuesday on Zoom. Email hello@midtownsouthcc.org for your invitation. These meetings serve as a platform to discuss and address the pressing issues surrounding housing, evictions, and the unfortunate loss of community. Over the years, we have witnessed the devastating consequences of displacement, unemployment, and the mental health crisis that directly stem from the lack of adequate housing and widespread evictions. We must find sustainable solutions to these pressing issues.

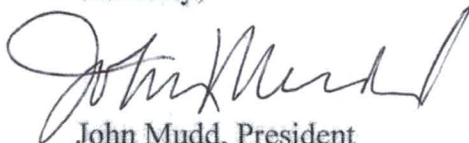
And that's why we are now fighting, with over 100 statewide partners, for a Statewide Right to Counsel. S2721, our Right to Counsel for ALL legislation introduced by Senator Rachel May, guarantees the right to a free attorney for all New Yorkers facing displacement across the state. **This year, we also request \$260 million to implement Right to Counsel.** \$260 million is the first step in empowering a wholesale change in our court system. It will allow for tens of thousands more tenants to be represented. It will equip attorneys to litigate their cases fully and help ensure long-term housing stability for tenants. It will transform legal providers' workplace conditions and help us compete nationally, attracting the next generation of civil legal talent to New York State. It will support organizers whose work is essential to ensuring tenants know their rights and how to use them. And it will establish a new state agency, the Office of Civil Representation, to oversee the Right to Counsel.

MSCC strongly urges you to support the funding and passage of Right to Counsel in the budget this year. It is unacceptable for New Yorkers to be forced into the court system without legal representation, resulting in confusion and trauma. The consequences of this injustice can be devastating and could easily be avoided by establishing this right. Providing counsel will help keep New Yorkers in their homes, prevent long-lasting harm to families and communities, and save money for the state in the long term. New York has every reason to pass and fund S2721 in the budget this year, and we rely on your leadership to ensure this vital measure becomes a reality.

By passing and funding S2721, we can achieve significant and positive changes in our community. Our team is prepared to collaborate with you and provide any necessary resources, data, or expert opinions to strengthen the case for this legislation. We are also open to discussing any concerns or questions regarding the bill.

Thank you for your attention to this matter. We greatly appreciate your support and look forward to working together for the betterment of our community.

Sincerely,



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