

Joint Legislative Budget Hearing on Housing
February 25, 2026



Testimony on Urgent Need to Pass and Fund Statewide Right to Counsel (A4669/S6772), Clean Hands (A1621/S4098),
and Winter Eviction Moratorium (A10121/S9090)

My name is Bryan Fotino, and I am a tenant organizer with Catholic Migration Services in Queens, and a Steering Committee Member with the Right to Counsel Coalition. I help organize the Bronstein Tenant Union, a collective of tenants who live in buildings owned by Bronstein Properties, LLC across Sunnyside, Queens. Many of the tenants I organize are being evicted by Bronstein and being denied repairs.

Bronstein Tenant Union

Like Pinnacle and A&E, Bronstein Properties—owned by Barry Rudofsky and Scott Silverman—has long been known as one of New York City’s most notorious landlords.

There are over 17,792 Housing Preservation and Development violations across Bronstein’s 100+ buildings and Bronstein has evicted over 197 households since 2017. In addition, some tenants at 43-09 40th St have been without gas since April 28, two fires broke out in Bronstein buildings last year, three of the supers have retaliated against tenants for organizing their buildings, and one of the supers sexually harassed tenants.

Despite years of complaints, Bronstein continues to neglect tenants’ basic housing needs while profiting from deteriorating living conditions.

One Bronstein tenant developed a bacterial infection attributed to the mold, mice, and insects present in the living space. A neighbor recounted that both the tenant and her sister suffered serious health issues, with the sister ending up in the hospital. This situation escalated to severe complications requiring her transfer to a brighter, seemingly healing room. However, an orderly discreetly informed her husband that this room was typically where patients were brought when death was imminent.

Another Bronstein tenant noted that collective action made a significant difference in their community. Residents united to go on a rent strike, organize a rally, and pressured their landlord to address their grievances by meeting them face to face. Through their efforts, they secured a modest 15% rent abatement and saw the restoration of gas services for some neighbors. Despite these small victories, she emphasized that the situation remains dire, with some apartments still lacking gas and others having serious issues like exposed pipes or lead contamination.

Another Bronstein tenant shared distressing experiences of repeated ceiling collapses, including a significant incident in her bathroom that involved an explosion of decades-old waste from the building’s plumbing system. She mentioned ongoing leaks that persisted since heavy rains months prior, with repairs still incomplete. While she expressed understanding for the elderly superintendent’s limitations—an 80-year-old expected to handle complex repairs—she criticized the landlord for failing to hire professional help, leaving the building in a state of disrepair.

The Eviction Crisis

New Yorkers have endured an eviction crisis for decades – and without state action, it will only worsen. With more than 175,000 active eviction cases statewide, nearly 160,000 people experiencing homelessness, and hundreds of thousands more at risk, evictions continue to displace families and destabilize communities every day. Evictions are not a product of individual failure – they are the result of policy choices that prioritize landlord profit over people’s right to a home. They are enforced through a court system that primarily functions as a debt collection agency for landlords and that prioritizes removing tenants rather than protecting them.

This crisis disproportionately impacts Black renters, women, and households with children, who make up nearly 40% of those facing eviction. New York must act now to stop displacement and transform the courts into a system that holds landlords accountable and keeps people housed.

Eviction case filings show how many households landlords are trying to evict. From January 1, 2020 through December 31, 2025, landlords sued nearly 850,000 households for eviction. In 2025 alone, landlords sued more than 164,000 households.

Over the last several years, at least 40 percent of marshal evictions occurred during the winter. Facing eviction in cold weather can be deadly, exposing families – especially children, elders, and people with disabilities – to extreme cold, illness, and an overcrowded shelter system

Statewide Right to Counsel (A4669/S6772)

In 2017, we won our campaign to establish a Right to Counsel for tenants facing eviction in New York City. After this historic victory, 84% of tenants with an RTC lawyer have won their case and been able to remain in their homes. Evictions across the city are down by nearly 40%; landlords are suing tenants 30% less, and defaults dropped by more than 30%, which means more tenants are showing up in Housing Court to fight their cases. And we launched a nationwide movement: over 20 cities, states and counties have passed RTC laws since we won in 2017, with Westchester County passing RTC last year.

But we still haven't stopped fighting, because there are tenants all across New York State who don't have a Right to Counsel. Over 175,000 tenants statewide are facing eviction. 175,000. Most of those New Yorkers will be forced to enter a system that is designed for people with attorneys, but they will navigate that system alone, without ever speaking to a lawyer. In Albany, for example, in 2022, 1.3% of tenants had an attorney, while 92-94% of landlords were represented.

All of those unrepresented tenants will have to face down their eviction alone. Often they will not even know if they had defenses to raise. They will be bullied by the landlords' lawyers, disrespected by the judges. They will lose their cases when they could've won, if they'd had an attorney—and they'll be told this is justice.

A system in which most of the defendants cannot afford representation, while most of the plaintiffs can, cannot pretend to produce respectable outcomes. And yet we are paying for this system with our tax dollars. Meanwhile, landlords are systematically exploiting this imbalance of power in the courts to make a profit, and skirt the law. Does this sound like justice? It sounds to me like eviction rates climbing. Like countless New Yorkers remaining trapped in substandard housing, with nowhere to go, and no recourse to get repairs. It sounds like families being pushed out of the neighborhoods they helped, across generations, to build, and being forced to leave this state.

Since January 2022, the state court system has failed to uphold New York City's Right To Counsel law, prioritizing clearing court dockets over enforcing tenants' legal rights. As a result, more than 110,000 tenants and counting have faced eviction without an attorney. Only state legislation can hold courts accountable and ensure full enforcement of Right To Counsel.

We are now working with over 100 statewide partners to pass a Statewide Right to Counsel for ALL New Yorkers. A4669/S6772 would guarantee the right to a free lawyer for ALL tenants facing eviction across New York State. And we are asking \$260 million in funding this year to begin implementing this Right to Counsel statewide.

\$260 million is going to enable a wholesale change in our court system. It's going to allow for tens of thousands more tenants to be represented. It's going to equip attorneys to fully litigate their cases and help ensure long-term housing stability for tenants. It's going to transform workplace conditions for legal providers and help us to compete nationally, attracting the next generation of civil legal talent to New York State. It will support organizers who are working hard to ensure tenants know what their rights are and how to use them. And it will establish a new state agency, the Office of Civil Representation, to oversee the Right to Counsel.

Clean Hands (A1621/S4098)

Clean Hands makes it so that eviction cases may NOT proceed if any of the following are present in the tenant's apartment or common areas of the tenant's building:

- Open violations of applicable state, city, or local codes relating to housing maintenance or housing standards;
- Conditions that violate the warranty of habitability;
- Lack of heat, running water, light, electricity or adequate sewage disposal facilities, or an infestation by rodents;
- Any other condition dangerous to life, health, or safety.

Clean Hands provides tenants with new legal defenses and counterclaims to get cases dismissed or discontinued in court.

Hazardous violations are a public health crisis. Lead, leaks, mold, and pests put tenants' health and lives at risk. Poor Black and brown tenants are more likely to live in dangerous conditions, and suffer outsized negative health consequences caused by such neglect. Clean Hands will help us fight for all tenants to live in safe, habitable homes.

In NYC, in 2023, the worst 100 landlords list racked up the most HPD violations in its history: 73,866. Clean Hands would ensure that landlords are held accountable for rampant neglect!

Evictions cause long-term harm to communities. Research shows that being sued for eviction often reduces tenants' willingness to advocate for repairs and other critical needs in the future. Clean Hands will reduce eviction filings and the associated social and economic harm to our communities, and empower tenants to fight for their right to healthy living conditions.

In Albany, eviction cases can move faster than code enforcement cases, making it easier to evict tenants than get repairs done. Clean Hands would change that by requiring repairs happen before evictions can proceed.

Winter Eviction Moratorium (A10121/S9090)

The Winter Eviction Moratorium would automatically pause the execution of residential evictions statewide between November 1 and April 15, when eviction and homelessness pose the greatest risk to health and life.

Landlords are currently trying to evict more than 175,000 New Yorkers, while at least 100,000 people across the state are already unhoused, many living in shelters or on the streets. Winter evictions push families into homelessness at a time when exposure to extreme cold, overcrowded shelters, and infectious disease can be deadly, especially for children, elders, and people with disabilities. Just this week, multiple deaths linked to freezing temperatures were confirmed in New York City, with exposure playing a role in the majority of cases.

The Winter Eviction Moratorium would:

- Pause evictions during New York's coldest months while maintaining tenants' and landlords' rights;
- Protect tenants from harassment and illegal evictions during the moratorium;
- Allow tenants in non-payment cases to remain housed if they resolve their rent arrears during the moratorium period;
- Require landlords to notify tenants of the Winter Eviction Moratorium in eviction court filings.

Evictions disproportionately harm low-income women, families with children, survivors of domestic violence, and Black and brown communities. In New York City alone, families with children accounted for nearly half of attempted evictions in 2022, despite representing just over a quarter of households.

Winter evictions are especially dangerous. People forced from their homes during cold weather face increased risk of hypothermia, illness, and death, while shelter systems remain overcrowded and strained. Climate change-driven extreme weather events only heighten these risks.

Research has shown that eviction moratoria keep people housed, reduce homelessness, protect public health, and stabilize communities. By preventing displacement during the school year, the Winter Eviction Moratorium would also help keep children in their schools and minimize the trauma that eviction inflicts on families. At a time when lives are being lost to the cold, keeping people housed is an urgent public health and safety imperative.

Join our movement. Help us pass and fund our legislative platform this year. As a society, we cannot stand by any longer while New Yorkers are forced into the court system without the most basic right to representation. We know that establishing this right will keep New Yorkers in their homes, prevent the destruction of our communities, and save our state money in the long run. We are counting on your leadership to ensure that our legislative platform is passed and funded in the budget this year. Thank you.