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COMMITTEE ON GENERAL WELFARE

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON GENERAL WELFARE

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January 25, 2021  
Start: 12:07 p.m.  
Recess: 3:34 p.m.

HELD AT: REMOTE HEARING (VIRTUAL ROOM 4)

B E F O R E: Stephen T. Levin,  
Chairperson

COUNCIL MEMBERS:

- D. Diaz
- Vanessa L. Gibson
- Barry S. Grodenchik
- Brad S. Lander
- Antonio Reynoso
- Rafael Salamanca, Jr.
- Mark Treyger

A P P E A R A N C E S

Jordan Dressler  
Office of Civil Justice in the Human Resources  
Administration

Erin Drinkwater  
Deputy Commissioner Intergovernmental and  
Legislative Affairs

Bruce Jordan  
HRA's Chief Homelessness Prevention Officer

Sara Zuiderveen  
Deputy Commissioner for Prevention and Housing  
Assistance at HRA

Rebecca Klein  
Senior Policy Advisor Office of Civil Justice at  
HRA

N'jelle Murphy  
Resides at 5421 Beverly Road

Lizbeth Moscosa  
[SPEAKING IN SPANISH]

Ariel Ashtamker  
On Behalf of Communities Resist

Josefa Silva  
Director of Policy and Advocacy at WIN

Eric Lee  
Director of Policy and Planning at Homeless  
Services United

Gajtana Simonovski  
Director of the Income Support Services Unit at  
Community Services Society of New York

George Sotiroff  
Rent Stabilized Tenant

A P P E A R A N C E S (CONT.)

Rosanna Cruz  
Senior Program Director of the Benefit System  
Program at Good Shepherd Services

Jenny Laurie  
Executive Director of Housing Court Answers

Esteban Giron  
Rent Stabilized Tenant and Member of the Crown  
Heights Tenant Union

Lauren Springer  
Tenant Leader with Catholic Migration Services

Malika Conner  
Director of Organizing with the Right to Counsel  
Coalition

Laura Govan  
Rent Stabilized Tenant from the Bronx

Chaplain Sandra Mitchell  
On behalf of CASA, community new settlement  
apartments CASA Community Action for Safe  
Apartment for the Northwest Bronx Community  
Clergy Coalition

Joanne Grell  
Member of CASA and President of Buildings Tenant  
Association

Gabriela Malespin  
Housing Paralegal with New York Legal Assistance  
Group

Kathleen Brennan  
Testifying in conjunction with Ms. Malespin

Amanda Lipari  
Tenants' Rights Attorney in the Staten Island  
neighborhood office of the Legal Aid Society

Alexandra Dougherty  
Senior Staff Attorney and Policy Counsel of the  
Civil Justice Practice Brooklyn  
Defender Services

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COMMITTEE ON GENERAL WELFARE

A P P E A R A N C E S (CONT.)

Amy Kwak  
Staff Attorney in the Civil Defense Practice at  
Neighborhood Defender Service of Harlem

Towaki Komatsu

Spencer Hanvik  
Member of Counsel on Housing

1 SERGEANT JONES: PC is going.

2 SERGEANT KOTOWSKI: Cloud is started.

3 SERGEANT PEREZ: Backup is rolling.

4 SERGEANT KOTOWSKI: Sergeant Bradley, can you  
5 give us the opening please.

6 SERGEANT BRADLEY: Thanks. Good morning and  
7 welcome to today's New York City Council hearing of  
8 the Committee on General Welfare. At this time,  
9 will all panelists please turn on your video. If you  
10 wish to submit testimony, you may do so at  
11 [testimony@council.nyc.gov](mailto:testimony@council.nyc.gov). Again, that is  
12 [testimony@council.nyc.gov](mailto:testimony@council.nyc.gov).

13 Thank you for your cooperation, you may begin  
14 Chair.

15 CHAIRPERSON LEVIN: Thank you very much Sergeant.  
16 Good morning everybody and welcome to this hearing of  
17 the City Council's Committee on General Welfare.  
18 Today, the Committee will hold an oversight hearing  
19 on the city's plan for the impending lifting of the  
20 State and Federal Eviction Moratoriums that were put  
21 into place for tenants who were losing their housing  
22 during the pandemic. And the potential influx of new  
23 clients in need of social services assistance.  
24

1  
2 The Committee will also hear Intro. 2050  
3 sponsored by my colleague Council Mark Levine. The  
4 COVID crisis has underscored the importance of safe  
5 and secure housing at the Center of Disease Control  
6 issuing guidance for a nationwide eviction  
7 moratorium. It has never been more important that  
8 housing is healthcare and a human right.

9 It is both a public health and economic priority  
10 to keep people in their homes for the duration of the  
11 pandemic but the moratoriums will eventually end and  
12 we must have a plan in place to accommodate what  
13 could be a massive influx of new clients in need of  
14 assistance.

15 Prior to the pandemic, nearly half of New York  
16 City households were rent burdened. Meaning that  
17 they were paying more than 30 percent of their income  
18 program.

19 The unemployment rates have dramatically  
20 increased in the five boroughs, as they have around  
21 the country due to the economic fallout of the  
22 pandemic. The pandemic has further strained what was  
23 already a precarious situation for low income people  
24 in New York. Many of whom, will likely have no way  
25

1  
2 to remain in their homes once the moratorium has been  
3 lifted in the city, state and federal governments  
4 don't take any further actions.

5 Intro. 2050 sponsored by Council Member Mark  
6 Levine would expand the right to Counsel for tenants  
7 facing eviction proceedings citywide immediately  
8 instead of the current phase in. As the Right to  
9 Counsel program has been implemented, evictions  
10 citywide have decreased to 30 percent decline between  
11 February of 2019 to February of 2020 just before the  
12 pandemic began.

13 I want to thank all of the advocates and members  
14 of the public and those who are joining us remotely  
15 today. Thank you to the representatives from the  
16 Administration for joining us and I look forward to  
17 hearing from you on these critical issues. At this  
18 time, I would like to acknowledge my colleagues who  
19 are here today. We have been joined by Council  
20 Members Gibson, Grodenchik, Diaz, Rosenthal, Ayala,  
21 Levine and Reynoso.

22 I also want to acknowledge that Intro. 2050 is  
23 co-prime sponsored by Council Member Vanessa Gibson  
24 and also, we have been joined by Council Member Brad  
25 Lander.

1  
2 I will – before turning it over to Council Member  
3 Levine, Council Member Gibson would like to give  
4 opening statements. I would like to thank my staff  
5 who have worked on today's hearing. My Chief of  
6 Staff Jonathan Boucher, my Legislative Director  
7 Elizabeth Adams and my entire district staff who have  
8 been working on helping people navigate the system to  
9 make sure that they are getting the services that  
10 they need at this time.

11 I would also like to acknowledge my Committee  
12 Staff, Committee Staff to the General Welfare  
13 Committee Aminta Kilawan Senior Counsel, Crystal Pond  
14 Senior Policy Analyst, Natalie Omary Policy Analyst,  
15 Frank Sarno our Finance Analyst, Rose Martinez Senior  
16 Data Scientist and Nicholas Montalbano Data  
17 Scientist.

18 And with that, I will turn it over to Council  
19 Member Mark Levine for an opening statement.

20 COUNCIL MEMBER LEVINE: I apologize. Thank you  
21 so much Chair Levin and thank you for acknowledging  
22 the incredible leadership of my colleague Vanessa  
23 Gibson, who has been my partner in the Right to  
24 Counsel effort for years now and we certainly  
25 wouldn't be here without he leadership.

1  
2 As you mentioned Chair Levin, Right to Counsel  
3 has been in place in New York City since 2017. It  
4 has actually been a game change. It has made New  
5 York City the first place in America to establish the  
6 basic right that people facing evictions in Housing  
7 Court should have the fairness that can only come  
8 when they have an attorney and this law has now been  
9 replicated around the country, seven cities as of  
10 last count. Most importantly here in New York City,  
11 we have seen a reduction in the eviction rate of 40  
12 percent prior to the pandemic. This has truly been a  
13 game change for tenants and for Housing Court in New  
14 York City.

15 But as you remarked Chair, the original law had a  
16 five year implementation period, partly because of  
17 the huge number of eviction cases and the need to  
18 build out a system. And as currently written the  
19 law, Intro. 136 wouldn't hit full phase in until the  
20 middle of 2022, till July of 2022. Well, we are  
21 facing an avalanche of evictions now post moratorium  
22 that changes everything. It changes everything. We  
23 must ensure that every single person facing an  
24 eviction as we come out of this pandemic has the  
25 basic security of an attorney and unless we amend

1  
2 Intro. 136, we are not going to be able to guarantee  
3 that for everyone who qualifies in every zip code.

4 So, this bill, Intro. 2050 seeks to immediately  
5 go citywide to every zip code, so that every tenant  
6 who qualifies has the benefit of an attorney. We are  
7 not seeking to change the budget for this critical  
8 program. It has already been baselined. We want to  
9 use the resources that are in place for improving  
10 access to Council for tenants and spread them out to  
11 every zip code in the city.

12 So, again, this is not a request for additional  
13 resources. This is a request to take the law  
14 citywide and if you say, well might that slow down  
15 the pace at which we can handle cases. Well, yes and  
16 that actually has a lot of benefits. First and  
17 foremost, public health. We don't have to have court  
18 houses that are once again jammed full to unsafe  
19 levels which we certainly saw in Housing Court prior  
20 to the pandemic and I certainly believe and I think  
21 most of us would agree that having a natural break on  
22 the pace of cases in order to accommodate the supply  
23 of attorneys for tenants would actually be a good  
24 thing from a public health perspective, a safety  
25 perspective and a fairness perspective.

1  
2 This is what Intro. 2050 would bring about and I  
3 am really thrilled that today we are hearing it. I  
4 want to acknowledge that the incredible coalition of  
5 activist groups, under the umbrella of the Right to  
6 Counsel coalition that has led this fight for years  
7 now and is behind Intro. 2050, thank you to everyone  
8 on the Right to Counsel Coalition and shout out to my  
9 own Chief of Staff Aya Keefe, who has been a  
10 phenomenal leader in this effort from the very  
11 beginning.

12 I will acknowledge the Committee Staff when I  
13 speak later but we appreciate their work as well and  
14 now back to you Chair Levin. Thank you.

15 CHAIRPERSON LEVIN: Thank you Council Member  
16 Levine. I will turn it over to Council Member Gibson  
17 right now for remarks.

18 COUNCIL MEMBER GIBSON: Thank you so much Chair  
19 Levin and good afternoon. My colleagues, members of  
20 the General Welfare Committee to my partner in this  
21 work on this journey, my friend, Council Member Mark  
22 Levine and Aya to the entire staff to the Right to  
23 Counsel Coalition, housing advocates, organizers,  
24 tenants, all across the City of New York. I am very  
25

1  
2 excited that today's hearing is happening and I want  
3 to thank you Chair Steve Levin for your leadership  
4 and your support.

5 I am Council Member Vanessa Gibson. I represent  
6 District 16 in the Bronx and I am proud to speak  
7 today about Intro. 2050 which is on today's agenda  
8 which will amend local law 136 of 2017, the Right to  
9 Counsel Law by requiring the immediate implementation  
10 of access to legal services for a tenant spacing  
11 eviction proceedings in Housing Court citywide.

12 In 2017, all of you remember the journey when the  
13 Right to Counsel Law was enacted and chaptered by  
14 Mayor de Blasio. It was a different landscape for  
15 tenants in New York City. Many of them went to  
16 Housing Court without legal representation. Many did  
17 not understand the process. They made deals in the  
18 hallways and stairwells with attorneys. They agreed  
19 to stipulations that they could not comply with and  
20 many, many of them were not represented by legal  
21 representation.

22 Since that time, we have seen other city's follow  
23 suit as New York City was groundbreaking in landmark  
24 in passing this important piece of legislation. We  
25

1  
2 have seen Cane Bridge Massachusetts, Newark, San  
3 Francisco, Cleveland, Boulder Colorado and most  
4 recently the City of Baltimore pass similar measures  
5 around universal Right to Counsel. Prior to the  
6 passage of Right to Counsel, the rate of tenants in  
7 New York City facing eviction cases with legal  
8 representation in court was a mere 1 percent back in  
9 2013 years ago. It has reached 38 percent by the end  
10 of 2019. In many of the neighborhoods that we  
11 targeted for Right to Counsel, it reached almost 67  
12 percent of legal representation for tenants. Between  
13 2013 and 2019, the number of evictions dropped to  
14 historic lows to 41 percent. Thanks to the data that  
15 was provided by the Office of Civil Justice OCJ, it's  
16 been proven that when a tenant arrives in Housing  
17 Court armed with a lawyer facing an eviction  
18 proceeding, they are given quality services. They  
19 most likely leave with a positive outcome. When we  
20 unite we win and when we have representation, we can  
21 win in housing court.

22 For example, in 2018, 2,018 citywide residential  
23 evictions executed by city marshals declined by 5  
24 percent. Compared to 2017 and by 31 percent compared  
25

1  
2 to 2013. This indicates everyone that Right to  
3 Counsel is working and now on the cusp of a global  
4 pandemic, due to the economic devastation brought to  
5 our city and this country, due to COVID-19, the  
6 shutdown last March countless New Yorkers and tenants  
7 left without work, loss of income falling behind on  
8 rent. Fighting to get the basic necessities, many of  
9 our hardworking New Yorkers and tenants have not been  
10 able to pay their rent during this pandemic. And  
11 fear again, once the eviction moratorium from the  
12 state and the federal governments are lifted, they  
13 will be taken to court and forced to leave their  
14 homes.

15 On March 16, 2020, when Housing Court closed,  
16 with respect to nearly all new and pending matters  
17 with the exception of some illegal evictions and  
18 lockouts emergency repairs, we have seen Housing  
19 Court essentially close its doors but we know that  
20 when the moratorium is lifted, those cases will  
21 resume. And so, that is why as Council Member Mark  
22 Levine said, the Introduction 2050 is so crucially  
23 important today in this climate and in this  
24 environment. And I want to thank everyone for being  
25

1  
2 on this journey with us. This is one of the best  
3 pieces of legislation I have ever been a part of  
4 because I know it is making an impact. I see the  
5 faces of tenants who have been saved with a lawyer,  
6 who remain in their homes, have a roof over their  
7 head, who have given stability and are able to take  
8 care of their families and children. Those faces  
9 look like the City of New York. They look like me  
10 and my community that I represent in the Bronx.

11 And so, I want to thank the Office of Civil  
12 Justice. I want to thank Jordan Dressler and his  
13 team as well as HRA and DSS and all of our legal  
14 service providers, Housing Court, Answers Tenants  
15 United, everyone for their work thus far. But  
16 specifically during this pandemic, I thank you for  
17 all of the work you have done. To the Right to  
18 Counsel Coalition and everyone that's been united and  
19 organized along the way, I thank you so much. This  
20 important legislation is needed now more than ever  
21 because of the rise in evictions not only in  
22 traditional zip codes but many of the zip codes that  
23 have not faced high rates of eviction.

24

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1  
2 And so, to all New Yorkers, we want you to know  
3 that we are here for you. We are united like never  
4 before and we will get this done working with the  
5 administration and the advocates and legal service  
6 providers and everyone who has had a role. In my own  
7 borough of the Bronx, I really want to thank CASA  
8 Bronx and Northwest Bronx Community and Clergy  
9 Coalition and Bronx Defenders and CAMBA. Everyone in  
10 the Right to Counsel Coalition, thank you for your  
11 work and thank you my partner Council Member Levine  
12 and the staff and my Director of Policy and  
13 Legislation Jeffrey Valasquez and my Chief of Staff  
14 Justin Cortes, thank you so much for your work and  
15 bringing Intro. 2050 to the forefront and being on  
16 today's agenda. Thank you so much Chair Levin and I  
17 look forward to today's hearing. Thank you so much.

18 CHAIRPERSON LEVIN: Thank you very much Council  
19 Member Gibson and right now, I will turn it over to  
20 Counsel to the Committee Aminta Kilawan to swear in  
21 the Administration.

22 COMMITTEE COUNSEL: Thank you Chair Levin, my  
23 name is Aminta Kilawan, Senior Counsel to the  
24 Committee on General Welfare for the New York City  
25

1 Council. I am going to be moderating today's hearing  
2 and I will be calling on panelists to testify.

3 Before we begin, please remember that everyone will  
4 be on mute until I call on you to testify. After you  
5 are called on, you will be unmuted by a member of our  
6 staff. Note that there will be a delay of a few  
7 seconds before you are unmuted and we can hear you.

8 For public testimony, I will call up individuals  
9 in panels. Please listen for your name, I will  
10 periodically announce the next few panelists. Once I  
11 call your name, a member of our staff will unmute  
12 you. The Sergeant at Arms will set a clock and give  
13 you the go ahead to begin your testimony and all  
14 public testimony will be limited to three minutes.  
15 After I call your name, please wait for the Sergeant  
16 at Arms to announce that you may begin before  
17 starting your testimony.

18 Now, for today's hearing, the first panel is  
19 going to include representatives from the Department  
20 of Social Services followed by Council Member  
21 questions and then public testimony. In order of  
22 speaking, we will have Jordan Dressler Civil Justice  
23 Coordinator of HRA's Office of Civil Justice and for  
24 the Q&A session, Erin Drinkwater Deputy Commissioner  
25

1  
2 Intergovernmental and Legislative Affairs, Bruce  
3 Jordan HRA Chief Homelessness Prevention Officer,  
4 Sara Zuiderveen HRA Deputy Commissioner for  
5 Prevention in Housing Assistance and Rebecca Klein  
6 Senior Policy Advisor Office of Civil Justice at HRA.

7 I am now going to administer the oath to the  
8 Administration. When you hear your name, please  
9 respond once a member or staff unmutes you. Do you  
10 affirm to tell the truth, the whole truth and nothing  
11 but the truth before this committee and to respond  
12 honestly to Council Member questions? Jordan  
13 Dressler?

14 JORDAN DRESSLER: Yes.

15 COMMITTEE COUNSEL: Thank you. Erin Drinkwater?

16 ERIN DRINKWATER: Yes.

17 COMMITTEE COUNSEL: Thank you. Bruce Jordan?

18 BRUCE JORDAN: Yes.

19 COMMITTEE COUNSEL: Thank you. Sara Zuiderveen?

20 SARA ZUIDERVEEN: Yes.

21 COMMITTEE COUNCIL: Rebecca Klein?

22 REBECCA KLEIN: Yes.

23 COMMITTEE COUNCIL: Thank you. I will now call  
24 on Jordan Dressler to testify.

1  
2 JORDAN DRESSLER: I am off mute? Very good,  
3 thank you. Good afternoon Chair Levin and members of  
4 the General Welfare Committee and thank you for the  
5 opportunity to testify today about the Department for  
6 Social Services' work on rental and eviction  
7 prevention support during the COVID-19 pandemic.

8 My name is Jordan Dressler and I represent the  
9 Office of Civil Justice in the Human Resources  
10 Administration, where I am proud to oversee our work  
11 as the Civil Justice Coordinator. I am joined today  
12 by Bruce Jordan, HRA's Chief Homelessness Prevention  
13 Officer and Sara Zuiderveen, Deputy Commissioner for  
14 Prevention and Housing Assistance at HRA.

15 The Homelessness Prevention Administration's  
16 mission is to execute programs and services aimed at  
17 keeping New Yorkers stably housed, ensuring that they  
18 are connected to resources they are eligible for,  
19 such as rental assistance and legal services. Within  
20 the Homelessness Prevention Administration are the  
21 Housing and Homeless Services Initiatives Division,  
22 the Rental Assistance Program, the Early Intervention  
23 Outreach Team and the Office of Civil Justice, all of  
24 which are vital in assisting New Yorkers in need. As  
25 part of HRA/DSS, the Office of Civil Justice

1  
2 launches, manages and monitors the City's civil legal  
3 services programs for low-income and other vulnerable  
4 New Yorkers in need.

5 O CJ is currently working with over 70 nonprofit  
6 legal service organizations to ensure thousands of  
7 New Yorkers in need across the five boroughs have  
8 access to legal services, in legal matters involving  
9 housing, immigration and the workplace.

10 New York City has taken an aggressive and  
11 multipronged approach to help New Yorkers stay in  
12 their homes and secure stable affordable housing.  
13 DSS has leveraged its programs to specifically  
14 address housing stability and eviction prevention.  
15 Through these initiatives we've built a strong  
16 foundation enabling us to effectively serve unstably  
17 housed New Yorkers across the five boroughs. Among  
18 these programs, we want to highlight the following:  
19 First, Legal Services for Tenants and the City's  
20 Right-to-Counsel Law: New York City has become the  
21 national leader in ensuring that tenants facing  
22 housing instability have access to quality legal  
23 assistance to help them preserve and protect their  
24 homes, first through dramatic multi-year investments  
25 in expanding legal services for tenants implemented

1  
2 in partnership with over twenty nonprofit legal  
3 services organizations across the city, and  
4 culminating in the City's enactment and HRA's  
5 implementation of the nation's first right-to-counsel  
6 initiative, ensuring that tenants facing eviction in  
7 Housing Court or in NYCHA administrative proceedings  
8 have access to free legal services.

9       The impacts of these efforts have been dramatic  
10 and positive. Residential evictions by city marshals  
11 fell by over 40 percent between 2013 and 2019, while  
12 nationwide evictions trended upwards, and the  
13 percentage of tenants facing eviction in court with  
14 the help and protection of legal representation stood  
15 at 38 percent at the end of 2019, up from only 1  
16 percent in 2013.

17       Moreover, in the overwhelming majority of cases,  
18 when tenants have lawyers in eviction proceedings,  
19 they get positive results. In resolved cases in  
20 Fiscal Year 2020, 86 percent of households  
21 represented in Housing Court and public housing  
22 proceedings by OCJ-funded tenant lawyers were able to  
23 remain in their homes. Every day, OCJ partners with  
24 legal services providers, court administrators,  
25

1 judges and other system stakeholders to bolster  
2 access to legal assistance.

3  
4 This effort has led to hundreds of thousands of  
5 tenants facing eviction proceedings being able to  
6 leverage the support of high quality and free legal  
7 assistance through our programs. To date, over  
8 450,000 New Yorkers have received free legal  
9 representation, advice, or assistance in eviction and  
10 other housing-related matters since 2014 through  
11 HRA's legal services programs.

12 Next, turning to rental assistance programs.  
13 First, through reestablishing rental assistance  
14 programs and then streamlining them into one program  
15 aligned with the State's FHEPS rental assistance  
16 program, we have increased access to rental  
17 assistance for New Yorkers struggling to bridge the  
18 gap between income and rent. By consolidating prior  
19 programs, it is now easier for tenants to request and  
20 secure rental assistance. For landlords, fewer  
21 programs means easier access and an increased  
22 willingness to work with us. We've invested in  
23 building out a landlord management system, making it  
24 easier for landlords to receive rent payments and  
25 easier for DSS to manage caseloads.

1  
2           Additionally, we have worked to expand the  
3 accessibility of emergency rent arrears grants, also  
4 known as one-shot deals, a program designed to  
5 support housing stability by flexibly meeting the  
6 circumstances of a household, which may be in need of  
7 rent, utilities and mortgage payment support to  
8 address arrears, thereby maintaining their housing.

9           And next, Homebase. we have nearly doubled the  
10 number of Homebase centers across the five boroughs,  
11 where New Yorkers experiencing housing instability  
12 can be connected to various homeless prevention  
13 services, as well as where families and individuals  
14 transitioning from shelter to permanent housing can  
15 receive aftercare support.

16           The programs mentioned highlight our prevention  
17 first approach to addressing housing instability and  
18 due to the work of our staff and service providers,  
19 we have connected more than 155,000 New Yorkers to  
20 rental assistance and rehousing programs and also  
21 helped nearly 60,000 rent-burdened households  
22 annually pay back rent or utilities.

23           Next, I want to turn to DSS's Eviction Prevention  
24 Work During the COVID-19. While we are proud of our  
25 work to increase housing stability and reduce

1 evictions among New Yorkers in need, we are aware  
2 that we are now in a markedly different environment.  
3 COVID-19 has impacted us, our staff, our clients and  
4 our nonprofit partners. COVID-19 has brought on new  
5 challenges that we continue to tackle every day,  
6 particularly around maintaining and promoting housing  
7 stability.  
8

9 Today, we would like to share with you the  
10 actions that we have taken to ensure New York City  
11 tenants have the support needed to prevent evictions  
12 and further displacement during the COVID-19  
13 pandemic. Our staff at DSS, along with our nonprofit  
14 service providers, have been working around the clock  
15 to leverage many of the programs mentioned earlier,  
16 along with updated strategies, to address these  
17 emergency circumstances.

18 Since the start of the pandemic, the City has  
19 advocated for a moratorium on evictions in the  
20 legislature and the courts. We also successfully  
21 advocated to the State to allow us to move our cash  
22 assistance application and interview process online  
23 and over the telephone, which meant that no one  
24 needed to travel and come into an HRA office to  
25 receive rent or utility arrears grants in-person.

1  
2 In addition, we transformed our approach to  
3 making legal assistance available to tenants in need  
4 in response to the crisis. Working in collaboration  
5 with OCJ's legal services partners, Housing Court  
6 Answers and the Mayor's Office, we rapidly  
7 established a housing legal hotline to provide access  
8 to live phone-based legal advice and assistance  
9 provided by our tenant legal services partners.  
10 Through the hotline, tenants with questions and  
11 concerns about eviction and Housing Court as well as  
12 other landlord-tenant issues are receiving legal  
13 advice and assistance Monday through Friday. These  
14 services are currently available via 311 and the  
15 Mayor's Public Engagement Unit through the City's  
16 Tenant Helpline, and through Housing Court Answers'  
17 hotline. Legal advice services are free and are  
18 available to all NYC residential renters with housing  
19 questions or issues, regardless of income, regardless  
20 of zip code and regardless of immigration status.

21 At the start of the pandemic the New York City  
22 Housing Court closed with respect to nearly all new  
23 and pending matters including eviction proceedings,  
24 except for "essential" proceedings such as legal  
25 actions to restore possession for tenants who were

1  
2 illegally evicted or locked out and proceedings to  
3 compel landlords to make critical emergency repairs  
4 such as restoring lost heat or hot water.

5 To address the legal needs of these tenants, OCJ  
6 worked with legal providers and the Housing Court and  
7 immediately established a case referral protocol to  
8 connect all unrepresented tenants who file emergency  
9 cases in court with free legal representation. Since  
10 the start of the pandemic, unrepresented tenants in  
11 any zip code, who file an action to be restored to  
12 possession after being illegally locked out by their  
13 landlord, or who file a Housing Part Action for  
14 emergency repairs, are referred to OCJ by the Court  
15 for free legal representation by one of OCJ's  
16 provider partners to assist and protect tenants in  
17 need.

18 Specifically, the Court scheduled thousands of  
19 eviction proceedings that were pending resolution  
20 prior to the start of the pandemic for status and  
21 settlement conferences and required that only those  
22 cases in which all parties were represented by legal  
23 counsel could be scheduled for a court conference.  
24 OCJ's legal services providers have participated in  
25 thousands of court conferences, representing tenant

1 clients in pre-pandemic eviction cases. As a result,  
2 all tenant respondents in eviction proceedings  
3 handled by the Housing Court during this period have  
4 been represented by counsel. Regardless of Zip code  
5 or immigration status or income with an income waiver  
6 from OCJ.  
7

8 Throughout the pandemic and prior to the most  
9 recent legislation preventing any Housing Court  
10 eviction activity in the short term, when state law  
11 and court directives enabled landlords to file  
12 motions in the Housing Court to permit pre-pandemic  
13 eviction warrants to proceed, or the scheduling of  
14 conferences in eviction cases involving allegations  
15 of nuisance behavior or health and safety issues, OCJ  
16 has worked with the Court and legal providers to  
17 ensure that no tenant faced the threat of eviction  
18 without access to free legal representation.

19 OCJ has been making free legal representation  
20 available to unrepresented tenants who responded in  
21 these cases through pre-court referrals and by  
22 assigning counsel to any tenant at such conference  
23 who wants legal representation in their case. This  
24 initiative has been citywide and universal. All  
25 tenants facing eviction warrants have been eligible,

1  
2 regardless of zip code, immigration status or whether  
3 the tenant may have previously declined or been found  
4 ineligible for legal representation under the  
5 Universal Access program and regardless of household  
6 income with an income waiver by OCJ.

7       Additionally, to supplement the work above, OCJ  
8 has worked in partnership with the Mayor's Office to  
9 conduct proactive outreach to tenants at risk of  
10 eviction throughout the pandemic, including a mail  
11 campaign announcing the launch of the Tenant Helpline  
12 last spring as well as targeted mail and phone  
13 outreach initiatives directed at New York City  
14 tenants who faced pre-pandemic eviction warrants or  
15 who were at risk of eviction for failing to appear in  
16 court proceedings.

17       Then turning to the Federal and State Landscape  
18 on Rent Relief. We would like to provide an update  
19 on the current federal and state landscape around  
20 rent relief and eviction moratoriums. As you know,  
21 the federal government has enacted several stimulus  
22 efforts to address the emerging crises brought on by  
23 the pandemic. Most recently, in late December, the  
24 federal government approved measures to increase SNAP  
25 benefits for millions of Americans facing hunger,

1  
2 provided funding for emergency food banks and  
3 children's meals, and today's focus, funding rent  
4 relief and most recently, issued an eviction  
5 moratorium extension through the end of March.

6       At the state level, New York has most recently  
7 passed an eviction ban extending protections for most  
8 tenants through May 1st of this year. Under the  
9 newly enacted State law, the COVID-19 Emergency  
10 Eviction and Foreclosure Prevention Act, tenants can  
11 avert eviction by their landlord if they have lost  
12 income or incurred increased expenses during the  
13 pandemic, or if moving from their home poses a  
14 hardship during the pandemic.

15       To be protected by this law, tenants must sign a  
16 Hardship Declaration form, which can be found on the  
17 New York State Courts website and deliver it to their  
18 landlord or the landlord's agent or to the Housing  
19 Court if they have a pending case. By signing and  
20 delivering this form, such tenants cannot be evicted  
21 from their primary residence pursuant to a pending  
22 case and their landlord may not file new cases to  
23 evict such tenants until at least May 1, 2021.

24       For more information on how these eviction  
25 protections may apply to specific tenants, we

1  
2 encourage New Yorkers to contact the City's Tenant  
3 Helpline by calling 311 and saying, Tenant Helpline.  
4 Additionally, through the New York State Homes and  
5 Community Renewal Department, the State is  
6 administering the extended COVID Rent Relief  
7 Extension Program, where eligible households can  
8 receive a one-time rental payment with federal  
9 stimulus funding from the earlier CARES Act.

10 We are pleased to see action taken by the State  
11 to address the real concern of tenants paying their  
12 rent through this pandemic. While limited in funding  
13 and with upcoming expirations, the rent relief  
14 program and eviction moratorium, respectively, are  
15 more tools in the tool box for tenants to take  
16 advantage of during this unprecedented time. In the  
17 State budget that was released last week, the State  
18 has made provision for the implementation of the  
19 recently enacted federal rent relief program in the  
20 federal stimulus legislation. The program will be  
21 administered by the State Office of Temporary and  
22 Disability Assistance and we look forward to working  
23 with OTDA on the design and implementation of this  
24 program, including the implementation of rent relief  
25 allocated directly to the City.

1  
2 Now, I would like to turn to the legislation  
3 being heard as part of today's hearing Intro. Number  
4 2050 by lead sponsors Council members Levine and  
5 Gibson. If enacted, this bill would amend Local Law  
6 136 of 2017, the Housing Court right-to-counsel law,  
7 to require the immediate citywide implementation of  
8 access to legal services for tenants facing eviction  
9 proceedings in Housing Court and NYCHA administrative  
10 proceedings.

11 The Administration is currently reviewing the  
12 impacts of this legislation. While we are in favor  
13 of the spirit of the legislation and during the  
14 pandemic we have made right to counsel representation  
15 available on a citywide basis without regard to Zip  
16 code, to meet the urgent needs of tenants facing  
17 housing instability, we believe that as drafted, the  
18 bill could hinder this flexibility which has allowed  
19 OCJ and its provider partners to be immediately  
20 responsive to the needs of tenants in court and in  
21 the community.

22 Moreover, there is uncertainty about the timing  
23 and approach taken by the Federal and State  
24 governments on eviction moratoria and the housing  
25 legal landscape, and about the needs for legal help

1  
2 in and out of court to assist tenants affected by  
3 these protections. We look forward to further  
4 discussions with the Council and stakeholders on this  
5 bill, and in the meantime, we are confident that the  
6 current law, our structure and approach and our  
7 ongoing dialogue with legal services providers, court  
8 administrators and other system stakeholders will  
9 enable us to effectively and efficiently make legal  
10 assistance and protection available to tenants in  
11 need across the five boroughs.

12 Thank you for the opportunity to testify and  
13 speak on the work that DSS and our partners have  
14 advanced to protect tenants in need. We look forward  
15 to ensuring New Yorkers at risk of eviction have the  
16 resources to fend off displacement, and to our  
17 ongoing partnership with the City Council to overcome  
18 the crisis brought on by this pandemic.

19 Thank you and I welcome any questions you may  
20 have.

21 COMMITTEE COUNSEL: Thank you for your testimony.  
22 Before I call on Chair Levin for questions, I would  
23 like to remind Council Members to please use the  
24 raise hand function in Zoom to indicate that you have  
25 a question for this panel.

1  
2 Please remember to keep questions and answers to  
3 five minutes. I will now turn it over to Chair  
4 Levin.

5 CHAIRPERSON LEVIN: Thank you very much Ms.  
6 Kilawan. Thank you Mr. Dressler and I want to thank  
7 all of the representatives to the Administration for  
8 being here today to answer questions.

9 So, I will keep my questions somewhat brief here  
10 before turning it over to my colleague and uhm, after  
11 my questions, I will turn it over to Council Member  
12 Levine.

13 My first question is, what is the plan for the  
14 Administration communicating to the public what their  
15 options are as you know, because there is various  
16 iterations that we have seen so far, different state  
17 laws, different state initiatives. Obviously,  
18 federal eviction moratorium. What is the plan to  
19 communicate to the public? Are we doing television  
20 advertisement? What's the - radio advertisement? I  
21 haven't seen anything on TV about this. You know,  
22 but I do see the advertisements around COVID  
23 initiatives. So, what's the plan there in terms of  
24 public outreach?

1  
2 JORDAN DRESSLER: So, I think – thank you for the  
3 question. Uhm, you know there have been efforts both  
4 within DSS and more broadly with the Mayor's Office  
5 to Protect Tenants in Public Engagement Unit around  
6 outreach since the beginning of the pandemic.

7 When there was a need to distribute and get out  
8 good reliable and often very changing information  
9 about what the various protections were at the  
10 beginning of the pandemic, we all got together to put  
11 together the tenant helpline, which provides access  
12 both to static information as well as more  
13 individualized legal advice for tenants across the  
14 city.

15  
16 That was launched in April with a post card  
17 campaign targeting neighborhoods across the city to  
18 make folks aware of the availability, the tenant  
19 helpline through 311 that reached approximately 1.3  
20 million recipients in terms of post cards. And we  
21 received thousands of calls since that time.  
22 Questions ranging from I need legal advice and  
23 assistance, to is the Housing Court open?  
24 What are the protections and so forth.

1  
2 We have conducted more targeted outreach to  
3 tenants to try to address some of the more specific  
4 and changing details around the housing legal  
5 landscape via tenants who might have been facing a  
6 pre-pandemic eviction warrant at a time when the  
7 court was moving forward with certain cases in which  
8 a landlord was seeking to enforce that warrant  
9 involving unrepresented tenants.

10 The other thing to bear in mind is that many,  
11 many tenants in the City of New York already had  
12 Council and we have been instrumental I think in  
13 providing our legal services providers with good and  
14 up to the minute information about the status of the  
15 housing legal landscape at any point and time  
16 distributing the various orders, executive orders,  
17 administrative orders that have sometimes changed the  
18 ground under practitioners and tenants alike.

19 Looking forward in the future, I know that we  
20 respected the hardship declaration. The Mayor's  
21 Office to Protect Tenants is leading a campaign to  
22 conduct pretty broad-based outreach to make people  
23 aware of the availability of the hardship  
24 declaration, eligibility for the hardship declaration  
25 that can put a pause if you are eligible on a Housing

1  
2 Court eviction proceeding or the threat of a Housing  
3 Court eviction proceeding through May 1<sup>st</sup> under the  
4 new state law.

5 And for our part, we are looking at a much  
6 broader public media campaign around the right to  
7 counsel in the spring for when Housing Court is open.  
8 Part of the issue around that is that the opening of  
9 Housing Court is and has been a moving target and we  
10 certainly don't want to lead anyone to think that  
11 Housing Court is open when it is not. Throughout  
12 this process whenever there have been communications  
13 from the court to litigant's in housing court, either  
14 inviting them or requiring them to make a virtual  
15 appearance back in court, making them aware of an  
16 obligation to answer a petition, as was the case  
17 towards the end of the calendar year. We have been  
18 successful in ensuring that there is information  
19 about the availability of legal assistance included  
20 in those materials and directing effected tenants to  
21 reach out to take advantage of that legal assistance.

22 CHAIRPERSON LEVIN: Uhm, is the city helping  
23 tenants fill out hardship applications?

24 JORDAN DRESSLER: I think at this point, anyone  
25 who has a question about whether or how to fill out a

1  
2 hardship declaration, can and should call 311 and  
3 access the tenant helpline. And if it is something  
4 more complex that requires the assistance of counsel,  
5 they will be connected with one of our legal services  
6 providers to walk through that more specific  
7 situation.

8 The Housing Court answers which is our non-profit  
9 partner, both with our office as well as the Office  
10 of Court Administration is also a terrific resource  
11 to help navigate the hardship declaration process.

12 CHAIRPERSON LEVIN: The city applied for its own  
13 allocation from the federal government for rent  
14 relief funds and the city's allocation is about 20  
15 percent of the state's allocation, and obviously the  
16 city's need is much greater than 20 percent of the  
17 overall state need.

18 What's the city's - I mean, first off, what's the  
19 city's plan to get its fair share with regard to the  
20 rest of New York State and then, are we looking at  
21 setting up our own French relief program outside of  
22 the program that would be administered through OTDA  
23 or DHCR?

24 JORDAN DRESSLER: Thank you for the question  
25 Chair Levin. I am going to turn it over to my

1  
2 colleague Erin Drinkwater to respond to that if  
3 that's okay.

4 ERIN DRINKWATER: Thanks for the question Council  
5 Member. Yeah, so New York City was allocated direct  
6 contribution in addition to what the state was  
7 allocated. And we were in ongoing conversations with  
8 OTDA about the administration of those state dollars  
9 and what those programs will look like.

10 CHAIRPERSON LEVIN: Okay. So, it is as yet  
11 undecided uhm, whether the city will be administering  
12 it through your agency for example, rather than being  
13 administered through the state agency? Does the city  
14 hope to be able to administer it themselves?

15 ERIN DRINKWATER: Apologies, I did exactly what  
16 Aminta had asked me not to do, which was mute myself  
17 again.

18 So again, so our conversations are with OTDA.  
19 Our goal is to make sure that these funds are being  
20 targeted and getting out the door most effectively  
21 and most efficiently to those who are in need of  
22 assistance and rent arrears. We would be happy to  
23 provide the Council, this Committee and others with  
24 updates as those conversations progress but at this  
25 time, we don't have more detail.

1  
2 CHAIRPERSON LEVIN: The Statute allows landlords  
3 to apply with tenants. What is the city's plan to  
4 facilitate this? As that would be a – you know a  
5 preferable outcome.

6 ERIN DRINKWATER: Sorry, can you repeat the  
7 question? For landlords to apply with tenants.

8 CHAIRPERSON LEVIN: With their tenants as part,  
9 you know, concurrent with their tenant.

10 ERIN DRINKWATER: So, I am going to ask Bruce if  
11 he has additional detail on this to jump in.

12 BRUCE JORDAN: Yes, so thank you Erin and thank  
13 you Council Member Levin. As part of the discussions  
14 that Erin mentioned with the state, that particular  
15 off ramp is being discussed. I also believe HPD  
16 would play some type of role in that along with their  
17 CBO's to help the landlords access that process. But  
18 like Erin said, we don't have the details at the  
19 moment.

20 CHAIRPERSON LEVIN: Okay, so there is a role for  
21 HPD in making contact with landlords, is that right?  
22 So, landlords that are all registered with HPD.

23 BRUCE JORDAN: Yeah, it would probably help  
24 feedback into the ultimate portal or whatever process  
25 would be there and they would help do some type of

1  
2 outreach I understand but there is preliminary  
3 discussions right now, nothing has been worked out.

4 CHAIRPERSON LEVIN: Uhm, and then can you speak  
5 about the city's plans to reach some of the hardest  
6 to reach clients? Clients that would be people  
7 without immigration status, people with disabilities,  
8 the elderly. Tenants without access to technology.  
9 I mean, I think of you know, a senior citizen who you  
10 know, is really not uhm, you know, just doesn't have  
11 that type of access or ability with technology.

12 JORDAN DRESSLER: Yeah, I mean, I can address  
13 that. I mean, the question is certainly a question  
14 about immigration status. Legal services are  
15 available to all New York City tenants regardless of  
16 immigration status. That's been - I have made that  
17 clear in every communication that is out there.

18 The question of the access to technology, uhm, is  
19 a trickier one. One thing I would point out in  
20 respect to legal proceedings, one thing that has been  
21 a moderate success has been just you know, the  
22 telephone. And so, the courts have been holding  
23 telephonic conferences in many instances and tenant  
24 lawyers of course are able to stay in close touch  
25 with their clients through the phone. And that has

1  
2 at least in part, made sure that tenants are informed  
3 about the status of their case, or able to assist  
4 with their own defense in a housing court eviction  
5 proceeding and are able to coordinate well with their  
6 counsel.

7 I know that – and I will turn it over to Erin to  
8 talk a little bit about some of the actions being  
9 taken with HRA and access to benefits with respect to  
10 technology.

11 ERIN DRINKWATER: Sure, so we recognize uhm, you  
12 know, the complicating factors of COVID, in terms of  
13 highlighting some of the things like the digital  
14 divide. The you know, inability for folks who don't  
15 have access to broadband or the internet but have  
16 also you know, made a real effort to ensure that HRA  
17 programs and services are available to clients in the  
18 comfort of their home through Access HRA that they  
19 are able to call 311 and Infoline. We are really  
20 working to address some of the issues with wait times  
21 on Infoline that I know some advocate groups have  
22 relayed to us.

23 Additionally, we continue to get out information  
24 as Jordan said, through some more non – you know,  
25 technology related ways. Uhm, the agency since the

1  
2 start of the pandemic has been holding weekly calls  
3 with the Commissioner, which our elected partners and  
4 CBO partners join each week anywhere from you know,  
5 150 to 200 callers call in have the ability to ask  
6 the Commissioner questions directly about programs  
7 and policies that have changed over the course of  
8 these past couple of months and then each week that  
9 email or excuse me, that call is followed by an  
10 email. The distribution to that has grown to about  
11 4,500 individuals. So, each week that email is  
12 getting sent to a wide cut of CBO partners across the  
13 City as well as elected staff across the city who we  
14 hope are relaying that information as well in the  
15 communities that they serve and represent.

16 CHAIRPERSON LEVIN: What is the city's plan on  
17 uhm, the federal law requires the prioritization of  
18 individual tenants under 50 percent of AMI. What is  
19 the city's plan to execute that requirement? How is  
20 the city going about tiering its priorities in terms  
21 of communities that have been hardest hit through  
22 COVID or how is that? Because it is clear at the  
23 moment at least without any further allocations of  
24 the federal government that we don't have enough  
25

1  
2 money to cover all rent arrears in the city right  
3 now.

4 I think that it has been estimated by the, one of  
5 the landlord associations that \$1.2 million is the  
6 overall rental arrears in the city right now and  
7 obviously that far exceeds what we have here in New  
8 York City.

9 So, how are we addressing prioritization?

10 BRUCE JORDAN: Can you hear me Councilman?

11 CHAIRPERSON LEVIN: Sorry?

12 BRUCE JORDAN: Can you hear me?

13 CHAIRPERSON LEVIN: Oh, yes I can. Thank you.

14 BRUCE JORDAN: So, as myself and Erin previously  
15 stated so far in this testimony in relation to  
16 stimulus, the conversation just started with the  
17 state and everyone can apply and you don't need to be  
18 in Housing Court and you don't have to have a certain  
19 immigration status right, for the stimulus money but  
20 I think one of the things the city is thinking about  
21 in trying to define populations and identify them to  
22 the state and what other mechanisms they are use in  
23 partnership with us is to prioritize people in  
24 Housing Court that could be brought back. Let's say  
25 cases that started, that were bought back to the

1  
2 court from June of 2020 to December 2020 that might  
3 be at most risk to be t'd up once the moratorium  
4 ends.

5 So, that's just one idea. It hasn't been written  
6 in stone because some of the discussions we are  
7 starting to have.

8 CHAIRPERSON LEVIN: The people with the furthest  
9 back cases. So, uhm, this will be my last question  
10 for this round and then I will turn it over to my  
11 colleagues but the big picture, are we anticipating  
12 whenever moratoria we are talking about. Whether it  
13 is the state moratorium or federal moratorium, are we  
14 anticipating that we are going to see a deluge of  
15 evictions filed and do we think right now with the  
16 resources that we have from the federal government  
17 and stimulus dollars, do we think that we have the  
18 capacity to deal with that? Do we think that we have  
19 the, just the resources to deal with that. The money  
20 to be able to offset those types of arrears.

21 JORDAN DRESSLER: Can I just address the Housing  
22 Court and Legal Services aspect of that question  
23 first? You know, there is going to be sort of  
24 natural limit on the timing, the jeopardy that a  
25

1  
2 tenant may face in Housing Court due to the limited  
3 capacity in Housing Court.

4 It is extremely unlikely bordering on the  
5 impossible that the New York City Housing Court can  
6 return to what it looked like in 2018, in 2017. The  
7 number of cases that were filed in Housing Court was  
8 already on a downswing heading into City Fiscal Year  
9 '20 and needless to say that downswing has continued  
10 throughout the pandemic. Far fewer cases filed.

11 CHAIRPERSON LEVIN: It's being artificially  
12 suppressed. So, when the spigot gets turned back on  
13 - I mean, I guess the question is, do we anticipate  
14 that it is going to be, spigot - you know, and just  
15 use the metaphor for example, if you turn it on at  
16 full blast, are we expecting it is going to be turned  
17 on gradually. Whether or not - I mean, Housing  
18 Court; I understand what you are getting at which is  
19 the Housing Court just has a natural limit in terms  
20 of the number of cases that it could administer but  
21 you know, I am talking about the cases being filed.  
22 Are we going to be able to deal with this onslaught  
23 of cases or do we not expect that there will be an  
24 onslaught of cases or how are we reconciling that  
25 eventually we need the money to be able to offset a

1  
2 lot of these arrears that people are not going to be  
3 able to afford?

4 I mean, frankly like you know, who is banking  
5 escrow you know 15 months of rent? If they are not  
6 having access to a one shot.

7 JORDAN DRESSLER: You know, on the filing  
8 question you know, all we can do I think is look to  
9 the most recent data. Filing eviction proceedings

10  
11 has been down compared to the year before, which was  
12 already down compared to the year before that.

13 CHAIRPERSON LEVIN: That's because we didn't have  
14 14 percent unemployment in the city. I mean, that's  
15 when people were able to make - I mean, have a job.

16 JORDAN DRESSLER: True, the case volume is quite  
17 a bit lower than it was and part of that is in  
18 response to the challenges that all litigants face in  
19 Housing Court and the knowledge that an eviction  
20 proceeding filed is going to be met with a lawyer for  
21 the tenant on the other side of that case. And all  
22 the challenges and the expenses on the landlord's  
23 side that come along with having to actually mount an  
24 actual case. Which is a - Council Member Levine

1  
2 said, part of the true game change associated with  
3 right to counsel.

4 CHAIRPERSON LEVIN: Okay but I guess, let me ask  
5 it this way. How many renters, how many tenants do  
6 we believe in New York City right now has arrears  
7 that are due to the pandemic? Do we have a kind of  
8 estimate of how many tenants we are talking about?

9 JORDAN DRESSLER: I don't have an estimate on  
10 that.

11 CHAIRPERSON LEVIN: Then of those - of that  
12 universe, how many are able to file for a hardship  
13 application? How many hardship applications have  
14 been filed?

15 JORDAN DRESSLER: It's hard to say. It has only  
16 been several hundred according to the one's that have  
17 been filed with the court. Remember that hardship  
18 declarations can be submitted to landlords directly  
19 and it is way too soon to say how many of those have  
20 come through. Most importantly that number is just a  
21 small share of what is expected as the communication  
22 from the Housing Court to litigants in all cases only  
23 occurred this weekend. So, they are expecting  
24 thousands of hardship declarations to be filed to act  
25 as a delay on pending cases at least through May 1<sup>st</sup>.

1  
2 CHAIRPERSON LEVIN: Okay, I'm just, I am not  
3 totally sure I see the big picture here of you know,  
4 the - what I anticipate to be hundreds of thousands  
5 of potential cases.

6 You know, I think if we are looking at the kind  
7 of world, I understand that there is kind of  
8 deterrence, the length of time it takes to take  
9 someone to court. The fact that they might have  
10 access or they are likely to have access to a lawyer.  
11 Uhm, uhm, you know, the fact of just kind of well,  
12 administratively Housing Court is going to have to  
13 take a long time to go through cases. And so, it  
14 might not be in the landlords best interest to pay  
15 for their own attorney to go through that process.  
16 You know, but I am just, I am just a little - I am  
17 having a hard time seeing the kind of big picture  
18 strategy for how to deal with you know potentially  
19 hundreds of thousands -

20 BRUCE JORDAN: So, if I may interject Councilman,  
21 I think I would like to piggyback off of one term you  
22 mentioned in your question, which was some people  
23 might not have access to a one-shot. So, I think  
24 part of this formula of the unknow, the cliff that  
25 you are implying would be the fact that since the

1  
2 beginning of the pandemic, the HRA workforce along  
3 with OTDA and certain waivers and also working with  
4 the unions and setting up a work from home, telework  
5 system that we had no model or precedent for. Staff  
6 both in places where we needed to stay client facing,  
7 open facilities, which we have some in each borough  
8 and the extension of online access, like Erin had  
9 testified earlier.

10 I really believe that our ability to keep  
11 business open, pretty much as usual, which we have  
12 done throughout the pandemic. We have continued to  
13 process one-shot deals whether it has Housing Court,  
14 whether it was all Housing Court or no Housing Court  
15 at all. So, hopefully some of those cases will  
16 continue to filter through, which will hopefully  
17 minimize the cliff that we are hopefully anticipating  
18 won't happen but I just think that should be noted.

19 That we are still doing the brisk business in  
20 one-shot deals and you don't require Housing Court  
21 action.

22 CHAIRPERSON LEVIN: Thank you Mister. Okay, I  
23 will turn it over to Council Member Levine and  
24 Council Member Gibson for questions.

25 SERGEANT AT ARMS: Time starts now.

1  
2 COUNCIL MEMBER LEVINE: Thank you so much and I  
3 do want to start by thanking you Jordan for what you  
4 have done over the last four years to put together  
5 this office and to build it out. Really, really  
6 grateful for your leadership.

7 I do also as promised, want to thank the  
8 incredible team on this Committee, the General  
9 Welfare Committee who has worked so hard on this.  
10 Aminta Kilawan Counsel, Crystal Pond and Natalie  
11 Omary who are the Policy Analysts. And Jordan, I  
12 just wanted to start by asking if you can clarify,  
13 how many times have landlords been allowed to proceed  
14 with an eviction since the pandemic began?

15 JORDAN DRESSLER: According to the data that we  
16 have seen from the Department of Investigation,  
17 residential evictions by city marshals have occurred  
18 four times since the beginning of the pandemic, four.

19 COUNCIL MEMBER LEVINE: Right, but there are a  
20 vastly larger number of pre-pandemic evictions where  
21 the motions are, at least proceeding, correct?

22 JORDAN DRESSLER: There were roughly – there have  
23 been roughly 3,700, 3,700 motions filed by landlords  
24 since those motions were permitted in the fall to be  
25 restored to the calendar but many of those cases

1  
2 remain pending because in all of those cases, legal  
3 representation was made available to tenants.

4 COUNCIL MEMBER LEVINE: Okay and -

5 JORDAN DRESSLER: If I could Council Member just  
6 because I think this exemplifies the approach that we  
7 have really worked to take since the beginning of the  
8 pandemic.

9 This was a situation where due to the changes in  
10 the governor's executive orders coupled with the  
11 statewide court administrative orders in which the  
12 New York City Housing Court was ready to permit pre-  
13 pandemic warrants of eviction that had been  
14 previously awarded by courts to proceed. And so, we  
15 advocated with the Housing Court to institute a  
16 motion practice in partnership with probably all of  
17 the advocates who are on this call today, as well as  
18 all of the legal services providers can institute a  
19 motion practice. To require the landlord to come  
20 back to the court and ask permission to proceed. Not  
21 only because this was the right thing to do in terms  
22 of the legal process but because it would provide us  
23 with an opportunity to work in partnership with the  
24 providers in the court to put in place legal services  
25 providers on a rotation, so that we could ensure that

1 every tenant had access to legal representation in  
2 the middle of the pandemic.

3 This was a new approach for the court. A new  
4 approach for providers and a new approach for us.  
5 And we did so without consideration of zip code,  
6 without consideration of income with an income  
7 waiving from OCJ.

8 This really exemplifies the approach we have  
9 taken since the beginning of the pandemic and it is  
10 the approach that we intent to take heading through  
11 the rest of this fiscal year as well as into the next  
12 fiscal year which was intended to be our full year of  
13 implementation anyway when we were going to be doing  
14 away with the zip code approach in any event.

15 So, we have accelerated that process in the midst  
16 of this pandemic and we intend to continue that  
17 citywide without regard to zip code approach here.

18 COUNCIL MEMBER LEVINE: Absolutely and we  
19 appreciate that and the concern is that the avalanche  
20 of evictions ahead of us is going to make all this  
21 much more difficult and going to make the stakes so  
22 much higher and that's the reason why we are pushing  
23 forward this amendment to the existing law in the  
24 [INAUDIBLE 1:00:57] of 2050. And I know you sort of  
25

1 touched on this but could you just tell us again,  
2 what is the Administrations position on this piece of  
3 legislation and if you are not supporting it, why  
4 not?  
5

6 JORDAN DRESSLER: You know look, as I said, we  
7 certainly not only support the spirit of the law but  
8 I think that we are really implement it, the law, in  
9 great respects even today by ensuring that zip code  
10 is no longer a factor in terms of determining  
11 eligibility for legal services. I think one of the  
12 things that we want to discuss and keep an eye on -  
13 discuss with the Council and other stakeholders is  
14 the level of flexibility that it allows and the level  
15 of flexibility it might remove.

16 If we have tenants in New York City who need help  
17 with hardship declarations who aren't in proceedings.  
18 They wouldn't necessarily get legal services through  
19 the right to counsel laws. It's those who are in  
20 proceedings and one thing that we have done since the  
21 beginning of the pandemic is try to be flexible.

22 SERGEANT AT ARMS: Time expired.

23 JORDAN DRESSLER: And remain responsive to the  
24 needs in the community. Whether it is in the form of  
25 providing advice through the Housing Legal Helpline

1  
2 or ensuring the tenants who are facing and need  
3 critical repairs through emergency HB actions have  
4 access to legal assistance.

5 So, it is a cliché to say the devil is in the  
6 details but we want to be sure that we are all moving  
7 the same direction and allowing for the right kind of  
8 flexibility while still committing to citywide  
9 implementation.

10 COUNCIL MEMBER LEVINE: I am sure on time, I will  
11 just ask the Chairs indulgence for just one or two  
12 more questions and I will try and make it quick, if  
13 that's okay.

14 CHAIRPERSON LEVIN: Of course, of course, no, no,  
15 it's fine. Thank you.

16 COUNCIL MEMBER LEVINE: Thank you. Obviously, we  
17 need to ensure that no cases proceed without the  
18 tenant having an attorney and that's going to be  
19 tougher and higher stakes in the months ahead post-  
20 moratorium.

21 Am I correct that any judge or the OCA more  
22 broadly, Office of Court Administration more broadly  
23 has the discretion to hold from proceeding on any  
24 case if a tenant does not have the attorney?  
25

1  
2 JORDAN DRESSLER: You know, I will answer the  
3 question this way. The presiding court in any  
4 particular case can make its determinations on  
5 scheduling and what needs to be in place and how long  
6 a case may take in its discretion based on input from  
7 the parties. I think, you know, in response to your  
8 question Council Member, I think nothing succeeds  
9 like success and so, what we have done is tried to  
10 model an approach that makes legal services available  
11 to those who reach out for it prior to that first  
12 court appearance, whenever it is scheduled or  
13 rescheduled by the court, as well as at that first  
14 court appearances the law requires.

15 That's been a success when we worked it out with  
16 respect to the so-called 213 motions, those motions  
17 to enforce pre-pandemic warrants and because of that  
18 success, I think, when it became time for the court  
19 to start hearing a small but important number of pre-  
20 pandemic nuisance holdovers that are permitted to  
21 proceed even now in the midst of the court stay, this  
22 idea of setting up an upfront court part with a legal  
23 provider who is working on rotations and make legal  
24 services available right then and there. The court  
25

1  
2 came to us with that proposal and so, we would like  
3 to set up a similar part, a nuisance part.

4 Our discussions with our legal providers across  
5 the city as a result were very straight forward and  
6 we had the pools of tools in place that we had  
7 developed over the last several months. The rotation  
8 and understanding of how cases can go and an  
9 expectation of offering legal representation in these  
10 cases, that we were able to mobilize virtually  
11 immediately. Those cases began to be heard in  
12 housing court in the four big boroughs this week. I  
13 am sorry, last week and we are in constant dialog  
14 about how that is going.

15 So, I think as long as we can continue to show  
16 efficiency and effectiveness in our implementation,  
17 we think we will have good partners on the court side  
18 as well as on the provider side.

19 COUNCIL MEMBER LEVINE: Thank you and just  
20 finally, the power of right to counsel is in part  
21 giving tenants the knowledge that they can stand and  
22 fight if they face unfair treatment by a landlord for  
23 example. And we know that tenants who don't - are  
24 not aware they have an attorney ready to help them  
25 sometimes in the face of an eviction proceeding would

1  
2 take a buy out or even in some cases, flea the  
3 apartment rather than have to confront an eviction.  
4 That's particularly true with I think people who have  
5 immigration documentation challenges etc.

6  
7 So, informing the public and tenants of the  
8 existence of this right is actually extremely  
9 important and will be now in the post-pandemic phase  
10 even more than ever.

11 Can you tell us about the city's effort to make  
12 sure that every tenant in New York City knows to have  
13 this right. Not necessarily just at the moment that  
14 they show up to court for the eviction but that they  
15 know in general that they have this backup if there  
16 is conflict with their landlord and what we could do  
17 to ramp up the scale of that outreach now given what  
18 we expect to have to deal with post-pandemic.

19 JORDAN DRESSLER: I appreciate the question. You  
20 know one thing that we have done that was able to be  
21 accelerated in the events through the pandemic, is  
22 work in partnership with the court to ensure the  
23 information about availability. Legal Services in  
24 New York City is on every official notification from  
25 the court. That information coming with the

1  
2 imprimatur of the courts seal almost, letting tenants  
3 know that they have access to legal services and here  
4 is how you can find out more about them has been a  
5 really critical piece in getting the word out.

6 I think more broadly, as I said, we do have  
7 concrete plans for a much broader media based  
8 approach around the right to council and you know,  
9 part of the issue there is just understanding what  
10 the right kind of timing ought to be and what the  
11 right kind of distribution ought to be and we are  
12 working in partnership with the Mayor's Office on  
13 thinking that through. We look forward to staying in  
14 close touch with the Council on that as the day grows  
15 closer for the release of that.

16 Finally, one thing that we did knowing that folks  
17 are often on the computer and looking for information  
18 is update our website and make it a bit more user  
19 friendly, more oriented around the tenant who has  
20 questions. This was keeping in the spirit of the  
21 city's tenant resource portal which is hosted by the  
22 Mayor's Office to Protect Tenants which provides a  
23 lot of information about tenants. For tenants with  
24 landlord/tenant disputes.

1  
2 But for our part, we updated our legal services  
3 for tenants page and assigned it a new URL, so  
4 tenants with questions about how to access legal  
5 services through OCJ can go to [nyc.gov/rtc](http://nyc.gov/rtc) for Right  
6 to Counsel and access that information.

7 COUNCIL MEMBER LEVINE: Thank you and my time is  
8 up. We want to accelerate outreach to tenants even  
9 more and Council Member Gibson and I have a bill  
10 which we heard prior to the pandemic that would  
11 require contracting with community based  
12 organizations on the ground to do this outreach.  
13 Because they are incredible messengers and they're in  
14 the neighborhoods and they have cultural competency.

15 So, that's not the topic of today's hearing but I  
16 just want to remind everybody about how important the  
17 outreach component is. So, I am way over time.

18 Thank you Mr. Chair for the extra time. Thank you  
19 again to Council Member Gibson for your partnership  
20 and leadership and thank you Jordan for the work that  
21 you are doing for this important cause. Thank you.

22 JORDAN DRESSLER: Thank you Council Member.

23 CHAIRPERSON LEVIN: I will turn it over to  
24 Council Member Gibson for questions.

25 SERGEANT AT ARMS: Time starts now.

1  
2 COUNCIL MEMBER GIBSON: Thank you. Sorry about  
3 the delay. Thank you Chair and thank you Council  
4 Member Levine and Jordan to you and your staff at  
5 OCJ, thank you very much. We had the chance to speak  
6 earlier last week about the work that you and your  
7 team have been doing during the pandemic and I am  
8 just reminded of the critical nature of this work.

9 Even in the midst of this global pandemic, the  
10 fact that courts are closed, we know that tenants are  
11 still facing harassment. Many have fallen behind in  
12 rent and are really struggling for basic necessities.

13 So, I can't emphasize how important this topic is  
14 as well as all of the other issues that we have been  
15 talking extensively about around food insecurity,  
16 around affordable housing. So, I really want to echo  
17 the sentiments of Council Member Levine in just  
18 saying that we are grateful. We have still been  
19 working. Our city workers, HRA, DSS, you know, we  
20 are all still working to the very best that we can to  
21 provide the services that are very critical.

22 So, I am glad you talked in your testimony about  
23 the work that's been done during the pandemic and  
24 certainly supporting the spirit of the bill is a good  
25 start and you know we are going to keep pushing to

1  
2 get us to the victory line. But I wanted to ask  
3 specifically, Council Member Levine in his opening  
4 talked about this bill 2050 not adding any additional  
5 cost to the implementation of expanding Right to  
6 Counsel since we are currently in a five year phase  
7 in.

8 So, number one, I wanted to ask, does the  
9 Administration believe that there is an additional  
10 cost beyond what's already allocated to implement  
11 2050 and then I want to understand for the broader  
12 public and those that are watching, how many zip  
13 codes is Right to Counsel serving today and during  
14 the pandemic, have you noticed, have you seen any  
15 trends in the data collected of additional zip codes  
16 that you have been serving that are not in the  
17 original and expanded zip code list and are we  
18 looking at some of those trends to see where there  
19 are populations and zip codes that would ultimately  
20 be served by this bill that are not necessarily in  
21 the expansion where we can target now as we look to  
22 expand on the zip code coverage.

23 JORDAN DRESSLER: So, Council Member, I  
24 appreciate the question because I think it gives me  
25 an opportunity to make a few things clear and of

1 course I want to first and foremost say thank you for  
2 your support for the work in my office and most  
3 importantly for the work being done everyday by our  
4 legal services provider partners. You know, part of  
5 what we have attempted to do is set up the structures  
6 that can best connect tenants with the lawyers who  
7 can help them. But at the end of the day, it's the  
8 lawyers and their teams who are doing the work on  
9 behalf of tenants and I happen to acknowledge all of  
10 the important work that they are doing and their  
11 flexibility in working with us and the courts to  
12 ensure that in this new normal, whether it is through  
13 phonelines or virtual conferences, the legal services  
14 are being made available for tenants who need it.

16 With respect to zip codes, it was always our  
17 intention in the coming fiscal year to do away with  
18 zip codes entirely, as anything remotely like  
19 ineligibility requirement. Fiscal '22 is the last  
20 year of our implementation. When the pandemic hit,  
21 we accelerated that process right from the very  
22 first. So, the very first thing that we did in  
23 seeing that even at a time a very limited activity in  
24 housing court, emergency proceedings in which a

1  
2 tenant might be legally locked out or evicted by  
3 their landlord. Emergency proceedings in which a  
4 tenant is seeking emergency repairs. We eliminated  
5 any zip code requirements; made that clear to the  
6 providers, made that clear to the court and put in a  
7 process to with the housing court to say, anyone who  
8 is facing – who is bringing such a case, bring that  
9 information to OCJ and we will assign to a lawyer who  
10 can help them.

11 That has been the approach that we have continued  
12 throughout. So today, if anyone is facing an  
13 eviction proceeding in housing court and appears in  
14 housing court, they will have access to legal  
15 representation, regardless of their zip code. We  
16 have no intention of returning to a zip code  
17 approach.

18 With that being said and answer to your question,  
19 we have started to look at the zip code question  
20 within the cases that have been handled. Those zip  
21 codes look roughly similar to the kinds of zip codes  
22 that were the highest in the number of eviction  
23 proceedings. The highest in the number of cases in  
24 which legal services were being provided. But for  
25

1  
2 our purposes now and I hope for everyone else's, that  
3 question is irrelevant. We see this as - with all  
4 due respect. We see this as a citywide effort that  
5 really has to meet tenants where they are and where  
6 they are citywide.

7 And so, I think the goal for us is better  
8 understanding -

9 SERGEANT AT ARMS: Time expired.

10 JORDAN DRESSLER: Where the best place to connect  
11 tenants with counsel at a time of great uncertainty  
12 as to how people are being connected and of course to  
13 continue to work in very close partnership with the  
14 courts and with the legal services providers to make  
15 those processes a success.

16 COUNCIL MEMBER GIBSON: Okay, I am so glad to  
17 hear that and I thank you for clarifying that. So,  
18 it is made clear to the broader public and advocates  
19 that no tenants will be turned away from services  
20 regardless of what zip code they live in.

21 And so, I also wanted to ask, you mentioned in  
22 your testimony that the legislation before the  
23 Committee today would not allow the administration  
24 the flexibility in terms of providing the services.  
25

1  
2 So, doesn't it seem that we are gearing towards that  
3 citywide expansion anyway? So, what is it about the  
4 bill and we can speak off line about specific  
5 legislative language that would prohibit the agency  
6 from implementing the full citywide measure that we  
7 are already starting to do anyway.

8 JORDAN DRESSLER: You know, I think the  
9 flexibility has to do with those needs from legal  
10 services than they occur sort of outside of the four  
11 corners of the Right to Counsel law. Things like  
12 legal assistance and for tenants who are in disputes  
13 with landlords but haven't yet been sued or legal  
14 services for tenants who need help with hardship  
15 declarations. Or whatever we don't know right now  
16 that may come down the pike in the form of needs or  
17 in the federal moratorium, which right now is only  
18 lasting until March but we don't know.

19 If there is one thing that we have learned  
20 throughout this process is that this is a legal  
21 landscape that can change on a dime. And that is a  
22 very frustrating place for many tenants to be. It is  
23 certainly a very frustrating place for many  
24 practitioners to be.  
25

1  
2           What we have tried to do throughout is make sure  
3 that the stakeholders that we work with have the  
4 information as quickly as possible. So, many  
5 mornings, providers have woken up to getting an order  
6 in the email. You know, a new executive order in  
7 their email inboxes from us in nearly all  
8 circumstances. They had it already because their  
9 good lawyers and they are clued in but we want to  
10 make sure that everybody has the right information.

11           But as a result, we need the opportunity to make  
12 sure that we are looking holistically at needs for  
13 tenants for legal help and able to address that, both  
14 most urgent needs as quickly as possible. And so, we  
15 look forward to further discussions.

16           COUNCIL MEMBER GIBSON: Okay, thank you and Mr.  
17 Chair, just two very last quick questions, I promise.  
18 I appreciate you saying that and I also think that  
19 you know, this pandemic is a reminder of a lot of  
20 deficiencies that we have in our systems today but it  
21 is also a learning lesson. I think you know; often  
22 times we have to stay ready so we don't have to get  
23 ready. And as we are learning this new normal and  
24 trying to adjust to this environment we are working  
25 in, we have to be very prepared for what lies ahead

1  
2 when the moratorium is lifted. And what we know will  
3 be an avalanche of cases in Housing Court. So, I  
4 also wonder, someone, one of my colleagues talked  
5 about language access, which is very important and  
6 you talked about that during the pandemic. Making  
7 sure that we capture those that are non-Native  
8 English speakers and that speak English as a second  
9 language. Make sure that we communicate in the way  
10 they understand. That is critically important.

11 I wonder how we are capturing those households  
12 that have fallen behind in rent but not yet receiving  
13 any eviction notice, right. So, they are on the cusp  
14 of a pending eviction. How do we reach out to them  
15 to allow them an understanding of what services are  
16 available? You talked about the website, that's  
17 great but a lot of households don't have internet  
18 connection and connectivity.

19 So, how do we get to those locations? Are we  
20 using home base, HRA doing work? You know, shout out  
21 to our Administrator Gary Jenkins and his team but  
22 what resources and tools in the toolbox do we have in  
23 place to help capture those households that may not  
24 already be on our radar?

25

1  
2 JORDAN DRESSLER: You know Erin, if it is okay, I  
3 am going to turn it to you to just talk a little bit  
4 about the agencies communications that have been  
5 happening regularly with our partners both in the  
6 elected side and CBO's and those communications which  
7 have included information about Housing Court,  
8 eviction moratorium and legal services, as well as  
9 the broader context of social services in DSS.

10 ERIN DRINKWATER: That's right, thank you Jordan  
11 and thank you Council Member for the question. So,  
12 since the start of the pandemic which the  
13 Commissioner has engaged in a call with our elected  
14 partners and CBO partners. Each week there is  
15 anywhere from 100 to 200 folks on the call. They are  
16 able to ask the Commissioner questions about policies  
17 and program changes that have been made over the  
18 course of the pandemic both in response to executive  
19 orders, agency directed policy change, our ongoing  
20 work and engagement with OTA, the courts and then  
21 following those calls, there is an email sent to  
22 approximately 4,500 individuals where we share  
23 additional information. This includes everything  
24 from updates about how to file for enhanced  
25

1  
2 unemployment benefits. How to apply for cash  
3 assistance online using access to HRA. How to apply  
4 for SNAP, making individuals aware of the increases  
5 to benefits. So, throughout the course of the  
6 pandemic there has been federal action that has  
7 increased the SNAP allocation for individuals and  
8 families who are in desperate need of food resources.  
9 Information about pandemic EBT, which is administered  
10 by the state.

11 So, we have really tried to in real time as best  
12 we can, provide information and updates to our  
13 elected partners and CBO partners with the  
14 understanding that that information would then spread  
15 out like a spiderweb. You know, really reaching into  
16 the client base.

17 In terms of tracking, we worked through you know,  
18 our normal processes in which individuals are  
19 applying for benefits and you know, tracking the  
20 information in the normal course of work. There are  
21 other programs that have been stood up across this  
22 agency that certainly fall under the sort of social  
23 services umbrella. I am thinking of the Get Food  
24 Initiative for example. That is not a direct HRA  
25

1  
2 administered program but our emergency food offices  
3 within HRA do work very closely with the Get Food  
4 team. Again, to make sure that the resources that  
5 are available to New Yorkers are making their way  
6 into those households that need it.

7 COUNCIL MEMBER GIBSON: Thank you and that's  
8 very, very helpful to understand. I am sure I know  
9 many of those CBO's that you partner with and speak  
10 frequently to. The Get Food NYC program, PEBT SNAP  
11 benefits, Health Box, I mean all of that is important  
12 because it is not just about the stability of a roof  
13 over your head but it is also about access to other  
14 necessities.

15 So, I am glad that you all get it and have been  
16 engaging folks on the ground. A lot of these  
17 organizations have a continuity of services. They  
18 already have relationships. They are already doing  
19 some sort of remote services anyway. I think about  
20 some of our healthcare providers that are doing home  
21 visits. Checking on you know, medically frail and  
22 elderly and you know, those that are living alone.  
23 Very, very isolated during the pandemic.

24

25

1  
2           So, that's good to hear. The final question I  
3 have is related to the one-shot deal and I wanted to  
4 understand what the agency is doing to make any  
5 reforms to one-shot deals in the middle of this  
6 climate knowing that there is an economic hardship  
7 for so many families to meet the monthly rent. With  
8 stagnant wages, loss of income, how can we reform the  
9 one-shot deal program? The eviction? Filing  
10 requirement? Are we loosening some of those things?  
11 Like are we working with our state partners to look  
12 at any opportunities to make it easier for clients to  
13 access one-shot deals as a way to help them with a  
14 lot of the back rent that they are facing.

15           ERIN DRINKWATER: Sure, so I will start and then  
16 maybe my colleague Mr. Jordan will jump in. We have  
17 certainly engaged in ongoing conversations with OTDA  
18 and our partners throughout the pandemic in terms of  
19 where we are able to you know, loosen eligibility  
20 requirements or suspend eligibility requirements to  
21 make sure that we are getting you know, the necessary  
22 resources to the individuals who need it.

23           Those conversations have both been successful in  
24 the terms of OTDA granting particular waivers. I  
25 think the waiver for the cash assistance interview by

1  
2 telephone is a major one. And then there have been  
3 waivers that we have requested from the state that  
4 have been denied. For example, we requested the  
5 state FHEPS eligibility to be changed, so that way  
6 uhm, an individual does not have to have the eviction  
7 proceeding right. If there is an eviction  
8 moratorium, a client isn't facing an eviction  
9 proceeding and therefore is found ineligible for  
10 state FHEPS. That particular waiver from the state  
11 was denied.

12 We continue these conversations to try to make  
13 sure that again, we are looking at you know the  
14 statutory requirements and regulatory requirements  
15 and seeing where we can work with our partners to  
16 make those changes and I will turn over to Bruce if  
17 he has anything to add.

18 BRUCE JORDAN: Yeah, I would just add very  
19 briefly that what you just pointed out, FHEPS has  
20 always had the requirement based on a lawsuit going  
21 back to Jiggetts and the Pina settlement. But the  
22 one-shot deal has never had a requirement for legal  
23 action. There has always been this number sometimes  
24 unfortunately but the basic criteria for a one-shot  
25 deal is, you owe rent, you have proof that you owe

1  
2 rent from a landlord. It doesn't have to be a court  
3 stipulation and if you have a reasonable future plan  
4 to pay your rent, we can assess you.

5 COUNCIL MEMBER GIBSON: Okay, thank you. Well,  
6 anything that we have asked this data that's been  
7 denied, that's just a setback. A setback is  
8 preparation for a comeback. So, let's try again and  
9 certainly using us, the relationships that we have  
10 with our colleagues in Albany. This is a new year, a  
11 new chapter, a new Administration so I say you know,  
12 let's try to get these you know there hurdles  
13 addressed so that we can make it easier for our  
14 clients in the middle of a pandemic. So, I am done  
15 with questions. My time is up but I really thank all  
16 of you. Thank you Bruce. Thank you Erin and Jordan  
17 and the HRA team, the DSS team, the OCJ team, every  
18 acronym. Thank you guys really for the work you are  
19 doing. It does not go unnoticed and unrecognized and  
20 working with all of our civil legal service providers  
21 on the ground, many of whom I have talked to.

22 I know that this has not been an easy time but I  
23 appreciate the impact that we are making and we just  
24 have to keep pushing because the reality is there are  
25 a lot of tenants out there that need our support and

1  
2 need our priority and our attention and we can not  
3 lose sight of that right now.

4       So, I am looking forward to working with you. We  
5 are going to get to the victory line on 2050 I am  
6 sure of it and I appreciate you coming today and  
7 really everything that you and your team have done  
8 during the course of this pandemic.

9       So, thank you so much and thank you Chair Levin  
10 for allowing me the additional time. Thank you.

11       CHAIRPERSON LEVIN: Thank you Council Member  
12 Gibson. I just want to apologize in advance, my kids  
13 just got home so you might hear some company in the  
14 background.

15       Bruce, before I turn it over to Council Member  
16 Grodenchik, I wanted to ask you one quick question.  
17 Being that the limitations to one-shots are what you  
18 just outlined, you know, presumably, there are many  
19 tenants that would qualify much more than the city  
20 has the resources to accommodate. How would we be  
21 assessing one-shot applications under the kind of  
22 preexisting standards that you know, we had prior to  
23 COVID.

24

25

1  
2 I mean, if the standards are that they are able  
3 to pay – you know, they don't need an eviction  
4 proceeding. They just have to demonstrate that they  
5 can pay the rent moving forward and you know, they  
6 were paying up until I mean, just as a scenario or  
7 hypothetical, paying their rent up until COVID and  
8 then uhm, you know, lost their employment during  
9 COVID. You know, accrued arrears but once we are out  
10 of the pandemic, they are able to work full-time and  
11 can pay their rent.

12 You know, that seems like a fairly common  
13 scenario that we can anticipate. What's the  
14 limitations of one-shot in that scenario?

15 BRUCE JORDAN: So, thank you for that question  
16 Chair Levin. I think that we would probably have to  
17 go back to applying some of the other criteria's. I  
18 made it just seem a little too simple but the main  
19 criteria is that a mandatory, obviously you have to  
20 have proof of your rent arrears, obviously right.  
21 And you have to have a future plan but one of the  
22 things we take into account all along is what was the  
23 reason that you fell into arrears right. It just  
24 can't be a story, hopefully there is some

25

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2 documentation. Some form of a hardship,  
3 mismanagement. Also the amount of arrears, right.  
4 At a certain point, it is probably more feasible to  
5 have someone relocate than stay. Depending on the  
6 affordability of the housing. There is a lot of  
7 other little complicated factors that go into our  
8 assessment or evaluation every day. So, I guess if  
9 we ever reach that type of dilemma where the state  
10 and city funding – yes, go ahead.

11 CHAIRPERSON LEVIN: I was just going to ask – so  
12 that was my son actually. That was my son.

13 BRUCE JORDAN: So, I guess we had to start  
14 shaving things down if all of sudden their funding  
15 became unavailable, even at the pre-pandemic level.  
16 We would just have to take a stricter look I guess  
17 with the current program rubric that we do. But the  
18 main mandatory things are of future ability of just  
19 proving the arrears. But we do [INAUDIBLE 1:29:07]  
20 every day.

21 CHAIRPERSON LEVIN: Wouldn't it make sense to  
22 just take the federal stimulus dollars uhm, hopefully  
23 more would be coming in in the upcoming stimulus deal  
24 from the Biden Administration and just take those  
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2 stimulus dollars and apply them to rent arrears  
3 through the one-shot program. Wouldn't that make a  
4 lot of sense?

5 BRUCE JORDAN: So, Chair Levin, that's what I  
6 believe myself and Erin sort of testified. That's  
7 the sort of the direction of the conversations with  
8 the state.

9 CHAIRPERSON LEVIN: Okay, I mean I would prefer  
10 to advocate. If they don't reinvent the wheel, we  
11 have a pretty - I mean, I will say this and anyone  
12 that asks me, you know, what has been the most  
13 meaningful uhm, uh, work that the de Blasio  
14 Administration has gone around homelessness and I  
15 will say Civil Legal Services, the increase of Civil  
16 Legal Services and the increase of one-shots, which  
17 has you know, stabilized a lot, a lot of tenants  
18 across New York City.

19 You know, just to put it in context, I mean, you  
20 know, prior to 2014, there is \$6 million in Civil  
21 Legal Services in the City of New York under the - \$6  
22 million and this Administration has brought it up to  
23 over \$60, \$70, \$80 million annually but the expansion  
24 of one-shots and the eligibility of one-shots has

1  
2 been transformational from last administration to  
3 this administration.

4       So, certainly that's something that I think we  
5 can advocate for you know, again, not reinventing the  
6 wheel here but perhaps bolstering the system that's  
7 been so effective for the last eight -

8       I will turn it over to Council Member Grodenchik  
9 now.

10       SERGEANT AT ARMS: Time starts now.

11       COUNCIL MEMBER GRODENCHIK: I am going to ask for  
12 an extra five minutes in advance. I am only kidding.  
13 Thank you Chair Levin. You kind of took my questions  
14 because we usually anticipate each other line of  
15 questioning and I want to thank HRA , not only for  
16 being here today but for their comprehensive  
17 testimony and I really think and my comments are  
18 going to riff on Chair Levin mostly and to some  
19 extent Council Member Gibson's comments.

20       I really believe that we have to play long ball  
21 here and we have to look down the field because this  
22 pandemic has been going on for almost a year. And  
23 the use of one-shots, I agree with Chair Levin is  
24 probably the best thing that we have done to prevent  
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2 homelessness and we know that so much – so many of  
3 the things that we fight against as a city in this  
4 Council and the Administration have worked on stem  
5 from preventing homelessness. It goes a long way.  
6 It effects the education of children. It effects so  
7 many different things and I know that a question was  
8 asked I think by Chair Levin about what we were  
9 exactly looking at and if you don't have the answer  
10 today that's okay because there is still time to come  
11 up with an answer.

12 I think that we really need with due respect to  
13 HRA and Department of Social Services, we need to  
14 take a hard look at what it is going to cost.  
15 Because we can't print money here but the federal  
16 government does and we finally have an administration  
17 in place that is willing to look at these issues very  
18 seriously and I would respectfully request that we do  
19 get a hard look from HRA to see exactly what we are  
20 up against. Because you really can't deal with this  
21 problem until you know exactly how many people are  
22 going to be facing eviction.

23 And the one-shot takes – is it allowed four  
24 months in arrears? Can you answer that question?  
25 That's the one question I will ask.

1  
2 BRUCE JORDAN: So, Council Member, the  
3 traditional one-shot deal administered by HRA with  
4 oversight from the state, there is no limit as far as  
5 the months.

6 COUNCIL MEMBER GRODENCHIK: Okay, okay.

7 BRUCE JORDAN: It is by a case by case basis.

8 COUNCIL MEMBER GRODENCHIK: So, I think that the  
9 number of cases that you are dealing with is going to  
10 rapidly expand. Many people, we still have a double  
11 digit unemployment rate in all of New York City and  
12 that's nobody's fault. There was a pandemic and we  
13 were still fighting it and I really think it is  
14 critical that we come up with a number and maybe we  
15 can discuss this again at a future hearing if Chair  
16 Levin is so inclined but we really need to know what  
17 we are up against. And this crisis is still  
18 unfolding, the numbers are still daunting and we  
19 really need to know what we are up against. So, I am  
20 not going to ask any questions except to request from  
21 HRA that they go back to the table and really take a  
22 hard look. Are we dealing with \$10,000? Probably  
23 not. Are we dealing with \$100,000? Much more  
24 likely.

25 The numbers are just off the charts.

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ERIN DRINKWATER: And –

COUNCIL MEMBER GRODENCHIK: We know how many –  
yes Erin.

ERIN DRINKWATER: Oh Council Member, sorry to interrupt. I was going to say, it might be a good time now to just jump in with some information about rent arrears payments that have been made.

COUNCIL MEMBER GRODENCHIK: Okay.

ERIN DRINKWATER: To you point in terms of tracking this. In FY – Fiscal Year '19, the city had a \$255 million total expenditure in rent arrears and that served about approximately 57–, almost 58,000 households. And then in City Fiscal Year '20, it was about \$215 million. So, you know, a slight decline serving about almost 50,000 households.

The average payment year over year was approximately the same and this is data that we, you know, continue to look at. I think very much to your point, you know, this Administration really took the payment of rent arrears, made it more accessible to clients. Made it something that individuals who were in need of this were made aware of and then our ability to pay that out based on the state criteria.

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2           So, we will continue to track and monitor that as  
3 one metric. Again, it is one of many of the  
4 prevention tools that we have in the tool kit that we  
5 have but wanted to get that on the record.

6           COUNCIL MEMBER GRODENCHIK: I thank you for that.  
7 That's very helpful to me because it gives us some  
8 idea but uhm, if there is any way that we can try to  
9 look forward working with advocates and the other  
10 folks that you work with.

11           SERGEANT AT ARMS: Time expired.

12           COUNCIL MEMBER GRODENCHIK: Thank you. Uhm, that  
13 would be helpful because right now, they are planning  
14 you know, the next stimulus package. And I am  
15 certain that New York City is not alone in this and  
16 we will have many allies by we have got to be – we  
17 also have thankfully, the new Senate Majority Leader.

18           So, we do have a lot of allies. Now is the time  
19 but we don't want to get caught short. So, I just  
20 want to put all that on the record. I thank you  
21 Chair. I thank HRA for your work and for being here  
22 today and testifying as you have. Thank you.

23           CHAIRPERSON LEVIN: Thank you Council Member  
24 Grodenchik. I will turn it over now to Council  
25 Member Helen Rosenthal.

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SERGEANT AT ARMS: Time starts now.

COUNCIL MEMBER ROSENTHAL: Great, thanks so much. I appreciate all the hard work Council Members Levine and Gibson, congratulations always. This brilliant legislation, of course, congratulations to the Right to Counsel Coalition.

Uhm, two quick questions. One from my staff is, is our hold over cases allowed to be taken by Right to Counsel lawyers?

JORDAN DRESSLER: Uh, yes, thank you Council Member. The answer is yes. Hold over proceedings in Housing Court, which is to say an eviction proceeding brought for a reason other than nonpayment of rent, are included under resisting Right to Counsel law and in fact, a subset of holdover proceedings. Those cases in which the allegation is something in the spirit of a nuisance case or a threat to the health and safety. Because of the allegations and the current state law and the current statewide administrative order allows those cases to proceed even now in the midst of the ban on nearly every eviction.

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2 And so, as a result, we have worked with legal  
3 providers and the courts to ensure access to legal  
4 representation in that small number of cases that are  
5 currently being heard.

6 COUNCIL MEMBER ROSENTHAL: Oh, so helpful. Do  
7 you have a sense of the percentage of cases that are  
8 hold over?

9 JORDAN DRESSLER: Traditionally, yeah sure.  
10 Without having one of our many reports directly in  
11 front of me, so this is from memory and I recognize I  
12 am under oath.

13 COUNCIL MEMBER ROSENTHAL: And I won't hold you  
14 to it.

15 JORDAN DRESSLER: Thank you Council Member. Uhm,  
16 holdovers have traditionally counted for I think some  
17 where in the neighborhood of 15 percent of citywide  
18 proceedings. However, I don't want things to get  
19 confusing. Nuisance holdovers so to speak are not  
20 the entirety of the 15 percent because there could be

21 -

22 COUNCIL MEMBER ROSENTHAL: Got it.

23 JORDAN DRESSLER: For overstaying the lease or  
24 any other kind of reasons, that 15 percent.

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2 COUNCIL MEMBER ROSENTHAL: Okay, you know, my  
3 guess is that reason my staff wanted me to ask this  
4 question is because my district zip codes have not  
5 been eligible for Right to Counsel. And just wanting  
6 to make sure now going forward given that the zip  
7 codes in my district are eligible that we will be  
8 able to uhm, assure those cases will be taken by  
9 Right to Counsel lawyers as well.

10 Uhm, and then, I have a budget question which is,  
11 have - if you look at Fiscal Years, the budget for  
12 Right to Counsel Fiscal Years '20 versus '21, would  
13 the budget - are there fewer cases that given the  
14 eviction moratorium, that Right to Counsel lawyers  
15 have to take? So, therefore, has the budget for that  
16 line decreased?

17 JORDAN DRESSLER: You know, it's a very good  
18 question. Thank you for the question. Uhm, there  
19 were one time savings taken in the OCJ access to  
20 counsel budget in Fiscal '20 and then again in Fiscal  
21 Year '21 that were based on just the traditional  
22 delays in uhm, in hiring, in onboarding by legal  
23 services staff.

24 COUNCIL MEMBER ROSENTHAL: Yeah.  
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1  
2 JORDAN DRESSLER: Uh, the legal services  
3 organizations of the necessary staff and so, those  
4 are one time - I think those delays were exacerbated  
5 in the middle of the pandemic with just all the  
6 challenges that was onboarding. However, as we head  
7 into Fiscal Year '22, we are fully funded and we  
8 fully expect to be full implementation for Fiscal  
9 Year '22.

10 COUNCIL MEMBER ROSENTHAL: Okay, so the  
11 nonprofits have not had the management problem of  
12 having to lay people off because there wasn't enough  
13 work.

14 JORDAN DRESSLER: No, absolutely not. Absolutely  
15 not.

16 COUNCIL MEMBER ROSENTHAL: Okay.

17 JORDAN DRESSLER: And in fact, providers have  
18 seen increases every year and with further increases,  
19 substantial increases in Fiscal Year '22 which we are  
20 just starting to nail down and going to have those  
21 conversations with providers very soon and probably  
22 earlier with respect to any sort of Fiscal Year cycle  
23 than we ever have before.

24 COUNCIL MEMBER ROSENTHAL: You know, when I think  
25 about the police overtime budget and trying to -

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SERGEANT AT ARMS: Time expired.

COUNCIL MEMBER ROSENTHAL: If I could just sort of finish this thought.

CHAIRPERSON LEVIN: Of course Council Member. Finish your line of questioning because I don't think there are any other members that are asking.

COUNCIL MEMBER ROSENTHAL: Thank you so much Chair Levin. Always a pleasure working with you. But I am just wondering, when you think about the police overtime budget and raining it is you know, it is challenging because if there is overtime, there is overtime so you are just going to reimburse it.

Can we on a happier face note, that for uhm, one shots and for funding Right to Counsel, are those things driven by demand or is it ever the case that you know, as the city has faced financial troubles over the last year, that we have limited allocations due to fiscal belt tightening?

JORDAN DRESSLER: I will speak to legal services first. What you described, belt tightening in the face of the fiscal pressures, has only occurred in the last two years with respect to legal services but only to the extent of taking one time savings out of a budget that was not yet allocated.

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2 Uhm, the legal services providers were not – the  
3 contracts were not affected. Their ability to expand  
4 in those fiscal years was not affected and we do not  
5 see that on the horizon for fiscal year '22, when  
6 full implementation is going to be part of our plan.

7 So, that I believe will be for legal services.

8 COUNCIL MEMBER ROSENTHAL: Great and same answer  
9 for arrears?

10 ERIN DRINKWATER: So, Council Member, I had  
11 shared the arrears information earlier in terms of  
12 the Fiscal Year for '19 and '20. And that is based  
13 on ineligibility.

14 COUNCIL MEMBER ROSENTHAL: Okay, so there is  
15 never any – so there hasn't been any like hold up  
16 because of budget constraints. You know, kind of  
17 like with the contract payments. You know, the city  
18 has slowed down payments and non-profits depending on  
19 how much money is cash on hand and I am just  
20 wondering if the same is true for you know, one-  
21 shots.

22 ERIN DRINKWATER: Again, I will have my colleague  
23 Mr. Jordan respond.

24 COUNCIL MEMBER ROSENTHAL: Okay, it sounds like –  
25 go ahead.

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2 BRUCE JORDAN: Yeah, so uh, Council Member, as  
3 Erin was saying, it is not the case. It is my  
4 understanding that the one-shot deal allocations come  
5 from the TANF and safety net allocations from the  
6 state. And the city in past, like with City FHEPS  
7 has stepped in where it can with like City FHEPS rent  
8 arrears under CTL.

9 COUNCIL MEMBER ROSENTHAL: Oh right, good point.  
10 So, that's where there might - okay, got it, got it,  
11 got it, got it.

12 Alright, well thank you very much. Thank you  
13 every one for your hard work on this very successful  
14 program, congratulations.

15 CHAIRPERSON LEVIN: Okay, thank you very much  
16 Council Member Rosenthal. So, I will just ask a few  
17 questions here before we wrap up and my son decided  
18 not to take a nap, so he is with us here as well.

19 My computer, uhm, uhm, has DSS or agencies within  
20 the administration sat down and done like tabletop  
21 exercises around the moratorium ending, kind of you  
22 know, gaming out scenarios in which there is kind of  
23 a game plan in place. Is that something that you  
24 have done or something you intend to do?

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2 JORDAN DRESSLER: You know, for our part in terms  
3 of gearing up for an eventual and the Housing Court  
4 closure, you know, we have had discussions with legal  
5 services providers about sort of different forms that  
6 the service response can take, trying to understand  
7 you know, what the accessibility for legal services  
8 can and ought to look like depending on what the  
9 scenario is. I think the challenge with all of this  
10 is all of the input, so to speak on what an exercise  
11 like that might be, tend to change given a 30-day  
12 time period. And then you know, it becomes something  
13 different at that point and becomes a very  
14 challenging exercise to sort of predict the wide  
15 variation of different scenarios.

16 The one thing we do know is that the old way of  
17 doing business in Housing Court, where you know  
18 thousands if not tens of thousands of people are  
19 called to Housing Court, you know, essentially two  
20 times a day. You know at 9:30 and then again at 2:15  
21 for what amount to mass calendar calls, were kneeling  
22 about in the hallways and waiting is unlikely to  
23 return anytime soon. And a somewhat newly developed  
24 way of doing business with scheduled calendar calls

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2 that right now tied to virtual conferencing which  
3 have to be scheduled at appointed times, is the new  
4 way of doing business and so, it has afforded us a  
5 lot of opportunity to really think through new ways  
6 of making legal services available to those who don't  
7 have counsel in court, as well as for legal services  
8 providers to provide effective representation to the  
9 clients that they already have and understanding of  
10 course that you know, there is a limit to how many of  
11 any particular kind of matter or any particular kind  
12 of case the courts can hear you.

13 BRUCE JORDAN: So, the only thing I would add to  
14 that Council Member Chair Levin, is that because of  
15 the Office of Civil Justice and our connection with  
16 OCA and the courts and the fact as you said we have a  
17 program that's not broke in the traditional one-shot  
18 deal programs. To date, other entities have invited  
19 us to the table from whether it be City Hall or  
20 whether it be OTDA to start having some discussions,  
21 yes, on planning.

22 CHAIRPERSON LEVIN: Okay, yeah, I would  
23 definitely recommend you know maybe City Hall being  
24 the convener of you know of a kind of ongoing

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2 exercise meeting once a month or so. Reviewing uhm,  
3 you know getting a fairly large table. You know, so  
4 you have reps from OTDA and reps from OCA and uhm and  
5 the Civil Legal Services providers as well as the  
6 city agencies to kind of game out, because you know  
7 so that there is the kind of continuity – obviously  
8 you can't predict exactly where things will be from  
9 the federal governments perspective but you certainly  
10 could you know make an informed assessment of where  
11 city and state policy will be, particularly if you  
12 have OCA and OTDA there.

13 So, that would be my recommendation is kind of  
14 having, kind of getting this collaborative process in  
15 place. You know, starting now so that they can  
16 anticipate this.

17 ERIN DRINKWATER: And I will just – I will note  
18 Council Member also, through the IHAC, the  
19 Interagency of Homelessness Accountability Council,  
20 we spend months this year in the quarterly meetings  
21 that were required by local law discussing some of  
22 these very topics. Representatives from this agency,  
23 from HRA were involved in those meetings as well as  
24 other agency partners from ACS, from DOE, from DOHMH,

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2 HPD and as well as the Center for Innovation for Data  
3 Intelligence, MOIA. So, that was one piece. I do  
4 hear the point of the Chair and certainly happy to  
5 bring that back to City Hall and to colleagues in the  
6 inclusion of our CBO partners of course.

7 CHAIRPERSON LEVIN: Thank you. What is the city  
8 doing around advocacy for you know, the cancel rent  
9 advocacy at the state level? Is there - the city  
10 involved in that or has the city considered  
11 legislation or looked at the legislations from the  
12 pending in the legislature around cancel rent?

13 ERIN DRINKWATER: Thank you for the question.  
14 So, you know, we are very much aware of the fact that  
15 you know COVID-19 has caused so much uncertainty  
16 across the city. We have been advocating at the  
17 state level, at the federal level to you know get the  
18 relief that New Yorkers need in the way of the  
19 eviction moratorium, you know, the increased rental  
20 assistance, advocating for additional food resources,  
21 enhanced unemployment benefits and those sorts of  
22 things.

23 We have you know spoken today about the tenant  
24 legal services and we want to continue to explore  
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1  
2 those conversations and making sure to get the relief  
3 in the hands of renters, so that they are able to pay  
4 the rent. I think at the end of the day, that is  
5 what we need to be focused on. You know, making sure  
6 that the monies that have already been allocated are  
7 able to quickly be disbursed and so, folks are able  
8 uhm, you know to cover their rent. Landlords can  
9 make their payments and so on.

10 CHAIRPERSON LEVIN: Uhm, how is DSS working with  
11 uhm, people who are undocumented when it comes to  
12 providing rental assistance, either through state  
13 program or city program?

14 ERIN DRINKWATER: Sure, so I can start and then  
15 turn it over maybe to Jordan and to Bruce to speak  
16 specifically about the programs. Uhm, you know, we  
17 administer programs based on state and federal  
18 statute as it relates to eligibility criteria for  
19 individuals who are undocumented.

20 Early on in the COVID pandemic, we partnered with  
21 nonprofit organizations and through philanthropic  
22 organizations, namely the Open Societies Foundation  
23 to administer donations through the Mayor's fund for  
24 the Immigrant Emergency Relief Program. Recognizing  
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1  
2 that through existing statute, many New Yorkers would  
3 be cut out from the you know, very real programs that  
4 they would need in order to pay rent, put food on the  
5 table. And so, we worked directly with them.

6 And so, as Jordan has mentioned, the OCJ programs  
7 are available to New Yorkers irrespective of  
8 immigration status and the programs that Bruce and  
9 his team administer do have eligibility criteria that  
10 sometimes do include – excuse me, an immigration  
11 status. That an individual, excuse me would be  
12 excluded if they did not have the requisite uh,  
13 immigration status.

14 CHAIRPERSON LEVIN: So, one-shots, are those  
15 available to uhm, to undocumented tenants and the  
16 federal dollars through the stimulus that have come  
17 through? Are those available to – so specifically,  
18 those two examples, are those available to people  
19 that are undocumented?

20 ERIN DRINKWATER: They are not.

21 CHAIRPERSON LEVIN: So, why wouldn't the state  
22 one be – why wouldn't one-shots be? One shots, are  
23 they using – are they drawing down federal funds?  
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2 ERIN DRINKWATER: So, uhm, it is interesting that  
3 you should ask. So, the provision of federal law  
4 requires that states make a determination for state  
5 and local dollars to be made available to individuals  
6 who are undocumented.

7 Uhm, there are states, Texas, Florida,  
8 California, who have extended this provision into  
9 their state law. New York has not yet done that.  
10 There is a bill in the state legislature that Senator  
11 Persaud introduced and Assembly Member Cruz that  
12 would you know, extend the ability for state and  
13 local dollars to be used for individuals irrespective  
14 of immigration status. But at this point, based on  
15 federal law and existing state law, those dollars  
16 can't be used.

17 CHAIRPERSON LEVIN: So, according to New York  
18 State Law, because we are allowed - because there is  
19 no federal - again, these are state tax dollars and  
20 city tax dollars. Uhm, they are not TANF funds,  
21 right.

22 ERIN DRINKWATER: Bruce can talk more about this.  
23 I mean, the one-shot funding stream does come through  
24 TANF. There are some TANF -

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2 CHAIRPERSON LEVIN: Oh, it does. Okay, but the  
3 state has the authority to be able to waive those  
4 requirements as California, Texas and Florida have  
5 done, is what you are saying?

6 ERIN DRINKWATER: That's correct and we can get  
7 you uhm, the federal statute.

8 CHAIRPERSON LEVIN: Okay.

9 ERIN DRINKWATER: And can share the state  
10 legislation as well.

11 CHAIRPERSON LEVIN: Okay, is the Administration  
12 in support of that state legislation?

13 ERIN DRINKWATER: So, the Administration is  
14 looking at that, yes.

15 CHAIRPERSON LEVIN: Okay. Uhm, well I mean, I  
16 will have to take a look at the legislation but I  
17 think that that's going to be an essential component  
18 here. If people who are undocumented are not, can't  
19 avail themselves. You know if we go down the road of  
20 using the apparatus of one-shots to be able to you  
21 know help people meet these rent arrears and you  
22 know, upwards of a \$1.2 billion worth of rent  
23 arrears, if people who are undocumented don't have  
24 access to that -

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2 ERIN DRINKWATER: Right and you know, as I  
3 mentioned, I mean under, under COVID, we were able to  
4 you know, New York City was able to administer the  
5 Immigrant Emergency Relief Program and then there is  
6 also, I mean, not fully excluded but in you know  
7 mixed status households. You know the availability  
8 for these programs is possible.

9 CHAIRPERSON LEVIN: Okay, that's something that  
10 we should definitely be focusing on then I think.  
11 Uhm, can one-shots be used to cover arrears for  
12 storage units? I could certainly speak from just  
13 personal experience the number of times that clients  
14 that we have worked with in my office have had  
15 storage units and face challenges around arrears  
16 there.

17 ERIN DRINKWATER: I am going to have Bruce jump  
18 in here.

19 CHAIRPERSON LEVIN: Sorry, you are muted Bruce.  
20 There you go.

21 BRUCE JORDAN: Sorry about that. I have some  
22 company in my house now to. Yes, you can get storage  
23 arrears. Through local jobs and applying on access  
24 HRA. It is available and arrears are also for  
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1  
2 utilities too. So, the main things are rent, storage  
3 and utilities.

4 CHAIRPERSON LEVIN: That would be available even  
5 it if was an expanded program? That would be  
6 available? In another words, if we are using one-  
7 shots or if there is any - what ever program the city  
8 pursues when it comes to providing arrears from COVID  
9 or one-shots, will storage units be part of the  
10 equation?

11 BRUCE JORDAN: So, I am not an expert in the law  
12 but I think I looked it over this morning and it  
13 mentioned rent arrears and utilities. I don't know  
14 if the stimulus allows or doesn't allow storage, I  
15 don't know that but traditional one-shot deals, HRA,  
16 OTDA does allow that.

17 CHAIRPERSON LEVIN: Okay, you were looking at the  
18 state law this morning or federal law? The federal  
19 law?

20 BRUCE JORDAN: Yeah, the actual - yeah, the  
21 stimulus bill itself.

22 CHAIRPERSON LEVIN: Okay.

23 BRUCE JORDAN: Related to just the funding.

24 CHAIRPERSON LEVIN: Got it.  
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2 BRUCE JORDAN: And the criteria, yes. And I  
3 don't know, I am not so certain to – someone has to  
4 check this, whether or not immigration status is a  
5 factor. I think it might not have been a factor and  
6 someone might have been sleeping in the feds. So, we  
7 need to double check that.

8 CHAIRPERSON LEVIN: Okay, okay. Uhm, okay, this  
9 is something obviously we should really be working  
10 out over the coming weeks. Uh, last question for me  
11 here. How are we looking at the system of home base  
12 in all of this. Bruce, you have been very involved  
13 with home base. Uhm, uh, how is home base uhm, doing  
14 their work right now? And how do we envision them  
15 being part of this solution?

16 BRUCE JORDAN: Well, currently, they are an  
17 integral partner and I will defer to Deputy  
18 Commissioner Zuiderveen, who is on the call.

19 SARA ZUIDERVEEN: Sure, hi, thanks for the  
20 question. Uhm, so home based, very quickly and  
21 efficiently was able to transition a lot of their  
22 work remotely. They got everybody equipment. They  
23 figured out how to do remote visits and signatures  
24 and gather documents. So, they have continued to  
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1  
2 enroll right at their targeted enrollment rates this  
3 entire time.

4       They tend to rotate staff in maybe once a week,  
5 so they do have some in office services for some  
6 really urgent matters or if they have to hand off  
7 checks and things like that. So, they have been uhm,  
8 you know, delivering all the homebased services,  
9 after care, helping people renew. Certainly, we  
10 would imagine that they would help HRA tenants who  
11 may be on under subsidies or they are general  
12 prevention clients with applying for any stimulus  
13 dollars that may apply to them.

14       And then also, this is not directly related to us  
15 but they have been running the Project Parachute  
16 Fasten Program, which was funded by private dollars  
17 and runs through the enterprise community partners  
18 and goes to these homebased programs and they raise  
19 millions of dollars that could specifically be used  
20 for undocumented families for arrears.

21       So, all of those homebased providers have been  
22 also getting that program up and running and  
23 processing arrears grants for undocumented families  
24 that can't get that money anywhere else.

1  
2 CHAIRPERSON LEVIN: Okay, thank you very much  
3 Sara. Uhm, uh, lastly I just want to just  
4 acknowledge the uhm, the work that this  
5 administration has done and this HRA you know, under  
6 Commissioner Banks's leadership for setting up access  
7 HRA and various remote portals and being able to take  
8 as much - obviously questions around you know,  
9 workforce sites and making sure that we are  
10 continuing to accommodate people that don't have  
11 access to the technology.

12 But you know, I shutter to think what this would  
13 have been like going through this pandemic had we not  
14 had that system up and running for - you know and  
15 having a lot of the kinks worked out prior to this.  
16 And so, you know, I just want to acknowledge that  
17 effort and you know, acknowledge that its made a  
18 significant impact in terms of ease in which people  
19 have been able to transition to this remote  
20 environment, so.

21 ERIN DRINKWATER: We will certainly pass that  
22 along to the team here.

23 CHAIRPERSON LEVIN: Thank you. Uhm, and with  
24 that, I will let you all - oh, sorry, one last  
25

1  
2 question. How are we looking, how are we  
3 anticipating uhm, the influx with the shelter system  
4 and shelter capacity both on the family side and the  
5 single adult side and uhm, you know, how is the  
6 capacity team at DHS and the facilities team at DHS  
7 you know, examining this and looking at this?

8 ERIN DRINKWATER: Sure, so thank you for the  
9 question. I mean, I think that part of our analysis  
10 and work is our continuation to focus on prevention  
11 first as sort of you know the first pillar of the  
12 Mayor's turning the tide plan. Making sure that  
13 there is the requisite investments in the office of  
14 Civil Justice that were paying the rent arrears.  
15 That were keeping people in their home, that were  
16 quickly getting folks connected to rental assistance  
17 and so on and so forth.

18 The capacity team at DHS everyday irrespective of  
19 COVID is looking at our Census, looking at the trends  
20 across time to make to make sure that there is you  
21 know, a good vacancy rate across the shelter system  
22 to account for any influx. We continue and have  
23 throughout the course of this entire year to continue  
24 to announce and notify on shelters under the Mayor's  
25

1  
2 Turning the Tide plan. They have announced on 88 of  
3 the 90 that have been discussed under that plan and  
4 we continue to make good on the commitments to make  
5 sure that every community board is playing their  
6 part. And so, you know, we will continue to look at  
7 the trends as things in the environment in which we  
8 are doing this work change, eviction moratorium are  
9 lifted, more resources, stimulus bills are passed, we  
10 will continue to monitor and evaluate.

11 CHAIRPERSON LEVIN: Thank you. Thank you Deputy  
12 Commissioner. Okay, I will let you all go. Last  
13 question, is the Hope Count happening this year?

14 ERIN DRINKWATER: Uh, yes, the Hope Count is  
15 happening this year. It is happening across multiple  
16 days. Our providers coupled with DHS and DSS staff  
17 will be conducting the count this year.

18 CHAIRPERSON LEVIN: Okay, alright, I wish you all  
19 luck. Sara was always my site leader. So, okay,  
20 certainly we wish you well with that.

21 And with that, thank you all so much and good to  
22 see you all and let's definitely keep in touch and  
23 let's try to set up a kind of ongoing exercise for  
24 the various agencies to uhm, to think through the  
25 various scenarios that we could encounter.

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ERIN DRINKWATER: Thank you.

CHAIRPERSON LEVIN: Thanks a lot.

JORDAN DRESSLER: Thank you.

COMMITTEE COUNSEL: Thank you Chair Levin. So, we have concluded DSS's testimony and we are now going to turn to public testimony.

First, I would like to remind everyone that we are going to call up individuals in panels. Once your name is called, a member of our staff will unmute you and you will begin your testimony once the Sergeant at Arms sets the clock and gives you the queue.

All testimony will be limited to three minutes. Remember that there is a few seconds of a delay when you are unmuted before we can hear you. So, please wait for the Sergeant at Arms to announce that you may begin before you start your testimony. The first panel of public testimony in the order of speaking will be N'jelle Murphy, Lizbeth Moscosa and Ariel Ashtamker. And I will now call on N'jelle Murphy.

SERGEANT AT ARMS: Time starts now.

N'JELLE MURPHY: Hello, can you hear me?

COMMITTEE COUNSEL: Yes, we can hear you.

1  
2 N'JELLE MURPHY: Oh, hi, thank you for allowing  
3 me to give my testimony. I reside at 5421 Beverly  
4 Road and how everything got started for me in my  
5 building was when calls were going unanswered and  
6 ignored. A tenant leader in my building started  
7 having meetings for us to meet up and to talk about  
8 the complaints. They were going unnoticed and uhm,  
9 when we weren't getting the service that we needed,  
10 we reached out to the Flatbush Tenant Coalition who  
11 came out and hooked us up with the Brooklyn Legal  
12 Services and attorney's came out to sit down and  
13 educate us and meet with us individually to just let  
14 us know our rights.

15 And did all the paperwork for us, which came very  
16 handy for us because a lot of us didn't know what to  
17 do and many tenants had to work. So, with paperwork  
18 being taken care of, we were allowed to uhm, go on  
19 and do what we had to do knowing we had someone to  
20 rely on. And when the court dates and all the  
21 paperwork was given, we had to show up in court.

22 Now, from my experience going to court, it was  
23 very - it was an experience that I would never want  
24 to do again because we had legal representation and  
25

1  
2 many tenants in there represented themselves. And a  
3 lot of the landlords had attorneys. Many didn't show  
4 and I really felt bad for tenants that took the time  
5 off from work. Many don't have days where they can  
6 use like I did, sick days and vacation days and they  
7 had to reschedule. And many of them felt defeated  
8 and I saw the emotional stress that was on them,  
9 feeling happy someone was going to hear their story  
10 and help them out for knowing there was a no show, to  
11 reschedule and also, just feeling like there is no  
12 one to help me. And the paperwork is confusing and a  
13 lot of them just give up and move out but thank God  
14 for Flatbush Tenant Coalition and the attorneys that  
15 helped us out. Because we rescheduled and we fought  
16 our attorney because he didn't want to do the work to  
17 fulfill the completes that we had rights, upgrades in  
18 the building and to make it short, we had things  
19 fixed in our buildings. The city came through to us.  
20 The attorneys checked in to see if things were done  
21 and also, the city and now, things are better.

22 So, I am very thankful and I didn't even know my  
23 zip code did not - we were not able to get attorney's  
24 but thank goodness for the Brooklyn Legal Services

1  
2 and the Flatbush Tenant Coalition for helping us out  
3 and educating us where we can help others and I  
4 continue -

5 SERGEANT AT ARMS: Time expired.

6 N'JELLE MURPHY: And I continue to work with the  
7 Flatbush Tenant Coalition. So, Intro. 2050 is needed  
8 and thank you for your time.

9 COMMITTEE COUNSEL: Thank you so much N'jelle. I  
10 will now call on Lizbeth Moscosa.

11 SERGEANT AT ARMS: Time starts now.

12 LIZBETH MOSCOSA: Hello, hello, my name is  
13 Lisbeth Moscosa. Today, I prefer to speak in Spanish  
14 because it is the language of all of my neighbors who  
15 I represent.

16 So, [SPEAKING IN SPANISH 2:11:43-2:14:06]. Thank  
17 you.

18 COMMITTEE COUNSEL: Thank you very much Lizbeth.  
19 I will now call on Ariel Ashtamker.

20 SERGEANT AT ARMS: Time starts now.

21 ARIEL ASHTAMKER: Good afternoon, my name is  
22 Ariel Ashtamker and I am here on behalf of  
23 Communities Resist. Communities Resist is a  
24 community based legal services organization in North  
25 Brooklyn founded on the understanding that housing

1  
2 justice is racial justice and that legal service must  
3 be in support of community-based tenant organizing.

4 Today, we submit testimony in solidarity with  
5 Right to Counsel or the Right to Counsel Coalition,  
6 of which we are a proud member and in enthusiastic  
7 support of Intro. 2050 and the immediate citywide  
8 implementation of the Right to Counsel. Right to  
9 Counsel or Local Law 136 has made it a right for  
10 income eligible tenants facing eviction to have an  
11 attorney. Given the ongoing public health and an  
12 economic crisis due to COVID-19, the original phase  
13 in plan under Local Law 36 is insufficient to meet  
14 the growing need across the city for the immediate  
15 implementation of the Right to Counsel.

16 It is clear that the Right to Counsel has worked  
17 to prevent evictions in New York City. The Right to  
18 Counsel has increased tenants access to legal  
19 representation in Housing Court. As mentioned in  
20 2013, only 1 percent of tenants in Housing Court  
21 across the city have legal representation.

22 Today, that percentage is 38 percent because of  
23 the Right to Counsel. In addition, during the first  
24 three years of the Right to Counsel in New York City,

1  
2 86 percent of tenants who had a Right to Counsel  
3 attorney won their case and stayed in their homes.

4 Given the unprecedented number of eviction,  
5 tenants across the city will soon face as a CBC and  
6 state moratoria expire, the need becomes even more  
7 urgent for the immediate implementation of the Right  
8 to Counsel across the city.

9 Since the start of the COVID-19 pandemic, nearly  
10 \$1.5 million New Yorkers have been left unable to pay  
11 rent and many of the more than 200,000 cases  
12 currently pause by the existing moratoria will soon  
13 be allowed to move forward in a little over a month.  
14 Unless the city immediately implements the Right to  
15 Counsel, thousands of tenants across New York City  
16 will face eviction and possible homelessness.

17 Now more than ever, New York City tenants need  
18 the Right to Counsel implemented citywide to ensure  
19 that they are able to remain in their homes and  
20 communities. We call upon the City Council to take  
21 immediate action to keep New Yorkers in their homes.  
22 It makes sense to pass Intro. 2050 and immediately  
23 implement the Right to Counsel across the city.

24

25

1  
2 First, Intro. 2050 will save the city millions of  
3 dollars in shelter, healthcare and other costs that  
4 would otherwise accrue when families are evicted.

5 Second, without Intro. 2050, there is no permanent  
6 guarantee that tenants facing evictions regardless of  
7 their zip code can access. Third, the current pause  
8 on eviction cases does not extend to nuisance cases.  
9 Since these cases are able to move forward more  
10 quickly, it is even more crucial for tenants facing  
11 evictions in a nuisance case to have the Right to  
12 Counsel.

13 Lastly, the Right to Counsel helps preserve the  
14 city's affordable housing stock by keeping long term  
15 rent stabilized tenants in their homes.

16 SERGEANT AT ARMS: Time expired.

17 ARIEL ASHTAMKER: For these and other reasons, we  
18 believe the Right to Counsel should be immediately  
19 implemented across the city. Thank you.

20 COMMITTEE COUNSEL: Thank you for your testimony  
21 Ariel. I am now going to call on our next panel.  
22 The next panel in the following order will be Josefa  
23 Silva, Eric Lee and Gajtana Simonovski. Over to  
24 Josefa.

25 SERGEANT AT ARMS: Time starts now.

1  
2 JOSEFA SILVA: Good afternoon Chair Levin and  
3 Council Members of the General Welfare Committee. My  
4 name is Josefa Silva and I am the Director of Policy  
5 and Advocacy at WIN.

6 Since April, at WIN we have been sounding the  
7 alarm on the need to prepare for the inevitable  
8 homelessness fallout of the pandemic. We have called  
9 for rent relief and for proven interventions to keep  
10 families in their homes as well as for reforming New  
11 York City's rental assistance programs, so New  
12 Yorkers in shelter can leave more quickly for stable  
13 housing.

14 Thank you for bringing us together around these  
15 issues that are essential to New York's economic  
16 recovery and to ensuring it is an equitable one.

17 The city's most pressing task today is to ensure  
18 a quick, efficient and fair rollout of federal rent  
19 relief funds. DSS can avoid the most common pitfalls  
20 by partnering with community based organizations. By  
21 involving CBO's and setting the rent relief programs  
22 parameters and giving them discretion and  
23 implementation, the program will truly meet New  
24 Yorkers where they are before they fall through the  
25 cracks and into shelter.

1  
2 But the rent relief funding that will soon be on  
3 its way from the federal government is not enough to  
4 meet the scope of need of our city. So, the city  
5 must prepare to pick up where the federal funds will  
6 leave off and that will include helping families who  
7 do lose their homes.

8 DSS must expand its rapid rehousing program and  
9 strengthen it through partnership with HPD to connect  
10 households with housing that's today. To  
11 additionally ensure that homelessness is brief, DSS  
12 must also strengthen the city's existing rental  
13 voucher program.

14 City FHEPS is meant to be a pack our of shelter.  
15 It is many of the families that our shelters  
16 discover, the voucher amount is too low to offer any  
17 real help in leaving shelter. So, on top of the  
18 difficulties of finding a landlord willing to accept  
19 a voucher, our families also have to try to find  
20 housing that rents for well below the market rate.  
21 That's why we urge the speaker to bring Intro. Number  
22 146 to a vote. This bill will increase the city  
23 FHEPS voucher to better reflect the true cost of  
24 housing by tying it to HUD's fair market rent.

1  
2 This would significantly broaden access to many  
3 neighborhoods for voucher holders. Intro. 146 is a  
4 key part of any response to the housing insecurity  
5 work. Housing stability must be part of New York's  
6 full proof for equity and it must be an essential  
7 part of an economic recovery plan.

8 As New York City's largest provider of shelter  
9 and services for homeless families with children, we  
10 see first hand how traumatic and damaging and  
11 disenfranchising homelessness is. And given the  
12 consequences for the financial and social, emotional  
13 well-being of families in the long-term, the current  
14 crisis threatens to deepen and perpetuate the  
15 existing inequities decades by pushing thousands of  
16 New Yorkers more into homelessness.

17 We have to take every step to prevent this  
18 tragedy. Thank you for your time and for your  
19 consideration today.

20 COMMITTEE COUNSEL: Thank you for your testimony  
21 Josefa. I will now call on Eric Lee.

22 SERGEANT AT ARMS: Time starts now.

23 COMMITTEE COUNSEL: Eric, I believe you are muted  
24 at this time.

1  
2 ERIC LEE: There we go, okay. Good afternoon, my  
3 name is Eric Lee, I am the Director of Policy and  
4 Planning at Homeless Services United. Thank you  
5 Chair Levin and members of the General Welfare  
6 Committee for allowing me to testify today.

7 For time considerations, I will summarize my  
8 written testimony. In order to prevent record  
9 numbers of evictions in homelessness, the city and  
10 state must provide arrears, payments and ongoing  
11 rental assistance through current and new temporary  
12 programs by utilizing the infrastructure of existing  
13 city agencies like HRA to quickly administer  
14 assistance.

15 To be successful, we must deliver not just to  
16 those who qualify for existing eviction prevention  
17 services but also to any household who cannot pay  
18 their rent due to the pandemic. Given the recent  
19 availability of additional federal assistance, we  
20 recommend the city and state utilize newly available  
21 funds to backfill the cost of new demand on existing  
22 aid programs in order to free up more flexible city  
23 and state funding to serve a wide array of  
24 populations in need which are not covered by federal  
25 funding restrictions.

1  
2 [INAUDIBLE 2:22:16] of the recommendations of the  
3 New York City eviction prevention round table with  
4 whom we are submitting joint testimony today. And in  
5 addition to these round table recommendations, we  
6 have additional recommendations to take in order to  
7 protect unstably housed New Yorkers. The city must  
8 provide rental assistance arrears payments either to  
9 one-shot deals or a new pandemic specific one-time  
10 grant for any tenants unable to pay their rent due to  
11 the pandemic regardless of future ability to pay or  
12 immigration status.

13 Each way should waive repayment requirements for  
14 one-shot deals and any federal of rent relief  
15 allocated to one-shot deals or other one time grants  
16 should not have a recruitment requirement. To ensure  
17 households do not fall back into arrears, the city  
18 should expand eligibility of City FHEPS in community  
19 to additional vulnerable populations, increase rent  
20 amount levels through the adoption of Intro. 146 and  
21 remove burdensome requirements like requiring a  
22 Housing Court stipulation.

23 HRA should create a temporary rental assistance  
24 voucher which can pay up to one year's rent for any  
25

1  
2 New Yorkers unable to pay rent due to the pandemic  
3 and are founded ineligible for FHEPS or City FHEPS.  
4 Including immigrant families and individuals  
5 regardless of their status or lack future ability to  
6 pay rent.

7       Used in combination with existing rental  
8 assistance programs, this would ensure that the  
9 majority of tenants remain stably housed.

10       Efficient and timely administration of new and  
11 expanded eviction prevention resources must be a top  
12 priority. HRA can utilize its existing  
13 infrastructure to administer any new rental  
14 assistance and one time grants, processing requests  
15 on the back end while providing a no wrong door  
16 approach for an application process on the front end.

17       Likewise, as demand increases, eviction  
18 prevention providers must also be adequately  
19 resourced to be able to provide assistance in a  
20 timely manner, including funding to hire additional  
21 homebased -

22       SERGEANT AT ARMS: Time expired.

23       ERIC LEE: Location serving the highest eviction  
24 rates and more funding to expand access to rehousing  
25 services in the community.

1  
2 We also recommend the adoption of Intro. 1020, to  
3 create a FHEPS reporting and also, to address the  
4 digital divide raised by Chair Levin. HRA staff  
5 should be located in in-person locations like food  
6 banks and COVID testing and vaccination sites to  
7 assist people in person.

8 Thank you for the opportunity to testify.

9 COMMITTEE COUNSEL: Thank you for your testimony  
10 Eric. I will now call on Gajtana Simonovski.

11 SERGEANT AT ARMS: Your time will begin now.

12 GAJTANA SIMONOVSKI: Thank you for this  
13 opportunity to testify in favor of the eviction  
14 moratorium. Much thanks to the Committee Chair Steve  
15 Levin for having this hearing on a very important  
16 issue. Thank you Steve.

17 My name is Gajtana Simonovski and I am the  
18 Director of the Income Support Services Unit at  
19 Community Services Society of New York. CSS is a  
20 nonprofit organization that addresses some of the  
21 most urgent problems facing low income New Yorkers  
22 including the city's housing crisis.

23 New York City was already facing an affordable  
24 housing crisis when COVID-19 hit last March. Since  
25

1  
2 then, the numbers of households seeking assistance  
3 with rent arrears from CSS funded by the City  
4 Council, more than doubled. There are many low-  
5 income New Yorkers who were barely making ends meet.  
6 When COVID-19 hit, many low-income households lost  
7 some or all their income due to businesses closing or  
8 when single parents have to quit their long-term jobs  
9 to care for their children.

10 In addition, there are new requests coming from  
11 households that would under normal circumstances be  
12 considered middle income but who fell into arrears  
13 when their incomes dwindled during the pandemic.

14 As a case and point, Mr. M. waited months to  
15 receive unemployment when the pandemic hit and he had  
16 lost his job at a luxury brand store in Manhattan.  
17 He turned 65 last August and did not want to start  
18 getting his retirement benefits early as it would not  
19 be enough for him to live on.

20 He said that a year ago, he was on the brink of  
21 suicide. He said, "I was ready to jump" and now  
22 with COVID-19 he says, "Things are bad again." "What  
23 else bad could happen?" "What's the next thing?"  
24  
25

1  
2       So, we are finding that a lot of people are  
3 contacting us for help with rent. They are at their  
4 wits end. They are terrified as anyone would be of  
5 being evicted from their homes. We were able to help  
6 Mr. M. with his arrears bringing him to a zero  
7 balance and he is now paying his rent, moving forward  
8 with his unemployment while he is looking for work.

9       As eviction cases begin to run their course  
10 within the courts chambers, New York does not have an  
11 adequate plan for addressing the long-term economic  
12 impact on tenants. Given the tremendous need for  
13 assistance with rental arrears, we are asking that  
14 the City Council reinstate the 15 percent cuts to the  
15 homelessness prevention fund initiative.

16       With your generous help, CSS is working hard to  
17 ensure that individuals and families stay in their  
18 homes before the eviction moratorium ends. New York  
19 City must also take stronger action to protect  
20 extremely low income New Yorkers from permanent  
21 homelessness and evictions including strengthening  
22 housing voucher programs. For example, City FHEPS is  
23 the best hope for many New Yorkers seeking to escape  
24 homelessness but it often provides allusive hope  
25 because the voucher pays hundreds of dollars less

1  
2 than market rent. The City Council's proposal Intro.  
3 146 would raise the maximum rent for the voucher to  
4 fair market rent, the same standard used for Section  
5 8 and other housing subsidy programs.

6 We urge the Council to pass this legislation to  
7 unlock housing opportunity and choice for extremely  
8 low income New Yorkers and to ensure that New York  
9 City's housing tools are working effectively for our  
10 residents as the city recovers from COVID-19.

11 Thank you again for this opportunity to testify  
12 and offer our recommendations.

13 CHAIRPERSON LEVIN: Thank you so much.

14 COMMITTEE COUNSEL: Thank you to this panel for  
15 your testimony. I am now going to call up our next  
16 panel. In the following order testifying will be  
17 George Sotiroff, Rosanna Cruz and Jenny Laurie. Over  
18 to George Sotiroff.

19 SERGEANT AT ARMS: Your time will begin now.

20 GEORGE SOTIROFF: Chairman Levin and ladies and  
21 gentlemen, my name is George Sotiroff, I live at 901  
22 Walton Avenue in the Bronx and I am a rent stabilized  
23 tenant. President Biden said in his inaugural  
24 address that sometimes we need a hand and sometimes  
25 we are called upon to lend a hand. President Biden

1  
2 has a vision for an interdependent America where  
3 people can rise up and succeed because of each  
4 other's help. Now we need to work together on the  
5 continuing problem of attacks on safe affordable  
6 housing. Attacks that have been both exposed and  
7 exacerbated by COVID-19. The success of Right to  
8 Counsel is unquestioned. Now it has to be expanded.

9 Intro. 2050 is important to me because I am a  
10 senior who no longer has the youthful strength to go  
11 out into the world to seek my fortune and fame. Mr.  
12 Dressler has reminded us that the legal landscape can  
13 turn on a dime. I don't know if and when  
14 circumstances will compel me to rely on RTC to save  
15 my boat.

16 Unless I win the gazillion dollar lottery, the  
17 resources I have now are what I will have to sustain  
18 me until the time that the good Lord calls me home.  
19 The city can and should do more to stay evictions.  
20 This not only is a moral obligation but is also wise  
21 fiscal policy.

22 Evictions result in homelessness. Homelessness  
23 results in higher rates of exorbitant shelter costs  
24 for the city as well as poorer health conditions for  
25

1  
2 those victimized by homelessness. Degraded health  
3 conditions of the general populous eventually  
4 threaten even the well to do.

5 Note, [INAUDIBLE 2:30:34], earlier this year, the  
6 coronavirus ran rampant through the White House  
7 infecting the President himself to the point of  
8 hospitalization. Effects of this pandemic will have  
9 lifetime consequences. So, to preempt as many  
10 threats as possible, I urge City Council to pass  
11 Intro. 2050 right now so that more can avail  
12 themselves of an effective legal tool to protect  
13 their homes.

14 Thank you for this opportunity to testify.

15 CHAIRPERSON LEVIN: Thank you George.

16 COMMITTEE COUNSEL: Thank you for your testimony  
17 George. I will now call on Rosanna Cruz.

18 SERGEANT AT ARMS: Time will begin now.

19 ROSANNA CRUZ: Thank you. Thank you Chair Levin  
20 and the Council Member of the Committee on General  
21 Welfare for the opportunity to submit testimony on  
22 the oversight hearing on the DSS preparation for  
23 aspiration of the eviction moratorium. My name is  
24 Rosanna Cruz and I am the Senior Program Director of  
25

1  
2 the Benefit System Program at Good Shepherd Services  
3 located in Park Slope and East New York Brooklyn.  
4 Where in 2019, we served over 6,000 clients and  
5 continue to support residents from across the city  
6 with a concentration in Brooklyn and Queens.

7 I have been with the program since 2003 and prior  
8 to this work, I have been in community and tenant  
9 organizing. The benefit system program provides  
10 individuals and family. We help and assist in  
11 applying for public benefits and also offer legal  
12 counseling, help with financial planning, immigration  
13 services and referral to other community based  
14 agencies as needed.

15 We also operate two DYCD contract as a program  
16 known as the Comprehensive Services for Immigrant  
17 Family and DYCD neighborhood development area Healthy  
18 Family Program.

19 Today, my testimony will emphasize on the  
20 challenges facing providers in supporting clients  
21 seeking rent or assistance before the eviction  
22 moratoria ends. Good Shepherd is a member of the  
23 Eastern Brooklyn Emergency Response collaborating.  
24 In August of 2020, we collaborated to help two  
25

1  
2 housing townhalls, individuals needing in English and  
3 Spanish. The sessions were attended by 80 people and  
4 impressions on Facebook reached over 100 individuals.

5 COVID-19 exacerbated a condition in the community  
6 we support and as such with experience in cases and  
7 the number of clients requesting assistance with a  
8 one-shot deal, emergency assistance program and the  
9 Rent Relief program.

10 One of our main concern with this program is that  
11 we are not sure when the community will recover from  
12 the financial hardship they are currently  
13 experiencing and be able to cover monthly expenses  
14 and comply with the repayment options available  
15 through the one-shot deal program.

16 Even during the pandemic, the state is requiring  
17 clients to get a third party to prove their future  
18 ability to pay rent once a one-shot deal is granted  
19 to help them in this case.

20 The requirement was a challenge prior to COVID-19  
21 and is resulting in applicant declining this  
22 resource. Applicants have found it difficult to  
23 identify someone in their network to not only sign  
24 off but take on the responsibility of a third party.

1  
2 Another issue we are experiencing is that for the  
3 clients collecting unemployment due to work and  
4 school closure and lack of childcare, the rent relief  
5 program is rejecting applicants because their income  
6 between April to July was higher than their income  
7 prior to March 2020.

8 Clients income was higher during the month as a  
9 result of the pandemic on employment assistance  
10 program.

11 SERGEANT AT ARMS: Time expired.

12 ROSANNA CRUZ: And applicants are [INAUDIBLE  
13 2:34:40] from this program due to this reason.

14 We kindly request that the Council strongly  
15 support a waiver into the requirement to apply to  
16 rental program due to the current public health and  
17 financial crisis. It would take our community  
18 months, if not years to recover emotionally and  
19 financial in the current situation resulted from  
20 COVID.

21 The Council should expect residents from across  
22 the city to end up in Housing Court for nonpayment  
23 cases with mainly to eviction if the requirements for  
24 the assistance program do not change. We cannot  
25

1  
2 expect low income families to recover without the  
3 financial supports to pay rent to arrears.

4 Landlords are also getting desperate and  
5 harassing tenants to pay the rent. In these cases,  
6 we are helping family connect to legal assistance who  
7 not only understand the right as a tenant but also  
8 support them. They have been served court documents  
9 by the landlords.

10 The city and the state must look to support  
11 programs that allow providers to create more  
12 mediation with family and more accessibility. Some  
13 of these programs currently have many requirements.  
14 For the one-shot deal emergency assistance program,  
15 HRA to waive the third party agreement requirement  
16 during the pandemic.

17 As for the rent relief program, the state should  
18 only consider the income of the individual prior to  
19 the pandemic and not the pandemic on employment  
20 assistance income. The pandemic on assistance income  
21 is effecting family ability to get public assistance  
22 and is qualifying them from critical programs like  
23 City FHEPS.

24 SERGEANT AT ARMS: Time.

1  
2 ROSANNA CRUZ: We need the account for the income  
3 of residents prior to COVID-19. Thank you for the  
4 opportunity to submit our testimony. I am happy to  
5 answer any questions.

6 COMMITTEE COUNSEL: Thank you very much.

7 CHAIRPERSON LEVIN: Thank you so much Rosanna.

8 COMMITTEE COUNSEL: I will now call on Jenny  
9 Laurie for testimony.

10 SERGEANT AT ARMS: Time will begin now.

11 JENNY LAURIE: Thanks very much. Thank you to  
12 Chair Levin and to the City Council for examining  
13 this really important issue. My name is Jenny Laurie  
14 and I am the Executive Director of Housing Court  
15 Answers. We have been operating a hotline since the  
16 beginning of the pandemic shutdown, thanks in large  
17 part to City Council funding.

18 We have been matching tenants facing eviction  
19 with attorneys in the Right to Counsel practice area  
20 as well as assisting those with emergency housing  
21 conditions and illegal lockouts. Since October 1<sup>st</sup>,  
22 we have been taking as many as 200 calls a day as  
23 more and more tenants learn that the blanket  
24 moratorium expired.

1  
2           Housing Court Answers supports the passage of  
3 Intro. 2050 which would allow for the immediate  
4 implementation of the Right to Counsel for tenants  
5 facing eviction. We urge the city to pressure the  
6 state and the court system to slow the pace of cases  
7 as Housing Court reopens, so that legal service  
8 providers are able to provide robust representation  
9 in every case.

10           We also urge the city to pressure the state and  
11 the court system to institute a meaningful moratorium  
12 that will carry folks into a time when the pandemic  
13 and the economic crisis are over and people can  
14 safely return to work, school and normal lives. The  
15 success of Right to Counsel was clear prior to the  
16 COVID crisis. So, Intro. 2050 is an obvious next  
17 step as we look to the end of the pandemic and to the  
18 possibility of a new administration coming in 2022  
19 that might not be as welcoming to Right to Counsel as  
20 the current administration.

21           One landlord association estimated that there are  
22 185,000 tenant households facing at least two months  
23 of rent arrears. The court system had 200,000 cases  
24 already on the books when COVID started and another  
25 40,000 plus cases were filed during the fall. This

1  
2 means that there will be tens of thousands of  
3 eviction cases ready to start when court reopens  
4 fully.

5 Housing Court Answers has been working with the  
6 great staff of the Office of Civil Justice to get  
7 tenants who call our hotline, assign counsel through  
8 the pandemic. Tenants with lockouts, terrible  
9 housing conditions and those whose pre-COVID eviction  
10 cases were revived. Counsel in these cases has been  
11 such a success that there had been almost zero  
12 evictions in the city during the COVID pandemic. We  
13 need to provide counsel to all tenants with new cases  
14 that come into the courts. If the city doesn't have  
15 the capacity, the flow of cases has to be restricted,  
16 not the obligation to provide counsel.

17 Thank you very much.

18 CHAIRPERSON LEVIN: Thank you so much and thanks  
19 for the great work that you all do.

20 JENNY LAURIE: Thank you.

21 CHAIRPERSON LEVIN: It is very important.

22 COMMITTEE COUNSEL: Thank you to this panel. I  
23 will now call on our next panel. The next panel will  
24 testify in the following order Esteban Giron, Lauren  
25

1  
2 Springer and Malika Conner. I will now call on  
3 Esteban Giron.

4 SERGEANT AT ARMS: Your time will begin now.

5 ESTEBAN GIRON: Good afternoon. My name is  
6 Esteban Giron and I am a rent stabilized tenant and  
7 member of the Crown Heights Tenant Union. Tenants  
8 have spent the past year stepping up to fight for our  
9 neighbors because of the massive failure of the  
10 federal, state and local government to do the bare  
11 minimum to protect us. Hundreds of us have gathered  
12 outside of our local housing court for a series of  
13 direct actions. Each time winning temporary  
14 reprieves and extensions and finally winning a longer  
15 one in December.

16 The passage of Right to Counsel in 2017 has been  
17 a game changer. Yet only two out of the five zip  
18 codes in Crown Heights are currently covered and a  
19 single person working full time making minimum wage  
20 in New York City is also not covered. That means  
21 that as of right now, tenants in my building are  
22 eligible while those two blocks away are not. And of  
23 course if someone in my building happens to work at  
24 McDonalds at minimum wage, then their supervisor  
25

1  
2 schedules them for 32 hours a week instead of 30  
3 hours a week, they are no longer eligible.

4       So, while we appreciate the decision to extend  
5 the Right to Counsel and most tenants regardless of  
6 zip code or income during this pandemic,  
7 administrative policy is no substitute for a law on  
8 the books. I have personally been denied an attorney  
9 in housing court in two separate cases for being  
10 slightly over the income threshold.

11       Despite there being a provision for a waiver that  
12 I was never informed of on either occasion. So, I  
13 don't think tenants or this counsel can leave the  
14 lives of vulnerable tenants at the mercy of the  
15 [INDAUDIBLE 2:41:10] intent.

16       This pandemic brought our neighborhood to its  
17 needs. COVID came to collect on years of systemic  
18 inequalities like housing insecurity. Many of our  
19 neighbors struggled to make rent before the pandemic  
20 and were at risk of eviction. With higher than  
21 average in unemployment rates due to COVID, once the  
22 moratorium is lifted, our vulnerable neighbors will  
23 be sitting ducks for landlords. Intro. 2050 can be a  
24 shield between them and being thrown out in the  
25 streets.

1  
2           You have probably heard the statistic that by  
3 December of last year, evictions could be linked to  
4 over 400,000 excess cases of COVID and 10,700 COVID  
5 deaths. We should call those what they are. 10,700  
6 COVID murders because they were caused by the greed  
7 and inhumanity that results from commodifying housing  
8 because they were 100 percent avoidable.

9           The new protections that we want on December 28<sup>th</sup>  
10 are the strongest in the country but there are  
11 loopholes. Administrative judges are actively  
12 working to undermine the new law. In setting up the  
13 new HMP park that Mr. Dressler seemed so proud of,  
14 the courts are sifting through current cases, regular  
15 cases to determine if they were possible nuisance  
16 claim contained in those cases. What OCA and OCJ  
17 have done around counter the spirit and the intent of  
18 the law that tenants worked so hard to win.

19           These nuisance holdovers were supposed to be a  
20 rarity. Instead, these agencies have helped  
21 landlords provide the landlord with a clear path  
22 around that law and that does not inspire confidence.  
23 This crisis was not an accident. The result of the  
24 decisions made by leaders who were supposed to  
25

1  
2 protect the most vulnerable among us. And their  
3 justification was not inevitable. No one forced my  
4 local council member to welcome Trump supporting  
5 luxury developers into our neighborhood to give away  
6 our public lands for crumbs of unaffordable housing.

7 But here we are, asking our government to do the  
8 bare minimum to protect our people by ensuring that  
9 we have a fighting change with an attorney in Housing  
10 Court. I urge you to pass Intro. 2050 without delay.  
11 Don't let your legacy depend on the promises of  
12 bureaucrats no matter how convincing they sound.

13 SERGEANT AT ARMS: Time has expired.

14 ESTEBAN GIRON: Thank you Chair Levin for giving  
15 tenants a chance to speak about this issue on the  
16 record and thank you for your time.

17 CHAIRPERSON LEVIN: Thank you Esteban.

18 COMMITTEE COUNSEL: Thank you Esteban for your  
19 testimony. I will now call on Lauren Springer for  
20 her testimony.

21 SERGEANT AT ARMS: Your time will begin now.

22 LAUREN SPRINGER: My name is Lauren Springer and  
23 I am a Tenant Leader with Catholic Migration  
24 Services. A non-profit legal services provider, a  
25

1  
2 community-based organization that does tenant  
3 organizing work. I am also an active member of the  
4 New York City Right to Counsel Coalition.

5 I strongly urge the City Council to pass Intro.  
6 2050 amending Local Law 136 to eliminate the five  
7 year phase and period and immediately guarantee the  
8 Right to Counsel to all eligible tenants.

9 The hardships of 2020 clearly showed us how  
10 important it is to have a universal Right to Counsel  
11 in place right now. The COVID-19 health crisis has  
12 exposed the depth of the city and state housing  
13 crisis, the importance of housing the homeless and  
14 the critical need to protect those currently housed.  
15 In the midst of this pandemic, there is an urgent  
16 need to prevent eviction as it places individuals,  
17 families and communities at higher risk of illness,  
18 disability and death.

19 The current state and federal eviction  
20 protections are inadequate and because of loopholes  
21 and confusing and complex legal mandates, they have  
22 not prevented all tenants from being sued by  
23 landlords and put at risk of losing their homes.

24 Once these protections expire, even more tenants  
25 will be facing the threat of eviction. No tenant

1  
2 should have to face the possibility of an eviction  
3 without a lawyer fighting on their behalf. Before  
4 the pandemic, housing court was already difficult to  
5 maneuver. Now it is even more complicated with all  
6 the new intricate rules, executive orders and health  
7 guidelines that need to be followed.

8 Pre-COVID there was a vetoproof majority in favor  
9 of expanding the RTC law. Prior to this pandemic,  
10 the City Council was on track to pass Intro. 1104 and  
11 1529, which would strengthen and expand the landmark  
12 RTC legislation. These bills garnered the support of  
13 more than two-thirds of the City Council membership.  
14 Moreover, the Right to Counsel law works. Three  
15 years' worth of data indicated that 86 percent of  
16 tenants with an RTC lawyer were able to remain in  
17 their homes. Therefore, we should have everyone's  
18 support in passing Intro. 2050 should be easy.

19 OCJ testified that in practice during this  
20 pandemic, they have been assigning counsel without  
21 reference to zip codes. That change needs to be  
22 codified into law. By anchoring the phase in to  
23 lawyer capacity rather than by neighborhood, Intro.  
24 2050 would require no additional city funding. In  
25

1  
2 fact, the city now facing a massive economic public  
3 health and homelessness crisis would save in shelter,  
4 healthcare and other costs accruing from evictions.

5 In short, passing Intro. 2050 would be a win, win  
6 situation for New York City and the tenants who make  
7 up the backbone of this city. The City Council must  
8 do everything in its power to take the necessary  
9 steps to protect tenants and pass Intro. 2050. Thank  
10 you.

11 CHAIRPERSON LEVIN: Thank you very much Ms.  
12 Springer.

13 COMMITTEE COUNSEL: Thanks again Lauren for your  
14 testimony.

15 LAUREN SPRINGER: Thank you

16 COMMITTEE COUNSEL: I will now call on Malika  
17 Conner.

18 SERGEANT AT ARMS: Your time will begin now.

19 MALIKA CONNER: Good afternoon and thank you  
20 Chair Levin, Council Members Levine and Gibson and  
21 members of the Committee on General Welfare for the  
22 opportunity to testify today. My name is Malika  
23 Conner and I am the Director of Organizing with the  
24 Right to Counsel Coalition.

1  
2 We are proud of New York City's groundbreaking  
3 Right to Counsel legislation and applaud the City  
4 Council, the Mayor and the Office of Civil Justice  
5 for its dedication to making Right to Counsel  
6 available to more New Yorkers during the pandemic.  
7 The law has tremendous impact in its first three  
8 years of implementation. With 86 percent of tenants  
9 who had the Right to Counsel, many the right to fight  
10 to remain in their homes.

11 Community groups are actively using Right to  
12 Counsel as a powerful tool to protect and advance  
13 clients rights and Right to Counsel has also helped  
14 develop a body of more just case law, lower tenants  
15 rents, restabilize apartments and have forced  
16 landlords to make repairs.

17 Tenants across New York City need Right to  
18 Counsel now more than ever. The COVID-19 pandemic  
19 and instituting economic downturn have only worsened  
20 the eviction crisis. Nearly 1.5 million New Yorkers  
21 are unable to pay rent due to the pandemic and many  
22 of the more than 200,000 cases currently paused by  
23 New York States emergency eviction and For Closure  
24 and Protection Act will be allowed to move forward  
25 after February 26.

1  
2 The current federal and state Eviction  
3 Protections also include a number of loopholes and  
4 confusing legal mandates that have and continue to  
5 allow landlords to take tenants to Housing Court and  
6 put tenants at risk of losing their homes.

7 With the start of eviction higher than ever  
8 before, tenants need Right to Counsel now. Intro.  
9 2050 would amend Local Law 136 and require immediate  
10 implementation of Right to Counsel making it a right  
11 for all eligible tenants to have an attorney right  
12 now and would enable the city to phase in Right to  
13 Counsel by lawyer capacity instead of by zip code.  
14 Thereby ensuring that no case moves forward without  
15 an attorney.

16 Baseline in the Mayor's budget, Right to Counsel  
17 will require no additional funds and will save the  
18 city millions of dollars in shelter, healthcare and  
19 other costs that would otherwise be accrued when  
20 families are evicted.

21 We applaud the city for modifying the  
22 implementation of Right to Counsel through the COVID-  
23 19 pandemic to ensure that no case in any  
24 neighborhood moves forward without an attorney. This  
25

1  
2 has proven to be a remarkably successful model that  
3 we need to continue. The crisis won't end when the  
4 city is vaccinated and will have long lasting effects  
5 on our economy, health and community.

6 We cannot allow any New Yorker who has survived  
7 COVID-19 to face eviction alone. The current model  
8 of the assigning counsel to all cases in court needs  
9 to be permanent. We know that this model is possible  
10 in part because there are few cases moving forward,  
11 thanks to the tireless support of the tenant movement  
12 to halt cases in eviction.

13 But if and when more cases move more quickly, the  
14 city and state can muster the political will to  
15 continue this model by monitoring legal capacity and  
16 adjusting cases once the legal services organizations  
17 reach their maximum capacity. Judges have the  
18 discretion to adjourn cases indefinitely and there is  
19 no reason why they can't do this.

20 SERGEAT AT ARMS: Time expired.

21 MALIKA CONNER: Especially during one of the most  
22 defying moments of our time. The Office of Civil  
23 Justice has already proven able to negotiate with the  
24 courts to do this but the City Council must act to  
25

1  
2 give them the authority to make this model law. We  
3 must make sure no case move forward without an  
4 attorney period.

5 New York City can and should do more to stop  
6 evictions. Right to Counsel has proven to be an  
7 immensely effective tool to stopping evictions and  
8 now is the time to strengthen the law by passing  
9 Intro. 2050. Thank you for the opportunity to  
10 testify and for your work on this important  
11 legislation.

12 COMMITTEE COUNSEL: Thank you Malika and thank  
13 you to this entire panel for your testimony. I will  
14 call on our next panel. Our next panel will be in  
15 the following order Laura Govan, Chaplain Sandra  
16 Mitchell and Joanne Grell. I will now call on Laura  
17 Govan.

18 SERGEANT AT ARMS: Your time will begin now.

19 LAURA GOVAN: Hello, my name is Laura Govan. I  
20 am here to testify in favor of the passing of Intro.  
21 2050, which would require immediate implication of  
22 Rights to Counsel. As a rent stabilized tenant from  
23 the Bronx where I resided for 33 years and forcefully  
24 evicted. Right to Counsel is important to me because  
25

1  
2 of my experience in Housing Court with the legal  
3 eviction thereafter legal logouts where I was  
4 receiving temporary sheltering through New York City  
5 government, landlord harassment and needed repairs, I  
6 endured sadly.

7 Tenants face with forcefully being removed from  
8 their homes having the right to a lawyers key to  
9 being able to stay in their homes. Intro. 2050 would  
10 make it a right for eligible tenants across New York  
11 City to have an attorney. The city can and should do  
12 more to stop forceful evictions. No one should be  
13 homeless or fear of losing their homes, especially  
14 during a pandemic. I urge my City Council to pass  
15 Intro. 2050 right now, so more people have the Right  
16 to Counsel and use it to defend their homes. Thank  
17 you.

18 COMMITTEE COUNSEL: Thank you very much Laura for  
19 your testimony. I will now call on Chaplain Sandra  
20 Mitchell.

21 SERGEANT AT ARMS: Your time will begin now.

22 CHAPLAIN SANDRA MITCHELL: Good afternoon  
23 everyone. Grace and peace to all who are in my  
24 listening ear.

1  
2 I am testifying on behalf of CASA, community new  
3 settlement apartments CASA Community Action for Safe  
4 Apartment for the Northwest Bronx Community Clergy  
5 Coalition. And also for as I am a tenant leader in  
6 my building at 253 West 181<sup>st</sup> street and testifying  
7 on behalf of those who have disabilities. People who  
8 are living with disabilities and I am in that group.

9 I want to thank you for the time to be able to  
10 express to you the – it is so important. It is just  
11 so important for the lives of our city and for the  
12 world to be able to see New York City, the epicenter  
13 of the world to come through this pandemic. We are  
14 setting a precedent.

15 We have to pass the Right to Counsel Intro. 2050  
16 when people are facing eviction. We have to show  
17 that we are humane and make sure that no one gets  
18 evicted. No one goes into court alone. If a person  
19 is suspected of committing a crime, they have a right  
20 to an attorney but if a person during a pandemic  
21 loses their income, I am not understanding, why is  
22 this a debate?

23 Pass Intro. 2050 because we need it because it is  
24 the right thing to do. It is the humane thing to do.

1  
2 It is going to cost the city so much money. I  
3 can't even count how much money it is going to cost  
4 the city to call people into court. To throw people  
5 out into the street and then the health cost and  
6 whatever else happens, sometimes leading to death.

7 Unfortunately there was no Right to Counsel when  
8 I needed an attorney. I didn't have money for an  
9 attorney, I was hurt on the job and with my workman's  
10 compensation case going on and on, there was no  
11 recourse for me and that's why I joined with  
12 Community Action for Safe Apartments and the  
13 Northwest Bronx Clergy Coalition to create the Right  
14 to Counsel.

15 I had gone into the courts and seen the despair  
16 and the mental anguish that is being forced on people  
17 when they are facing eviction. By trade, I am a  
18 Mental Health Counselor. I cried with them because  
19 it happened to me and I saw it happening to them.  
20 That's why we need to pass Intro. 2050 because we are  
21 destroying our city and we are destroying our  
22 economy. We need to pass Intro. 2050 especially  
23 because we are in a pandemic. So, if the pandemic  
24 doesn't knock you out, wipe you out, then the threat  
25

1  
2 of eviction will mentally, physically and  
3 financially.

4 I want to thank the City Council members who are  
5 strongly advocating and pushing for Intro. 2050 to be  
6 passed and I want to thank the distinguished New York  
7 City Council Committee on General Welfare to hear my  
8 cry, to really hear my cry. Please, we need this to  
9 save lives, to save our city and to do the right  
10 thing and be humane. Thank you so very much and God  
11 bless each and every one of you.

12 CHAIRPERSON LEVIN: Thank you so much Chaplain, I  
13 really appreciate your input. Thank you.

14 COMMITTEE COUNSEL: Thanks again Chaplain  
15 Mitchell for your testimony. I will now call on  
16 Joanne Grell.

17 SERGEANT AT ARMS: Time starts now.

18 JOANNE GRELL: Good afternoon Chair Levin, Chair  
19 Levin's adorable son and to the many agencies and  
20 organizations represented here today for your time  
21 this afternoon.

22 My name is Joanne Grell and I am a Member of CASA  
23 and I am also the President of my Buildings Tenant  
24 Association and I am here on behalf of all of my  
25

1  
2 neighbors to ask for your support in passing Intro.  
3 2050.

4 Due to this global pandemic, job loss and  
5 economic hardship have greatly affected a family's  
6 ability to pay rent. With communities of color  
7 disproportionately at risk of eviction.

8 In my relatively small building of 32 units, 8  
9 families are facing eviction come May 1<sup>st</sup>. Many of  
10 them were full time employees in industries that were  
11 hardest hit by the COVID-19 job loss and several of  
12 my neighbors have talked to me about having to apply  
13 for food stamps and stand on pantry lines for the  
14 first time in their lives.

15 Others have had to chose between buying pampers  
16 for their children or paying their rent and sometimes  
17 they have chosen to pay their rent.

18 With over 46 percent of New Yorkers facing  
19 eviction come May 1<sup>st</sup>, we are facing an urgent and  
20 unprecedented housing crisis and tenants facing  
21 eviction must have legal counsel in Housing Court if  
22 they are to succeed in staying in their homes  
23 regardless of their zip code.

24  
25

1  
2 As Council Member Levin and others have already  
3 stated, passing Intro. 2050 will not require any  
4 additional funding from the city. It will actually  
5 save the city millions of dollars in costs associated  
6 with providing temporary housing and other resources  
7 to families who are evicted.

8 The limited protections currently in place are  
9 insufficient and passing Intro. 2050 is critical in  
10 preventing adults and children in our hardest hit  
11 communities from being evicted.

12 My neighbors experiencing financial hardship due  
13 to COVID have exhausted their limited funds and  
14 cannot afford an attorney to represent them in  
15 housing court and our zip code is not eligible for  
16 RTC Right to Counsel.

17 And while city agencies and offices work through  
18 the logistics and red tape of how to handle the  
19 impending influx of evictions and with eviction  
20 moratoriums and other relief set to expire, without  
21 Intro. 2050, we will see a significant number of  
22 evictions granted and this will cause irreparable and  
23 long-term harm to our communities.

24 Despite Mr. Dressler's statement that it is  
25 always the intention to do away with zip codes, he

1  
2 also stated that things can change at the drop of a  
3 dime. And that is why it is imperative that Intro.  
4 2050 be secured into law.

5 As we have seen with the incredible success of  
6 Right to Counsel Local Law 136, Intro. will help keep  
7 families in their homes and this is something that  
8 the Housing Court was originally designed to do.  
9 Thank you so much.

10 CHAIRPERSON LEVIN: Thank you Ms. Grell. Thank  
11 you and thank you for the compliment to my son.  
12 Thank you.

13 JOANNE GRELL: Of course.

14 COMMITTEE COUNSEL: Thank you to this entire  
15 panel for your testimony. I will now call up our  
16 next panel. Our next panel will be in the following  
17 order Gabriela Malespin, Kathleen Brennan and Amanda  
18 Lipari. We will begin with Gabriela Malespin.

19 SERGEANT AT ARMS: Time starts now.

20 GABRIELA MALESPIN: Hello? Sorry, can you hear  
21 me?

22 COMMITTEE COUNSEL: We can hear you.

23 GABRIELA MALESPIN: Great, thank you, sorry. Hi,  
24 my name - sorry, can you give me one second.

25 CHAIRPERSON LEVIN: Sure.

1  
2 GABRIELA MALESPIN: Thank you. Hi, my name is  
3 Gabriela Malespin. I am a Housing Paralegal with New  
4 York Legal Assistance Group and I, along with my  
5 supervisor Kathleen Brennan will be testifying today.

6 NYLAG uses the power of the law to help New  
7 Yorkers in need combat social and economic injustice.  
8 We address the merging and urgent legal needs with  
9 comprehensive free legal services, impact litigation,  
10 policy advocacy and community education.

11 Today, we will be speaking about how essential it  
12 is that DSS respond to the needs of the end of the  
13 eviction moratorium by expanding access to critical  
14 vouchers -

15 INTERRUPTION: [INAUDIBLE 3:00:04]

16 GABRIELA MALESPIN: Oh, sorry, by expanding  
17 access to City FHEPS, allowing eligible households to  
18 apply for FHEPS the moment they have rent arrears and  
19 in passing Intro. 2050.

20 DSS should expand access to City FHEPS and making  
21 long-term tenancy an eligibility criteria and for  
22 this critical rent subsidy. The City's Family  
23 Homelessness and Eviction Prevention Supplement, also  
24 known as City FHEPS is a critical subsidy for many  
25 low-income renters in New York City.

1  
2 Administered by the Department of Social  
3 Services, this rental subsidy allows families both  
4 with and without minor children to remain in their  
5 apartments by ensuring that recipients do not pay  
6 more than 30 percent of their income towards their  
7 rent.

8 Currently, NYC tenants must meet the following  
9 criteria to be eligible for City FHEPS. Make less  
10 than 200 percent of the federal poverty guidelines,  
11 have a rent that falls under the City FHEPS rental  
12 guidelines and meet one of the following criteria:  
13 Have veteran status, have prior shelter history,  
14 receive adult protective services or live in a rent  
15 controlled apartment.

16 In addition, City FHEPS vouchers are also  
17 provided to shelter residents to ensure that they can  
18 exit shelter and access permanent housing. This  
19 voucher is subject to renewal every year for up to  
20 five years. This voucher is important for adult only  
21 families and elderly tenants because the state funded  
22 FHEPS program focuses almost exclusively on existing  
23 families with minors in the household.

24

25

1  
2 Since the inception of the City FHEPS program in  
3 2018, this voucher has helped thousands of families  
4 both remain in their apartment and exit the city's  
5 crowded shelter system. However, DSS has the  
6 opportunity to expand eligibility criteria to ensure  
7 that more families can access this aid and reduce  
8 shelter costs.

9 The current eligibility criteria are  
10 unnecessarily restrictive. City FHEPS eligibility  
11 criteria should be expanded to include long-term  
12 tenancies of at least ten years and tenants receiving  
13 SSI and SSD. Prior to its supersession by City  
14 FHEPS, the city's special exit and prevention  
15 supplement, formerly known as CSEPS, allowed program  
16 administrators to grant the supplemental long-term -

17 SERGEANT AT ARMS: Time expired.

18 GABRIELA MALESPIN: Oh, at NYLAG, we have noticed  
19 that only a small fraction of our clients meet the  
20 current City FHEPS criteria but many meet the prior  
21 long-term tenancy criteria.

22 Additionally, City FHEPS rent levels must be  
23 increased to keep pace with fair market rents.

24 Sorry, do I have a minute to finish?

1  
2 CHAIRPERSON LEVIN: Yes, go ahead, yeah, yeah, no  
3 problem.

4 GABRIELA MALESPIN: Current City FHEPS rent  
5 limits are much lower than fair market value. For  
6 example, in order for a family of one to qualify for  
7 a City FHEPS Voucher, the rent must not be greater  
8 than \$1,265 per month. However, the average rent for  
9 tenant in NYC is often upwards of \$2,000.

10 There is currently City Council legislation that  
11 aims to address this issue and we sincerely recommend  
12 that – Council Member Stephen T. Levin introduce  
13 Intro. 146, which was last discussed by this  
14 Committee in September 2020. Therefore, we urge the  
15 Committee to pass this legislation.

16 Thank you very much for your time.

17 CHAIRPERSON LEVIN: Thank you so much Gabriela  
18 and I assure you that passing Intro. 146 is actually  
19 at the top of my legislative agenda. This year, we  
20 have around 38-40 sponsors, that's a vetoproof  
21 majority for anybody that's counting. So, you know,  
22 we hope that that will get passed soon. Thank you.

23 GABRIELA MALESPIN: Thank you.  
24  
25

1  
2 COMMITTEE COUNSEL: Thanks again Gabriela and I  
3 apologize for mispronouncing your last name. I will  
4 now call on Kathleen Brennan.

5 SERGEANT AT ARMS: Time starts now.

6 KATHLEEN BRENNAN: Good afternoon Chairman Levin  
7 and members of the Council Staff. Thank you for the  
8 opportunity to testify. I am testifying in  
9 conjunction with Ms. Malespin.

10 In addition to expanding the City FHEPS criteria,  
11 another way DSS can prepare for the end of the  
12 eviction moratorium is by making the process of  
13 applying for rental arrears, grants and FHEPS as  
14 simple as possible for tenants.

15 Due to COVID-19 restrictions that severely limit  
16 in-person visits to jobs under DSS, stressed online  
17 applications through the Access to HRA portal.  
18 However, many of our clients and tenants with similar  
19 backgrounds to our clients simply lack the technology  
20 to apply for grants online.

21 Many of NYLAG's clients experience difficulties  
22 applying for rental arrears grants over the telephone  
23 or obtaining and submitting on paper, rental arrears  
24 grant application. DSS should continue to explore  
25

1  
2 ways to make the process for applying for rent  
3 arrears grants easier for those clients who don't  
4 already have access to technology and DSS should  
5 expand its ability to accept and process applications  
6 over the phone. Add staff to the job centers who can  
7 expedite the processing of rental arrears grants and  
8 enhance language access by multilingual staff.

9 While Access HRA can be useful, it can be  
10 difficult to navigate and clients quickly experience  
11 technological glitches in trying to submit rental  
12 arrears grants.

13 Many that do manage to submit applications online  
14 via the HRA access portal, do not receive timely  
15 response and are frequently not informed of the  
16 documents they have uploaded have been received or  
17 the status of the application.

18 We urge that DSS contact tenants by phone to  
19 verify the application has been submitted and to  
20 follow up with any issues.

21 As NYGLAG has seen the positive impact of the  
22 city's Right to Counsel program and we urge its  
23 continued expansion. Thank you.

24 COMMITTEE COUNSEL: Thank you Kathleen.

25 CHAIRPERSON LEVIN: Thank you.

1  
2 COMMITTEE COUNSEL: I will now call on Amanda  
3 Lipari.

4 SERGEANT AT ARMS: Time starts now.

5 AMANDA LIPARI: Good afternoon. My name is  
6 Amanda Lipari and I am a Tenants Rights Attorney in  
7 the Staten Island neighborhood office of the Legal  
8 Aid Society. I am also a Member of the Association  
9 of Legal Aid Attorneys, Local 2325 of the United Auto  
10 Workers and a member of the Right to Counsel working  
11 group within the union.

12 I testify today on behalf of ALAA to urge the  
13 City Council to pass Intro. 2050, which would  
14 expedite the Right to Counsel rollout by mandating  
15 that all eligible tenants sued Housing Court receive  
16 legal representation.

17 The Right to Counsel Program is an unequivocal  
18 success. Since its implementation, 86 percent of  
19 tenants who receive representation remain in their  
20 homes. Tenant representation is essential to combat  
21 the state sanctions violence of evictions. Evictions  
22 are devastating at all times but the COVID-19  
23 pandemic has compounded their effects. Evictions are  
24 now a death sentence that more than 1.5 million New  
25

1  
2 Yorkers face. Failure to fully implement Right to  
3 Counsel will lead to increased evictions which result  
4 in displacement, educational disruption for children  
5 and increased risk of contracting coronavirus, either  
6 by doubling up with friends or family or entering  
7 city shelter systems.

8 Full implementation of Right to Counsel cannot  
9 wait another year. Now is the time to guarantee all  
10 tenants who are eligible can receive representation  
11 and remain housed. COVID-19 has exacerbated the  
12 material conditions that cause evictions. There are  
13 still no adequate solutions to our housing crisis.

14 While the state established a somewhat robust  
15 statute intended to protect tenants and the federal  
16 government established limited protections for  
17 tenants through the CDC, these peace mill laws are  
18 complicated. They do not provide blanket protection  
19 from eviction and contain many loopholes that are  
20 easily exploited by landlords.

21 It is imperative that tenants have access to  
22 counsel who can both explain the current protections  
23 and litigate on their behalf to ensure these laws are  
24 fully and fairly implemented.

1  
2 Our city government must step up where it can and  
3 work to ensure the tools provided by the state and  
4 federal language do not languish. The city also has  
5 an independent responsibility. The city must  
6 increase its flexibility in awarding rental arrears  
7 grants. Tenants are coming to our office with over  
8 \$20,000 in arrears. While this was previously the  
9 exception, it is not the norm.

10 HRA's response must meet this moment. Pre-  
11 pandemic criteria will not suffice. Arrears grants  
12 must be quickly processed and legally granted to  
13 ensure tenants remain supported in their homes.  
14 Eviction defense is a crucial part of a holistic,  
15 competent pandemic response. Legal service providers  
16 are ready and able to assist in recovery. The city  
17 must ensure that the Right to Counsel program is  
18 fully funded at the cost of service so that legal  
19 service providers can continue this work.

20 I urge the City Council to pass Intro. 2050 and  
21 any further legislation needed to support tenants.  
22 Thank you for your time.

23 CHAIRPERSON LEVIN: Thank you so much. Thank you  
24 Amanda.

1  
2 COMMITTEE COUNSEL: Thank you to this panel for  
3 your testimony. I will now call up our next panel.  
4 Our next panel will be in the following order Jessica  
5 Penkoff, Alexandra Dougherty and Amy Kwak. And we  
6 will begin with Jessica Penkoff.

7 SERGEANT AT ARMS: Time starts now.

8 JESSICA PENKOFF: Hi everyone, my name is Jess  
9 Penkoff and I am a Staff Attorney for Housing Rights  
10 and Special Populations at Volunteers of Legal  
11 Service, also known as VOLS. VOLS was established in  
12 1984 by law firms and by the New York City Bar  
13 Association in response to federal budget cuts in  
14 legal services funding.

15 And over 35 years later, we run 9 projects that  
16 serve low-income New Yorkers made possible in large  
17 part by the assistance of the pro bono capacity of  
18 our law firm and corporate sponsors.

19 Across all of our projects at VOLS, we encounter  
20 New Yorkers from various subpopulations, senior  
21 veterans, formerly homeless young adults, recently  
22 unemployed workers, all who have limited income and  
23 limited resources who are facing housing insecurity.

24

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1  
2 Many have fallen behind on their rent because  
3 they had to stop working to care for a sick loved one  
4 or because they lost their job due to the pandemic or  
5 because they contracted COVID themselves. And even  
6 New Yorkers who are not behind on the rent are facing  
7 housing insecurity.

8 I recently advised a senior whose landlord has  
9 been harassing her to move because he has pandemic  
10 related losses and wants to sell the building and our  
11 conversation was the first time that she learned that  
12 self help eviction is illegal. Had we not spoken,  
13 she likely would have moved out of her home in the  
14 dead of a pandemic winter with no where else to go,  
15 for fear of being illegally and forcibly removed by  
16 her landlord.

17 She was fortunate to have been referred to our  
18 office but there are many other at risk New Yorkers  
19 that are not able to access free Civil Legal Services  
20 from our organization or from one of our many legal  
21 service partners testifying today. And we will  
22 really never know how many New Yorkers have been  
23 displaced simply because they were unaware of their  
24 legal rights or options.

1  
2 Under the current Universal Access Law, only New  
3 Yorkers in predesignated zip codes are guaranteed an  
4 attorney to defend them in Housing Court. We  
5 frequently give advice and counsel to New Yorkers who  
6 are not covered by Right to Counsel because they  
7 don't live in the correct zip code, like the senior  
8 that I spoke to whose landlord was harassing her.  
9 And most of the older New Yorkers that we have  
10 counseled at our legal clinics at senior centers that  
11 we hosted prior to the shutdown, do not live in those  
12 zip codes either.

13 Aside from end of life planning, housing issues  
14 are the most common that we see, especially among  
15 older New Yorkers and we hosted clinics in Council  
16 Member Ayala's district and Council Member Kallos's  
17 district where many New Yorkers are not covered. We  
18 also hosted clinics in Council Member Chin's district  
19 where currently no one is covered by the zip code  
20 scheme.

21 Intro. 2050 would ensure that no low-income  
22 tenant facing eviction is denied counsel. And in  
23 light of the fall out from the COVID-19 pandemic and  
24 the resulting economic crisis, communities that are  
25

1  
2 low-income and especially communities of color cannot  
3 afford to wait another year and a half for this  
4 program to rollout. Paychecks and stimulus checks  
5 have stopped arriving but rent bills have not and  
6 current moratorium -

7 SERGEANT AT ARMS: Time expired.

8 JESSICA PENKOFF: Do not provide rent relief.  
9 They do not provide rent relief and one day those  
10 bills will have to be paid or tenants will face  
11 homelessness.

12 We are mindful of capacity concerns. We  
13 encourage the city to provide attorney's in line with  
14 the capacity of legal service providers and low-  
15 income tenants deserve to have four walls around them  
16 and a roof over their head while they face this  
17 pandemic. Thank you for allowing us to testify.

18 CHAIRPERSON LEVIN: Thank you Jessica.

19 COMMITTEE COUNSEL: Thank you Jessica. I will  
20 now call on Alexandra Dougherty.

21 SERGEANT AT ARMS: Time starts now.

22 ALEXANDRA DOUGHERTY: Hi, my name is Alexandra  
23 Dougherty; I am a Senior Staff Attorney and Policy  
24 Counsel of the Civil Justice Practice Brooklyn  
25

1  
2 Defender Services. I would like to thank the  
3 Committee of General Welfare and Chair Levin for  
4 inviting us to testify today. And I am here to  
5 express our support for the expansion of Right to  
6 Counsel for New York City tenants, as well as the  
7 immediate expansion of the city's existing voucher  
8 and rental assistance programs.

9 BDS provides client center legal services, social  
10 work support and advocacy for almost 30,000 clients  
11 every year and our civil justice practice aims to  
12 reduce the civil collateral consequences of criminal  
13 and family and immigration court involvement.

14 We applaud the city for expanding eligibility for  
15 Right to Counsel and urge City Council to make the  
16 program available immediately, given that tens of  
17 thousands if not more of New York City tenants have  
18 been unable to pay rent due to the COVID crisis.

19 But in addition, the city can do more now to help  
20 tenants maintain stable housing. About a quarter of  
21 New York City renters are behind in rent payments and  
22 owe as much as \$1 billion in arrears from the past  
23 year.

24

25

1  
2 Those arrears are going to be due immediately  
3 when the eviction moratoria expire. Rather than  
4 waiting until families are on the brink of eviction,  
5 the city should immediately remove barriers to rental  
6 assistance and vouchers.

7 First, DSS should prioritize vouchers because  
8 they ensure ongoing affordability and housing  
9 stability. The city should remove the onerous  
10 eligibility criteria and application procedures that  
11 prevent many tenants from accessing vouchers.  
12 Eligibility should not require a current Housing  
13 Court case or imminent eviction. DSS should also  
14 expand the number providers authorized to screen  
15 tenants and complete applications, so that more  
16 tenants can access vouchers and pay the arrears prior  
17 to the moratoria expiring.

18 And we also urge City Council to pass Intro. 146  
19 and I am glad to hear that there is 80 to approve  
20 majority. That bill would raise voucher rent limits  
21 and expand the stock of affordable housing available  
22 to voucher holders.

23 Second, while we applaud HRA's efforts to  
24 facilitate applications during the pandemic, there  
25

1  
2 are still serious barriers that are preventing our  
3 clients from accessing benefits and public  
4 assistance.

5 HRA's remote application process is made  
6 insurmountable by changing deadlines and confusing  
7 rules. Applications are routinely denied because  
8 many of our clients like other less than low-income  
9 applicants lack consistent internet access or the  
10 single interview call that comes from a blocked  
11 number. These applications should be made fully  
12 available by phone and the whole process should be  
13 more flexible to ensure that all New Yorkers in need  
14 can get assistance.

15 HRA should not require that tenants proof future  
16 ability to pay rent to get approved for a one-shot  
17 deal, especially now during the ongoing pandemic.

18 SERGEANT AT ARMS: Time expired.

19 ALEXANDRA DOUGHERTY: They can't meet that burden  
20 while facing illness, unemployment and other  
21 uncertainty. Uhm, so again, I thank the Chair and  
22 the Committee and I will direct you to my written  
23 testimony for more detailed comments. Thanks.

24 CHAIRPERSON LEVIN: Thank you so much Alexandra.  
25

1  
2 COMMITTEE COUNSEL: I will now call on our next  
3 witness, Amy Kwak.

4 SERGEANT AT ARMS: Time starts now.

5 AMY KWAK: Hi, good afternoon. I am Amy Kwak,  
6 Staff Attorney in the Civil Defense Practice at  
7 Neighborhood Defender Service of Harlem. NDS is a  
8 community-based holistic public defender office that  
9 provides high-quality legal services to residents of  
10 Northern Manhattan.

11 NDS is a member of the Right to Counsel Coalition  
12 and serves the community through the Right to Counsel  
13 program. Thanks to the efforts of tenants,  
14 organizers and community leaders, New York City has  
15 been at the forefront of guaranteeing tenants legal  
16 representation in Housing Court. And the Right to  
17 Counsel Law has been an undeniable success.

18 In pure, evidence is clear, tenants represented  
19 by an attorney are significantly more likely to  
20 remain in their homes. This protects families,  
21 preserves communities and prevents the  
22 destabilization that too often precipitates criminal  
23 and legal involvement.

24

25

1 Put plainly, it is good for the entire city. As  
2 a holistic public defender, NDS knows that an  
3 eviction is often the first domino to fall with  
4 cascading impacts ranging from prosecution and  
5 incarceration to deportation to having the family  
6 torn apart by ACS.  
7

8 The stakes are even higher in the midst of a once  
9 in a lifetime global pandemic that has  
10 disproportionately ravaged Black and Brown  
11 communities. A families right to remain safely  
12 housed and out of crowded shelters is literally a  
13 matter of life or death.

14 Yet, under the current phase in plan by zip code,  
15 too often by the time we have taken a case, the  
16 tenant has unknowingly signed a settlement agreement  
17 an attorney would never have advised them to or  
18 waived important rights and defenses in court.

19 The unreasonable expectation placed on tenants to  
20 properly navigate the opaque rituals of Housing  
21 Court, crafted defense and conduct a trial, has never  
22 been more apparent than it is now. When they face  
23 the labyrinth of state and federal COVID-19 eviction  
24 protections.  
25

1  
2 Since last March, there has been a whirlwind of  
3 successive state and federal laws and orders. Each  
4 with their own protections, caveats, loopholes and  
5 requirements of tenants. Further obfuscated by  
6 competing messaging from the governor's office. For  
7 example, last month NDS was retained by a client who  
8 had two roommates and whose landlord sought to  
9 execute a warrant of eviction. One of the roommates  
10 was able to access another Right to Counsel attorney  
11 but the other was left to fend for himself. And when  
12 asked by the Judge, "What do you have to say as to  
13 why you should not be evicted?" He could only  
14 respond, " I don't know what to say."

15 What could he be expected to say? What would you  
16 say if you were asked the same question? For the  
17 COVID-19 related state and federal protections to be  
18 effective, Right to Counsel must be immediately  
19 expanded to include all income eligible New Yorkers.  
20 And to be meaningful, it must be implemented so as to  
21 allow the full representation of tenants interests,  
22 not just the rubber stamping of settlements for the  
23 sake of processing cases and laying landlords  
24 pockets.

25 Evictions are always an act of violence.

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SERGEANT AT ARMS: Time expired.

AMY KWAK: During the pandemic, they can be deadly. The wave of evictions is coming and New York must step up to meet this historic moment by expanding the Right to Counsel with the passage of Intro. 2050.

CHAIRPERSON LEVIN: Thank you so much Amy. Thank you.

COMMITTEE COUNSEL: Thank you to this entire panel for your testimony. I will now call up our next panel. Our next panel will be in the following order. Towaki Komatsu and Spencer Hanvik. Over to Towaki.

SERGEANT AT ARMS: Time starts now.

TOWAKI KOMATSU: Hi, can you hear me? Can you hear me?

COMMITTEE COUNSEL: Yes, we can hear you.

TOWAKI KOMATSU: Uhm, so earlier today you had people from HRA testify and you had Jordan Dressler. You had I think, Erin Drinkwater. There was a mention of OTDA, the New York State Office of Temporary and Disability Assistance. Uhm, for roughly a what, like three years, I have had a

1  
2 litigation against HRA. I have talked to Steven  
3 Banks face to face repeatedly. I have recorded him  
4 on audio repeatedly. I have talked to Stephen Levin  
5 about that repeatedly. I recorded a conversation I  
6 had with Mr. Levin in the Committee Room in City Hall  
7 on I think, August 13<sup>th</sup> of 2019, in regards to foil  
8 information. The fact that HRA has not been  
9 providing me documents that I need in relation to  
10 housing litigation. That this hearing today is  
11 about.

12 So, essentially, uhm, on or about February 18<sup>th</sup> of  
13 2016, uhm, HRA actually subjected me to an illegal  
14 abate and switch, fraud and forgery in regards to an  
15 apartment lease agreement that I talked to Mr. Levin  
16 repeatedly about. I testified truthfully, repeatedly  
17 about to no avail. I have a federal court litigation  
18 against the City of New York currently.

19 So, bottom line is, uhm, I got a voicemail  
20 message from OTDA earlier today letting me know that  
21 is going to have a fair hearing with me on February  
22 9<sup>th</sup>. Only because of the fact that HRA refused to  
23 comply with its legal duty to provide me documents  
24 for a fair hearing that was on what, December 23<sup>rd</sup> of  
25 last year in regards to housing litigation.

1  
2       So, the point is, uhm, why are we having this  
3 public hearing today? Uhm, for which Mr. Levin is  
4 the Chairman when people have a face to face  
5 conversation with him repeatedly. Where he makes  
6 commitments saying, you know what, I will try to help  
7 you but in the end, he lies straight to your face.

8       So, I had a witness who lived in the building in  
9 which I reside, a disabled military veteran. He  
10 passed away on August 10<sup>th</sup> of last year, only because  
11 of the fact that HRA refused to provide him with a  
12 reasonable accommodation. I testified on his behalf  
13 to Mr. Levin on February I think, 4<sup>th</sup> of 2019. So,  
14 again, the question is this. How many more people  
15 have to pass away before Mr. Levin will be fired from  
16 the City Council? And Mr. Banks will be prosecuted  
17 for criminal negligence? Thank you.

18       COMMITTEE COUNSEL: Thanks for your testimony  
19 Towaki. I will now move onto Spencer Hanvik for  
20 testimony.

21       SERGEANT AT ARMS: Time starts now.

22       SPENCER HANVIK: Hi there, my name is Spencer  
23 Hanvik. I use she, her pronouns. I am a Member of  
24 Counsel on Housing and during the pandemic, I have  
25

1  
2 been working and learning with members of the RTC  
3 Coalition. I am here to testify strongly in favor of  
4 passing Intro. 2050, which would make full  
5 implementation of Right to Counsel a matter of law  
6 rather than simply policy.

7 Thank you for hearing my testimony. I am a  
8 market rate tenant. I live in Brooklyn and in my  
9 current apartment for six years. Uhm, note earlier  
10 in this hearing, there was sort of a minimizing  
11 reference made to an imagined, anticipated cliff of a  
12 daily of evictions, of evictions and this is I mean,  
13 clearly not an imaginary thing. It is real. Real  
14 people are afraid of it. They are afraid for  
15 themselves. They are afraid for their loved ones. I  
16 am afraid of it for myself and as we have been  
17 saying, housing is healthcare and this is not  
18 healthy.

19 Currently, I live with two other people. Their  
20 stories aren't mine to tell but their situations are  
21 even a bit more precarious than mine for reasons of  
22 benefits eligibility and for health reasons. Since  
23 March, we have been unable to rent, like over 1.5  
24 million other New York residents. And the fact is as  
25

1 true for us as is for everybody that housing is  
2 healthcare. In November, we received court papers  
3 for an eviction case before the current, temporary  
4 and partial protections were put in place and it's  
5 just like a staggeringly high number of other tenants  
6 who were sent into an in navigable runaround trying  
7 to make contact with a dysfunctional court system and  
8 low access or hope of access to legal service  
9 providers. This isn't healthy. This is dangerous.  
10 This contributes to the ongoing and intensifying  
11 public health crisis. Full Right to Counsel and the  
12 passage of Intro. 2050 is necessary for our health  
13 and safety. In my home we are going through this. I  
14 see friends and neighbors who are already struggling  
15 already, pushed beyond any reasonable basic capacity  
16 for stress of this looming reality of this eviction  
17 cliff of Housing Court and possible evictions with no  
18 guarantee of support.

19  
20 Housing Court has always been a challenge to  
21 navigate and with the pandemic, so many have already  
22 said, it's only gotten worse. I know that is has  
23 always been and even more so is well beyond my  
24 abilities and well beyond anybody's abilities to  
25

1  
2 manage this on their own. Tenants need support and  
3 Intro. 2050 is a necessary part of that support. If  
4 housing is healthcare, which it is, the Right to  
5 Counsel and Housing Court is part of any serious  
6 healthcare oriented plan. Intro. 2050 must be part  
7 of any serious public health effort.

8 I appreciate as we have heard so much earlier  
9 that the court administrators efforts to connect  
10 tenants with housing –

11 SERGEANT AT ARMS: Time expired.

12 SPENCER HANVIK: Arrears and nonetheless, in  
13 spite of those efforts, speaking for myself and along  
14 with many others, I would feel more secure in my  
15 protections and in everyone's protections with the  
16 passage of Intro. 2050 requiring in law immediate and  
17 full implementation of Right to Counsel. Evictions  
18 are deadly. The city can do more to stop evictions  
19 and the city must do more to stop evictions and  
20 Intro. 2050 is a crucial minimum piece of this.

21 I urge the City Council, please pass Intro. 2050.  
22 Thank you very much for your time.

23 COMMITTEE COUNSEL: Thank you for your testimony.  
24 At this point, we have now heard from everyone who  
25

1  
2 has signed up to testify. We appreciate your time  
3 and presence at our hearing today.

4 If we inadvertently missed anyone that would like  
5 to testify, at this time please use the raise hand  
6 function in Zoom and I will call on you in the order  
7 of hand raised.

8 Seeing no one else, I would like to note that  
9 written testimony, which will be reviewed in full by  
10 Committee Staff, may be submitted to the record up to  
11 72-hours after the close of this hearing. And you  
12 can submit that testimony by emailing it to  
13 [testimony@council.nyc.gov](mailto:testimony@council.nyc.gov).

14 Chair Levin, at this time, we have concluded  
15 public testimony for this hearing.

16 CHAIRPERSON LEVIN: Thank you very much Ms.  
17 Kilawan and I want to thank all of the members of the  
18 public for testifying today as well as members of the  
19 Administration for testifying. I appreciate you all  
20 taking the time and your patience and your commitment  
21 to making sure that this city is and its residents  
22 are protected from the dangers of eviction and these  
23 terrible impacts of the COVID-19 pandemic. And we  
24 all have a tremendous amount of work to do going  
25

1  
2 forward to make sure that any program uhm, or process  
3 moving forward is done equitably around the city and  
4 meeting the needs of New Yorkers that are most in  
5 need.

6 And with that, at 3:34 p.m., this hearing is  
7 adjourned. Thank you. [GAVEL]

8 SERGEANT AT ARMS: We have ended the livestream.  
9 Thank you everyone.

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date February 15, 2021