



Legislation Details (With Text)

File #: Res 0345-2022 **Version:** B **Name:** Establishing a New York state office of civil representation to provide access to legal services in eviction proceedings. (A.1493/S.2721)

Type: Resolution **Status:** Adopted

In control: Committee on Housing and Buildings

On agenda: 10/12/2022

Enactment date: **Enactment #:**

Title: Resolution calling upon the New York State Legislature to pass, and the Governor to sign, A.1493/S.2721, in relation to establishing a New York state office of civil representation to provide access to legal services in eviction proceedings

Sponsors: Pierina Ana Sanchez, Althea V. Stevens, Lincoln Restler, Rita C. Joseph, Nantasha M. Williams, Shaun Abreu, Charles Barron, Crystal Hudson, Sandy Nurse, Gale A. Brewer, Kevin C. Riley, Tiffany Cabán, Alexa Avilés, Keith Powers, Julie Won, Jennifer Gutiérrez, Amanda Farías, Chi A. Ossé, Shahana K. Hanif, Carmen N. De La Rosa, Shekar Krishnan, Lynn C. Schulman, Erik D. Bottcher, Kristin Richardson Jordan, Carlina Rivera, Mercedes Narcisse, Christopher Marte, Farah N. Louis

Indexes:

Attachments: 1. Res. No. 345, 2. October 12, 2022 - Stated Meeting Agenda, 3. Hearing Transcript - Stated Meeting 10-12-22, 4. Minutes of the Stated Meeting - October 12, 2022, 5. Proposed Res. No. 345-A - 3/22/23, 6. Committee Report 3/27/23, 7. Hearing Testimony 3/27/23, 8. Hearing Transcript 3/27/23, 9. Proposed Res. No. 345-B - 11/29/23, 10. Committee Report 12/6/23, 11. Hearing Transcript 12/6/23, 12. Committee Report - Stated Meeting, 13. December 6, 2023 - Stated Meeting Agenda, 14. Hearing Transcript - Stated Meeting 12-6-23

Date	Ver.	Action By	Action	Result
10/12/2022	*	City Council	Introduced by Council	
10/12/2022	*	City Council	Referred to Comm by Council	
3/27/2023	*	Committee on Housing and Buildings	Hearing Held by Committee	
3/27/2023	*	Committee on Housing and Buildings	Laid Over by Committee	
3/27/2023	*	Committee on General Welfare	Hearing Held by Committee	
3/27/2023	*	Committee on General Welfare	Laid Over by Committee	
12/6/2023	*	Committee on Housing and Buildings	Hearing Held by Committee	
12/6/2023	*	Committee on Housing and Buildings	Amendment Proposed by Comm	
12/6/2023	*	Committee on Housing and Buildings	Amended by Committee	
12/6/2023	B	Committee on Housing and Buildings	Approved by Committee	Pass
12/6/2023	B	City Council	Approved, by Council	Pass

Res. No. 345-B

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, A.1493/S.2721, in relation to establishing a New York state office of civil representation to provide access to legal services in

eviction proceedings

By Council Members Sanchez, Stevens, Restler, Joseph, Williams, Abreu, Barron, Hudson, Nurse, Brewer, Riley, Cabán, Avilés, Powers, Won, Gutiérrez, Farías, Ossé, Hanif, De La Rosa, Krishnan, Schulman, Bottcher, Richardson Jordan, Rivera, Narcisse, Marte and Louis

Whereas, The New York City Right to Counsel law was passed by the City Council and went into effect in 2017 and it has been effective in keeping tenants in their homes; and

Whereas, The Community Service Society, a charitable organization, stated that only 1 percent of tenants were previously represented with an attorney in housing court, but when the law was implemented 74 percent of the tenants facing eviction had an attorney; and

Whereas, In New York City, the Right to Counsel (RTC) law does not cover everyone, excluding, for example, households who are above 200 percent of the federal poverty line and public housing residents; and

Whereas, Tenants throughout the rest of the state do not have a right to counsel; and

Whereas, Research from the Right to Counsel NYC Coalition, a tenant advocacy group, documented that there were 142,806 eviction cases pending in New York State on March 15, 2020, at the start of the COVID-19 pandemic, and as of February 26, 2023 there were over 276,668 active eviction cases; and

Whereas, Providing legal assistance to households who are at risk of housing instability not only adds a layer of protection but it saves public funds that could otherwise be spent on shelters or services for people who are experiencing homelessness; and

Whereas, According to the Right to Counsel NYC Coalition, courts are moving eviction cases at a pace that results in thousands of New York City tenants who are otherwise eligible for the RTC program being denied; and

Whereas, A.1493, introduced by Assembly Member Latoya Joyner and pending in the New York State Assembly, and companion bill S.2721, introduced by State Senator Rachel May and pending in the New York State Senate would create a New York State office of civil representation that would provide the right to free and full representation to all New Yorkers in all cases that might result in their displacement; and

Whereas, A.1493/S.2721 would also be a solution to the local court crisis since it would require the court system to mandate adjournments until a tenant has been able to secure an attorney and it could help pace cases to attorney capacity; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, A.1493/S.2721, in relation to establishing a New York state office of civil representation to provide access to legal services in eviction proceedings.

JLC/TZ
LS 9373
11/21/23