



Community Board 12 - Manhattan Washington Heights & Inwood

530 West 166th St. 6th Floor, New York, NY 10032

Phone: (212) 568-8500, Fax: (212) 740-8197

Website: www.nyc.gov/mcb12

George Fernández Jr. - Chairman
Ebenezer Smith, District Manager

April 29, 2015

Hon. Bill De Blasio
Mayor of the City of New York
City Hall
New York, NY 10007

Dear Mayor De Blasio:

Please be advised that at the General Meeting Tuesday, April. 28, 2015 Community Board 12 Manhattan passed a resolution by a vote of (33) In Favor, (0) Opposed, (0) Abstain, recommending the support of Intro 214 and that the Mayor's Budget provides sufficient funding to cover all client housing cases and proceedings administered by the city's Department of Human Resources Administration and the Department of Homeless Services.

Whereas, The number of evictions in the New York City has steadily risen almost every year, reaching 28,849 in 2013, and affecting mostly low income households; and

Whereas, Many electeds, attorneys, judges, community organizations, tenant advocates and other experts have contend or have given testimony that a significant number of those evictions could have been averted with legal representation since many of these tenants lost their housing mainly because they could not navigate the maze of housing laws and regulations, or court proceedings or afford legal counsel; and

Whereas, A typical indigent civil litigant cannot hope for a "fair trial" when handling an adversarial proceeding alone against a landlord's attorney or a bank that brings the full force of intimidation into the courtroom and particularly when the future of their living space is threatened; and

Whereas, The right to counsel would not only have an impact on affordable housing and homelessness or public welfare and the administration of justice; it would also pay for itself with savings from other governmental social services costs; and

Whereas, The city's Human Resources administration currently can only handle about ten percent of its cases in Housing Court due to insufficient funding, legal staff, and legal service organizations; and

Whereas, The Coalition for the Homeless claims that the city spends \$38,000 per year to shelter a homeless family and it could spend a fraction of that cost by providing full legal services to prevent the onset of evictions and homelessness in the first place; and

Whereas, Given the need to solve these problems and provide court-appointed counsel in Housing Court the NYC Council is considering as bill, Intro 214 sponsored by Councilman Mark D. Levine "to amend the administrative code of the city of New York, in relation to providing legal counsel for low-income tenants who are subject to eviction, ejection or foreclosure proceedings"; and

Whereas, Intro 214, would create a position of civil justice coordinator under the Commissioner of Housing Preservation and Development who would organize both public and private pro bono counsel to represent low-income tenants in eviction proceedings based on an individual's gross income not in excess of 200% of the federal income poverty guidelines; therefore be it

Resolved, Community Board 12, Manhattan recommends support of Intro 214, a first in the nation initiative that fulfills the potential promise in the landmark case of **Gideon vs. Wainwright** that poor defendants have a right even in civil cases to a lawyer at public expense; and be it further

Resolved, The Mayor's Budget provides sufficient funding to cover all client housing cases and proceedings administered by the city's Department of Human Resources Administration and the Department of Homeless Services.

Sincerely,


George Fernandez, Jr.
Chair

cc: Hon. Adriano Espaillat, NY State Senator
Hon. Gail Brewer, Manhattan Borough President
Hon. Letitia James, Public Advocate
Hon. Scott Stringer, Comptroller
Hon. Mark Levine, Council Member

Hon. Charles B. Rangel, Congressman
Hon. Herman D. Farrell, Jr., Assembly Member
Hon. Guillermo Linares, Assembly Member
Hon. Ydanis Rodriguez, Council Member