

Coalition Launches Campaign to Guarantee Right to Counsel for New York State Tenants

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New York City and Syracuse, NY – Today, **Senator Rachel May** and **Assembly Member Latoya Joyner** were joined by the **Syracuse Tenant Union, CASA - New Settlement, Right to Counsel NYC Coalition** members, tenants, and supporters for a press conference to announce the introduction of **statewide Right to Counsel legislation (A07570 / S06678)**. The legislation would guarantee every tenant across New York State the right to a lawyer when facing eviction.

Right to Counsel has proven to be an immensely powerful tool at stopping evictions. In 2017, NYC became the first city to guarantee tenants facing eviction the right to a lawyer, with dramatic results. For the last 3 years, 86% of tenants who had a Right to Counsel lawyer in NYC stayed in their homes and landlords are suing tenants more than 30% less. NYC's law has inspired a Right to Counsel movement across the country. More than seven U.S. cities now have Right to Counsel and just this year, three states, [Washington State](#), [Connecticut](#), and [Maryland](#) have passed Right to Counsel legislation. Given the looming eviction crisis, now is the time for New York State to step up – The May/Joyner bill is the most effective, most expansive Right to Counsel legislation introduced in the U.S. to date, and would significantly strengthen protections for tenants in NYC and expand the right to every tenant across the state.

“There is a fundamental problem when a tenant comes to court without legal representation while landlords are able to afford quality lawyers,” said **Senator Rachel May (D, WF, 53rd District)**. “I am proud to sponsor legislation with Assemblywoman Joyner to ensure there is no legal power imbalance in an eviction courtroom, and that all parties are able to ensure they have fair access to a just process and outcome. Upstate New York's tenants deserve representation.”

“Under current state law, tenants can be subject to eviction proceedings that could cost them their housing, their job, their access to a quality education and their mental and physical well-being – and they have no assurance that legal counsel will be available or provided. And while tenants are often left without an attorney, the landlord has the financial wherewithal and connections to bring in lawyers who specialize in housing issues and evictions,” **Assemblywoman Latoya Joyner (D-Bronx, 77th AD)** said. “Today's press conference in the Bronx is part of a larger statewide public launch of this important legislation and I want to thank the statewide Right to Counsel Coalition for supporting this bill and state Senator Rachel May introducing companion legislation in the Senate,” Assemblywoman Joyner said.

“The tenants of Syracuse and across the state deserve to have the right to counsel,” says **Palmer Harvey, Founder of the Syracuse Tenant Union**. “For far too long, the imbalance of legal representation in housing court between tenant and landlord has been allowed to exist for cities like Syracuse. The time is now to act and pass the Right to Counsel bill.”

“It's not right that tenants face eviction alone. I know first hand the fear and anxiety evictions cause. Our fight for Right to Counsel in NYC has stopped thousands of evictions, helped tenants organize and stopped landlords from suing tenants,” says **Randy Dillard, CASA Leader and RTCNYC Coalition Steering Committee Member**. “I'm proud to have fought for it and won it. But we can't stop there. It's not right that this right only exists in NYC and not for tenants across the state. It's not right that it doesn't exist for all tenants.

NY tenants need this. We are proud to introduce this legislation and we are calling on our elected officials to pass it now.”

This critical legislation would guarantee ALL tenants across New York State the right to a lawyer when facing an eviction. The legislation would establish Right to Counsel as a RIGHT and:

- Covers every tenant across the state, regardless of income.
- Covers any legal proceeding that could result in a tenant losing their home.
- Requires that tenants be represented throughout their entire case, not just when they show up in court. This includes legal advice, advocacy, and assistance.
- Requires the State to contract with non-profit legal services organizations to provide Right to Counsel and with non-profit community based organizations to provide tenants’ rights education and tenant organizing.

The COVID-19 pandemic has only worsened New York State’s eviction crisis. Our communities need long-term solutions that will keep them safe and securely housed. A staggering 1.2 million households are behind on rent and landlords are actively trying to evict more than 228,000 tenants statewide. Across the state an overwhelming majority of landlords are represented during eviction proceedings, whereas most tenants are not. Right to Counsel is one of the many solutions our state needs now.

“As we brace ourselves for the eviction crisis looming in the aftermath of the Covid-19 crisis and beyond, we implore that we continue to push for a statewide Right To Counsel for the tens of thousands of community members at risk of eviction,” says **Jirandy Martinez, Executive Director of the Community Resource Center of Larchmont and Mamaroneck**. “In Westchester, 1 in 10 Westchester County residents are renters – of those the majority being from the Black and Latinx communities. Only 7% of tenants have legal representation during an eviction. Housing is a human right yet many in our own community are at the risk of losing their homes. An eviction or the threat of eviction is traumatic for renters. We can prevent further trauma and provide a more cost-effective solution than shelters in Westchester and across New York State. Support the Right To Counsel!”

“The balance of power between tenants and landlords is driving people out of their homes,” says **John Washington, #HomesGuarantee Organizer at Peoples Action in Buffalo, NY**. “We need to even the odds and give tenants real power in negotiating where they live. No tenant should ever be evicted because of a lack of representation.”

“As the eviction crisis continues to ravage communities across New York State, tenants need Right to Counsel now, more than ever. More than a million tenants are at risk of eviction and landlords have already sued more than 228,000 tenants (and counting) statewide. But evictions don’t have to happen and New York State can, and must, do more to protect tenants,” says **Malika Conner, Director of Organizing with the Right to Counsel NYC Coalition**. “We know Right to Counsel is incredibly effective at stopping evictions. Having Right to Counsel protects tenants’ rights, and emboldens tenants to fight to keep their homes. Our new legislation will significantly strengthen protections for tenants in NYC and expand the right to every tenant across the state. We are excited to launch this campaign and urge the State to pass this critical legislation now.”

“Before the pandemic, landlords filed over 8,000 eviction cases a year against tenants in Rochester City Court and less than 1 in 5 of tenants were represented,” says **Ryan Acuff from the City-Wide Tenant Union of Rochester, NY**. “This bill will finally give tenants the legal representation they need and deserve and in turn stabilize the lives of thousands of families.”

“The pandemic is not over yet and we’re still in the middle of an ongoing housing crisis, an ongoing health crisis and an economic crisis that has no end in sight. Tenants need as many protections as they can especially now that the Moratorium will be ending in August. Once the Moratorium ends we’re going to see an influx of tenants in housing court and we’re going to see many families get evicted, not just in the city of New York, but Statewide,” says **Juan Nunez, Tenant Leader, Northwest Bronx Community and Clergy Coalition**. “So we need those protections for every tenant, every family in New York State so that they can stay in their homes, post pandemic and also during an ongoing health, housing, and economic crisis. This is an essential right that everyone should have and that is the right to have a lawyer so that you can remain in your home.”

Right to Counsel is also a moral issue. Eviction proceedings are complex and violent processes that are nearly impossible to navigate alone. Evictions disrupt children’s education, tear apart entire communities, and have other traumatic consequences. Right to counsel is also about racial justice. Evictions disproportionately impact Black and brown tenants, with women facing the greatest burdens.

“It is important for tenants all across New York State to have Right to Counsel because not everyone can afford to pay a lawyer to represent them. A lot of us tenants don’t understand the whole process of getting evicted and we end up signing away our rights because no one explained our rights to us. It’s especially important for those of us who can’t speak English.” - **Beverly Rivers, Tenant Leader, Flatbush Tenant Coalition**

Denise Kronstadt, Executive Director, NY Legal Services Coalition, said, “The NY Legal Services Coalition is a statewide association of 49 organizations that provide legal counsel and support to tenants across all 62 New York counties. We are very familiar with the dire consequences tenants face when they appear in court alone. The right to counsel will help to stabilize housing, prevent homelessness and create a more equitable society. This legislation must be passed and properly funded.”

“Tenants should not be evicted without legal representation. Evictions are detrimental to families and individuals, and the legislature should not allow courts to issue warrants of eviction where only one of the parties—landlords—are represented and advised by experienced attorneys. Justice requires that tenants are advised of their rights, are aware of all legal defenses, and fully understand the consequences of their decisions. Just as no criminal defendant should be incarcerated without representation, no tenant should be evicted without representation. The New York State Legislature should pass Senate Bill S6678/Assembly Bill A7570 immediately,” says **Jason Mays, Co-Chair of the Westchester County Right to Counsel Coalition and Director of Litigation at Hudson Valley Justice Center**. “New York State has the opportunity to continue to lead the national Right to Counsel movement! New York City was the first city in the country to pass Right to Counsel. While Washington, Delaware and Maryland recently passed Right to Counsel for their states, our legislation is by far the strongest and most progressive. The statewide Right to Counsel legislation would make sure EVERY New Yorker facing an eviction has this right and knows how to use it.

“New York City started the modern-day tenant right to counsel movement. Now, with the introduction of this statewide right to counsel bill that is among the most comprehensive ever introduced, New York State is modelling for the rest of the country what an immediate and demonstrably effective response to the looming eviction crisis looks like,” says **John Pollock, Coordinator of the National Coalition for a Civil Right to Counsel**.

“The right to counsel for tenants who face eviction advances racial and economic justice, levels the playing field in court, averts homelessness and its devastating consequences, and provides a fighting chance for tenants to defend their homes and remain in their communities,” says **Andrew Scherer, Professor and Policy Director of the Impact Center for Public Interest Law, New York Law School**. “New York City led the way

by establishing the right to counsel in 2017, and at least 8 other municipalities and the states of Washington and Maryland have followed. Now is the time for New York State to step up – the May/Joyner bill is the most effective, most expansive right to counsel legislation introduced in the U.S. to date – it will extend the right to tenants throughout the state, expand the right for NYC tenants, cover all types of proceedings that lead to eviction, support community organizing, and place obligations on the courts and landlords to assure that tenants are aware of and able to avail themselves of the right.”

“It’s important for tenants everywhere in New York State to have RTC because they will be protected from eviction. There will be less homeless and people will have less mental illness and will be more healthy by living in their homes instead of the street” - **Marie Laroche, Tenant Leader, Flatbush Tenant Coalition**

*The Statewide Right to Counsel legislation is a part of the **Housing Courts Must Change! (HCMC) Campaign**, a statewide campaign launched by the Right to Counsel NYC Coalition in 2020 to transform the courts from an “eviction machine” to a place that upholds tenants’ rights, holds landlords accountable, and enables tenants to remain in their homes. Our demands, during the COVID-19 pandemic and beyond, include slowing down eviction cases and expanding Right to Counsel across the state, so ALL tenants have and know about their rights and are emboldened to organize and fight to stop evictions.*

*The **Right to Counsel NYC Coalition (RTCNYC)** is a tenant-led coalition that formed in 2014 to change Housing Courts, prevent displacement, and stop the eviction crisis that threatens our families, our homes, and our neighborhoods. RTCNYC is made up of tenants, organizers, advocates, legal services organizations and more! In 2017, after a three-year grassroots campaign, the Coalition won the Right to Counsel, making New York the first city in the country to establish a Right to Counsel for low-income tenants facing eviction. Now, in coalition with our upstate partners, the Coalition is excited to fight for Right to Counsel statewide and create an eviction free New York!*

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