



RTC 2.0: Achieving the Full Vision of Right to Counsel for Tenants

Barely a year after passing Right to Counsel legislation, we announced RTC 2.0. The current implementation of RTC has achieved incredible results and we are fully committed to the 5 year phase in of RTC. Yet, we have to think to the future. By 2022, all income eligible tenants will have a right to an attorney. What about over income tenants who can't afford lawyers, what about cases that aren't in housing court, and how can we expand the legislation to cover the full cost of RTC which goes beyond funding attorneys, to include the costs of education, outreach and organizing? Below is a summary of the accomplishments within the first year of implementation of RTC, and our plans to expand and strengthen RTC with RTC 2.0.

What RTC has accomplished in Year 1:

- A 24 percent decrease in the number of evictions since 2014;
- An increase in the number of non-profit legal services attorneys working with tenants city-wide from 200 to 500 has yielded a corresponding rise in the number of tenants with legal representation from just 10 to over 27 percent; and
- Reflecting a paradigm shift in the tenant-landlord relationship, the number of eviction cases filed in NYC's housing courts has already started to drop--down almost 10 percent since 2014--proving that tenants having the right to an attorney reduces the number of frivolous cases landlords bring to housing court.

RTC 2.0: Strengthening & Expanding Right to Counsel:

- 1. Increasing the income threshold to 400% of the federal poverty line:** Currently , while the majority of tenants in housing court are eligible for the right to counsel under the current 200 percent threshold, a single New Yorker earning a \$15 an hour minimum wage is not. Doubling the income threshold would mean almost everyone who is in housing court now, would be eligible for RTC.
- 2. Expanding the types of cases covered:**
 - While most eviction cases occur in City Housing Courts, hundreds of cases are heard in higher courts or administrative hearings, including:
 - HPD administrative hearings for Mitchell-Lama residents;
 - Supreme Court Ejectment cases; and
 - Housing Development Fund Corporation (HDFC) cases.
 - **Covering Appeals** Though the current law guarantees tenants get an attorney for the entirety of their cases, it does not cover appeals. With more tenants than ever being represented and winning their cases, landlords are filing more appeals. Without legal representation to defend their victories, tenants will be left alone when the final, most consequential, decision is made.
- 3. Funding Community Organizing:** Connecting tenants to attorneys *before* they arrive at court by funding community based organizations to conduct outreach and engagement to inform tenants of their right to an attorney Neighborhood based groups with histories of tenant organizing and community service are trusted community partners and therefore are best positioned to do the outreach and education work that is critical to the law's success. The right is only as effective as tenants' ability to know and claim their rights.