Landlords sue tenants for eviction because it increases their profits and because they can. They have the power and resources to make evictions part of their business model. Whether or not landlords have a legal basis for their lawsuit is secondary. **Laws like Right to Counsel change the power relationship between landlords and tenants.** When tenants have the right to a lawyer it reaffirms that tenants are worthy of representation, to know their rights, to be respected, and that the government will guarantee their legal defense.

Eviction proceedings are nearly impossible to navigate without a lawyer. Right to Counsel lawyers can help tenants find out if they’re being overcharged, raise defenses like repairs and harassment, determine if there’s a reason their case should be dismissed, access subsidies, and more. **When we deny some tenants access to Right to Counsel lawyers, it ignores the inherent power imbalance that exists between tenants and landlords and says that only some tenants should have access to the power of housing law to defend their homes. Rights are good for ALL tenants.**

**Here are some facts:**

- **Right to Counsel for ALL is not unprecedented.** Four cities have Right to Counsel without means testing: San Francisco, CA; Boulder, CO; Baltimore, MA; and Kansas City, MO.¹

- **Right to Counsel for ALL means tenants who need it the most get it.**
  - In San Francisco, which has a similar housing market to New York City, with a rent regulation system and high housing costs, data shows that 93% of tenants who used their Right to Counsel were overwhelmingly poor and working class.
  - In Rochester, NY which has a pilot program that provides universal representation to tenants facing eviction, at least 90% of the people seeking legal representation are already income eligible.²

- **Income restrictions create barriers for the people that need Right to Counsel the most:**
  - Many undocumented people and those working in the informal economy cannot prove their income, either because they’re paid “under the table” or in cash, they work in the gig economy, or for other reasons. Ensuring that everyone is eligible reduces the burden on people who may have a hard time proving their income.
  - Some people who are income eligible may not know they are because they don’t consider themselves to be low or moderate income.
Having to disclose income can bring up shame for people. Many tenants may choose not to take advantage of their Right to Counsel because of the shame and stigma that comes with having to show or prove their income. The shame, combined with the lack of access to information about their rights and the support available to them, may also push tenants to self-evicting instead of fighting to stay in their homes.

- **Universal rights put less administrative burden on the state and legal services providers:**
  - Screening for income eligibility wastes providers’ time and resources that could instead be spent on providing tenants with legal representation.
  - Screening every applicant in order to weed out the small percentage of those who aren’t eligible can actually increase total costs.
  - Universal laws are simply better policy. Introducing carve-outs creates inefficiencies that result in more work for the state and mean that the people who need the program use it less.

- **Universal rights are permanent.** “Poverty programs” often get cut when political will or opinion regarding poor people changes.

- **It is more powerful to organize when tenants' rights are universal.** Right to Counsel for ALL supports tenant organizing by enabling tenants to unite with all of their neighbors.

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1. The Right to Counsel for Tenants Facing Eviction: Enacted Legislation. San Francisco is the only place with a universal Right to Counsel where the law has been completely implemented citywide.
2. 93% of tenants seeking legal assistance through the Tenant Defense Project of Greater Rochester had incomes below 200% the Federal Poverty Level.