April 26, 2022

Honorable Kathy Hochul
Governor of the State of New York
Executive Chamber
New York State Capitol Building
Albany, NY 12224

RE: Passage of Right to Counsel legislation to guarantee the right to a FREE lawyer for ALL tenants facing eviction in New York State

Dear Governor Hochul,

We are writing to urge you to prioritize statewide Right to Counsel legislation (A7570 / S6678) this session and to work with tenants, organizers, advocates, legal services providers, and the religious community to ensure prompt passage of this legislation into law. As Faith Leaders collaborating with the Right to Counsel Coalition, we are working in coalition to build a statewide movement for Right to Counsel and transform the courts from an “eviction machine” to a place that holds landlords accountable, upholds tenants’ rights, and enables tenants to remain in their homes.

Collectively, we represent congregations and faith based organizations across New York State. Everyday, we have seen the people we serve struggle to stay in their homes. So many people were put in an economically precarious position because of the pandemic. Many found that they were paying well over 30% of their income on housing, joining the over 40% of New Yorkers who are rent burdened, which makes them especially vulnerable to eviction. We are honored to be working on permanent and transformative solutions to New York’s eviction crisis. The statewide Right to Counsel legislation, introduced by Senator Rachel May and Assembly Member Latoya Joyner, would ensure that every tenant in New York State has the right to a lawyer when facing an eviction 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.

With 1.2 million households behind on rent due to the COVID-19 pandemic and more than 240,000 eviction cases pending across the state, New York tenants need Right to Counsel now more than ever. While many tenants facing eviction in NYC have the right to a lawyer, the NYC Right to Counsel law currently does not cover everyone, such as families with incomes above 200 percent of the federal poverty line and tenants living in public housing. And tenants throughout the rest of the state do not have the Right to Counsel at all. That is unacceptable!

While we are encouraged by your recent recognition of the success of NYC’s Right to Counsel law in your 2022 State of the State and your proposed program to provide funding for free legal assistance to upstate renters facing eviction with incomes at or below 200 percent of the federal poverty line, it does not go far enough to protect tenants. It does not establish the universal Right to Counsel that tenants across New York
State need, nor does it help downstate tenants in NYC and the surrounding areas. In contrast, \texttt{A7570 / S6678} establishes the right to free legal representation for every tenant in court cases where their basic human right to a home is at risk. Passing \texttt{A7570 / S6678} and immediately signing it into law is the only real way to address our state's long standing eviction crisis.

New York State's eviction crisis will only get worse if we don't enact permanent solutions that strengthen tenants' rights and empower tenants to fight for their homes – Passing statewide Right to Counsel would do just that. As you noted in your State of the State, Right to Counsel is proven to stop evictions – \texttt{84 percent of tenants in New York City who had a Right to Counsel lawyer won their case} and the seven cities that now have Right to Counsel have seen up to a 77 percent reduction in evictions. Last year, \texttt{Washington State, Maryland, and Connecticut also passed Right to Counsel statewide}. Here in New York, the majority of cases are initiated by landlords and nearly all landlords have lawyers in eviction cases, while most tenants do not. This creates a power imbalance in the courts that favors landlords, many of whom consider evictions essential to their business models: Landlords evict tenants because they have power, and because it increases their profits, not because the law supports them. Right to Counsel disrupts this business model by regulating the eviction process, changing the amount of power landlords have over tenants, and helping to stop evictions and displacement. We also know that keeping people in their homes is vastly less expensive than the state having to pick up care for people who become homeless.

The housing and eviction crisis ravaged New York communities long before the COVID-19 pandemic began. COVID-19 made the eviction crisis more visible and forced us to contend with it. The pandemic also expanded the eviction crisis, putting thousands more tenants at risk of eviction and homelessness. To meet the scale and scope of the eviction crisis, we must put in place strong protections that cover every New Yorker. We know that laws like Right to Counsel are \texttt{most successful when they're universal}; When ALL tenants have the right, it ensures that the people who need free legal representation the most can access it without burdensome and unnecessary barriers, it puts less administrative burden on the state and the legal services community, it costs less, is more efficient, and supports tenant organizing. For these reasons and more, we urge you to support our strong Right to Counsel legislation (\texttt{A7570 / S6678}), sign it into law, and allocate the $35 million included in the FY 2023 budget for legal representation for eviction towards implementing a universal statewide Right to Counsel (\texttt{A7570 / S6678}). It is the only way to meet the needs of tenants across the state who are fighting to stay in their homes.

We ask that you meet with us as soon as possible to discuss this crucial legislation. Please contact Malika Conner (malika@righttocounselnyc.org), Director of Organizing at the Right to Counsel NYC Coalition, with any questions you may have and to schedule a meeting with us. We look forward to your response and are excited to work with you and the State Legislature to get this done.

Sincerely,

1. Reverend Peter Cook, Executive Director, New York State Council of Churches
2. Onleilove Chika Alston, Apostle, Prophetic Whirlwind Ministries
3. Sharon Sherman, Executive Director, Greater Syracuse Tenants Network
4. Fred Boehrer, Executive Director, FOCUS Churches of Albany, Inc.
5. Raymond Rivera, Founder, Latino Pastoral Action Center
6. Marc Greenberg, Executive Director, Interfaith Assembly on Homelessness and Housing
7. Rabbi Michael Feinberg, Greater New York Labor Religion Coalition
8. Reverend Dustin G. Wright, Messiah Lutheran Church
9. John Mudd, Director, Midtown South Community Council
10. Reverend Laura Bachmann, Gates Presbyterian Church
11. Reverend Dennis McDonald, Upper Room Inclusive Catholic Community
12. Rabbi Chaim Marder, Hebrew Institute of White Plains
13. Rabbi Joshua Strom, Congregation B'nai Yisrael
14. Reverend Laura Bachman, Gates Presbyterian Church
15. Bruce France, Executive Director, Capital Area Council of Churches
16. Peter Gudaitis, Executive Director & CEO, New York Disaster Interfaith Services
17. Pastor Vincent C. Ross, True Vine Ministries COGIC
18. Reverend Miriam Shelton, Presbytery of New York City
19. Reverend Dr. Stephen Cady, Senior Minister, Asbury First United Methodist Church
20. Reverend Ron Garner, Wantagh Memorial Congregational Church
21. Ms. Peace Queen Johnson-Morton, Retired Bishop
22. Reverend Naomi Sorwar-Randall, St. David's Episcopal Church
23. Frederick R. Dettmer, Attorney, Law Office of Frederick R. Dettmer
24. Reverend Paul Rees-Rohrbacher, Evangelical Lutheran Church in America
25. Louis D. Rodriguez, Ruling Elder & Clerk of Session, The Church of Gethsemane
26. Pastor Timothy Hoyer, Bethlehem Lutheran
27. Sister Danielle Bonetti, Peace and Justice Province Committee, Sisters of St. Joseph of Carondelet
28. Reverend Ivy Gauvin, St. Timothy Lutheran Church
29. Reverend Dr. Karen Monk, United Methodist Church
30. Reverend William C. Webb, Retired Priest, Episcopal Diocese WNY
31. Minister Vanessa Pugh-Reefer, Congregational Church of South Hempstead
32. Pastor Daryl Harris, Greater Mt. Calvary
33. Deni Mack, Chair, RocACTS Religious Leaders
34. Reverend Molly Dowell Baum, First Presbyterian Church of Albany
35. Reverend Jeff Wells, Lead Pastor, Church of the Village (NYC)
36. Neil D. Berry, Director, Open Arms
37. Pastor Heather Kirk-Davidoff, Westminster Presbyterian Church
38. Jeffrey C. Courter, Interim Pastor, First Presbyterian Church of Forest Hills NY
39. Reverend Frank Morales, Episcopal Priest
40. Pastor Laurel Scott, Wakefield Grace United Methodist Church
41. Reverend Gloria Payne-Carter, Retired Priest, Episcopal Church
42. Reverend Dr. Patrick G. Duggan, Senior Pastor, Congregational Church of South Hempstead UCC

Cc: Hon. Andrea Stewart-Cousins
    Hon. Carl E. Heastie