



## **Memorandum in Opposition**

### **Intro. 673-A**

The Rent Stabilization Association of New York City represents 25,000 diverse owners and managers who collectively manage more than one million apartments in every neighborhood and community throughout the city. We thank the Committee for giving us the opportunity to submit this Memorandum in Opposition to Intro. 673-A, which would entitle any person 60 years of age or older facing eviction legal representation, provide financial assistance for rental arrears and establish a housing support to seniors who are at risk of eviction or foreclosure.

Seniors already are eligible for a number of eviction prevention services. The city provides guaranteed representation under its Right to Council law for anyone whose income is up to 200 percent of Federal Poverty Level. Further, the Office of Civil Justice has implemented the right-to-counsel law citywide, as legal provider partners have stepped up to represent all New Yorkers facing an eviction in housing court during the Covid emergency. In addition, the New York City Department for the Aging (DFTA) provides legal services to seniors including eviction and housing assistance through contracted legal services providers and the Human Resources Administration offers Adult Protective Services to aid vulnerable seniors confronting housing issues. Finally, the Assigned Counsel Program, a partnership program between DFTA and the New York City Civil Court, assigns attorneys and social workers to seniors with housing issues and offers legal and financial assistance to seniors facing eviction in holdover or non-payment of rent proceeds in all boroughs except Staten Island.

Intro. 673-A seeks to do more of the same. It calls for the creation of yet another free legal assistance program, to offer rental assistance if needed, and provide a support program to seniors at risk of eviction. It also seeks to provide free legal representation to all people above age 60, irrespective of their financial status. Millionaires would be entitled to free legal representation. Intro. 673-A creates the appearance of doing something without providing anything new. The tools to assist seniors already are in place. A proposal to create a new program raises the question as to whether the current programs are adequate and, if they are not, why and how they can be strengthened. But this bill does nothing to address this.

There have been public complaints that the current eviction prevention programs are not sufficiently staffed to deal with the number of evictions currently in the pipeline. This is surprising because eviction levels today are significantly below pre-pandemic levels. There have been fewer evictions in NYC during the entire first half of 2022 (1,233) than there had been in the month of January 2020 alone (1,262). In June 2022, for example, there were 295 evictions, as compared to 1,299 in June 2019. And of these June 2022 evictions, about half were defaults where no one ever appeared to contest the case, meaning these tenants most likely vacated before the case could be brought. Evictions filings, too, are significantly less than pre-pandemic; according to Evictionlab.org, eviction filings in New York city remain significantly below

historical averages. The answer to staffing shortages is to hire more staff. Creating new programs does not address this.

The simple solution to providing evictions services to seniors is for the legal service organizations to focus on seniors. Current programs should be utilized to provide seniors' legal services and the city should be fully funding those programs that help eligible seniors. There is no need to overlay yet another program open to anyone based on age, not need. The real issue is why there is a call to create more programs when so many resources already exist.

Accordingly, the RSA opposes Intro. 673-A.