

August 30, 2013
Dan Ruben
Equal Justice America
260 Broadway, 2nd Floor
Brooklyn, NY 11211

Dear Mr. Ruben,

I am a second-year student at Columbia Law School and was an Equal Justice America summer fellow. I spent my summer as a legal intern at the Northern Manhattan Improvement Corporation (NMIC) in Washington Heights, NY. Before starting law school, I lived in the neighborhood for five years and completed university there, so I was excited to have the opportunity to give back to the local community.

My internship with NMIC was an incredibly rewarding experience. It was an excellent opportunity to do substantive work under the supervision of smart, hardworking attorneys and help clients who truly need it. My work at NMIC was with the housing group, assisting with legal research and writing in the defense of low-income clients against eviction. Due to both understaffing and the heavy caseload at NMIC, I was given a good deal of responsibility in managing various stages of the litigation in several cases.

The substantive work began almost immediately when, on the second day of the internship, I was assigned to write an answer to a petition bringing an eviction case against a client. Throughout the summer I was able to participate or take a leading role in drafting diverse documents, including answers, affidavits, motions for summary judgment, opposition papers, reply affirmations, cross-motions, and an Article 78 petition. I also drafted letters that were sent to clients and opposing counsel. Being given considerable independence in doing the research for these assignments was extremely helpful in improving my legal skills and learning the nuts and bolts of how litigation works.

So far, while the bulk of the documents I have drafted and the research projects I completed were for use in more complex cases where litigation is still ongoing, papers or arguments I was primarily responsible for formulating have resulted in stays of three evictions.

One case that was particularly meaningful to me was my role in helping a client, a young man who is my age, both avoid eviction and receive government benefits that were inequitably stripped away from him. This client had been living in the same apartment with his mother for his entire life, only a few blocks away from my own current residence. They were recipients of Section 8 benefits through the New York City Housing Authority (NYCHA), with the mother being listed as head of household on their account. About a year ago, my client's mother passed away. In the subsequent months, my client did everything he was supposed to do in order to succeed his mother as head of household and continue receiving Section 8, filling out numerous forms and providing all the documents NYCHA requested of him. However, NYCHA never provided my client with any response to his application.

A few months later, he was notified by his landlord that NYCHA would no longer be providing him with Section 8 benefits and that he would have to pay hundreds of dollars more each month than he had previously paid for rent. When he telephoned NYCHA, they told him that the Section 8 voucher for his family had been terminated, despite the fact that he had provided all necessary documentation and that NYCHA had never notified him or granted an opportunity for a hearing. As recent media reports have highlighted, NYCHA has an extremely long waiting list for

Section 8 benefits and other affordable housing programs. This termination would make it extremely unlikely for this client to participate in programs providing access to affordable housing for the near future. On top of that, the landlord returned thousands of dollars to NYCHA that had already been paid, for reasons that are still unclear. The landlord then claimed that my client owed that money as back rent. This amount, combined with the extra monthly rent the landlord began charging, was well beyond the client's means to pay, especially within a short period of time. Soon the landlord brought an eviction case in New York City Housing Court.

My supervising attorney determined that the best way to help this client was to bring an Article 78 petition against NYCHA in the New York Supreme Court. This type of suit allows plaintiffs to challenge actions taken by government agencies and reverse them. The Supreme Court also has the power to put cases in front of lower courts, including Housing Court, on hold if the results of the Article 78 case are relevant to the lower court matter. We hoped that the Supreme Court would direct NYCHA to reinstate our client's Section 8 benefits, and also stay the Housing Court eviction case until the situation was clarified.

I spent two weeks preparing the petition, along with another summer intern. The materials we prepared highlighted various problematic aspects of NYCHA's conduct in dealing with our client's case. We showed that NYCHA procedures were almost entirely opaque, and that there was nothing our client could have done differently with the information available. Our brief also demonstrated that there was no viable justification for NYCHA's termination of the Section 8, even within NYCHA's own policies. Finally, we focused on the lack of due process involved in the entire situation, as the client had no chance to know why the benefits were being terminated and was not given any opportunity to challenge the determination and present his side.

At oral argument, the Supreme Court judge immediately placed an injunction against the eviction case in Housing Court, effectively stopping it. NYCHA's attorneys and employees, with the threat of the lawsuit going forward, began to move quickly to resolve the situation. A few weeks later, my client received a recertification packet and has been able to get his family's benefits restored.

This experience had a profound impact on me. In addition to learning a great deal about the practice of law, I was exposed to people and issues that I had not previously engaged with. Despite the fact that this client and I are neighbors and the same age, I have been lucky enough to not have to deal with the risk of eviction, substandard living conditions, or government agencies like NYCHA on a regular basis previously. Working to help this client navigate the bureaucracy of the government agencies and the courts, I saw for the first time the level of frustration and fear that these situations cause. It was incredibly rewarding to play a role in helping my client successfully contest a clearly unfair decision and to alleviate the burden that would have resulted if it was allowed to stand. The success we had in overcoming obstacles for this client showed me that these problems can be solved, and that lawyers can play a role in doing so. This experience, and others like it throughout the summer, definitely broadened my perspective on the social and policy issues surrounding housing in New York and strengthened my commitment to helping others through public interest and pro bono work.

I would like to offer my deepest thanks to you and everyone else involved with the Equal Justice America Summer 2013 Fellowship that made it possible for me to have this experience.

Sincerely,

Mattan Erder
Columbia Law School, J.D. 2015