

NICOLAS KABAT

September 19, 2014

Dan Ruben
Executive Director
Equal Justice America
Building II, Suite 204
13540 East Boundary Road
Midlothian, VA 23112

Dear Dan Ruben:

This summer, thanks to the funding received from Equal Justice America, I worked at the National Housing Law Project in San Francisco, CA. The National Housing Law Project specializes in federal housing programs, such as the Section 8 Housing Choice Voucher program, public housing, USDA housing programs, and project-based Section 8, among others. Working under the supervision of Deborah Thrope, I spent my time researching issues relevant to individuals with disabilities and working with Deborah to build coalitions around hoarding, bed bugs, and occupancy standards.

One of the many research assignments that piqued my interest was writing a survey of cases involving reasonable accommodation requests made by deaf or blind individuals. The research, later published in NHLP's Housing Law Bulletin, required that I master the DOJ and HUD regulations concerning effective communications with tenants, as well as establish how effective communications conform to reasonable accommodations law generally under the ADA, Section 504, and the FHAA. I also presented the article to a working group of California-based legal aid attorneys who specialize in housing individuals with disabilities. Since I didn't directly work with clients this summer, I'll tell the background to one of the major cases I surveyed.

A blind man had been a participant in the New York City Housing Authority's (NYCHA) Section 8 Voucher program for many years before the housing authority inexplicably stopped paying his rent. Unable to read the letters that the NYCHA addressed to him, he had repeatedly asked the housing authority to send him individualized communications on audio CDs so that he could listen and respond. The NYCHA failed to do so and so when it terminated his voucher, it also failed to notify him. He was facing eviction when he turned to MFY Legal Services. MFY Legal Services was able to stay the eviction and bring suit against the NYCHA for ineffective communications with their new client. Not surprisingly, the NYCHA continued to send communications to the plaintiff in letter form, even while the suit was pending in federal court. When the housing authority pushed for dismissal on grounds of mootness, claiming that they had remedied the matter (i.e., reinstated the Section 8 voucher), the court held up the letter they had most recently sent the plaintiff and asked if the situation was indeed remedied. It was not dismissed. As a result of this suit and the subsequent settlement, the NYCHA now sends its communications in an accessible format to all current tenants who are blind or hard of hearing, and it instituted a new training for its employees on how to communicate with the deaf or hard of hearing. If it wasn't for the work of MFY Legal Services, the plaintiff would have been evicted from his home.

Although I didn't do direct services, I was frequently reminded by legal aid attorneys how important our work was—we did the research and organizing that their organizations didn't have the resources to finish. In addition to sending out a monthly newsletter informing legal aid attorneys of important recent cases and providing insight into new areas of concern to housing advocates, we also organized

NICOLAS KABAT

educational meetings with legal aid attorneys where staff informed them of the newest legal strategies for preventing foreclosure, or leapfrogging barriers to permanent housing like pre-lease signing background checks. Finally, we published the Green Book that serves as guide to housing attorneys across the country working with clients who live or participate in a federal program.

Thank you again for providing me with the funds to pursue my interest in housing law. This summer gave me the motivation to ignore the incipient calls to join a law firm, and instead pursue my passion for affordable, livable housing. I look forward to giving back to EJA once I am working full-time.

Sincerely,

Nick Kabat
University of Michigan Law School
Anticipated Graduation Date, May 2017