

## 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

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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



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Dear Mr. Ruben,

The National Housing Law Project (NHLP) was pleased to participate in Equal Justice America this past summer. With the help of EJA, Nicolas Kabat, a first-year law student at the University of Michigan, was able to join our team. Nicolas was a great addition to our staff and we are grateful to EJA for making his internship at NHLP possible.

The National Housing Law Project is a tenants' rights organization based in San Francisco, California. We seek to preserve both affordable housing and tenants' rights in affordable housing. Much of NHLP's work focuses on preserving the rights of protected classes such as people with disabilities, racial minorities, and the elderly. While our policy work is national in scope, we also provide assistance and support to legal services agencies and their clients throughout the state and on a local level.

This summer, Nicolas worked under my supervision and focused on advocating for the rights of tenants who experience disabilities and specifically, tenants' rights to reasonable accommodations in housing. Nicolas did an incredible amount of research on the rights of blind and deaf tenants in federally subsidized housing and shared his work with housing attorneys around the state. In addition, Nicolas became an expert on special needs trusts, a type of trust that is created for the benefit of people with disabilities, and how they are applied to the income eligibility rules for federally subsidized housing programs. In response to the demand from clients and advocates, Nicolas drafted a letter to HUD advocating for a new interpretation of current HUD regulations because HUD currently treats income from special needs trusts differently than other forms of income, which has a disparate impact on people with disabilities.

Throughout the entire summer, Nicolas displayed an impressive passion and dedication to public interest law. He was enthusiastic, a team player, and always willing to take on something new. In addition, Nicolas accepted feedback very well and in turn was able to hone many of his legal skills.

Thank you for the opportunity to participate in the EJA program. If you have any questions, please call me at (415) 546-7000 ext. 3124, or you can reach me at [dthrope@nhlp.org](mailto:dthrope@nhlp.org).

Sincerely,

Deborah Thrope  
Staff Attorney, NHLP