



EQUAL JUSTICE AMERICA

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EJA FELLOWSHIP RECIPIENT



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Update 1: My first two weeks at Communities Resist have been illuminating and eventful! This organization combines community organizing with movement lawyering by helping tenants in buildings with poor conditions in Brooklyn and Queens to organize rent strikes and sue negligent landlords for repairs and to improve housing conditions. During my first two weeks, I have attended court appearances and helped prepare stipulations for repairs to be done by landlords and judicial inspections to be completed by the Department of Housing Preservation and Development; have done legal research to help support an appeal on a clear case of retaliatory eviction; attended a community event to conduct outreach and raise awareness of the organization and its services; and sat in on brief advice calls and meetings where members of the community reach out via phone and in-person visits seeking advice about their housing cases. I have also helped to assemble a housing petition and order to show cause. In the future, I will assist with legal clinics and organization of building meetings to document concerns and discuss the possibility and implications of rent striking. The internship has thus far been illuminating about the extent to which landlords are willing to go to satisfy their own greed at the expense of safe and sanitary living conditions, and the important role that community lawyering can play in both connecting individuals to systems of accountability and justice and in consolidating and building people power. I look forward to a fruitful summer!

Update 2: This week, I shadowed one of the attorneys at my organization at a legal clinic, which took place at an elected official's district office in Brooklyn. It was interesting and impactful to be able to interact directly with members of the community and to provide them with hope and strategies for how to deal with persistent problems in their apartments, and negligent and abusive landlords. In addition to failing to address serious issues such as persistent mold and pest infestations, when landlords do employ service providers to make repairs, these are often done in an incomplete or poor-quality way, often failing to solve the issue or even making it



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worse. I have also been struck by the lack of responsiveness of city agencies to tenant and building concerns - they often fail to respond or to do what they can to fully remedy the issue. It has also been interesting to observe what housing lawyers cannot do - for example, one woman who came to the clinic for help was in a domestic violence situation, but unfortunately both she and her ex-husband were on the lease and housing lawyers are unable in good faith to advocate for the eviction of anyone, even if they are being abusive. Therefore, this client needed to be referred to family law resources.

This week, I have also been able to put together legal research and client stories in a joint motion to dismiss and for summary judgment with a novel legal defense to be presented before the court. It remains to be seen whether this will succeed (the argument is that the new owners of a building - who only indirectly informed the tenants that they had purchased the building before serving them with eviction notices - were required to notify a city provider of a rent subsidy in the same way as they are required to do so for federal providers), but it is exciting to have played a role in presenting this and potentially establishing new legal precedent. I also was able to sit in on a review of all cases associated with the *Los Sures* tenant association (representatives of a historically Puerto Rican neighborhood in South Williamsburg, who advocate on behalf of neighborhood residents and workers and with whom Communities Resist has a strong partnership). Finally, I have been able to attend trainings on topics ranging from housing court procedures to effective legal and factual research strategies particular to the housing space. I look forward to continuing to learn and do more!

Update 3: My summer internship at Communities Resist continues to bring me novel and interesting experiences. I have had the privilege of helping to draft several different types of legal documents, including subpoenas, an affirmation in support of a motion to file an amended answer (to give a tenant more time to compile appropriate defenses and craft strong arguments now that he has retained effective counsel), and an affirmation in support of an emergency order to show cause, basically enjoining a landlord from demolishing a building rather than repairing it after a fire, so that the affected tenants would not lose their homes.

I also was able to attend another legal clinic this week, offering free legal advice to community members at the offices of their elected city council members. I was struck by how different this one was compared to the first one I attended. This clinic took place in the highly gentrified neighborhood of Greenpoint, Brooklyn, wherein live many people who would likely be considered gentrifiers. These individuals came seeking legal advice and many of them came having done research and with a strong understanding of the legal issues they were facing and ways to possibly overcome them. It was clear that they had time and resources to be able to figure out the complicated nuances of New York City housing law and were largely looking for affirmation. Self-representation would not be an issue for them. Providing advice to them helps



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the organization secure grant funding, which is based on number of individuals served, so meeting these folks is an important way to support the organization's work. However, it struck me that, as people who are predominantly white and wealthy start moving into historically neighborhoods of color in larger and larger numbers, they are the ones who are best equipped with the money and time to take on greedy and neglectful landlords. As my supervisor confirmed, these are the folks who are the ones largely bringing these issues to the attention of legal organizations and then building tenant associations with the existing tenants who have lived there for generations from there. I'm not entirely sure how I feel about this - I am glad that landlords are facing accountability in greater numbers, but sorry that it seems to be due to gentrification and the displacement and unaffordable housing that accompanies it. Just some thoughts from the last week!

Update 4: Over the past two weeks, I have been able to contribute quite a bit to work supporting cases. I was able to assist with the review of last-minute discovery materials that a landlord was submitting to try to demonstrate that he had spent money toward individual apartment improvements, therefore dissolving the rent stabilization status of the apartments, a claim which turned out to be patently (and provably) untrue. It was almost like a fun detective exercise to determine which of the hired contractors were actually licensed, whether someone can claim this type of exemption without ever having registered the building or the "improvements" with the correct agency, and which improvements counted as standard building repairs that are the landlord's obligation anyway.

I was also able to compare a settlement agreement that my attorney had prepared with one from opposing counsel and discovered that almost half of the language had been left out. I had the opportunity to review the affidavit of a landlord and determine what appropriate objections might be, as well as draft questions for cross examination. I did research on a principle called the Williams-Consent Decree, which states that a tenant who receives Section 8 cannot be charged a different rental amount or threatened with eviction without the agency administering the voucher (usually the NYC Housing Authority or the Department of Housing and Urban Development) being notified. And I was able to attend a tenant association meeting for a new building and prepare a memo on de facto rent stabilization laws in New York City based on the fact pattern of the building, which will hopefully be helpful to attorneys at the organization going forward who work on similar cases. It is great to be getting all of this legal experience and hard to believe that there are only two weeks remaining of the summer!

Final Reflection: This summer, I had the distinct privilege of interning at Communities Resist, a housing and tenants' rights organization in Brooklyn. I had never before worked in any type of legal setting and am very lucky to have had this internship as an introductory experience. I was able to participate in a wide range of activities, including attending court appearances,



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assembling legal documents (one of which was a motion submitted to and approved by a judge!), conducting legal research and composing memos, and assisting with tenant association meetings and community events. I learned the ins and outs of housing law in New York City and was able to observe the various steps of a case in housing court litigation, from filing of the initial petition against the landlord for repairs, all the way through to trial or settlement. This process allowed me a bird's eye view of one of the only avenues of recourse for people largely at the mercy of irresponsible, negligent, patronizing, and greedy landlords. I was also able to observe the crafting of creative and innovative legal strategy, and witness the maneuvering and often questionable practices landlords' attorneys will engage in to try to protect their clients.

The role came with both victories and challenges. It was exciting to watch when favorable opinions were released from judges, holding landlords to account and restoring faith in what can often seem like an unjust legal system. I was also able to negotiate with an attorney over rent miscalculations (somewhat) on my own, draft questions for a cross-examination, and assist with the initial stages of a class action lawsuit. It was disappointing at best (and infuriating at worst) when landlords would pay exorbitant legal fees all while claiming they had no money to make repairs for tenants. It was also an important lesson that legal settlements involve significant give and take, and that sometimes those who are on the right side of justice may not get everything they truly deserve. In this role I was also reminded of the failures of the so-called social "safety net," as I watched a client be repeatedly denied financial housing assistance to which he was entitled due to persistent bureaucratic error, and witnessed other tenants try to address a rampant rat infestation with very limited options when their landlord blatantly refused to fix it without charging them more money, likely as retaliation for suing him. I was struck by the grave power imbalance that exists between landlords and tenants and the serious need for more oversight in this area. On a positive note, I was honored to be a part of community celebrations in the form of resource fairs and block parties.

This experience shaped me both personally and professionally. I was happy to be able to witness the actual practice of law in the real world, which is quite different from how it is portrayed in law school. I was able to grow my network and meet many attorneys whom I would like to emulate. I learned more about the legal arm of an area in which I had prior experience (I had worked in housing and social services before). Personally, I was happy to spend a summer contributing to important work and doing something very different from the highly academic rigor of the first year of law school. This is very well an area that I might pursue after graduation, and I am glad to have gotten my feet wet. I am grateful to Equal Justice America for providing me with this opportunity.