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Rent Law Changes in New York State (Monday, June 17)

The first few weeks of working with the Legal Aid Society have been exciting and inspiring! Founded over a century ago and employing over one thousand attorneys now, the Legal Aid Society is the oldest and largest private nonprofit providing free legal services. I cannot think of a better place to learn how to do this work.. The organization's three divisions and the many units within those provide clients support with the various legal issues they face. Furthermore, Legal Aid's size allows it to tackle systemic issues and work towards structural changes alongside individual client representation.

I feel especially lucky to be working with the Legal Aid Society right now, as the New York State legislators in Albany just agreed on new rent regulations. Two of the biggest changes will likely be the end of vacancy decontrol and vacancy bonus. Historically, landlords have been able to turn rent-stabilized apartments into market-rate ones in-between tenants when rent rises above a certain amount (set by the Rent Guidelines Board, currently \$2774), and to claim a rent increase of 20% in-between tenants. Preventing vacancy decontrol and vacancy bonus might in many cases take away landlords' incentive to evict tenants. This could have a huge impact on Legal Aid's housing attorneys' work; they might be able to devote more time and resources to advocating for clients in dire need of repairs or threatened by a landlord's harassment.

The new law would also prohibit landlords from taking rent increases when they make necessary repairs to buildings and units (like installing a new boiler or refrigerator when the old one was broken). During my first week, I had the chance to meet a client whose landlord de-regulated her apartment by claiming "individual apartment improvements." The resulting rent increases de-stabilized her apartment, robbing her of the right to lease renewal that comes with rent stabilization. With three young children, this client couldn't conceive of uprooting. And with gentrification rampant in her Washington Heights neighborhood, it was unlikely that she'd find a new place she could afford. No single piece of legislation can fix all the problems caused by living in poverty, but the new rent stabilization laws will likely have a big impact. I am eager to see how the laws are used by housing advocates this summer and in the months and years to come.

(Sunday, June 30)

At the Legal Aid Society, I feel like I'm truly learning what it's like to be a legal services attorney. Learning to prioritize one's time is key. Each day is a balancing act. We are juggling not only multiple cases and clients, but we're also trying to complete all the different tasks that are required for each case. Of course, there is legal research and writing to do. But being a legal services attorney also entails making many court appearances, arranging visits and phone calls with clients, and collaborating with other attorneys and with social service providers. Visiting clients in their homes is one task that is critical for being prepared to defend clients' rights to those very same homes. Many housing cases hinge on issues regarding the conditions in the home, whether allegedly caused by the tenant's nuisance or by the landlord's neglect, or some combination of the two. Although attorneys are not required to see conditions in an apartment with their own eyes, having personal knowledge of the facts certainly strengthens the case. First, opposing counsel is often surprised when tenants' attorneys take the time to visit their clients and see what they are living through, and they may take the allegations more seriously. Second, clients are often grateful that we took the time to visit them rather than requiring they neglect

work or family duties to come to our offices. Third, as an advocate, I feel more inspired and better prepared to argue my client's case when I have seen what they are experiencing. The benefits of making time to visit clients are worth it, and I hope to remember this lesson as I continue my career as a legal services attorney, even when my schedule is packed.

Wednesday, July 17

This summer, I've worked on several cases where the threat to the tenants' housing stems from their apartments' categorization as "illegal." Often these are basements with low ceilings, or are small units informally partitioned out of larger ones. When a condition arises in an illegal apartment - say a leak or bedbugs - the tenants find themselves between a rock and a hard place. If the landlord refuses to repair, then the tenant has no recourse, because reporting conditions to government authorities will result in vacate order or a fine to the landlord. The latter unfortunately often has the same result as the former, because landlords sometimes respond to fines by trying to evict, rather than working to legalize. Because the apartments are illegal, courts won't enforce the lease (if there is one) and the tenant has few defenses.

This situation shows how the poor are penalized simply for being poor. Low-income tenants live in cramped basements and in small partitioned spaces because they have no choice. Through litigation and legislation, we should strengthen landlords' duties to legalize units or relocate tenants to comparable homes.

Tuesday, August 6

My summer at the Legal Aid Society flew by. During my last weeks, I was reminded of the importance of solutions that are not necessarily legal.

First, I returned to working on a case that I had been introduced to early on in my internship. The tenants, who I met on the very first day of my internship, had a whole host of concerns. One of the most pressing was the need for an accessible entrance. Many residents had disabilities or were elderly, and many others had small children with strollers, so they could not go up the stairs or open the heavy front door without assistance. I researched the law on reasonable accommodations and drafted a letter asking the landlord to install a ramp and handrail and change the doors. Hopefully the landlord will make these changes without us needing to take further action.

Second, I explored how we could help a group of tenants from a falling-apart, foreclosed-upon building. The previous owner had not adequately maintained the building, so the city put a vacate order on it. By the time we connected with the tenants, they were living in homeless shelters and worried about when they could return to their homes. We decided that the best course of action was non-legal. We could connect with elected officials' offices and ask them to put pressure on the city to get the building repaired, or at least get the tenants out of shelters and into more permanent housing. Another strategy was reaching out to nonprofit developers, in the hopes that they would buy the building, instead of a developer that would re-do the building and make it unaffordable for our clients.

These two cases were a good reminder that sometimes the best solutions are nonlegal, and that creativity is an important part of advocacy. This was a good lesson to take away before beginning my final year of law school. I'm very grateful to have had the opportunity to work with the Legal Aid Society and with EJA this summer.