



Advancing research and debate
on housing, neighborhoods,
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Rollout of Universal Representation in New York City Housing Court Offers National Lessons

Brief Outlines Implementation Choices for Cities Considering Expanding Access to Counsel

New York, NY—Today the NYU Furman Center released a policy brief examining the implementation of New York City’s Universal Access to Counsel (UAC) program for tenants facing eviction in housing court. In 2017, New York City enacted the first legislation in the country providing legal representation for all income-eligible tenants facing eviction. The legislation, sponsored by Council Members Vanessa Gibson and Mark Levine, has been implemented in four zip codes in each of New York’s five boroughs, with citywide universal access mandated by July 2022. As major cities including San Francisco, Los Angeles, Newark, Cleveland, and Boston consider expanding access to counsel, New York’s experience offers important lessons for program design and implementation. [Read the full policy brief on New York City’s Lessons for Other Jurisdictions.](#)

Over the last year, NYU Furman Center researchers closely observed the UAC program’s launch, conducting scores of interviews with tenants, judges, legal services lawyers, landlords’ attorneys, tenant advocates and organizers, and court personnel. The resulting policy brief outlines the full range of issues that cities expanding access to counsel should consider, and illuminates potentially unanticipated programmatic challenges and decisions that policy makers may face.

“Evictions and housing instability are a cause as well as a consequence of poverty,” said Vicki Been, Faculty Director of the NYU Furman Center. “For cities seeking to break that vicious cycle, providing legal representation for tenants in eviction

proceedings may be an important part of the strategy. Those jurisdictions can learn from New York's implementation as they plan and scale their own programs.”

In 2013 Community Action for Safe Apartments (CASA), a Bronx community group, and the Community Development Project at the Urban Justice Center (UJC), a social justice advocacy organization, issued a report entitled *Tipping the Scales*, which advocated for legislation establishing a right to counsel in Housing Court. They also joined with other advocacy groups and legal services providers to form the Right to Counsel Coalition, which worked to educate and organize tenants and other community members to advocate for such legislation.

City Council Members Levine and Gibson introduced legislation in 2014 to require the City to provide all tenants facing eviction with access to legal services within five years. The amended legislation passed in 2017, and made New York City the first major city in the United States to fund universal access to legal representation in eviction cases for low-income individuals.

To encourage take-up of the program, jurisdictions with plans to expand access to counsel should focus on streamlining eligibility screening and assignment of counsel, and on educating tenants, judges, and court personnel about the benefits of representation. The brief also suggests careful thought when choosing which legal service providers will offer services in a given neighborhood or jurisdiction. Building on existing community relationships can both increase tenant acceptance of counsel and lead to more effective representation.

Universal access to counsel requires more housing attorneys, and cities that expand access need to build in time and resources to recruit and train this new cohort of practitioners. They also need strategies to help existing attorneys adapt to a changing practice area. Observers report that as fewer cases settle, the landlords' bar has adopted a more aggressive posture, seeking attorneys' fees and demanding that tenants deposit rent in escrow accounts in order to secure adjournments.

Cities should consider the possibility that expanding legal representation will require additional resources for the underlying infrastructure and staffing of the court system itself, in order to handle an increase in the number and complexity of pleadings filed. There may also be a need for more space in court houses to accommodate both the administration of the program and confidential attorney/client conversations.

As the costs of formal eviction increase, owners may instead turn to other methods to remove unwanted tenants. Jurisdictions that expand access to counsel should take steps to monitor the program's impact on landlord/tenant interactions outside the courtroom and take appropriate action to protect tenants' rights through other enforcement means if necessary.

[Read the full policy brief - *Implementing New York City's Universal Access to Counsel Program: Lessons for Other Jurisdictions.*](#)

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About the NYU Furman Center

The NYU Furman Center advances research and debate on housing, neighborhoods, and urban policy. Established in 1995, it is a joint center of the New York University School of Law and the Wagner Graduate School of Public Service. More information can be found at furmancenter.org and [@FurmanCenterNYU](https://twitter.com/FurmanCenterNYU).