

THE SAMUEL J.
TILDEN
DEMOCRATIC CLUB

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The following resolution was adopted by the Samuel J. Tilden Democratic Club on February 18, 2016.

Re: In Support of a Right to Counsel for Low-income New Yorkers Who Face Losing Their Homes in Legal Proceedings

Whereas, a substantial number of people facing eviction and foreclosure proceedings are from minority populations, and are unable to afford or obtain counsel to represent them, and must appear in court unrepresented; and

Whereas, eviction and foreclosure proceedings are technical legal proceedings in which lawyers generally appear for the petitioners and the rules of evidence and procedural and substantive law all apply; these procedures are consequently very difficult for unrepresented parties to navigate; and

Whereas, representation by counsel in eviction and foreclosure proceedings keep people in their homes and communities and out of the homeless shelters and provide fundamental fairness and due process for those who face losing their homes; and

Whereas, the consequences of eviction and foreclosure are extremely dire for low-income people: there is a deficit of affordable housing, and low-income families and individuals who lose their homes in legal proceedings have no other options but to either end up in homeless shelters or in housing that is less affordable than the housing they must leave; and they suffer from loss of employment, missed schooling, lack of friends and neighbors as well as significant stress to their physical and mental health; and

Whereas, low-income people who face eviction, most of whom are people of color and persons with significant disabilities in New York City, are denied the administration of justice when they do not have counsel in eviction cases; and

Whereas, these dire consequences for those who lose their homes in turn result in staggering costs to the City of New York in terms of providing shelter, social, medical and mental health and other services; and

Whereas, Intro 0214-2014, expands the responsibility of the City to provide legal counsel for low-income eligible tenants who are subject to eviction, ejection or foreclosure proceeding is currently pending at the City Council and is co-sponsored by 38 of the 51 Councilmembers; and

Therefore, Be It Resolved That, The Samuel J. Tilden Democratic Club supports the right to counsel for low-income New Yorkers who face losing their homes in legal proceedings and urges the City Council and the Mayor to adopt Intro 0214-2014 or any other measure that would expand the right to counsel for low-income New Yorkers who face losing their homes in legal proceedings.