



**Mt. Vernon United Tenants, Inc.**

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## **RIGHT TO COUNSEL (R2C) – THE TIME IS NOW!**

Most people know that everyone who is charged with a criminal offense is entitled to representation by legal counsel – regardless of their ability to pay. But what about civil court, especially Landlord/ Tenant matters? How is it that in something as fundamentally important as a place to live, tenants are not guaranteed that same Right to Counsel, as a right, regardless of ability to pay? Anyone who's ever witnessed the operation of local Landlord/Tenant Courts knows that virtually every landlord is represented by an attorney while hardly any tenant is so represented? This results in a huge, and at times insurmountable, imbalance of power.

There is a movement throughout the country that is attempting to remedy this manifestly unfair dynamic – **The Right to Counsel** Campaign. Many jurisdictions – cities, counties and states are passing ordinances guaranteeing income-eligible tenants the right to be represented by counsel throughout the eviction process. This would begin to level the playing field in local Landlord/Tenant Courts.

*Here in Westchester, Mt. Vernon United Tenants (MVUT), Legal Services of the Hudson Valley (LSHV) and a number of other not-for-profit organizations that are working to fight evictions and prevent homelessness have created the Westchester County Right to Counsel Coalition (R2C). We're enclosing a few pieces from the R2C Coalition:*

- *“Stop evictions – Prevent Homelessness. Support Right to Counsel” Key points to consider*
- *Suggested letter to Westchester County Board of Legislators (W-BOL) (on reverse side of above)*
- *List of County Legislators\* with contact information*

(see over)

*\*On the list of County Legislators, you'll notice that District 13 is blank – that is Mt. Vernon, and it is empty as our long-time County Legislator Lyndon Williams recently resigned to become a Mt. Vernon City Court Judge. Lyndon's seat will most likely be taken by Tyrae Woodson, a legislative aide for Congressman Eliot Engel. It appears that Tyrae will be running unopposed. However, we do not at this time have any contact information on him. That will have to wait until after Election Day on November 3<sup>rd</sup>. We'll provide that information to our members and friends as it becomes available.*

*For those of you who are not Mt. Vernon residents, please use the suggested letter and mail it to your respective County Legislators today. For Mt. Vernonites, you'll have to wait till sometime in November. However, EVERYONE SHOULD WRITE THE LETTER!*

Additionally, we'll be scheduling an action in White Plains late in October when we'll want as many people to come as possible. We'll have specific information in an upcoming mailing and you can call the office as well. If you belong to a church or other organization that you believe would support the goal of "Right to Counsel", have them contact us and become part of the Coalition! We'd encourage them to come to the action in White Plains as well.

**TENANTS UNITED CAN WIN !!!**

Westchester County



Right to Counsel Coalition  
*Advocating for the preservation of  
every person's fundamental right to  
safe and secure housing.*

## STOP EVICTIONS - PREVENT HOMELESSNESS SUPPORT RIGHT TO COUNSEL

### KEY POINTS TO CONSIDER

#### The Need:

- Every year over **10,000** eviction proceedings are filed in Housing Courts in Westchester.
- The contests are lopsided: **93%** of landlords have lawyers, but only **7%** of tenants do.
- Tenants without lawyers rarely win their cases in housing court.
- Tenants without lawyers typically lose their cases (& their homes) in less than 4 minutes.
- Evictions are often the first step toward becoming homeless.
- Evictions are not just about rent arrears.
- In FY2019, **4,960** people entered the Westchester homeless system.
- Of those, **2,911** people were new to the homeless system.
- In 2019 the County spent over **\$38 million** to house homeless families and individuals.
- Evictions make it harder to rent another apartment, help lock in long-term poverty, and cause psychological trauma, and feelings of hopelessness and terror that span generations – especially for kids who lose the security of believing their parents can provide a home.

#### The Solution:

- Westchester needs to level the playing field for tenants in Housing Court by establishing a Right to Counsel for tenants facing eviction.
- Housing is a basic human right – it shouldn't be taken away without due process.
- Communities across America have established a Right to Counsel – in big cities like New York City and in smaller cities like Cleveland, Ohio and Minneapolis, MN.
- The COVID-19 pandemic has greatly increased the need for tenant representation in housing court. With millions unemployed, experts warn of a "tsunami of evictions".
- Preventing homelessness is a core issue of racial equity: in Westchester African-Americans comprise **14%** of our population and **24%** of our population in poverty, but **69%** of our point-in-time population experiencing homelessness.

**Join the Fight: Ask your Westchester County legislator to support a RIGHT  
TO COUNSEL in eviction proceedings in Westchester**

(See Reverse Side)

Westchester County



Right to Counsel Coalition  
#PASSIONFORTHEAFFORDABLE  
#R2CNYCOURTSHIP  
10000  
10000

Legislator: \_\_\_\_\_

Westchester County Board of Legislators  
800 Michaelian Office Building  
148 Martine Avenue  
White Plains, New York 10601

I, \_\_\_\_\_, am writing to urge you to support a right to counsel program in eviction proceedings in Westchester County. Tenants in Westchester County should not be evicted without legal representation. The County should pass a law ensuring that low income tenants receive representation in eviction proceedings free of charge.

Sincerely,

\_\_\_\_\_

Address:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## SUPPORT RIGHT TO COUNSEL FOR LOW INCOME TENANTS IN WESTCHESTER COUNTY

If you believe that all low income tenants in Westchester County should receive free legal representation in eviction proceedings, *call, email, or write your county legislator today.* Tell your legislator:

Under the US Constitution, no one may be criminally prosecuted without legal representation. If a defendant cannot afford an attorney, an attorney is provided free of charge.

Under New York State Law, no one may lose custody of their children without legal representation. If a parent cannot afford an attorney, an attorney is provided free of charge.

But **93%** of tenants facing eviction in Westchester housing courts have no legal representation. Tenants without attorneys typically lose their case - and their homes - within 3-4 minutes. *No one in Westchester County should be evicted from their home without legal representation. If a tenant cannot afford an attorney, an attorney should be provided free of charge.*

Find your legislator here.

<https://giswww.westchestergov.com/ElectedOfficials/index.html>

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Sign our online petition here:  
[https://actionnetwork.org/petitions/the-right-to-counsel?source=direct link&](https://actionnetwork.org/petitions/the-right-to-counsel?source=direct_link&).

To receive regular email updates, please email:  
[rtcwestchester@gmail.com](mailto:rtcwestchester@gmail.com)

Or print and mail the following letter.