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**\*\*\*FOR IMMEDIATE RELEASE\*\*\***

## ***Housing Attorneys and Advocates Urge NYC Civil and Housing Courts To Halt Reopening Amid COVID-19 and Citywide Black Lives Matter Demonstrations***

(NEW YORK, NY) – A coalition of housing legal providers and advocates—including The Legal Aid Society, Legal Services NYC, The Bronx Defenders, Brooklyn Defender Services, Neighborhood Defender Service, New York Legal Assistance Group, Housing Conservation Coordinators, Mobilization for Justice, NMIC, and DC 37 Municipal Employees Legal Services, among others—issued a [letter](#) today urging the New York State Office of Court Administration (OCA) to halt the reopening of New York City courts amid the ongoing Covid-19 crisis and nationwide Black Lives Matter demonstrations. Advocates believe that evictions are especially dangerous during a public health pandemic. No courts, civil or criminal, should be open during the Covid-19 crisis, but reopening housing court, which oversees evictions — typically for nonpayment of rent — should not be a priority at any phase of reopening.

Reopening the courts prematurely would compound and exacerbate the worst impacts of the coronavirus outbreak, with an expected filing of 50,000 new cases soon after the June 20<sup>th</sup> eviction moratorium expiration date, disproportionately impacting Black and Brown communities hit hardest by Covid-19 and long-displaced by gentrification and racist housing policies.

Housing advocates have called on OCA to make all appearances virtual for the time being and to not allow evictions to proceed against tenants who are unrepresented or when documents or

witnesses necessary to a tenant's legal defense are unavailable due to the COVID-19 crisis. Advocates have also advised courts that if there is a need to conduct proceedings physically in court, that there should be a full safety plan and protocols developed in consultation with health experts and legal service providers, among other steps and recommendations. Housing advocates sent a previous [letter](#) to OCA on May 14<sup>th</sup> outlining concerns regarding the court's virtual operations.

Many New Yorkers who face housing injustices are also gripped by citywide Black Lives Matter protests of police brutality and movement demonstrations across New York. Forcing them to attend housing court amid an ongoing pandemic is further putting their lives at risk.

*Today's letter states, "At a time in which tens of thousands of New Yorkers are sick, in mourning, and gripped by a collective sense of injustice and imbalance, reopening the Courts prematurely could put thousands more at risk of illness or death. As of this date, more than 170 employees in the court system have been infected with Covid-19.... As of May 20, 2020, the Court continues to announce new positive test results among employees of civil courts within the five boroughs.*

*"Each of us has been personally affected. All of our offices have been intimately touched by this pandemic- some of our own staff have lost loved ones or have lost their own lives; the risk of infection and severe illness, while decreasing from the peak of two months ago, is ongoing."*

The letter was sent on behalf of The Legal Aid Society, Legal Services NYC, New York Legal Assistance Group, The Bronx Defenders, Part of the Solution, JASA/Legal Services for Elder Justice, CAMBA, Inc., Neighborhood Defender Service of Harlem, NMIC, Housing Conservation Coordinators, Inc., Mobilization for Justice, DC37/MELS, RiseBoro/LEAP, Brooklyn Defender Services, Brooklyn Legal Services Corporation A, Lenox Hill Neighborhood House, Teamsters Local 237 Legal Services Plan, Make the Road New York, and Goddard Riverside Law Project.

**Adriene Holder, Attorney-in-Charge of the Civil Practice at The Legal Aid Society**, said: "New York City Housing Courts primarily serve low-income and unrepresented Black and Latinx New Yorkers who already have been disproportionately impacted by the Covid-19 pandemic and affordable housing shortage crisis. Any plan to reopen the courts--especially housing court, which is the most high-volume and crowded of the civil courts--to the public must first prioritize the health and safety of our clients, tenants, advocates, other litigants, and court staff. We also urge our elected officials to extend the eviction moratorium and prevent the evictions of tens of thousands of vulnerable New Yorkers during this unprecedented health crisis."

“The housing courts must not return to business as usual. If thousands of people a day are again forced to go to court, they will surely be vectors of new outbreaks,” said **Raun Rasmussen, Executive Director of Legal Services NYC**. “Health experts are all but certain there will be second and third waves of COVID-19, which continues to disproportionately hurt Black and brown communities at a time when they are already engaged in a nationwide fight for their basic human rights. Any plan to reopen the courts should prioritize the health and safety of tenants, advocates, and court staff and protect tenants' due process rights. No one should be made ill because they have to go to court; and no one should be evicted in the midst of a pandemic.”

"Any reopening of housing courts must be done in a way that prioritizes the health of the people who work and appear there, and to date OCA has not satisfied basic safety imperatives," said **Austen Refuerzo, Supervising Attorney in the Civil Defense Practice of Neighborhood Defender Service of Harlem**. "The communities of color most impacted by the COVID-19 health crisis are the ones most threatened by a needlessly hasty reopening of our housing courts. Our city, and the OCA, has an obligation to meet their needs."

“The rush to reopen courts without a safety plan informed by health experts, legal advocates, and other stakeholders is ill conceived and will have a disproportionate impact on Black, Brown and elderly tenants,” said **Jeanette Zelhof, Executive Director of Mobilization for Justice**. “This will create a situation where those most at risk of infection must decide between their health or their home. No New Yorker should have to risk their life seeking justice.”

“It's outrageous to think about opening housing courts right now. Who are we opening them for? Certainly not for the workers. And definitely not for the thousands of mostly Black and Brown tenants who have been hit hard by COVID. Housing courts CANNOT reopen,” said **Susanna Blankley, Coalition Coordinator at the Right to Counsel NYC Coalition**. “The uprisings have shown us that now is the time to reckon with how we've done things. Housing court is not exempt from that. We support the call to halt the opening and we urge our elected officials to also extend the eviction moratorium and ensure all tenants have the right to counsel before any cases proceed.”

**Beth Goldman, President & Attorney-In-Charge of the New York Legal Assistance Group** said, “Reopening Housing Court to eviction proceedings prematurely while hundreds of New Yorkers every day are testing positive for Covid-19 imperils the health and homes of the same communities of color that have been disparately impacted by the coronavirus pandemic. It is critical that independent health experts thoroughly examine the courts' reopening plans and that the courts implement these plans consistently to ensure safety and justice for all court users.”

**Rodrigo Sanchez-Camus, Director of Legal, Organizing and Advocacy at NMIC** said, “The cramped corridors of New York City’s housing courts are the ideal atmosphere for the spread of COVID-19 because social distancing is nearly impossible. Rushing back to ‘business as usual’ will put thousands of the most vulnerable New Yorkers at risk by forcing them to fight for their homes. Black and Brown communities will be disproportionately affected by the return of the eviction machine, and the courts, and our city, have a duty to protect our vulnerable populations.”

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*The Legal Aid Society exists for one simple yet powerful reason: to ensure that New Yorkers are not denied their right to equal justice because of poverty. For over 140 years, we have protected, defended, and advocated for those who have struggled in silence for far too long. Every day, in every borough, The Legal Aid Society changes the lives of our clients and helps improve our communities. [www.legalaidnyc.org](http://www.legalaidnyc.org)*