

April 21, 2022

Hon. Kathy Hochul  
Governor of New York State NYS  
State Capitol Building  
Albany, NY 12224

Alan Levine  
*President*

Zachary W. Carter  
*Chairperson of the Board*

Hon. Andrea Stewart-Cousins  
Majority Leader, New York State Senate  
188 State Street LOB - Room 907  
Albany, NY 12247

Janet E. Sabel  
*Attorney-in-Chief  
Chief Executive Officer*

Adriene Holder  
*Attorney-in-Charge  
Civil Practice*

Hon. Carl Heastie Speaker, New York State Assembly  
New York State Capitol - Room 349  
Albany, NY 12247

**Re: Legal Aid Society Civil Legal Services Post Budget 2022 Statewide Legislative Priorities**

Dear Governor Hochul, Majority Leader Stewart-Cousins and Speaker Heastie:

As one of the primary organizations in New York City providing a myriad of critical legal services to New Yorkers, we write today concerning our Post Budget 2022 statewide legislative priorities. Now that the budget is done, it is important that The Legal Aid Society's clients are not left out of the legislative process as we move toward the end of the legislative session. During budget we were told that programs to help our clients were too expensive. We are therefore coming to you with priorities that will not cost the State money and will enable Albany to address income inequality, poverty, housing instability, immigrant detention, prison labor, and other issues impacting vulnerable New Yorkers.

Our clients are facing rent spikes from predatory landlords and retaliation from landlords angry about challenges paying rent during COVID. Now is the time to pass Good Cause Eviction Legislation to enable low-income tenants to remain stably housed as they recover from the COVID pandemic. Albany must address the dire circumstances of NYCHA's crumbling public housing and create a public entity that would expedite repairs and improvements and allow NYCHA access to additional funding. Albany should let 421a expire without replacing it with another expensive tax break with no benefit to low-income New Yorkers.

The overpayment system for Medicaid and Public Assistance recipients is deeply flawed. Our clients have been waiting too long for the State to reform the system. Albany must pass the Reform Public Assistance and Medicaid Overpayment Recovery Processes Act.

**Justice in Every Borough.**

In 2022, we must end prison slavery, prisoners must have the right to refuse to work while incarcerated. And lastly New York must come out of the business of immigrant detention. Pass the Dignity Not Detention Act.

If you have any questions, please do not hesitate to contact me. We look forward to working with you all in 2022 to make New York a fairer and more just city for our clients and the communities we serve.

Sincerely,

A handwritten signature in black ink that reads "Adriene Holder". The signature is written in a cursive style with a large initial 'A'.

Adriene Holder  
Attorney-In-Charge  
Civil Practice  
The Legal Aid Society

## **HOUSING**

### **Pass new “good cause” eviction legislation to bring renters’ rights to tenants in smaller buildings (Salazar S.3082/Hunter A.5573):**

Rent stabilization only applies to buildings with six or more units. But more and more, large corporate landlords are buying up smaller buildings, and tenants who live in them face escalating rents and displacement. As the housing affordability crisis seeps out of New York City and into the suburbs, it is imperative that we bring rent relief to smaller buildings as these residents increasingly come under threat of displacement. This bill would require landlords to offer renewal leases unless they had good cause for denying the renewal. It would also limit rent increases by providing for a measure connected to inflation and providing a rebuttable presumption that increases over that percentage are unreasonable.

### **Public Housing Preservation Trust Legislation (Kavanagh S.6999/Cymbrowitz A.7805):**

The Public Housing Preservation Trust would propose transferring 110,000 apartments to a newly created public entity that would expedite repairs and improvements and allow the properties to receive more funding through switching from a Section 9 subsidy to Tenant Protection Vouchers or Section 8. NYCHA would remain a permanent owner of the properties, and a long-term ground lease with the Trust would allow NYCHA to raise money for major rehabilitations, a function many government agencies, including the MTA, already enjoy.

## **HEALTH**

### **Reform Public Assistance and Medicaid Overpayment Recovery Processes (Gottfried A.5613/Rivera S.4540):**

This legislation improves the deeply flawed overpayment process for Public Assistance and Medicaid benefits in several ways. It limits the recovery to the amount up to the value of the property which caused the overpayment, or the cost of the assistance or care received, whichever is lower. It prohibits lawsuits to recover overpayments from recipients under the age of 21 and in circumstances in which an overpayment did not result through any fault of the recipient but from agency or contractor error. It contains protections against recovery of benefits related to the COVID-19 public health emergency. It creates a defined waiver for recipients for whom an overpayment judgment would create undue economic or other hardship. For recipients who currently are subject to overpayment settlement agreements, it creates debt forgiveness and relief in light of the COVID-19 public health emergency. It defines requirements to bring a lawsuit to recover an overpayment, reduces the statute of limitations, and reduces the interest rate to the one-year United States treasury bill rate.

## **EMPLOYMENT**

### **End Forced Labor in Correctional Facilities (Myrie S.308/Epstein A.3142):**

This legislation would amend the New York State Constitution to prohibit prison slavery by allowing people incarcerated in a New York State prison the right to refuse to work while incarcerated. The amendment process requires the passage of this bill in two consecutive legislative sessions, as well as a referendum.

### **The Prison Minimum Wage Act (Myrie S.287/Perry A.1643):**

This legislation would extend New York's minimum wage laws to incarcerated workers, setting a \$3.00 per hour minimum wage for inmates.

## **IMMIGRATION**

### **The Dignity Not Detention Act (Reyes A.7099A/Salazar S.7373)**

The Dignity Not Detention Act would prohibit local governments from entering into, renewing or continuing immigration detention contracts, taking New York State out of the immigrant detention business and putting an end to the inhumane and unnecessary incarceration of immigrants in New York jails. The Act aims to stop localities in New York from profiting from the incarceration of immigrants in city or county jails, and as a result, to decrease ICE family separation in New York State and shrink ICE's detention footprint nationwide.