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

***Legal Aid Fights to Save Three Low-Income New Yorkers From Eviction,
Tenants Who Would Qualify for CityFHEPS if the Adams Administration
Implemented the New Laws***

***City Hall's Refusal to Enforce Duly Enacted Legislation Continues to Contribute
to NYC's Housing and Homelessness Crises***

(NEW YORK, NY) - **The Legal Aid Society** today highlighted the [plights](#) of three low-income New Yorkers, tenants facing imminent eviction who would qualify for the City Fighting Homelessness and Eviction Prevention Supplement (CityFHEPS) - a local housing voucher program - if the Adams Administration implemented the related package of legislation duly enacted last year.

These tenants seek to join Legal Aid's pending class action lawsuit, [Marie Vincent et. al. v. Mayor Eric Adams](#), which was brought this past February to compel the Administration to fully implement enacted legislation that reformed and expanded CityFHEPS.

If the law was followed, these tenants would be eligible for an emergency grant from the City to address rent arrears, discontinuing their respective eviction proceedings, as emergency grants require that tenants demonstrate a future ability to pay rent, a requirement the CityFHEPS voucher would satisfy.

Without relief from the court, these vulnerable families will immediately lose their long-term homes with rents that are far below market, and if they enter shelter, will cost the City many multiples of the cost of simply subsidizing their rents. The intervening tenants seek a court order directing the City to pay their rent arrears, so that they will not be evicted before the court can decide on the merits of the original case.

"These three plaintiffs, long-time New Yorkers, are needlessly at risk of losing their homes and becoming homeless solely due to Mayor Adams' refusal to follow the law," said **Robert Desir, Staff Attorney with the Civil Law Reform Unit at The Legal Aid Society**. "Unfortunately, their stories are not unique, and their suffering, along with countless others, could end immediately if this common-sense package of duly enacted legislation was enforced."

[Arnaldo Fernandez](#) is a 65-year-old disabled man who has lived in his rent-stabilized apartment for over 13 years. He is legally blind and his wife, a cancer survivor with numerous health issues, is his principal caretaker.

Mr. Fernandez lost his source of income as a truck driver after developing advanced glaucoma that has left him legally blind. He has been unable to find new work due to his legal blindness and other health emergencies, such as a heart attack that he suffered in January 2024.

Mr. Fernandez's eviction could take place at any time on or after June 30, 2024. If evicted, Mr. Fernandez and his wife would be forced into homelessness, placing their health in grave danger.

Because Mr. Fernandez is at risk of eviction, he would be entitled to CityFHEPS if the Adams Administration implemented the laws, allowing him to also secure an emergency grant to pay outstanding rent arrears and his eviction case would be resolved.

[Cheryl Thompson](#) has lived in her apartment in the Bronx for 30 years. Ms. Thompson is the primary caretaker of her adult disabled sister, who suffers severe disabilities and health conditions, including schizophrenia.

Her sister is severely restricted in her ability to walk and requires assistance with basic daily tasks. Due to her sister's severe disabilities and health conditions, Ms. Thompson's household was not able to leave the house during the pandemic out of fear of passing the disease to her sister.

Ms. Thompson's only source of household income is cash assistance, which totals \$1,224.66 per month, and is not sufficient to pay her rent of \$1,115 per month.

Ms. Thompson is currently facing eviction, and if evicted, she and her household would have nowhere to go and would be forced into shelter. This would not only displace the household from a rent-stabilized apartment with below market rent, but also greatly jeopardize her sister's fragile mental and physical health.

Because Ms. Thompson is at risk of eviction, she would be entitled to CityFHEPS if the Adams Administration implemented the laws, allowing her to also secure an emergency grant to pay outstanding rent arrears and her eviction case would be resolved.

[Delsie Lee](#) is 66 years old and has lived in her Brooklyn apartment for over 34 years. She lived with her long-time fiance until he passed away in 2021 as a result of medical complications. Before his death, Ms. Lee provided care for him as a home health aide.

Ms. Lee's only source of income is Social Security, and she is unable to pay her low monthly rent of \$1,300.00 on this income alone. As a result, she has fallen behind on the rent following the death of her fiance.

Ms. Lee is disabled and has several health conditions including diabetes, arthritis, and suffers frequent chronic pain, which prevents her from leaving her home for months at a time.

Ms. Lee is currently facing eviction, and because of this, she would be entitled to CityFHEPS if the Adams Administration implemented the laws, allowing her to also secure an emergency grant to pay outstanding rent arrears and her eviction case would be resolved.

Background on *Marie Vincent et. al. v. Mayor Eric Adams et. al.*

This past February, Legal Aid filed *Marie Vincent et. al. v. Mayor Eric Adams et. al.* on behalf of New Yorkers who would be eligible for CityFHEPS under the new laws but who are barred from accessing the rent subsidy because the Adams Administration has refused to implement the reforms.

The New York City Charter requires City agencies to enforce and implement all measures enacted into law, including those enacted via a Council override. Moreover, State law allows for parties to sue localities when government officials have "failed to perform a duty enjoined upon [them] by law".

Memo of law: <http://tinyurl.com/5n9ykhwr>

Petition: <http://tinyurl.com/5588jtmb>

Legal Aid's lawsuit seeks the full implementation of:

- [Local Law 99 of 2023](#), which permits voucher holders to lease apartments for the full voucher amount without having to first deduct utility expenses, placing CityFHEPS families on par with Section 8 vouchers holders;
- [Local Law 100 of 2023](#), which increases income eligibility from 200 percent of the federal poverty line to 50 percent of area median income to expand access to more New Yorkers in need;
- [Local Law 101 of 2023](#), which expands eligibility for CityFHEPS to any income eligible household at risk of eviction;
- [Local Law 102 of 2023](#), which precludes the City from basing eligibility on employment status.

The litigation is a result of a months-long dispute between the City Council and the Adams Administration, which began after the City Council [passed](#) the legislative package on May 25, 2023. On June 23, 2023, Mayor Adams [vetoed](#) the legislation. On July 13, 2023, the City Council [overrode](#) the Mayor's veto of the legislation, and these measures should have [taken effect](#) on January 9, 2024.

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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 145 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. <https://www.legalaidnyc.org>