

February 3, 2025

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*****MEDIA ADVISORY*****

Ahead of Oral Arguments, Homes Can't Wait Coalition to Hold Rally Urging Adams Administration to Fully Implement CityFHEPS Reform and Expansion Laws

(NEW YORK, NY) – The Homes Can't Wait Coalition will hold a rally Tuesday, February 4 at 1 P.M. ahead of appellate arguments in [*Marie Vincent et. al. v. Mayor Eric Adams*](#), litigation brought last February to compel Mayor Eric Adams and the City to fully implement a package of legislation passed by the New York City Council that would reform and remove barriers to the City Fighting Homelessness and Eviction Prevention Supplement (CityFHEPS) program, a local housing voucher for New Yorkers on the brink of or experiencing homelessness.

The Legal Aid Society and the City Council filed an [appeal](#) in October after the New York County Supreme Court of the State of New York [dismissed](#) the petition on the grounds that state law deprives the City Council of any social services policymaking authority.

The appeal argues that this decision is contrary to binding precedent and is a radical departure from decades of social services policy enacted by the City Council and implemented by the executive branch.

As a result of the Mayor's failure to implement the laws, thousands of New Yorkers facing eviction – including families, seniors, and disabled people – have been unable to access CityFHEPS housing vouchers.

WHAT: HomesCantWait rally ahead of appellate arguments in *Marie Vincent et. al. v. Mayor Eric Adams*, litigation brought to compel Mayor Adams to fully implement a package of legislation that would reform CityFHEPS, a local housing voucher for New Yorkers on the brink of or experiencing homelessness.

WHEN: Tuesday, February 4, 2025, at 1 P.M.

WHERE: Madison Square Park, corner of Madison Ave and 25th St.

WHO: HomesCantWait coalition, The Legal Aid Society, Safety Net Activists, Make the Road, Housing Works, Neighbors Together, WIN, African Communities Together, Community Service Society, Neighborhood Defenders of Harlem, Urban Pathways, Care for the Homeless, Central Harlem CLT, A. Philip Randolph Square Neighborhood Alliance

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

Last 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”.

In August, the New York County Supreme Court of the State of New York [dismissed](#) the petition on the grounds that state law deprives the City Council of any social services policymaking authority. The Legal Aid Society filed an [appeal](#) in October arguing that this decision is contrary to binding precedent and is a radical departure from decades of social services policy enacted by the City Council and implemented by the executive branch.

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

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

Appeal: <https://tinyurl.com/ec8mj8j2>

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.

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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 nearly 150 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