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

***Legal Aid Files Opposition Brief Urging Court of Appeals to Uphold CityFHEPS  
Expansion Laws***

***Mamdani Administration's Continued Challenge Delays Rental Assistance Relief  
for Tens of Thousands of New Yorkers Facing Homelessness and Housing  
Instability***

(NEW YORK, NY) — The Legal Aid Society filed its [opposition brief](#) in the New York Court of Appeals, urging the Court to affirm the Appellate Division's unanimous decision upholding laws enacted by the New York City Council to expand the City Fighting Homelessness and Eviction Prevention Supplement (CityFHEPS) program.

The opposition brief argues that New York's Social Services Law does not preempt local legislation concerning rental assistance and that the law's framework of state-local collaboration permits the City Council, as part of New York City's social services district, to enact measures designed to help New Yorkers avoid homelessness and secure stable housing.

The filing responds to the City's appeal, which seeks to overturn the lower court's decision and argues that only local social services commissioners — not local legislatures — may initiate policies concerning rental assistance. Legal Aid's opposition brief explains that the City's position finds no support in the text or structure of the Social Services Law and is inconsistent with New York's constitutional system of local self-government.

“The lower courts unanimously rejected these arguments, yet the City continues to pursue litigation that has delayed critical rental assistance reforms for tens of thousands of New Yorkers in dire need of housing stability,” said **Robert Desir, Staff Attorney with the Civil Law Reform Unit at The Legal Aid Society**. “This case is about whether families can remain in their homes and whether people facing housing insecurity can access the support they need to avoid and exit homelessness. We remain confident that the Court of Appeals will uphold the law and allow these long-overdue reforms to move forward.”

The opposition brief further argues that the Social Services Law expressly contemplates a system in which state and local governments work together to administer social services and housing assistance programs. Under that framework, New York City retains the ability to propose and enact local initiatives while the State maintains ultimate authority to review and approve them.

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*The Legal Aid Society is a nonprofit law firm that exists for one simple yet powerful reason: to ensure that New*

*Yorkers are not denied their right to equal justice because of poverty. For 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 the people we serve and helps improve our communities.*

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