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# ORGANIZING IS DIFFERENT NOW

How the Right to Counsel Strengthens the Tenant Movement in New York City



**TAKEROOT  
JUSTICE**



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## ABOUT THE AUTHORS



**TakeRoot Justice** provides legal, participatory research and policy support to strengthen the work of grassroots and community-based groups in New York City to dismantle racial, economic and social oppression. TakeRoot Justice employs a unique model of partnership with grassroots and community-based groups.



**The Right to Counsel NYC Coalition (RTCNYC)** is a tenant-led, broad-based coalition that formed in 2014 to disrupt Housing Court as a center of displacement and stop the eviction crisis that has threatened our families, our neighborhoods, and our homes for too long. The Coalition is made up of tenants, organizers, advocates, legal services organizations and more. RTCNYC's work is rooted in principles of equity, dignity, humanity, diversity and justice. After a hard fought, three-year grassroots campaign, RTCNYC won and became the first city in the nation to establish a Right to Counsel for tenants facing eviction. The campaign has inspired a movement across the country. RTCNYC believes that Right to Counsel isn't just about ensuring tenants have attorneys in housing court—it's about fighting to reclaim the city and our communities, to keep people in their homes and to de-normalize the violence of evictions.

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# INTRODUCTION



Initial rally to introduce Right to Counsel legislation in 2014

In 2017, New York City became the first city in the country to establish a Right to Counsel for tenants facing eviction. This was the outcome of years of dedicated tenant organizing begun by the tenants' rights organizing group Community Action for Safe Apartments (CASA) and continued by the citywide Right to Counsel NYC Coalition (RTCNYC), which CASA helped form. Right to Counsel in New York represented a landmark organizing victory for the coalition and a monumental win in the fight for tenants' rights and equity in housing and has inspired a national movement.

Before the passage of Right to Counsel, only 1% of tenants in New York City had an attorney representing them in housing court while 95% of landlords had legal representation.<sup>i</sup> This drastic power imbalance significantly disadvantaged low-income tenants, most of whom are people of color, in their fight to stay in their homes.<sup>ii</sup> The impact of Right to Counsel on evictions has been incredible. Today, four years after the law was passed, the data continue to show that Right to Counsel works. In stark contrast to a world without Right to Counsel, today more than 71% of tenants facing eviction have an attorney, evictions dropped by 29% in RTC zip codes between 2017, when the law was passed and 2019 (compared to a 16% drop in non-RTC zip codes), and 84% of tenants who fight their case with a Right to Counsel attorney stay in their homes.<sup>iii</sup>

**But there is more to Right to Counsel than these metrics. The Right to Counsel—both the law itself and the organizing infrastructure that has been built around it—contribute in a variety of other ways to strengthening the tenant movement.** RTCNYC and TakeRoot Justice conducted a participatory action research project to investigate the impact of Right to Counsel on tenant organizing among low-income tenants. We conducted focus groups with tenants and with housing organizers. Utilizing a participatory action research model, tenants and organizers participated in the development of research instruments, were trained to administer the research, and facilitated focus groups and engaged in opportunities for skill-building and leadership development.

### **Our research shows:**

- Right to Counsel strengthens organizing in a variety of ways. It serves as a know-your-rights tool, helps build a base of involved tenants, and opens the door to new organizing tactics and strategies.
- Tenants feel less stress and fear knowing they have the right to legal representation in court, which helps them navigate housing court with confidence and success and prompts them to take action against their landlords.
- Right to Counsel creates opportunities for tenants, organizers, and attorneys to navigate relationships, share knowledge and history and provide trainings, all in the service of building the tenants' rights movement.
- The Right to Counsel NYC Coalition is deliberate and successful in creating and sustaining a tenant-led infrastructure and movement-building spaces.

These findings demonstrate the various ways in which the Right to Counsel meaningfully contributes to New York City's robust tenant movement. These findings also offer insight and inspiration for tenants and organizers fighting for the Right to Counsel in their cities.

## **ABOUT THE RIGHT TO COUNSEL NYC COALITION AND THE RIGHT TO COUNSEL IN NEW YORK CITY**

The Right to Counsel NYC Coalition (RTCNYC) is a tenant-led, broad-based coalition that formed in 2014 to disrupt Housing Court as a center of displacement and stop the eviction crisis that has threatened our families, our neighborhoods, and our homes for too long. The Coalition is made up of tenants, organizers, advocates, legal services organizations and more. RTCNYC's work is rooted in principles of equity, dignity, humanity, diversity and justice. After a hard fought, three-year grassroots campaign, RTCNYC won and became the first city in the nation to establish a Right to Counsel for tenants facing eviction. The campaign has inspired a movement across the country. RTCNYC believes that Right to Counsel isn't just about ensuring tenants have attorneys in housing court—it's about fighting to reclaim the city and our communities, to keep people in their homes and to de-normalize the violence of evictions.

In 2014, RTCNYC organized for the introduction of the Right to Counsel Bill (Intro 214) in New York City Council in order to establish a City-funded Right to Counsel for low-income tenants facing eviction proceedings. In August 2017, after three years of organizing, the Right to Counsel was signed into law: mandating universal access to legal representation for low-income tenants and making New York City the first city in the country to establish a Right to Counsel for tenants facing eviction. This means that tenants no longer have to fear eviction as retaliation for organizing in their buildings or holding their landlords accountable. This means that tenants and advocates have more tools to fight gentrification and displacement in New York. While the law initially had a five-year phase-in plan based on zip codes, that would not see full implementation until July 2022, organizing efforts during the COVID-19 pandemic were successful in accelerating the implementation timeline to June 2021. All low-income tenants, regardless of zip code, now have the right to an attorney to defend their homes.

### **Data show that the historical imbalance is shifting:**

- During the initial phase-in, advocates were able to look at the impact of Right to Counsel and found that evictions declined more than 5 times faster in zip codes that had Right to Counsel than in zip codes without it.<sup>IV</sup>

- The Office of Civil Justice reports the following breakdown of tenants receiving Right to Counsel legal services: about 74% in New York City, ranging across the five boroughs with 89% in the Bronx and Manhattan, 85% in Queens, 68% in Staten Island and 59% in Brooklyn.<sup>V</sup>
- Evictions by city marshals have steadily decreased since 2017, the year Right to Counsel passed. In 2017, city marshals conducted roughly 21,000 evictions. The following year 20,013 evictions were conducted, and in 2019 marshals conducted 16,996 evictions.<sup>VI</sup>

## METHODOLOGY

### Background research

TakeRoot researchers conducted secondary research on the history and impact of Right to Counsel in New York City including media coverage, laws and other documentation related to Right to Counsel.

### Focus Groups

Over the summer of 2021, we held a series of five focus groups: four groups with tenants and one group with organizers, with a total of 33 participants. Focus group participants were asked specific sets of questions by trained facilitators from RTCNYC.

#### Tenant Focus Groups:

Four focus groups were held with 27 tenants working with Goddard Riverside Community Center in Manhattan, Flatbush Tenant Coalition in Brooklyn, Catholic Migration Services in Queens, and CASA in the Bronx. Tenants were asked about the impact of the Right to Counsel in various spaces in their lives: what it felt like before and after Right to Counsel was won, how, if at all, Right to Counsel changed how they feel about asking for what they need, how, if at all, Right to Counsel has been a helpful tool for organizing with other tenants in their buildings and whether knowing they have the right to legal representation changed the tactics and actions they felt comfortable engaging with on a neighborhood and citywide level. Trained RTCNYC organizers facilitated the tenant focus groups.

#### Organizer Focus Group:

One focus group was held with six community organizers working with RTCNYC. Organizers were asked how, if at all, Right to Counsel has been a helpful tool for organizing in buildings, neighborhoods and citywide, whether their organizing tactics in those various spaces have changed since the legal win, and about the impact of having readily available lawyers in the movement.

Focus groups were recorded and transcribed, and participants were anonymized. Focus group data was analyzed by TakeRoot Justice and shared with RTCNYC in participatory data report- back meetings. Research findings were collaboratively developed.

### Our intention for how this research will be used

We conducted this research to demonstrate the significant contributions that the Right to Counsel makes to tenant organizing, beyond the key goals of reducing eviction and increasing legal representation.

- **For tenants:** We hope this research offers motivation and inspiration from the tenants that led the fight here in New York City.

- **For organizers:** We hope this research offers motivation from organizers in New York City, and that the reflections about coalition-building and working towards a just implementation after the win are helpful for organizers in other cities in their own fights.
- **For lawyers:** We hope that aspiring and current housing attorneys are inspired to be part of a larger movement and find our reflections helpful and instructive in navigating their complex roles in the movement.
- **For policy makers:** Our hope is that policy makers see the value in data that goes beyond the traditional metrics.
- **For media:** It's important to us to share these narratives so that media and outside readers see the impact beyond the traditional metrics.

## RESEARCH FINDINGS

These research findings are based on the data collected from five focus groups: four tenant focus groups with a total of 27 New York City tenants, and one organizer focus group with a total of six New York City housing organizers. **The results of this research give insight into the ways in which Right to Counsel enables low-income tenants to build collective power and create and participate in a sustained tenant-led organizing movement.**



Focus group participants were asked to share three words that describe what it felt like to win the Right to Counsel, if they participated in the initial organizing campaign, or three words that describe what it felt like to learn about the win. Font size corresponds to the frequency of word use. Some minor edits were made, such as changing tense to combine like words.

## Finding 1: Tenants feel less stress and fear, and more confidence, knowing they have the Right to Counsel.

Both tenants and organizers identified ways in which tenants moved from fear and stress to confidence and empowerment since the Right to Counsel win.

### Tenant perspectives

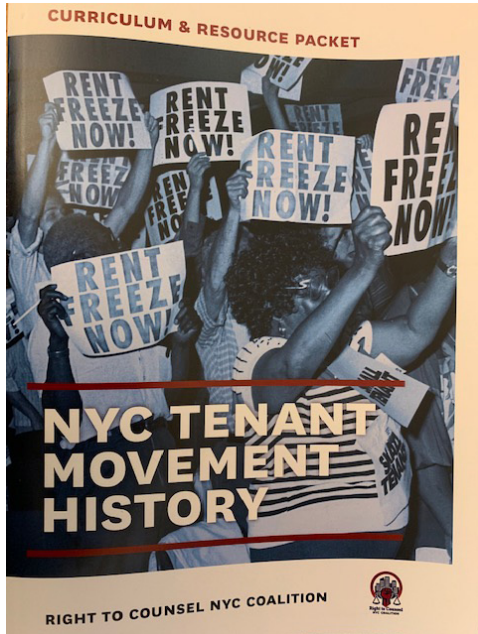
- *“Before Right to Counsel I can say that it was stressful. One could say that they lived in fear, there was fear and nightmares. You know that they are powerful, that they have attorneys. I definitely lived in fear. That lasted a long time. And then [Right to Counsel] passed, and I honestly felt safer and had more spirit. I’m really happy that there really are organizations and coalitions that help tenants and that’s a tremendous feat. That’s the difference. We’re smiling now. It’s a tremendous difference.”* —Tenant Participant 13
- *“I was so afraid of being part of a rent strike... and [the attorney] explained all the protections I had as a rent stabilized tenant that I didn’t know I had, and it made me so much more fearless. I still have a lot of fear, but I have so much less fear than I did before because of talking to an attorney. Otherwise, I think I would have been on the margins, wondering if I would stay or leave.”* —Tenant Participant 8
- *“I feel more secure now. Before Right to Counsel, I think any time there was any kind of legal problem I was intimidated by the landlord and being intimidated is very stressful and unhealthy. And after Right to Counsel, I feel a lot more secure and calm and happy.”* —Tenant Participant 17
- *“Before Right to Counsel, there was a lot of chaos in my building and in other buildings because landlords were doing things they weren’t supposed to do, like raising the rent, evicting tenants without any causes, not making repairs. And nobody knew where to go. So Right to Counsel came along, I think it made a lot of people feel more secure and safe, filled with less fear. They now have a place to go when they need help.”* —Tenant Participant 18
- *“Right to Counsel has given us a sense of security so we’re not intimidated by asking questions, asking for what we need or even demanding what we need.”* —Tenant Participant 1
- *“I felt much less frustrated, much less stressed and you know it helped a lot to grow with this group and learn more about Right to Counsel and I tried to share this with the other tenants, and you know people that I grew up with in the building ...to help ease that stress or before it happens, you know I do help, I put out the word.”* —Tenant Participant 5

### Organizer perspectives

- *“I think organizing is different now because folks have a sense of security to know that they have someone to represent them. That’s been the major difference.”* —Organizer Participant 6
- *“People start to stop feeling the fear...and people start asking questions about [Right to Counsel]. And they say, ‘Yes, we can do that.’ It’s like, this law can protect us at that point and that’s nice because it’s different when you’re working with people without the protection and now with the protection. It was like, the relief of the people. It’s like, ‘Okay, I can go to fight for this because I have this plan B in case something happens.’”* —Organizer Participant 5

## Finding 2: Right to Counsel bolsters organizing in a variety of ways.

Right to Counsel strengthens tenant organizing in buildings, neighborhoods and citywide. Right to Counsel is an important tool for tenant education, helping tenants feel emboldened to demand their rights from landlords, fostering new organizing opportunities, and helping to build a base.



Curriculum that accompanied the Tenant Movement History Timeline

### Right to Counsel is a valuable know-your-rights tool and a way to teach about the history of the tenants' rights movement and the power of organizing.

#### Tenant perspectives

- *"I think it's phenomenal how Right to Counsel educates. [At] the meetings, I said 'Wow, they just don't want to represent you, they want you to know what's going on.'" — Tenant Participant 1*
  - *"[Right to Counsel] has helped me learn about our rights, what to expect, what justice looks like, how unfair landlords can be... and how much my rights are worth." — Tenant Participant 10*
  - *"Fortunately, because of Right to Counsel, we know we have a right and we can demand repairs and we feel more confident that we have the help of attorneys." — Tenant Participant 13*
  - *"Now that I'm not scared of eviction and know what is right and what is wrong. Knowing your rights is very important." — Tenant Participant 15*
  - *"Has it moved any barriers [to organizing]? Definitely. It gave people a voice, it allowed them to gain knowledge about their rights, because tenants think they don't have rights. They think because they signed a lease, the landlord has all the power. And when you gain knowledge, you gain power. So, it definitely has been helpful." — Tenant Participant 23*
  - *"Having the right to an attorney makes me feel stronger in fighting against my landlord and all of the negligence that I lived with for a year. Thanks to Catholic Migration Services, more tenants have been able to meet without the fear of being taken to court, not knowing our rights, or having no representation." — Tenant Participant 11*
- #### Organizer perspectives
- *"It opens up the door to explain more about the other tenants' rights that a person has and how we even got those rights and talk about the tenant movement and that history and that really... it gets people emboldened and hyped to do stuff, like 'I want to know more about this, I want to do more, I want to get my neighbors involved.'" — Organizer Participant 3*
  - *"[F]olks who don't know about all these rights that have been secured for decades and since the campaign started... it was encouraging to people that don't have a background in collective organizing to hear about it, to hear how quickly it can have a positive effect, how quickly the number of evictions went down because of attorneys and tenants and TA's were able to put pressure on landlords." — Organizer Participant 2*

- *“I think that RTC and all the organizations do a good job of helping folks in understanding the value and the power of organizing.” — Organizer Participant 6*

## **Right to Counsel provides new opportunities for base-building**

### **Tenant perspectives**

- *“It makes people more wanting to be a part of the whole organizing process, the group, to be a part of organizing in the building once they know that there’s help and that there is something... there’s hope, pretty much... it makes our organizing a lot stronger because it’s an extra protection, an extra help.” — Tenant Participant 18*
- *“I think knowing we have the right to an attorney helps us at the community level in regard to informing other tenants that they have a right to an attorney. It’s happened to me a lot, where coworkers will be talking to me about how they live in conditions that are not the best and they say that there is nothing they can do about it but put up with it and feel they have no rights to exercise. And at the community level, we can tell them that they don’t have to live like that, that if they can’t afford an attorney, the City gives you the right to demand what you deserve, to better how you live. So, just that, the ability to be able to tell others that they have a right to demand what they need.” — Tenant Participant 12*
- *“Organizing with the tenants has been much easier because of Right to Counsel because now that tenants feel they have attorneys, they’re not afraid anymore...And Right to Counsel has strengthened us for sure and we are now sticking together more, and it’s...I think it’s just made us stronger.” — Tenant Participant 17*
- *“Now that we have Right to Counsel, it gives you the energy to support your other tenant leaders. First, you didn’t want to leave your building and go any place, and now for instance, like, [name] has a problem in her building, and she wants us to be there, and [name] has a problem, we’re going to be there. So, we’re steadfast on the go now because of Right to Counsel.” — Tenant Participant 15*
- *“Right to Counsel makes organizing stronger. Because the people are coming out because they know they are getting the support.” — Tenant Participant 16*

### **Organizer perspectives**

- *“Before Right to Counsel, I didn’t have the chance to actually go to streets, go to buildings and form TA’s... But just the fact that we won the right, we had a chance to go out and talk to people and get them excited about coming together, about organizing and continuing to build power that has been won by Right to Counsel. And so that allowed me to actually start organizing TA’s and building those and continue to build power in Queens. That was my particular experience, I didn’t have the chance to do that before Right to Counsel.” — Organizer Participant 4*
- *“And I’m like, yeah, ‘well let’s connect you with somebody’ and see if the whole TA will try to get people involved and as they’re building up their legal strategy, they’re also building up their organizing strategy. That does inspire them to do press conferences and banner drops and other stuff that might be coordinated as a rent strike but it’s still really powerful and makes tenants want to do something.” — Organizer Participant 3*



Judges at our first ever People's Tribunal on Evictions where the worst evictors in NYC were on trial. Second to left is Iris Morales, who was present at the People's Tribunal on Evictions held by the Young Lords and The Black Panthers

## Right to Counsel enables tenants to put pressure on landlords

### Tenant perspectives

- *"We're taking action against our landlord, and I like knowing that there are legal professionals that I now have relationships with that I can go to when I need help with my housing and this is a huge comfort and security for me."* — Tenant Participant 27
- *"The problem is when you don't know your rights, you have none. And Right to Counsel has given us a sense of security so we're not intimidated by asking questions, asking for what we need or even demanding what we need. I think that's the difference between before Right to Counsel; we would ask. Now that we have Right to Counsel, we demand."* — Tenant Participant 17
- *"Before Right to Counsel, our landlord was doing a lot of underhanded stuff and getting away with it, which he still is. When we lost gas and decided to fight back, we were able to get an attorney to take him to court. We won two abatements against him, with other things. We are in the process of taking him back to court for a third time because he has not fulfilled an agreement."* — Tenant Participant 23

### Organizer perspectives

- *"I think tenants are more eager to take their landlord to court, even though you're not guaranteed a lawyer if you're the one that takes your landlord to court. Knowing that we as organizers have*

*connections to housing lawyers and stuff like that, I've had a lot more buildings say, 'alright what about we take them to court, we get a lawyer.'*" — Organizer Participant 3

- *"Right to Counsel has definitely made it possible to be more open-minded, be more encouraging and have the support necessary to say 'yes, I know I want to speak up and take action against my landlord or defend myself if he takes me to court or take action against my landlord that will really put pressure on him.'*" — Organizer Participant 4

## **Organizers identified specific organizing tactics enabled or encouraged by Right to Counsel**

### **Rent strikes**

- *"Another example for me which was so amazing for me was how Right to Counsel and Housing Justice for All came together to fight to cancel rent. And one of the tactics we used was going on rent strike. And so that coordination...everything it took to bring that together was so helpful in terms of actually supporting all of the tenants, all of the buildings citywide that wanted to go on strike, they felt supported and said 'I can do it' because there are all these systems in place that are supporting us. [Another building] was being organized by one of my coworkers and the opportunity to come together because of the rent strikes happened, we actually brought the two buildings together, and started the rent strikes at different moments but they've been working together since last year on this rent strike, making demands, taking actions..."* — Organizer Participant 4

### **Eviction Tribunal:**

- *"The Eviction Tribunal was so exciting, so many people came together from all places, spaces, backgrounds, professions... We switched it, we were the ones bringing the landlords, the worst evictors, to the tribunal and saying how guilty they were, right? That was just an example of bringing everyone together but also creating spaces in which tenants feel powerful in which tenants can envision, can create, can build...It offers the space for us to bring tenant leaders and tenants in general from the buildings that we're organizing, in community with others."* — Organizer Participant 4

### **Eviction Blockade**

- *"Do you guys remember practicing the eviction blockade at the office? That was one of the most powerful things we practiced with the tenants, because the tenants felt and provided feedback. Nobody can bring you into a space and try something and ask, 'tell me, what do you think about this?' And that gave us extra power to the people because they know they have other tools to continue fighting."* — Organizer Participant 5

### **Worst evictors list:**

- *"The worst evictors list...was something that changed the game too. One of the main things that we believe is that evictions are violence, and that New York should be eviction-free."* — Organizer Participant 3
- *"Our vision is ...to win a full eviction moratorium or just not have evictions at all. The worst evictors list has been a very powerful tool in terms of targeted outreach citywide and I think we can all agree because of that we've been able to find new buildings, new tenant leaders, build new tenant associations and that's very helpful."* — Organizer Participant 4
- *"The eviction defense network...changed the game. The fact that we are building a network of different folks with different roles to pretty much block evictions, which is dope. We're moving towards really*

*building an eviction-free NYC. Right to Counsel in court is pretty much the entire reason why we have the eviction defense network... We did trainings and we brought in different people and different allies and like I said, we wouldn't have that network at all, and we wouldn't be building out something so radical and something so powerful without the Right to Counsel coalition. That wouldn't be possible."*  
— Organizer Participant 3

### **Finding 3: Having the right to an attorney in housing court is empowering and protective.**

Participants spoke about a newfound confidence in facing the legal system that did not exist before the Right to Counsel passed, and the importance of having a lawyer that is genuinely on their side.

#### **Tenant perspective-**

- *"A couple years ago [before Right to Counsel] we couldn't pay rent for a couple months and got taken to housing court. Everything ended up being fine, but it was terrifying. There's so many leaflets and pamphlets and websites to look at that say that they can help you but they all kind of all say the same thing and it's very generic and it's all very hard to understand and so knowing that there's Right to Counsel now, it's an incredible help, an incredible relief."* — Tenant Participant 27
- *"I agree that this is very encouraging, and it also makes you, you know, bolder to, you know, to step out and step up. Because you know that you have that boundary of Right to Counsel."* — Tenant Participant 22
- *"A lot of times when we go to court, we're so quick to rush in and rush out. We sign papers that we don't understand just to get in and get out and end up getting screwed. So, when you have an attorney represent you, you can just sit and watch the process instead of being in fear of signing papers you don't understand."* — Tenant Participant 23
- *"I do remember many years ago... I went to court, I experienced where the landlord's lawyer would approach tenants and pretend like he was representing them. And fast forward to today, when I found out that this Right to Counsel was passed, I said what a beautiful thing for anyone else that might be in that situation, that they will have the support they need, they won't be approached by a lawyer who is representing the landlord and cares nothing about the rights of the tenant."* — Tenant Participant 20
- *"Before Right to Counsel, oh I used to get a lot of anxiety attacks, no one to represent me, I didn't have money for lawyers... And now we know we can go into court confident because we have somebody to represent us."* — Tenant Participant 16
- *"A person is scared, they feel impotent, and don't know how to defend themselves. It used to be that you needed to hire a lawyer and pay tons of money and now thanks to Right to Counsel, what you need now is more information... But yes, there's a big difference between feeling alone before and now that Right to Counsel is a law. Right to Counsel attorneys are now at tenants' disposal."* — Tenant Participant 7

#### **Organizer perspective**

- *"A lot of people who go to housing court don't know until they actually get sent, and when they do get sent, they used to find themselves in a place where they couldn't navigate the system and represent themselves. To now knowing that no matter what, if you get sent down, you're going to get a lawyer. It also gives people a way to fight that harassment as well."* — Organizer Participant 3

## **Finding 4: Right to Counsel creates opportunities for tenants, organizers, and attorneys to build and navigate relationships, in the service of the tenants' rights movement.**

The Right to Counsel offers unique opportunities for work between tenants, organizers, and attorneys.

Tenants and organizers discussed how relationships with attorneys have been negotiated to ensure that tenant power and autonomy remain central. Organizers shared the ways in which attorneys have become allies to the movement, sometimes after doing work to unlearn oppressive ideas about the law and power dynamics.

Organizers also noted the importance of and opportunities for attorney trainings through RTCNYC.

### **Negotiating tenant relationships with attorneys and centering tenant choice and power**

#### **Tenant perspective**

- *“I thought the attorneys would be our saviors, and that is not the case. They make a lot of things possible. But they don’t do those things. They make it possible so that we can do the things. They’re great support, and it gave me a lot of mental peace and comfort knowing that we have a team of attorneys who support us. But we have to do the work. Don’t think the attorneys are the solutions. They make it possible for us to find the solutions.”* — Tenant Participant 13

#### **Organizer perspectives**

- *“I think a lot of us have experienced that if tenants are aware there are attorneys involved, they might lean on that or be grateful that folks can support them in the fight but also sometimes not sure what their power is in organizing. We’ve been able to help folks rethink that the choice is ultimately theirs and what they want to do, we’re here to support.”* — Organizer Participant 1
- *“Sometimes the tenants do get a little too dependent on what the lawyers say. It’s like, ‘Instead of escalating right now, let’s wait to hear what the lawyer says and then make a decision’. It’s like, ‘You don’t need to do that, it’s what you want to do. You don’t need to wait for me, or the lawyer has to say, it’s what you guys want to do.’”* — Organizer Participant 3
- *[Before RTC] “I was working with attorneys...and attorneys [always] take the lead and the tenants only ask [things] like ‘Oh, what do you think is the best decision?’... Because they didn’t know how to work with attorneys. With Right to Counsel I’ve been with people, the people mention the necessities and we fight for those necessities...It gives extra power to the tenants because now they know what they need to ask and what they need.”* — Organizer Participant 5
- *“Attorneys...their role is to support what the tenant wants. Make sure that they know their rights and understand or translate the legal aspect of housing but understanding that organizing is pushing against what is legal or what the law is and pushing to make.”* — Organizer Participant 1

### **Training attorneys in the history and structure of the tenant movement**

#### **Organizer perspective**

- *“The coalition has been really good at looking at all the different parts that are so important to make sure that this fight is assertive and works the ways it’s supposed to. One of the things that was mentioned before is the educational piece for attorneys and this includes the work on the attorney pipeline working group has done and continues to do. Not just going to law school and trying to get law school students excited about becoming a part of the movement, understanding how we won, how they can become part*

*of this historic win but also continue to build that infrastructure for new attorneys to come through. I will also add that there has been education for us too. Trying to understand where attorneys are coming from, what it means to go to law school, how attorneys learn and how they are.” — Organizer Participant 4*

- *“Our work also involved training attorneys in what tenant organizing actually looks like and all of us gain lessons in tenant history and understanding that the priority is tenants but also how we work to change the housing system because it’s not currently working for us. So, it’s not only working with the system but working to fight the system. It’s not necessarily good or bad, it’s something that’s needed in general. But it does highlight the systematic issues like the way that folks learn about housing or the law or law school, all of that. People have to unlearn things. In terms of working with attorneys who may have difficulty in understanding that, yeah, that’s a challenge in itself.” — Organizer Participant 1*

## **Through Right to Counsel, attorneys become allies in the tenant movement**

### **Organizer perspective**

- *“So at least personally, that was so important for me, to see [the attorney] perspective and how many of them try to fight against what they have learned and where they are boxed in, in terms of how it helps the movement: you can definitely see more involvement in our campaign work, in our planning and in our conversations on their part. They have come out to support marches, and rallies, they have spoken up, written op-eds. Their involvement and participation is more visible and active than before. And that’s great because that’s part of what the movement is trying to build. We all need the skills and all the tools available to win.” — Organizer Participant 4*
- *“A lot of lawyers have been allies in the fight in terms of coming out to rallies, writing op-eds, doing all the things she listed and that’s really important. It does also add them into the fold and add them into that sense of the community.” — Organizer Participant 3*

## **Finding 5: Right to Counsel protects undocumented and marginalized people, helping them be engaged in the tenants’ rights movement.**

Participants shared how they view the Right to Counsel as a law for the people, regardless of language, income, employment, or immigration status, and how this helps more people join the tenant movement.

### **Tenant perspectives**

- *“Behind in rent, undocumented, whatever your situation is—once you learn that you have rights and power, you begin to relax those fears that you may have.” — Tenant Participant 23.*
- *“So, with the law being passed for every tenant in the city of New York to have the Right to have Counsel [it] really, really turned up the heat on landlords and it also gave leverage for tenants now to be represented especially the tenants that are in specific zip codes like mine, which was is a highly gentrified or those who are immigrants, who English is not their first language and really don’t understand the process or just people who are foreign to New York, who come to the city and you know get in a situation where their landlord is trying to evict them for whatever reason and they don’t know the process or the resources.” — Tenant Participant 2*
- *“[I]t was empowering to the women in this building, [and] people because of immigration status or they’re behind in their rent or for whatever reasons they just didn’t want to be vocal...I’ve learned from Right to Counsel they take away that fear in the buildings.” — Tenant Participant 1*

- *“If you’ve got rights—it doesn’t matter, undocumented or not, if you lost your job in the pandemic—Right to Counsel is a good thing.”* — Tenant Participant 25
- *“But when you lose gas for 14 months, you gather a voice, and you say enough is enough... So, it just gave people the power and the knowledge and voice to say enough is enough. And that they have a voice and that they can fight back against their landlord, regardless of what their situation, status, or experience or whatever goes on behind closed doors.”* — Tenant Participant 23

### Organizer perspective

- *“There’s this fear of going to court, not knowing... especially organizing in South Bronx area, we organize folks from different backgrounds, different languages and you know, we know that in housing court there is no real language justice, so, folks had this fear of going to court, not knowing what was going on and losing by default, because they had to represent themselves. And now that they have the Right to Counsel, they are more confident knowing that someone will have their back. They don’t have to worry about not understanding, someone will be there to explain, fight for them and keep them going.”* — Organizer Participant 6

## Finding 6: The Right to Counsel NYC Coalition is deliberate about and successful in creating a tenant-led infrastructure and movement-building space.

RTCNYC creates spaces for tenants, organizers, and attorneys to work together to grow the tenant movement in New York City, with tenant leadership remaining central.

### Tenant-led infrastructure

#### Organizer perspectives

- *“For me, it’s the way that the Right to Counsel coalition as a whole operates, the support that they give to the organizers, to the tenants, the way that they make sure tenants are first in the fight and have the most say and that everyone is on the same level, nobody is above another person... And I just feel like having a coalition operate that way is really helpful... because I guess in organizing, we’re supposed to have the people most impacted by the issue lead in the fight... The way that Right to Counsel is structured, the way the coalition is structured, the way we all work together. The organizers to the administrative positions, the people that run the coalitions, to the legal advocates and advisors and attorneys. The tenants, the tenant leaders, the way that everyone functions with each other. Having that infrastructure and community, everything kind of ties into each other. We wouldn’t have the eviction defense network if we didn’t have what we have already with the Right to Counsel. They wouldn’t exist without each other, they go together.”* — Organizer Participant 3

### Movement-building space

- *“Right to Counsel has been a space... for building power. Everything is a teaching experience. Right to Counsel is always looking for opportunities to give folks a history, where we were, how we got here. It’s more than just changing laws. I’ve learned so much as an organizer just being a part of Right to Counsel. I only just became a Right to Counsel organizer this year. I was always excited to be in a Right to Counsel space because it’s always a learning experience. I always walk away with so much more than I came in with. I think it’s just that sense of community knowing it’s a place where you can learn and ask questions and just continue to build up that power.”* — Organizer Participant 6

- *“...The right to be represented in court, the work that the coalition does goes far beyond and is always centered around tenants. And is always centered on what else can the work that we’re doing through using Right to Counsel, through organizing, through getting support from attorneys, though using all of the skills and tools we have at our disposal, how can we move towards that? Towards eviction-free, towards making housing a right? There are always trainings, there are always conversations, always evaluations and planning and many more things that go into getting there.”* — Organizer Participant 4
- *“One big difference is this law was for the people. Working with the people, for the people. It’s the people who work on that and fight and continue growing and that’s the benefit of Right to Counsel.”* — Organizer Participant 5
- *“One of the things that surprised me and I really appreciated about the Right to Counsel coalition—we didn’t stop after we won. We celebrated, we spread the word, but we also knew that the work had just gotten started. And that’s why the coalition is still here and that’s why we continue to win and push for so many things, like funding for organizing, expanding Right to Counsel, getting together with other coalitions to win statewide things...The fact that we’ve built an infrastructure led by tenants that understand that they want to continue to fight because they know that they deserve something better. And then the willingness of the coalition to continue supporting the fight to move forward and achieve 1: that we stop evictions completely and 2: that housing becomes a human right.”* — Organizer Participant 4

## KEY THINGS FOR TENANTS AND ORGANIZERS IN OTHER CITIES TO KEEP IN MIND AS THEY PREPARE TO FIGHT FOR AND WIN RIGHT TO COUNSEL IN THEIR CITIES

We asked all the focus group participants to share what they thought people fighting for the Right to Counsel across the country should keep in mind. We share their reflections here to inform the fights of other organizers.

### Right to Counsel is powerful, and important to fight for nationwide

#### Tenant perspective

- *“They should have it in all 50 states. No one should have to worry about being evicted from their homes. It’s a terrible dagger to be under.”* — Tenant Participant 1
- *“Now that it is a right in NYC, I’m excited about spreading it across the country. Because it should be a right. I believe that safe, affordable housing is a human right.”* — Tenant Participant 25

#### Organizer perspective

- *“I think that this is something that tenants in the whole country, the whole world even, should have as a tool. It’s not something that I think should be negotiable, I think that this is something that tenants are owed across the country. And I’m excited to see what Right to Counsel does in terms of teaming up with other organizations to try to get that passed.”* — Organizer Participant 6

## Working in community with others is crucial in the fight for Right to Counsel

### Tenant perspectives

- *“To start, it has to be a community of people, like we were. We started by passing out flyers, from there we had a leader. Then, it helps to have attorneys who serve this population. Don’t give up. We felt it was useless and hard many times, but all hard things are worth fighting for in the end...During actions, it helped to see all the people coming together. Voices and unity bring strength.”* — Tenant Participant 11
- *“You got the support; you do not have to stand alone. Spread the word.”* — Tenant Participant 22
- *“Solidarity brings strength. We need to be united and fight to win it. You can’t do it alone, it’s in the unity.”* — Tenant Participant 7

### Organizer perspectives

- *“Keep working together. Because the moment that you feel you’re going to lose the fight, it’s at that point when you come together, and you win the fight”* — Organizer Participant 5
- *“The broader the coalition, the broader the support, the better.”* — Organizer Participant 4

## The importance of persevering throughout the fight

### Tenant perspectives

- *“The people that live outside of big cities, I think that like us, they need to keep fighting. Don’t get dismayed. Fight until justice is made.”* — Tenant Participant 9
- *“I would say to them ‘Don’t give up.’ Let them know the struggle is long and there will be times they might fight that they aren’t going to win, that it’s not worth it, but at the end of the tunnel there’s a light. Don’t give up. There will be moments where they don’t want to continue, but they have to.”* — Tenant Participant 12

## Tenant leadership is essential in the fight to win Right to Counsel

### Organizer perspectives

- *“Make sure that the tenants leading the fight are part of the decision-making process.”* — Organizer Participant 4
- *“It’s good to enter any campaign for Right to Counsel with a strong core, a group of tenant leaders, it’s obviously not every group of core leaders, a cohort can stay together through a sustained multi-year campaign, but I know that experience in New York City there have been a crew, I mean were a much bigger city than other cities but I think in New York City there are about 20 to 30 people that have been able to float in and out and the most sustained.”* — Organizer Participant 2
- *“Listen to tenant feedback and their experience.”* — Organizer Participant 5

## Guiding values and principles help center the campaign

### Organizer perspective

- *“Have a very specific set of values and principles that you can always go back to to evaluate your decisions especially when you’re confronted with challenging decisions to make. Have that as the base to back to and make sure that you’re actually following the path that you decided to.”* — Organizer Participant 4

## Internal political education and strategy alignment are important within the coalition

### Organizer perspective

- *“One thing I learned about meeting with elected officials is make sure that you, your tenant leaders, everyone, fully understands the bill and what the benefits are. And also, that you guys have a plan to combat what some of these elected officials are going to say when you have meetings with them to try to get their support.”* — Organizer Participant 4

## Focus on implementation, in addition to the initial win

### Organizer perspective

- *“We’re also fighting for proper implementation. It’s winning but also making sure that what we win is being properly executed to protect tenants. Demanding that from the people who have the resources, which is currently the government and the people who have the money to ensure that systematically we get the support that we need. Proper implementation is key, but the fight continues until we’re all free. So, it’s linear but it’s also multi-faceted.”* — Organizer Participant 1

## CONCLUSION



Tenant leaders from Catholic Migration Services the day NYC City Council voted to pass Intro. 214!

By all conventional metrics, Right to Counsel works. Evictions have plummeted, landlords are suing tenants less and almost all tenants who fight their cases with a Right to Counsel attorney stay in their homes. In New York City, the fight for Right to Counsel was never just about tenants having the right to an attorney—it was and is about changing the balance of power between tenants and landlords, de-normalizing evictions, and creating even more space for tenants to organize powerfully. After we won Right to Counsel in New York City, we launched the first ever Worst Evictors List, held a People’s Tribunal on Evictions, and created an organizing infrastructure to challenge the nature of evictions themselves: stopping almost all evictions in New York City for close to two years and helping launch one of the largest rent strikes in our city’s history.

We embarked on this research project to see if what we say about Right to Counsel building the power of the movement is really true, to be able to evaluate our work and to help guide our future campaigns. These research findings are more powerful than we imagined. Right to Counsel can be so much more than a policy win or a legal strategy—it can change the terrain of the fight for tenant rights, if and when it is rooted in a larger organizing vision and strategy. The reflections from organizers and tenants are instrumental in helping us understand what is possible. Right to Counsel can build power, but we have to create the space to let it.

We never imagined that winning Right to Counsel in New York City would help spark a national movement. We are honored and inspired to be part of it. We hope that as the movement grows and more legislation is won, this research helps support a deeper vision for transformative change. In New York City, we were able to amend the original Right to Counsel law to include a mandate to fund and work with local organizing groups, forcing the city to recognize that Right to Counsel is infinitely more effective and powerful with organizing. While we implement this win in New York City, we are working to expand this model across the state. We hope this can be an inspiration for the national movement as well.

While we continue to fight to build a world where evictions aren’t possible, we are excited to share the impact of Right to Counsel on organizing and on the lives of tenants and organizers. It’s our hope that the research presented here offers a glimpse into the impact of Right to Counsel that is not often highlighted but is so critical.

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**A Report by Right to Counsel NYC Coalition and  
TakeRoot Justice**



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