Overview of Achievements, 2020-2021

CAMBA/CAMBA Legal Services (CLS), in partnership with the Legal Services for the Working Poor Coalition, provided direct legal service assistance to more than 2,500 people this year. Direct legal services include legal representation, brief advice as well as counsel in the areas of consumer law, foreclosure prevention, housing, immigration, and services to crime victims including survivors of domestic violence. CAMBA Legal Services, along with its partners, provided community legal education, information and referral services, and pro se assistance to approximately 4,000 people over the year. Collectively, the dollar benefit and savings to clients combined (including annualized ongoing monthly payments) well exceeded $6 million. If successful, our impact cases could ultimately benefit all New York State consumers, and the Calixto v. Balsamo case would benefit all tenants living in buildings where this law firm is the attorney of record.

Given the global Covid-19 pandemic, CLS also played an important role connecting community members and existing clients to a variety of assistance and services to support them around the many new issues the pandemic presented for them and our community, which was disproportionately affected by the pandemic. The agency played a pivotal role in connecting people early on and throughout to emergency food assistance, reliable high quality health information and services, unemployment benefits, emergency financial assistance, public benefits, information on the eviction moratoria, and updates on the status of the courts and other systems that were largely shut down or slowed down. Although CLS staff went remote in March 2020, the office stayed open with a skeletal staff. People looking for information were directed to a hotline we set up shortly after the shutdown. We also worked with HRA and our partner providers to staff the housing hotline that the City set up shortly after the shutdown. These hotlines allowed us to connect to community members seeking services. We also conducted outreach in our food pantry which operated throughout, providing access to information and critical updates through the early days of the pandemic. The hotline has since been converted to a warmline, and we continue to engage new clients and community members in this way. We continue to staff the City’s housing hotline in rotation with our partners. CLS staff has also organically started returning to the office and we have slowly resumed in person services targeted to those unable to access services in a remote environment.

Population Served: Low Income Populations

Area Served: New York City Metropolitan Area

Total Funding: $8,774,151

Total IOLA Grant: $536,060.22

Staffing - Full Time Equivalents:

- Total Staff: 63.00
- Lawyers: 42.00
- Paralegals: 17.00
- Other: 4.00
Mr. M is a 70 year old Staten Island resident who works part time as he battles cancer. In Winter of 2021, Mr. M noticed that money was being taken from his paycheck. Mr. M did some research and discovered that the money was being taken out due to a judgment entered in 2003 for an alleged breach of a car lease. Mr. M did have a car lease at this time but he believed he made the last payment and turned it in. Unsure of what to do Mr. M went to the Staten Island remote CLARO program who helped referred him to CAMBA. After reviewing the court file, it was determined that Mr. M was being sued for allegedly missing three $600 lease payments. Because of an early termination clause that was extremely punitive this alleged $1,800 in missed payments resulted in a default judgment for $13,500. With New York’s 9% statutory interest rate this amount ballooned to approximately $35,000. Mr. M was terrified. He did not have anywhere close to $35,000 and did not believe he owed any money on the lease. CAMBA represented Mr. M and filed an Order to Show Cause challenging service and the legality of the early termination clause. This request was granted and the judgment was vacated, ending the threat of garnishment.

Ms. F is a low income resident of Flatbush who was sued in late 2020 for a debt allegedly owed on a car. Prior to the lawsuit, the finance company that took assignment of Ms. F’s car was sued by 37 states attorney generals for encouraging car dealers to steer low income consumers into high interest financing and financing contracts that they knew consumers could not afford. Similar to the mortgage crisis, this finance company would then bundle these subprime loans and sell them to investors. New York’s attorney general settled the action and Ms. F is part of the class of consumers that will receive relief. In spite of this Ms. F’s loan was sold to yet another third party who sued Ms. F. Ms. F was at high risk for Covid and did not know what to do when she received notice of the suit. Ms. F reached out to the remote CLARO program, who immediately referred her to CAMBA. CAMBA agreed to represent her, but because of limited technological capabilities it was difficult to get Ms. F’s answer signed and notarized. Ultimately Ms. F answer was completed, however, the law firm representing the debt buyer rejected it for being late. In other words, during the height of Covid, when the court was not accepting default judgment this debt buyer and its law firm were rejecting answers that were even a day late. This practice has been prevalent during the pandemic and presents a real risk to consumers. When CAMBA received the rejection notice, Ms. F’s attorney called the law firm and they agreed to discontinue the case. While Ms. F’s case was addressed there are lots of unrepresented litigants who do not have an attorney who can pressure opposing counsel. Ms. F’s case demonstrates the enormous effect that having an attorney can have. Even though she had meritorious claims, Ms. F would have been unlikely to navigate the court system successfully on her own.
Remote CLARO – In 2018 approximately 100,186 consumer lawsuits were filed in NYC Civil Court against New York City residents. No direct legal representation system could possibly serve all of the consumer cases that are filed in the NYC Civil Court, in given a year. This reality has led to the creation of the Civil Legal Advice Resource Office or CLARO which, in the advent of COVID, has become remote. The remote CLARO program is designed to provide NYC residents, who have been sued in civil court with legal advice regarding their case. CLARO is citywide, administered by Fordham Law School, and staffed by law students and fellows. Through remote CLARO, the Working Poor Coalition provided assistance to approximately 40 clients, and helped to provide another avenue for New York City’s working poor to find legal advice relating to consumer law issues. The Coalition has also been heavily involved in furthering the development of a CLARO Program focused exclusively on dv survivors. This program not only provides legal services, but also works on developing best practices in service delivery to this population. We are currently working on staffing clinics directly in dv shelters again.

CLS has a multipronged outreach campaign with the goal of providing updated information on the complicated ever changing eviction moratoria and rental arrears and other Covid related financial assistance; status of the courts; information to tenants on landlord and tenant’s rights and responsibilities; helping people to understand the Housing Court process, the rent stabilization code and legal rent enforcement; informing residents about community housing services and resources available; and teaching tenants how to get repairs done and otherwise enforce their rights. We work in partnership with other community organizations - Woodhull Hospital, NYCHA housing projects, elected officials, schools and churches to get housing information to the community through public workshops. These presentations include a question and answer period so that participants can have their specific concerns addressed. The presentations allow us to help many more people than we would be able to assist through direct legal representation. This year we reached 250 tenants through this initiative.
Other Legal Related Services Examples

Ms. S was sued in 2020 for a credit card debt. In spite of the pandemic, the creditor suing her pressed forward with its case, moving for summary judgment. Ms. S went to the remote CLARO program who referred her to CAMBA to assist with drafting a response, to the creditor’s motion. CAMBA had a number of remote meetings with Ms. S and helped her draft an affidavit in opposition pointing out the procedural defects in the request for summary judgment. The judge agreed with Ms. S that the Plaintiff’s motion was defective and denied their request for summary judgment. CAMBA has spoken to Ms. S to explain the ruling and discuss next steps.

Ms. R is consumer from the Bronx who was sued on two debts about 7 years ago. At the time, Ms. R was having trouble making ends meet and fell behind. Ms. R was not properly served. Since that time Ms. R has gotten back on her feet but discovered the judgments when she met with a financial counselor. Pro se Ms. R filed Orders to Show Cause to open her cases and was referred to CAMBA. CAMBA spoke to Ms. R about her goals for the litigation and Ms. R expressed that she wanted to pay the debts and put this all behind her as quick as possible. CAMBA gave Ms. R advice about using the Orders to Show Cause and the threat of the cases reopening as leverage in getting the best settlement possible. Ultimately, Ms. R settled each case for about 20 percent of what was claimed, a result that gave her certainty and the ability to put this period of her life behind her.

Mr. L is a working poor New Yorker. When Covid hit Mr. L, who was working freelance, lost his source of income. At the time he was sharing an apartment in Manhattan with 6 other roommates. All 6 of his roommates moved out during Covid, but because he did not have anywhere else to go he had to stay in apartment. In Winter 2021 Mr. L was sued in Supreme Court, not just for his share of the rent, but for the rent of all the roommates as well. Mr. L did not know about the action because he was not properly served. When he discovered the case he went to remote CLARO who referred him to CAMBA. CAMBA is assisting him with reversing the default against him, appearing in the case, and filing an answer. CAMBA also gave him a bankruptcy referral because of this and other debt accrued due to Covid.
Impact Cases

Rosine Weems v. Autovest, LLC –

Autovest, LLC is an entity the buys defaulted car sales contracts and then sues on them. Autovest has a pattern of suing New York consumers on these loans long after the statute of limitations have expired. CAMBA discovered this practice when we were referred the case of Rosine Weems from the remote CLARO program. A quick review of her documents revealed the Ms. Weems was sued over a year and a half after the statute of limitations had expired. A reviewed of recently filed Autovest cases revealed the same fact pattern. CAMBA has represented Ms. Weems and will be using her case and her claims against Autovest to put an end to this practice.

Calixto v. Balsamo Rosenblatt, P.C. et. al.

Ms. Calixto began withholding rent when her son was injured due to a broken staircase she repeatedly complained about. In total, Ms. Calixto withheld about $7,000 in rent. In response to this Ms. Calixto's landlord sued her for $30,000. Upon getting the notice of the lawsuit, Ms. Calixto paid her back rent. In spite of this, and, in spite of Ms. Calixto not owing any money, the landlord pressed on, making Ms. Calixto come to numerous court appearances until she retained counsel who successfully moved for the case to be dismissed. CAMBA investigated Ms. Calixto's landlord who has done this in every non payment case he has filed over the past 4 years. CAMBA filed a lawsuit in Federal Court against the landlord and the law firm. The claims against the landlord and some of the claims against the law firm were dismissed for jurisdictional reasons, and CAMBA has filed a new suit in State Court. In the meantime, the Attorney General has begun an investigation against the law firm for systematically misrepresenting the amount owed by tenants and the law firm has sued the landlord for deceiving them about how much money is owed.

Mid-Hudson Valley Federal Credit Union v. Carmen Quijije -

Carmen Quijije, is a teacher’s assistant who was severely injured in an accident. While she was recovering she was hit with a lawsuit for a car she thought she co-signed for. In addition to extensive fraud at the dealership, the finance company violated the Uniform Commercial Code, sending Ms. Quijije a defective repossession notice. Ms. Quijije moved for summary judgment on the defective notice. The lower court denied this motion without addressing Ms. Quijije’s Uniform Commercial Code claims. The case is now on appeal to the Appellate Term to determine whether the Uniform Commercial Code was violated and assess the proper damages.
In fall of 2017, TakeRoot Justice (then the Urban Justice Center) and CAMBA Legal Services along with other New York City consumer law providers launched a pilot consumer law portal project. The pilot allows New Yorkers with consumer issues to briefly describe themselves and their problem and then be routed to an appropriate consumer provider. The consumer interaction with the portal serves as the first step in the intake and records most of the preliminary information concerning the client. The portal projects goal is to expand the way clients can find providers and save provider resources by cutting down part of the intake process and culling cases that are not appropriate. This year the portal members focused on troubleshooting the portal to ensure that all providers were getting proper referrals. Since these improvements CLS has received a significant number or referrals, mostly in the student loan context. Each of these referrals became a CAMBA Legal Services client and CLS was able to offer assistance in helping borrowers out of default and into affordable repayment strategies. Without the portal it is unlikely that these borrowers would have found services. The Covid-19 crisis has made the portal vital, as traditional access points for consumer legal services have been shut down. At the advent of the crisis the portal providers convened to make sure the portal was as widely known as possible and to do everything they could to help consumer access it.

Professional development is vital for both new and experienced attorneys. In CAMBA Legal Service’s consumer unit, training is centered on its supervisory model. Because consumer law is a smaller practice area city wide, there are few relevant trainings. On a subject like auto leases, for instance, the training may only happen once every two years. While these trainings are useful, the long delay makes them of limited utility to an attorney representing a client with a breach of auto lease issue right now. For this reason, CLS’s Consumer Unit employs 2 supervising attorneys to 3 staff attorneys and a paralegal. This allows for supervisors to interact with staff on a constant basis and, to deeply review legal writing, to attend court dates, and to devote lots of time to discussing case strategy and relevant legal doctrine. This is enhanced by the experience of the supervisory staff which has a combined 18 years of experience handling consumer law cases in New York.

CAMBA Legal Services also has robust co-counseling relationship and will seek out co-counsel when dealing with new or complex issue. This allows attorneys to lessen workloads and get experience from providers who are outside the legal services realm. Outside training is also emphasized. Leap, a collection of non-profit legal services providers which all coalition members are part of, organizes monthly trainings on a variety of topics, leveraging the expertise of a wide variety of providers. In addition there are regular consumer law trainings organized through CLARO. Finally, and most importantly, CAMBA sends it attorneys to the two national consumer law conferences organized by the National Consumer Law Center. These cutting edge conferences have trainings on virtually every aspect of consumer law, with discussion of new trends, policies, and strategy with providers from all over the country.
**Significant Collaborations**

In addition to the coalition itself, which is a collaboration between community based organizations, the New York City consumer law community as a whole is also very collaborative, with bi monthly consumer advocates meetings where cases, trends, and legislation are discussed. Even with the advent of Covid, the community has still met remotely as scheduled. Through these meetings collation members have developed strong relationships with other New York City consumer law providers that have resulted in referrals, joint legislative advocacy, and numerous co-counseled cases. Most recently, CAMBA Legal Services and Fordham University Law School’s Consumer Law Clinic collaborated on an appeal to the Appellate Term of the First Department, addressing the appropriate damages under the Uniform Commercial Code for failing to send the proper repossession notices. As discussed in the training section, Leap a coalition of legal services non-profits that all coalition members are a part of organizes regular trainings on a variety of topics, sharing knowledge and expertise with each other. This has been particularly useful given the programmatic growth in the housing unit with the implementation of Right to Counsel.
Pro Bono Volunteer Involvement

CAMBA Legal Services, TakeRoot Justice, and NMIC have developed strong relationships with numerous private pro bono attorneys. Coalition members work with pro bono counsel on a wide variety of cases. Chiefly, coalition members collaborated with pro bono counsel on impact litigation. Impact litigation is often extraordinarily labor intensive. It would not be possible for coalition members to undertake these cases, and at the same time satisfy the coalition’s primary goal of providing direct individual representation to consumers. For this reason, co-counseling cases with private attorneys is vital. This year coalition members co-counseled numerous cases with private counsel, including a number of complex federal cases. Coalition members also work with private pro bono counsel on individual actions in areas of the law with which they are less familiar. This allows coalition members to gain experience in these areas and build capacity. These joint efforts include working with pro bono counsel on federal Fair Debt Collection Practices Act cases that resulted in significant financial recovery for our clients.

This year CAMBA hosted a pro bono scholar. This program, created by the Chief Judge Lippman, allows a law student to devote their final semester to full time pro bono work. CAMBA and the legal clinic and Fordham Law School worked together to supervise the scholar, who managed a caseload of approximately 4 full and 3 brief cases. Coalition members also receive assistance from law student interns. These interns assist with legal research and writing as well as partnering with coalition members on larger projects. The Housing Unit hosts two law student interns each summer. Students spend time working with staff attorneys doing research and writing, conducting client interviews and attending court appearances. We also have a retired attorney who volunteers weekly to process SCRIE/DRIE applications.

Pro Bono Statistics

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Sources Of Funding

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