Overview of Achievements, 2018-2019

Brooklyn A provides high-quality legal assistance to low-to-moderate income individuals, families, tenant associations, taxpayers, community groups, and small businesses in Brooklyn and throughout New York City. Our work addresses the myriad of systemic problems facing our communities by providing a unique combination of full legal representation, brief advice/services, advocacy, and community education to vulnerable populations—including the low-income working poor, unemployed or underemployed, disabled, seniors, families in crisis, community-based organizations (CBOs), and small businesses owned by women, immigrants, and people of color. Brooklyn A provides services through our three core program areas: the Consumer & Economic Advocacy (CEA) Program, the Community & Economic Development (CED) Program, and the Preserving Affordable Housing (PAH) Program. The efficacy of our work has also been enhanced through close collaboration with other CBOs throughout our 50-year history.

Throughout the past year, Brooklyn A’s PAH Program’s Group Representation Unit has continued to advance its affirmative model of litigation and organizing, ensuring that we reach as many individuals as possible in the communities we serve. Our team consists of 24 lawyers, advocates, intake specialists, and tenant organizers. While our team is similar in size to last year, our work continues to expand as our presence in our core neighborhoods increases. During the reporting period, we partnered with 15 community-based organizations and advocacy partners, actively represented 110 tenant associations, and served over 800 families, totaling nearly 1500 individuals, in rent stabilized housing across North and East Brooklyn. When representing clients, we use every possible tool at our disposal to affirm their rights and keep them in their homes—from organizing a building and bringing neighbors together to face their individual and collective struggles as a team, as well as bringing buildings with the same ownership together, to bringing housing cases in local, state and federal courts, and bringing discrimination complaints to appropriate city agencies whenever necessary.

Population Served: Low Income Populations

Area Served: Kings County

Total Funding: $8,496,225

Total IOLA Grant: $52,500

Staffing - Full Time Equivalents:

- Total Staff: 65.00
- Lawyers: 40.00
- Paralegals: 16.00
- Other: 9.00
A client had a mortgage with an ex-boyfriend. The ex-boyfriend refused to sign the loan modification documents that we were able to obtain by advocating on behalf of the homeowner in bankruptcy court. The ex-boyfriend did not want to cooperate and was not married to the homeowner, so the judge was at a loss as to what can be done because she could not compel him to sign documents. We suggested that the ex-boyfriend signing the documents were a formality because the only income used was the homeowners. Judge Lord then ordered the bank to accept the loan modification and countersign because if it derived this modification using only the homeowner’s income then why does it need to have the ex-boyfriend’s signature. She indicated that she would need the president of the bank to fly in at the next hearing to explain this to her. At the next hearing the bank fully executed the loan modification without the ex-boyfriend. Judge Lord indicated later that she would not have considered this without our advocacy on behalf of the homeowner.

Brooklyn A’s PAH Program’s Group Representation model focuses on bringing affirmative litigation focused on tenant harassment, housing discrimination, and the enforcement of fair housing laws. When defending tenants’ rights, we utilize an array of methods, such as community organizing, affirmative civil rights litigation, and eviction defense. Collaboration with city, state, and federal officials to enforce housing laws and develop legislative solutions is also an integral part of our strategy. With that said, we have represented a five-family tenant association in Greenpoint since the summer of 2017. Since then, Brooklyn A has represented the tenant association in various court proceedings, the main one being a holdover proceeding attempting to terminate our client’s leases and force them out of their homes. Brooklyn A’s defense was to have the court recognize the building as a rent-stabilized premises. The main argument was that since the building was built before 1974 and at some point, contained six or more housing accommodations and additionally, that the owner of the property never properly registered the premises with the relevant government agency, the Department of Housing Preservation and Development. With the help of our clients, Brooklyn A was able to prove that even though the building is currently being leased with five residential units, at multiple times since the building was constructed it was leased as a six-unit dwelling. By successfully proving that the first floor of the building was occupied with more than one unit, at certain points in its history, Brooklyn A was able to show to the court that the building was and should be eligible to be registered as a rent-stabilized building and the landlord had no basis to evict our clients from their homes.
## Overview

Brooklyn A’s CEA Program helps not only helps consumers resolve their issues when legal action has already taken place, but also when legal action is merely looming on the horizon. For example, there are homeowners who suffer temporary hardships and, if they seek help immediately, their issues can be resolved prior to any Court proceeding taking place. In one such case, a client of Brooklyn A temporarily fell behind on her mortgage payments because of a non-paying tenant. After being in default for a few months, the client sought assistance from Brooklyn A and we helped them secure a loan modification application.

Our CED Program regularly refers matters requiring special expertise to pro bono counsel at private law firms. In the reporting period, we worked with 4 pro bono law firms on 7 matters:

- Debevoise & Plimpton LLP – labor dispute matter & employee handbook update matter
- Skadden, Arps, Slate, Meagher & Flom LLP – intellectual property advice matter
- Cleary Gottlieb Steen & Hamilton LLP – employee handbook update matter/termination policy
- Milbank, Tweed, Hadley & McCloy LLP – IRS nonprofit tax matter; labor department penalties matter; employee tax matter

We also continue to host an externship program with Simpson Thacher & Bartlett LLP in which corporate associates from the firm are rotated into for 4-month cycles to work full time within the Brooklyn A CED Program.

As mentioned above, our PAH Program’s model of group representation requires extensive outreach and research of new client cases and which situations might warrant representation or advocacy. In the past year, we have conducted and participated in 14 fair housing rights workshops, 110 know-your-rights workshops, and 33 educational and community presentations. These presentations allow us to expand our client base, inform our communities of the services we provide.
**Other Legal Related Services: Examples**

**CEA Program:** In another case, Brooklyn A attorneys met a homeowner at one of our program’s regular pro se clinics. The homeowner had inherited a house with no mortgage, but soon learned that unpaid property taxes had accumulated and that the City of New York put a lien on the property and sold it. The homeowner was approached by a private organization about a potential loan to repay the tax debt. The homeowner did not understand the terms of the contract but was afraid of losing her home.

However, when the homeowner asked for a second opinion, attorneys at Brooklyn A discovered the predatory nature of the agreement. She was being offered $150,000 loan at 11% rate that had to be repaid in 6 months. The homeowner was on limited income and could not possibly afford such a contract. Attorneys at Brooklyn A counseled the homeowner on the predatory nature of the loan and ultimately prevented them from going into foreclosure, which likely have occurred had the contract been signed.

**PAH Program:** The program recently teamed up with frequent collaborator and local community-based organization, Churches United for Fair Housing (CUFFH), to enact municipal legislation in support of Housing and Urban Development’s Affirmatively Furthering Fair Housing rule and the Fair Housing Act. CUFFH is a grassroots organization, based in North Brooklyn, whose network of churches and congregants engage in advocacy around the issues of fair housing and racial equity. The legislative campaign is in its early stages and aims to ultimately work with City Councilmembers in pushing to enact legislation.

**Training**

Brooklyn A knows the importance of professional development. During the reporting period, we utilized trainings offered through probono.net and the Practicing Law Institute (PLI). In addition, we provided 12 trainings to our staff. The trainings covered topics relevant to paralegal skills; discovery and advanced discovery skills; legal updates on amendments to the Housing Maintenance Code, including changes to the definition of harassment and new pilot programs; a poverty simulation training aimed at promoting a deeper understanding of poverty and some of the issues our clients confront daily. New attorneys also received a set of trainings on the use of our case management system, eviction defense, corporate law (relating to our representation of housing co-operatives and non-profit organizations), and matters relating to land use law.
This past year we created an updated section on our website to introduce the new and expanded services provided under our Small Business Support Project’s Commercial Lease Assistance (CLA) Program. We also extensively use social media to announce events and outreach for CLA Program.

### Significant Collaborations

During the reporting period, Brooklyn A’s CED Program, together with the Urban Justice Center, continued to serve as counsel to the Coalition for Community Advancement: Progress for East New York/Cypress Hills, a coalition of community and civic organizations, small businesses, houses of worship and local citizens working together to advocate for affordable housing, new and good jobs, and a voice in the future of the East New York/Cypress Hills neighborhood. The coalition has been engaged in intensive policy work and community engagement around the City’s recent rezoning of the East New York neighborhood and has frequently met with and provided input to many City agencies and elected officials engaged in the matter.

Brooklyn A is also a member of LEAP, a membership organization comprised of direct civil legal services providers serving the low-income communities of New York City. The LEAP member organizations work collaboratively to increase the availability of quality civil legal services for low-income New Yorkers. LEAP supports diversity and innovation in organizational models, delivery systems and methodology and specifically recognizes the need to maintain community-based service delivery. In 2018, LEAP continued its robust training series for its members’ staff attorneys. It also hosted a trial skills training for the member organizations’ staff attorneys – several of these trainings were taught by Brooklyn A staff.

Additionally, Brooklyn A is a member of the steering committee for United for Small Business NYC (USBNYC), a coalition whose mission includes small business preservation and protection against displacement and commercial tenant harassment through local organizing, education, and advocacy. Through its work with USBNYC, Brooklyn A has co-led a training on Local Law 77 (the Commercial Tenant Harassment Law). In 2018, Brooklyn A assisted with drafting several new small business bills, including concerning commercial vacancy, expanding the commercial tenant harassment law, expanding the right to counsel to protect commercial tenants, and expanding the certificate of no harassment program to include commercial tenants.

### Technology and Other Innovations

This past year we created an updated section on our website to introduce the new and expanded services provided under our Small Business Support Project’s Commercial Lease Assistance (CLA) Program. We also extensively use social media to announce events and outreach for CLA Program.
Impact Cases

Impact Case #1 – PAH Program
Since 2018, Brooklyn A has represented Brooklyn Residents Against Segregated Housing (BRASH). The BRASH coalition was formed to challenge a private mega development planned for the Broadway Triangle site, and which aims to build over 1,000 units—which would significantly increase the surrounding population—but does not conduct an analysis on how local communities of color would be affected. In an initial challenge to the development, Brooklyn A brought a fair housing lawsuit in New York State Supreme Court demanding that the City of New York require that any rezoning, public or private, must study the potential impacts on segregation or displacement on the local community prior to approval. After placing a temporary restraining order on the site for several months, the lawsuit was dismissed in July 2018 by Judge Arthur Engoron, who stated that the City of New York was not obligated to carry out a racial impact study in a rezoning. In order to secure the rights of residents across NYC whose neighborhoods are at risk of complete overhaul at the hands of the City’s rezoning process, BRASH and Brooklyn A are appealing that petition in the Appellate Term. Along with court actions, we are also focused on raising public awareness of this important issue. In March 2019, BRASH held a rally that highlighted the repeated failures of New York City leadership to comprehensively study the demographic and racial effects of neighborhood and site specific re-zonings throughout the five boroughs.

Impact Case #2 – PAH Program
Last year, Brooklyn A reported on our work helping to move forward the Bushwick Community Plan (BCP). The BCP is a community led effort by Bushwick residents, community organizations, local politicians, and city agencies that aims to have a collective input in the future development of their community. The plan aims to protect the character of Bushwick and its many residents (which total over 130,000), by seeking that any rezoning does not uncharacteristically up-zone residences or whole streets, which would allow for new waves of gentrification. The rationale behind down-zoning (or, disallowing uncharacteristically tall buildings) is to ensure that new developments are similar in scale to the neighborhood’s surrounding buildings. The plan does, however, allow for high-density developments but only near high-traffic corridors. In addition, to curb a potentially large wave of gentrification, the plan calls for developments on any city owned land to be 100% affordable and prioritize resources for current tenants and past displaced residents of the neighborhood. As counsel to, and a core member of, the BCP throughout this long process—Brooklyn A’s role is to make sure that any plan put forth has a strong framework and also helps with devise strategies on negotiating with the City. This will help to ensure that the Department of City Planning will adopt, if not the entire plan, then at least a major portion of it. Brooklyn A and the BCP are drawing on the lessons learned from the 2005 Williamsburg waterfront rezoning and are working tirelessly to ensure that any rezoning of Bushwick is by the community and for the community.
Pro Bono Volunteer Involvement

Our CEA Program does not regularly utilize pro bono volunteers from law firms due to the potential for conflict of interest with our adversaries who are normally financial institutions. However, this past year we utilized several resources in the pro bono arena. First, we have on occasion been approached by law graduates seeking to fulfill their pro bono requirements. These individuals are typically placed in data entry for individual Chapter 7 and Chapter 13 bankruptcy matters. In the summer, we have law school student interns that in addition to data entry in our Chapter 7 and Chapter 13 cases have been utilized for researching foreclosure issues and motion drafting. This past summer our interns worked on a complicated foreclosure case in its motion stages. The interns drafted the opposition to the plaintiff’s motion and were successful in defending our client where we received a positive decision. We also have law students assist with the units cases year-round.

Brooklyn A’s PAH Program’s Group Representation Unit continues to collaborate with pro bono counsel Patterson Belknap Webb & Tyler LLP in representing a tenant association from South Williamsburg in their federal fair housing action in an effort to show the years long discriminatory actions by our clients’ landlord. In addition, one of our newest collaborations was a legal clinic program with students from CUNY Law School. As part of the program, Brooklyn A hosted a small group of interns for a semester long externship, who worked directly with our attorneys on some of our core work in North Brooklyn. The students participated in all aspects of our work including in a court setting as well as meeting with our clients at tenant association meeting, seeing how our interaction with clients is formed and is at the core of our work in representing them. In addition to having the CUNY Law School students come and work with Brooklyn A, the director of the Group Unit, Gregory Louis, taught classes at the Law School focusing on the Group Unit’s unique model of community organizing and affirmative litigation.

Pro Bono Statistics

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Sources Of Funding

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