



GREATER BOSTON LEGAL SERVICES

... and justice for all

Fall 2016



Victorious tenants and their attorneys in Boston Bankruptcy Court, where they waived their \$3.5M in claims to create 59 permanently affordable homes.

Photo by Helen "Homefries" Matthews, City Life/Vida Urbana

Major Win for Low-Income Tenants and Affordable Housing in Boston

Tenants represented by Greater Boston Legal Services, housing justice organization City Life/Vida Urbana, and *pro bono* law firms Goulston & Storrs, Jones Day, and Pillsbury Winthrop Shaw Pittman, have achieved a precedent-setting win. After a months' long legal campaign, in October 2016, they not only saved fifty-nine families from displacement, but also established their homes as fifty-nine new permanently affordable housing units in the City of Boston.

In a concerted effort that included Boston's Department of Neighborhood Development, the Community Economic Development Assistance Corporation, and the Boston Public Health Commission (BPHC), the team was successful in securing a Federal bankruptcy judge ruling that allowed Codman Square Neighborhood Development Corporation, a non-profit developer of affordable housing, to purchase the

properties from its previous owner, the notorious landlord Uwa Lawrence. The tenants' waiver of their claims against the bankruptcy estate – estimated at \$3.5 million – conditioned upon the preservation of their homes as permanently affordable, made the purchase possible.

The majority of the tenants living in these homes, located at 91-101 Waldeck St., Dorchester, and 25-35 Orlando St., Mattapan, are Section 8 voucher holders and people of color. Many have disabilities, are elderly, or are veterans. They would not qualify for state emergency shelter and would likely have become homeless as a result of their landlord's bankruptcy. They took a unified stand against becoming displaced and for their homes being preserved as affordable housing.

"This victory is first and foremost a powerful

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When no one else can help, GBLS provides free assistance on civil (noncriminal) legal matters to poor people living in Greater Boston who need help obtaining food, income, shelter, and safety.

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Meet Jade Brown, Consumer Rights Unit Attorney Fellow



Attorney Fellow Jade Brown represents clients primarily in debt collection and fraud cases.

Photo by Linda Lank

I graduated from Boston University School of Law in May of 2016. As a student in the BU Civil Litigation Clinic, hosted in part at GBLS, I had the opportunity to work on a variety of *pro bono* cases and learn more about GBLS' work. Because of my background doing foreclosure review work prior to law school, I became interested in the work of the Consumer Rights Unit and interned there, learning more about the legal challenges facing low-income homeowners.

Now as a Cahill Gordon & Reindel LLP Fellow, one of BU Law's Public Service Fellowships, I represent clients primarily in debt collection and fraud cases. I also do community outreach related to challenging unfair debt collection practices, disputing creditor

report errors, and filing for bankruptcy. Since starting my fellowship in September, I and Equal Justice Works Fellow Matt Brooks have organized a volunteer Attorney for the Day program representing consumers who appear in small claims court for a debt collection case. In many cases we have achieved favorable outcomes for consumers including getting cases dismissed where there is mistaken identity or identity fraud, lack of proof of existence or ownership of the debt, and where the consumer receives government benefits that are exempted from collection.

"Tom K." was sued by a debt collector in small claims court for an \$800 credit card balance from a Fingerhut credit card. Tom had never owned a Fingerhut card nor purchased anything from that company. His debt had since been sold to a third-party debt buyer. When Tom showed up in court, our Attorney for the Day program was there to help him. I appeared with Tom before the clerk, and asked Tom questions that allowed him to tell his side of the story. I spoke on the legal reasons why Tom should win the case, including the fact that the debt buyer did not have sufficient documents to prove that Tom was the one who opened the Fingerhut

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Meet Brittany Kerr, CORI & Re-entry Project Attorney Fellow



Attorney Fellow Brittany Kerr assists clients to seal their criminal records, giving them greater access to housing, employment, and other opportunities.

Photo by Linda Lank

I am a 2016 graduate of Boston University School of Law. As a Cahill Gordon & Reindel LLP Fellow, one of BU Law's Public Service Fellowships, I work with the CORI & Re-entry Project ("CORI Project") at GBLS. The CORI Project assists clients in sealing their criminal records so that they can have greater access to housing, employment, and other opportunities. We represent clients at criminal record sealing hearings and also help clients seal their records administratively. We engage in community lawyering and run CORI intake clinics in communities of color, such as Dorchester and Roxbury. The CORI Project also engages in systemic law reform efforts and legislative advocacy with community groups. I anticipate lobbying and

conducting research related to criminal justice reform on behalf of the Jobs NOT Jails Coalition and the MBA Criminal Justice Council. I hope this work will further assist our clients in obtaining jobs and housing.

One of my most memorable moments with the CORI Project thus far was representing a client in a criminal record sealing hearing. This client had previously struggled with drug addiction and was ready to get back on her feet. However, her criminal record made it difficult for her to obtain employment and housing. I was able to explain to the judge the disadvantages that she faced because of her criminal record and the judge ultimately ruled in her favor. The client was so grateful and I was honored to have assisted her in getting a new start. Up until this hearing, I had prepared various court documents and administrative forms to help clients. However, this hearing showed me the positive, real life implications of our work.

I am excited to continue my work with the CORI Project and help change lives. In the past few decades, mass incarceration has devastated many communities. The CORI Project provides a beacon of hope to those who have been affected by mass incarceration, allowing them to overcome their past and begin a new life.

New Project Preserves Housing Vouchers for Vulnerable Tenants, Prevents Homelessness

When threatened with eviction, housing voucher holders are confronted both with the loss of their apartment and termination of the subsidy that enables them to find alternate affordable housing. Once tenants lose a voucher, they are blacklisted from public or subsidized housing and most shelters, almost ensuring chronic homelessness. For people with disabilities, the crisis of sudden homelessness is compounded by the disruption of their access to healthcare and separation from their families and support networks. GBLS' Subsidy Loss Prevention Project (SLPP) was created to preserve clients' housing subsidies and prevent homelessness.

SLPP is run by Equal Justice Works Fellow Attorney Deena Zakim. Attorney Zakim's law school clinical experience included placements at GBLS, the Suffolk Law School Housing Clinic, and the Harvard Legal Aid Bureau, preparing her to hit the ground running with SLPP. GBLS attorneys Mac McCreight and Alex Mitchell-Munevar also provide key guidance to the SLPP program based on their decades-long experiences in housing.

Since the project started in September 2015, it has preserved the subsidies of over 34 families or individuals with disabilities so they could either remain in their current housing or relocate to

a new, more suitable home. Families who were already homeless when they turned to SLPP, got their subsidies reinstated and got access to emergency shelter for the remainder of their housing search. SLPP also trains other advocates to assist in these cases and advocates for policy reform. This advocacy led to changing a local housing authority's harmful practice of automatically terminating subsidies if a tenant has been evicted for non-payment of rent—a misinterpretation of the regulations—resulting in fewer low-income Boston residents becoming homeless.

Many SLPP clients suffer from mental illness and as a result, their cases involve not only difficult legal issues, but also heartbreaking emotional struggles. "Carla," whose health conditions include anxiety, depression, Post-Traumatic Stress Disorder, a history of addiction, and diabetes, was very

uncomfortable living in a home shared with men and was scared to leave her room. Her health was deteriorating and she was afraid to stay there, but when threatened with eviction, she also became afraid of becoming homeless. Attorney Zakim stopped the eviction and got Carla access to a mobile Section 8 to find her a safe home, more suitable for her physical and mental health. Describing their work together Carla says, "I felt that I had someone on my side who believed me, believed what I was going through. Now I feel excited. I will have my own place...I am thankful for Deena Zakim. She does her job and also cares about her clients."

Attorney Zakim says, "Housing instability can cause debilitating stress, anxiety, and depression. Advocating with and for families and individuals as they fight for their rights to housing and winning those fights is indescribable."



Attorney Fellow Deena Zakim (left) stopped "Carla's" eviction and got her access to a mobile Section 8 to find her a safe and more suitable home. Photo by client's family member

Meet Attorney Fellow Jade Brown

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credit card, or that it had bought the alleged debt from Fingerhut. The clerk held back a chuckle as Tom exclaimed "No, I didn't order any zebra print chairs! What would I be doing with zebra print chairs?" According to the credit card statements the debt buyer produced, someone had ordered

a new zebra print chair several months in a row. We won the case!

Oftentimes, we find that consumers don't recognize the debt buyer entity that is suing them, and don't know their rights in these type of cases. Therefore, having an attorney really helps to change the dynamics of the situation.



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197 Friend Street
Boston, MA 02114
617.371.1234
www.gbls.org



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Major Affordable Housing Win in Boston

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demonstration that often, the most creative and effective solution to critical problems faced by poor people come from the very people whose lives are impacted,” said Jacquelynne Bowman, Executive Director of GBLS which led the representation of the low-income tenants with Pillsbury, Jones Day, and BPHC.

GBLS attorney Lauren Song, who coordinated the *pro bono* representation of the

tenants remarked, “This precedent-setting win was borne out of a deep commitment by our *pro bono* community to use its legal expertise to protect the rights of the City’s most vulnerable people. And here, the *pro bono* coalition is proud to credit the tenants, organized by City Life/Vida Urbana, who successfully pursued a court strategy that achieved so much more than preserve their own housing.”

The coalition’s GBLS team members were attorneys Hed Ehrlich, Mac Mc-

Creight, Joey Michalakes, Matt Nickell, Bob Sable, Lauren Song, and Deena Zakim. One of the grateful tenants wrote to Jacquelynne Bowman, thanking GBLS and specifically commending attorneys Song, Ehrlich, and Michalakes: “I am so overwhelmed by the support and work your organization has given to the tenants of Waldeck St. of which I am one...I thank you and everyone at Greater Boston Legal Services for lifting dark clouds and bringing peace and solace to myself and all the tenants at Waldeck St.”

**Ensure fairness for all in the justice system.
Please go to www.gbls.org and donate today!**