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Housing Rights Clinic's First Semester: Protecting Tenants in Multiple Ways

Under the auspices of Mobilization for Justice, the Housing Rights Clinic, taught by Justin LaFort and Leah Goodridge, clinic students handled a wide range of cases.

- Joe Thomas, Sean Behrec, and Payton Fisher represented Mr. P. who lives in East New York. After making complaints about repairs Mr. P's landlord tried to evict him and his family. Their research showed that the apartment should have been rent stabilized due to the landlord creating illegal apartments. They subsequently moved for summary judgment to have the entire building declared rent stabilized. After reading their motion, the landlord fired her attorney and dropped the case which ended the threat of eviction for Mr. P and his family.
- Our students have been involved with federal litigation against HUD and the New York City Department of Housing Preservation and Development in an effort to reform a policy that locks tenants into paying unaffordable rents or risk losing their Section 8 vouchers.
- Ryan Miller assisted in drafting an amicus in support of the Mayor's Office of Special Enforcement efforts to prevent an Upper West Side landlord from transforming affordable single room occupancy housing into illegal short term rentals.
- Sara Amri co-counseled on an amicus brief arguing for broadening the standard for reasonable accommodation at the New York Court of Appeals in support of the New York City Commission on Human Rights.
- Ryan Miller and Perry Kong stepped up and helped victims of Hurricane Maria at Emergency Disaster Relief Clinics in East Harlem with the logistical and legal issues affecting them.

Payton Fisher (second from left) assisted a clinic client to testify about succession rights and reasonable accommodation for residents at a New York City Council held an oversight hearing on seniors in NYCHA. Clinic students also have conducted research on behalf of this client whose case will be going up to the New York Court of Appeals, which will decide on the reasonable accommodation rights of public housing tenants with disabilities who received care from their family and the succession rights of those family members to remain in the apartment after sacrificing their own housing.



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BLIP Leads the Way-Again

BLIP has taken special pride this past semester in working with particularly young entrepreneurs. BLIP helped Bronx high



school students, Shakeena Julio and Alliebery Pitter, obtain a utility patent for a scooter-mounted apparatus that generates electricity to charge a mobile device while riding a scooter. (Left: Shakeena with the patent.)

On its home turf, BLIP has been providing corporate, IP, and contract support for a Brooklyn high school student, Akhilesh Khakhar (left), who has built PrepUp, an app that gamifies test prep for the SAT and the ACT college entrance exams. (Right: Akhilesh with some of the BLIP students.)



LGBT Advocacy – Busy as Ever

John Reilly '19 and Katherine Zarchikoff '19 represented a lesbian client seeking to protect her parental rights to her daughter through second-parent adoption. The client and her spouse conceived their child using a known sperm donor who is also a close friend of their family. Initially, the Family Court had some reservations about granting the adoption because the donor would remain a close family friend but would no longer have parental rights. After John and Katherine presented evidence of the sperm donor's consent and support for the adoption, however, the adoption petition was granted. Our client and her wife are now both legally recognized parents of their child.



Right to left: John Reilly, Katherine Zarchikoff, client Heather S. and her wife Megan H. and their daughter, and Prof. Susan Hazeldean.



Mario Fitzgerald at SDNY for arguments on October 5, 2017.

Mario Fitzgerald '19 and Bailee Brown '19 represented a transgender client assaulted by a corrections officer at a Rikers Island correctional facility who struck her repeatedly in the face while calling her a "faggot." Mario Fitzgerald appeared in the Southern District of New York before Judge Vernon Broderick for a pre-motion conference and argued on the client's behalf. Mario and Bailee began the discovery process, propounding requests for production and interrogatories on behalf of the client. They are now writing a brief in response to Defendants' motion to dismiss the client's case.

Alec Nelson '19 and Deborah Soh '19 represented a transgender woman who was brutally raped by another inmate while incarcerated in a maximum-security men's prison in New York State. A student team from the Civil Rights Clinic at Cardozo Law School are co-counsel on the case. Deborah and Alec fielded discovery requests from Defendants in the action, writing responses to interrogatories and requests for production on behalf of the client while also

preparing to review discovery produced by defendants. They also undertook settlement negotiations in the case, taking every opportunity to reach a resolution for the client.

John Reilly and Katherine Zarchikoff also represented a gay man from Nigeria who fled that country after being brutally beaten, repeatedly arrested, and threatened with death on account of his sexual orientation. The client will be in extreme danger if he is forced to return to Nigeria because he worked for a Non-Governmental Organization fighting for LGBT rights in the country (which is itself illegal under the country's draconian anti-gay laws) and he was featured in a PBS documentary about the mistreatment of Nigerian gay people. John and Katherine gathered extensive evidence to support the client's claim, including an affidavit from the Emmy-award-winning journalist who produced the PBS documentary. They also wrote a compelling brief in support of the client's application and prepared him extensively for his asylum interview. The client won his asylum case on December 5, 2017 and can now live safely in the United States.

Corporate and Real Estate Clinic Assists Financially Distressed Low-Income Cooperatives

A busy semester for the eight Corporate and Real Estate students culminated with a December 6 closing that almost didn't happen. The student team, Peter Karuppiah ('18) and Maybelline Guido ('19), realized several weeks ago while reviewing the budget and estimated title bill that there wouldn't be enough money in the loan to cover the real estate taxes and water and sewer tax arrears as well as closing costs. They negotiated to reduce a \$571,750 Worker's Compensation Board judgment to a \$18,000 payment plan, but the client still had very little money available to add to the lender funds. When the lender offered an additional \$90,000 on December 5, the students quickly reviewed the new loan documents, prepared additional resolutions and conducted the closing.

The Bronx was also a destination for Blaise Gibson ('19) and Leo Suh ('18). They met with co-op shareholders to approve a regulatory agreement required for a tax exemption. For another building, they negotiated a contract of sale to facilitate the sale of a unit. Finally, for a third client, they did preparatory work for a loan closing, particularly in regard to the satisfaction of an existing mortgage.

Stephanie McPeake ('19) and George Peters ('18) conducted a loan closing in October for a low-income cooperative after carefully reviewing and negotiating the mortgage. In addition, they joined a long line of Corporate and Real Estate Clinic students---six or seven years of teams---in the effort to transfer a Lower East Side building to a business corporation so it can operate as a cooperative and eliminate over 3 million dollars in real estate tax arrears. Stephanie and George made extensive revisions in a petition to the New York State Attorney General's Charities Bureau and drafted an amendment to the certificate of incorporation.

On December 5, students Alia Soomro ('19) and Iantha Stewart ('18) traveled with Professor Debbie Bechtel to Kelly Street in the Bronx where they met with four co-op board members and two representatives of the City's Green Loan Program. The students fielded questions and obtained board approval for a regulatory agreement that was required in order to proceed with a \$1,600,000-dollar loan to install solar panels and new windows in the twenty-one unit building as well as to re-finance existing debt and obtain a real estate tax exemption.



Safe Harbor-The Clinic That Keeps on Helping

The Safe Harbor Project just obtained lawful permanent residence for the family of an activist for the rights of the disabled from a West African country. This has been a years-long project, first helping the principal client obtain asylum, then petitioning for derivative asylum for his spouse and three children and shepherding them through consular processing. While petitioning for his family, clinic students successfully represented this client in his application for lawful permanent residence.

Clemency and Pardon Clinic

One year after filing a pardon application with Gov. Cuomo, the clinic's client was granted a full and unconditional pardon on December 17, 2017. This act of clemency will allow her to apply for relief from deportation. The work submitted by Michelle Ward, '17, Kelly Malloy, '18 and Nina Hrushko, '18, was described as "amazing" by the Governor's office. This clinic is designed to give part-time evening students a clinical experience.

Clinic Students Get Comfortable and Work Hard in their New Penthouse Offices



Our Dynamo Externship Director

Director of Externships Jodi Balsam has been elected to the Board of Directors of the Clinical Legal Education Association (CLEA), for a three-year term beginning in January 2018. She will also become chair of CLEA's Externship Committee. CLEA advocates for clinical legal education and to foster excellent teaching and scholarship by clinical educators.



A key element of CLEA's mission is "to reform legal education so as to prepare law students for excellent and reflective law practice." Professor Balsam has been especially active in teaching and writing about reflective practice. In her just-published article *Assessing Law Students as Reflective Practitioners*, 62 N.Y.L. Sch. L. Rev (2017-2018), she and her co-authors offer a rubric for identifying and assessing law students' reflective writing.

She revisited that subject at the Global Access to Justice Conference in Puebla, Mexico in December 2017, presenting on "Reflective Practice, Well-being, and Social Justice: How to Teach and Assess," with colleagues from Drexel University and the University of Saskatchewan.